

# High Weald AONB Development Control Information Leaflet



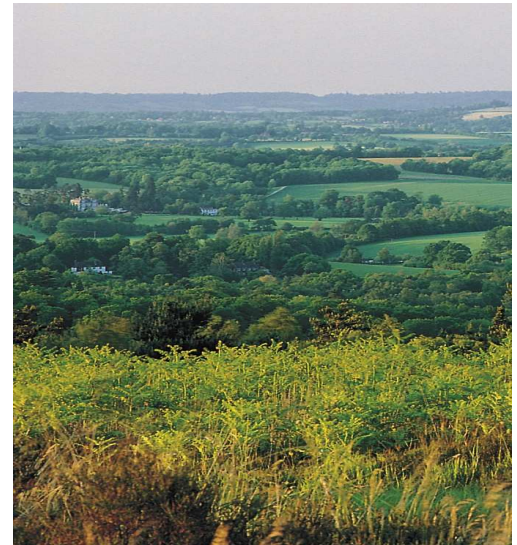
## The High Weald AONB

The High Weald Area of Outstanding Natural Beauty (AONB) is a nationally designated, protected landscape. It receives the highest level of protection under national planning policy, equivalent to a National Park. It is a unique and special area.

As one of the primary 'managers' of the AONB, through the delivery of planning permission, the role of Development Control departments in conserving and enhancing this landscape is vital.

The High Weald AONB Unit is a small specialist team dedicated to the care and management of the AONB, and is jointly funded by local authorities & Natural England. We are keen to be supportive of development control and development control officers. Planning in the AONB (and the Units involvement) should be about promoting the right form of development that supports and complements the Management Plan objectives.

One of the Units roles is to provide advice and guidance on how those objectives can be translated into planning decisions. The Unit is working closely with policy/LDF units to develop policy for the AONB, and is actively involved in the Local Development Framework process.



## The Statutory Background to AONB's

AONB's were originally designated under the National Parks and Access to the Countryside Act 1949, but the current legislation is the Countryside and Rights of Way (CRoW) Act 2000. Although AONB's are often seen as a planning designation their legal status is defined under the CRoW Act which affirms the primary purpose of AONB designation and the various duties in regard to it, principally to conserve and enhance natural beauty (see opposite).

The requirement under section 89 is particularly relevant. It requires all local authorities to prepare a statutory management plan for the High Weald area. The management plan is prepared by the AONB Unit on behalf of, and working jointly with, all the local authorities affected by the AONB. All authorities in the AONB are represented on the High Weald Joint Advisory Committee (JAC) which is a formal partnership of all 15 local authorities, Natural England, and organizations representing land management, community, business and recreation interests. The JAC manages the AONB Unit which prepares the Management Plan, which is the formally adopted policy of each Local Authority in regard to the AONB, and is effectively each individual Council's (joint) plan for the area.

### The CRoW Act 2000

Section 82 – the primary purpose of designation, *to conserve and enhance natural beauty*,

Section 84 – the powers of local authorities to take action to conserve and enhance,

Section 85 – the statutory duty on all public bodies to 'have regard to the purpose of designation' and,

Section 89 – statutory responsibility to produce and review a management plan for the area.

## What is the High Weald?

The High Weald Management Plan 2004 describes the AONB as:

'Characterized by dispersed settlement; ancient routeways; an abundance of small ancient woods, gills and shaws; and small, irregularly shaped and productive fields. These are all draped over a deeply incised and ridged landform of clays and sandstones, and are closely related to socio-economic characteristics that have roots extending deep into history. The essential character of the High Weald was established by the 14<sup>th</sup> century and has survived major historical events, and social and technological changes. This fundamental and largely immutable character is the essence of the natural beauty of the AONB'.

The AONB reaches from Horsham in the west to Hastings in the east, crosses 4 counties (West & East Sussex, Kent and a corner of Surrey), a total of 1457 sq km of countryside. 11 district authorities are within the High Weald, covering a population of over 120,000, one of the most populous AONB's in the Country.

## The Planning regulations

Under the planning legislation, policy for AONB's is principally contained within Planning Policy Statement (PPS) 7: Sustainable Development in Rural Areas, (ODPM 2005) paragraphs 21 & 22:

*21. Nationally designated areas comprising National Parks, the Broads, the New Forest Heritage Area and Areas of Outstanding Natural Beauty (AONB), have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.*

*22. Major developments should not take place in these designated areas, except in exceptional circumstances. This policy includes major development proposals that raise issues of national significance. Because of the serious impact that major developments may have on these areas of natural beauty, and taking account of the recreational opportunities that they provide, applications for all such developments should be subject to the most rigorous examination.*

The South East Plan (and until adopted, existing Structure Plans) and Local Development Frameworks (and any 'saved' Local Plans) include specific policies relating to AONB's.

The JAC has agreed a planning protocol to govern the relationship between the Unit and LPA's. It sets out arrangements for Development Control teams to consult the Unit on planning applications within the AONB. This consultation process is at the local authorities discretion. Some LPA's send a number of applications for comment, others are selective, some don't consult the Unit at all, or very seldom.

Similarly with local plans/LDF's, it is the LPA's decision whether they consult the Unit, or notify them of new consultation documents. However it is more usual for the Unit to be involved in local plan/LDF consultations, and the Unit has commented on local plans regularly in the past and are currently involved in the consultation processes involved with the new LDF's. This more active involvement at this level reflects the Units strategic and advisory role, as opposed to the detailed involvement required for responding to planning applications.

