

Representation on the New National Policy Framework

The National Association for Areas of Outstanding Natural Beauty (NAAONB) is a voluntary body whose membership includes all the AONB Partnerships/Conservation Boards in England and Wales, many of the Local Authorities with statutory responsibility for AONBs, a Trust which manages AONBs in Northern Ireland, as well as a number of voluntary bodies and individuals with an interest in the future of these nationally designated landscapes.

A number of AONB Partnerships/Conservation Boards have responded individually to this consultation and the comments of the NAAONB should be seen as supportive and supplementary to these.

Thank you for the opportunity to comment on the new National Policy Framework for Planning.

Overview

This submission highlights some central principles for the proposed National Planning Policy Framework (NPPF) that will be critical to the continued conservation and enhance of nationally protected landscapes in England. It draws specifically on the experience of Areas of Outstanding Natural Beauty, their staff units and wider partnerships.

In replacing Planning Policy Statements (PPSs) generally, and PPSs 1, 4, 7 and 9 in particular, the NPPF should retain the essential elements of each one. Care should be taken to ensure that the Framework, being so condensed, does not retreat into generalities capable of widely varying interpretation and therefore have limited effect.

The Framework should play a central part in ensuring that the operation of the planning system results in beneficial outcomes, and it should specify quite clearly what those outcomes should be.

**The National Association for
Areas of Outstanding Natural Beauty**

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Our submission focuses on three themes that should be central to the objectives of the NPPF:

1. planning policy for protected landscapes;
2. sustainable development; and
3. local distinctiveness.

The submission sets out a series of imperatives for each of these themes that should be addressed in the NPPF. They are expressed in the form: '*The National Planning Policy Framework should ...*' The list of imperatives is not intended to cover comprehensively all the matters that should be addressed by the Framework but is concentrated on some of the particular interests of AONBs and other protected landscapes, placing those interests on a wider canvas.

1 PLANNING POLICY FOR PROTECTED LANDSCAPES

Protected landscapes is used to describe all landscapes with statutory protection including National Parks, Areas of Outstanding Natural Beauty (AONB) and areas such as the Broads.

A Policy for protected landscapes – PPS 7, PPS 4, PPS9 (etc.)

- **The National Planning Policy Framework should retain the core policy driver of Planning Policy Statement 7 giving protected landscapes the highest status of protection in relation to landscape and natural beauty.**

The focus in national policy has always given protected landscapes the highest level of protection for their natural beauty and special landscape quality. This should continue to be recognised and explicitly stated in National Planning Policy guidance. It is implicit in countryside legislation and precedent, but is not otherwise stated in planning legislation, and is therefore essential that it is referenced in the National Planning Policy Framework (NPPF).

The focus in planning policy has always afforded protected landscapes a very significant role within planning process, either having great weight or very high importance. Retaining this level of recognised significance is necessary to retain the appropriate level of protection and consideration to be given to protected landscapes within development decisions. Indeed it could be argued that protected landscapes should be given pre-eminence or paramount importance in policy and development management decisions.

- **The National Planning Policy Framework should retain the policy presumption in Planning Policy Statement 7 against major development taking place within protected landscapes.**
- **The National Planning Policy Framework should clarify what is meant, individually and cumulatively, by major development**

PPSs and (previously PPGs) have always included a presumption against major development taking place in protected landscapes, and this should continue to be the case, due to the harm and impact such development will have on these special landscapes. It would be beneficial for the NPPF to include a definition of what would constitute major development (DCLG defines this administratively as 10+ dwelling or 1 ha, but this is not always how it has been interpreted by plan inspectors and local planning authorities – see below). Both the national significance test and test for exceptions to the presumption should be retained.

Some AONB units' recent experience of Local Development Frameworks has been that, even where they contain proposals for development that would cumulatively have a major impact on AONBs (for example, allocations of hundreds or even thousands of new homes in just one part of an AONB), this has not been recognised as major development by local planning authorities or the Planning Inspectorate. Crucially therefore, the definition of major development should refer not only to individual sites or proposals but also to the cumulative amount of development proposed or permitted through the planning process in part or all of an AONB. To work, such assessment needs to encompass the whole of a designated landscape. While this is relatively straightforward in National Parks with their National Park Authorities, in many AONBs assessment needs to be done across several different local planning authority areas.

For designation to be effective in protecting landscapes' qualities from gradually being eroded year by year, it is essential that housing, employment and other development in protected landscapes should be limited to that needed to meet identified local need (backed by up-to-date housing needs surveys) and which can be accommodated without harm to the qualities for which they were designated.

- **The National Planning Policy Framework should include reference to the European Landscape Convention and its definition of landscape reflecting in particular the cultural, & heritage qualities of protected landscapes**

Natural beauty can be defined in a wider range of terms than simply scenic quality or a broad concept of 'landscape.' The NPPF should support the interpretation of natural beauty in terms of the European Landscape Convention definition of landscape as:

“An area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.” (Council of Europe 2000)

This definition recognises the wider cultural, social, heritage, biodiversity and geodiversity qualities and attributes of protected landscapes, not just their scenic quality.