The JAC itself has been directly involved in planning consultations most recently in regard to the South East Plan, where a joint response from all AONB's in the South East was sent. However it is generally the Units responsibility to respond to consultations directly to the authority in question. The Unit is not however a statutory consultee within the planning system. The Unit is therefore reliant on the cooperation and involvement of individual planning authorities, however we are keen to be involved in the process and to support and give additional advice and guidance on management to local authorities.

## Natural Beauty defined

The primary purpose of AONB designation remains rooted in the phrase “natural beauty”, a term coined and enshrined in the 1949 Act when a Romantic idea of scenic value still prevailed. “Natural beauty” is now understood differently, most notably through the widening of archaeological and ecological interest from individual sites to landscape-scale systems. The embracing of wildlife and historic environment within natural beauty is recognized in legislation by the Environment Act 1995. Government guidance specifically on AONB’s provides a useful non-technical definition:

*“Natural Beauty” is not just the look of the landscape, but includes landform and geology, plants and animals, landscape features and the rich history of human settlement over the centuries.’*

In this context the High Weald AONB Management Plan defines Natural Beauty in the High Weald as being comprised of 5 basic components of natural beauty. Each has specific features in the landscape - sandstone outcrops, historic farmsteads, scattered settlements, droveways and sunken lanes, ancient woodland, meadows and heathland, for instance. These are some of the features that combine to create the unique, locally distinctive character of the High Weald. By concentrating effort on the management, conservation and enhancement of these features, the High Weald AONB will be best preserved and protected.

In commenting on planning applications;

- ◆ the Unit will concentrate almost exclusively on the impacts on the components of natural beauty,
- ◆ any loss or damage to these features will, by definition, constitute a significant impact upon the AONB.

This is because an actual component, a feature that of itself comprises a fundamental part of the structure of the AONB, is being affected.

**This impact is more severe or damaging to the landscape than the visual effect of a development on the wider landscape.**

Whilst the visually intrusive nature of a development is important, the impact upon an ancient woodland or sandstone outcrop or field boundaries is potentially more damaging to AONB character. Natural Beauty is defined by these elements which combine to create visual quality. It is essential that planning decisions respond to this definition of natural beauty, rather than rely solely on the subjective assessment of the visual impact, which should therefore be considered alongside the impact on the components of natural beauty themselves.

## World Conservation Union

Our current understanding of Natural Beauty is recognised by the World Conservation Union (IUCN) definition of Category V protected landscapes which states an AONB to be:

*“An area of land, with coast and seas as appropriate, where the interaction of people and nature over time has produced an area of distinct character with significant aesthetic, ecological and/or cultural value, and often with high biological diversity. Safeguarding the integrity of this traditional interaction is vital to the protection, maintenance & evolution of such an area.”*

Thus it is the ecological and cultural features formed by the traditional interaction of man and nature that defines natural beauty, and creates the aesthetic (visual) qualities of the landscape.

## Components of High Weald Natural Beauty

- ◆ Geology, & Water Systems;
  - Sandrock outcrops
  - Ghyll streams
- ◆ Settlements;
  - Dispersed settlement pattern
  - Historic farmsteads
- ◆ Routeways;
  - Droveways
  - Sunken lanes
- ◆ Woodland;
  - Ancient woodland
  - Archaeological remains
- ◆ Field and Heathland
  - Unimproved grassland (meadows)
  - Heathland
  - Historic Field boundaries

# Development Control Information Leaflet

## Checklist

The following checklist summarises the main points of this leaflet and details the service you can expect to receive from the High Weald AONB Unit when responding to planning queries.

- ◆ The CRoW Act places various duties on local authorities to take all measures necessary to conserve and enhance the AONB and have regard to its designation.
- ◆ AONB's are designated by the CRoW Act, but are specifically referred to by PPS7 and are essentially a 'planning' designation.
- ◆ The AONB Management Plan 2004 is adopted policy of the local authority, it is Council policy.
- ◆ The High Weald's natural beauty is defined by the Management Plan and its five components.
- ◆ The JAC has an adopted Planning Protocol to govern ways of working between LPA's and the High Weald AONB Unit.
- ◆ The Unit has a strategic advisory role aimed at influencing and providing guidance on AONB Management.
- ◆ The Unit is not a pressure group or 'serial' objector but seeks to provide professional, targeted advice on AONB Management.
- ◆ The Unit will respond to consultations on the basis of the components of natural beauty defined by the AONB Management Plan.
- ◆ It is not the Units practice to make site visits, this is the domain of the LPA case officer.
- ◆ It is the Units aim to provide objective and evidence based assessments of issues relating to natural beauty based on the adopted criteria of the Management Plan.
- ◆ It is not the Units aim to comment generally upon wider planning issues or local political matters.
- ◆ Generally it is not sufficient to simply screen a development or 'hide it' to make it acceptable,
- ◆ Assessing development in the AONB is not simply a scenic or visual impact matter, Natural beauty is a wider concept.

## The High Weald AONB Unit

The Unit is a strategic, specialist team that advises on the management of the nationally valued landscape of the High Weald. It furthers understanding of the area's special qualities and enables action to conserve it. It is a partnership, funded by the High Weald AONB Joint Advisory Committee (JAC), a partnership of the 15 local authorities whose areas are covered by the AONB;

- ◆ Kent, Surrey, East and West Sussex County Councils;
- ◆ Ashford, Tunbridge Wells, Crawley, Tonbridge & Malling and Hastings Borough Councils;
- ◆ Wealden, Rother, Horsham, Mid Sussex, Sevenoaks, and Tandridge, District Councils.
- ◆ Natural England and other organizations representing farming, forestry, community, business and recreation interests.



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