- **The National Planning Policy Framework should include reference to protecting the designated area from development outside the designated boundary but within the ‘setting’ of the protected landscape.**

The importance of protecting the designated landscape from development outside the designated boundary that will have a negative impact on the special qualities of the designated area has been usefully highlighted in policies included in some Regional Spatial Strategies (RSSs). With the demise of RSSs, this important refinement of protected landscape planning risks being lost unless included in the NPPF. The concept of the setting of a protected landscape is recognised in precedent and case law, but is undefined in the legislation and not particularly well established or understood in other planning policy. The NPPF should give clear guidance on the need to consider the impact of development within the setting of protected landscapes.

- **The National Planning Policy Framework should promote development in protected landscapes that genuinely contributes to the environmental, economic, cultural and social attributes of landscape character and local distinctiveness**

The focus of development that does occur within protected landscapes should be directed to the support of four key objectives: the environmental, economic, cultural and social qualities and sustainability of these landscapes. This will support a more comprehensive and effective application of sustainable development principles as detailed below. In line with protected landscapes' statutory purposes (including the Sandford Principle), where there is conflict or tension between these objectives protecting and enhancing natural beauty must continue to take precedence over other objectives.

- **The National Planning Policy Framework should recognise the role and function of statutory AONB management plans in the planning system to deliver conservation and enhancement of natural beauty.**

Statutory AONB Management Plans (and National Park plans), required under the *Countryside and Rights of Way Act 2000* provide the framework for decision making relating to the management of landscape and the definition of natural beauty. Recognised by case law and appeal decisions as a material consideration, management plans provide a valuable role in local development planning. The status and relationship of AONB Management Plans to the Local Development Plan should be recognised and included in the NPPF.

- **The National Planning Policy Framework should retain the core policy driver of Planning Policy Statement 4 protecting the countryside for its intrinsic quality and value.**

Policy in the original PPS7 and as amended by PPS4 has assigned a recognition of the special value of the countryside in the planning process. Urban/rural separation is a central tenet of the planning system, including the brownfield/greenfield split. It is extremely important that rural areas should continue to be defined for their intrinsic quality and value, expressed in terms of their landscape, cultural, social, heritage, biodiversity and wider environmental qualities. This could also recognise the value of rural areas as productive areas for agriculture and forestry that provide a wide range of essential goods and services, and not just as a pleasant recreational resource.

- **The National Planning Policy Framework should retain the core policy driver of Planning Policy Statement 9 protecting ancient woodland and other important natural habitats.**

Policy in PPS9 specifically identifies ancient woodland as a finite and irreplaceable resource which should be protected from loss or damage. Ancient woodland is a significant component of many protected landscapes and makes a key contribution to wildlife, the historic environment and natural beauty. This high level of protection should continue to be applied. Additionally a similar level of significance should continue to apply to the Section 74 habitats.

2 SUSTAINABLE DEVELOPMENT

The National Planning Policy Framework should:

- **Retain the pursuit of sustainable development as the core principle of the planning system**

The focus of PPS1 and the 2004 Act on sustainable development as the main driver of planning policies was a significant advance and should be kept as the principal aim of the National Planning Policy Framework.

However, the Framework will need to ensure that the commitment to sustainable development is applied both more effectively and with more discrimination in statutory development planning practice than hitherto and it will need to ensure the practical achievement of sustainable development through neighbourhood planning.

- **Promote sustainable development more vigorously as a multi-dimensional concept that integrates social, economic, environmental and cultural components**

While all recent planning policy statements, and indeed most planning policies, acknowledge the importance of a broader and more integrated interpretation of sustainable development, by and large this has rarely advanced beyond rhetoric and has not been followed through in a balanced way into statutory development planning practice.

- **Acknowledge that the maintenance of cultural heritage is a component of sustainable development**

Many international organisations, such as the Council of Europe through the European Landscape Convention and UNESCO through the Universal Declaration on Cultural Diversity, now assert that the conservation of cultural heritage should be one of the components of sustainable development, but this has not yet filtered through into planning practice in the UK. The preparation of the National Planning Policy Framework presents an opportunity to rectify this omission.

3 LOCALISM

The National Planning Policy Framework should:

- **Promote good practice in the development of neighbourhood plans**

Over the past 25 years community-led plans have blossomed in rural England; the two most effective forms have been Parish Plans and Village Design Statements (VDSs). The main lessons of direct value to neighbourhood plans from these two initiatives cohere around their successful methods of engaging communities in influencing decisions about the future of their localities..

Parish Plans and VDSs have had mixed success in influencing spatial planning decisions for their areas. VDSs focus specifically on the design of new development – deliberately to ensure a close ‘fit’ with the statutory

planning system and thereby have maximised their effectiveness. Most evaluations report widespread acceptance of their valuable contribution to the planning system.

- **Promote planning for each area as a unique place**

The blanket application of standard approaches is damaging to the character and distinctiveness of places. We support changes to the Planning Policy Framework that will ensure that the particular characteristics of individual places, including their local distinctiveness, are to the fore in decision making.

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