



Kent Downs AONB Unit

Representor Number **592**

Issue 16 / Policy ENV3b

Are the topic policies for the natural and built environment justified, deliverable and consistent with national policy? Will they be effective?

iii) In Policy ENV3b, is it justified to expect development within the AONB to 'conserve and enhance' the character of the landscape in the first bullet point? Is it justified to expect all development within an AONB to 'enhance' their special qualities? Is this consistent with the first paragraph of the policy?

AONBs are designated by the Government to ensure that the special qualities of our finest landscapes are conserved and enhanced. The original purpose for the designation of AONBs, as set out in the National Parks and Access to the Countryside Act 1949 was specified as to 'conserve and enhance' natural beauty. The status of AONBs was enhanced through measures introduced in the Countryside and Rights of Way (CROW) Act 2000, which gave greater support to their planning and management and is now the primary legislation relating to AONBs. Section 82 of The Countryside and Rights of Way Act (CROW) 2000 confirms that the primary purpose of AONB designation is to conserve and enhance the natural beauty of the area.

Despite the omission of the word 'enhance' from the NPPF, it is considered essential that both elements, conserve and enhance, are included in wording of local plan policies, to ensure that the requirements of the Countryside and Rights of Way Act are met.

This would also be consistent with policies of the adopted AONB Management Plan, in particular policies SD1 and SD2:

SD1 The need to conserve and enhance the natural beauty of the Kent Downs AONB is recognised as the primary purpose of the designation and given the highest level of protection within the statutory and other appropriate planning and development strategies and development control decisions.

SD2 The local character, qualities and distinctiveness of the Kent Downs AONB will be conserved and enhanced in the design, scale, setting and materials of new development, redevelopment and infrastructure and will be pursued through the application of appropriate design guidance and position statements which are adopted as components of the AONB Management Plan.

The AONB Management Plan has been adopted by all the local authorities within which the AONB occurs, including Ashford Borough Council. The nPPG confirms, at paragraph 004 Reference ID: 8-004-20140306 that local authorities should have regard to AONB Management Plans and that they should be taken into account in the local planning authorities' Local Plans.

Reference to the need to both conserve and enhance the Kent Downs AONB has been accepted in all three Local Plans within the Kent Downs AONB that were adopted last year (Canterbury, Maidstone and Swale), as well as the Sevenoaks District Council Allocations and Development Management

Plan, adopted in 2015 (there were no Local Plan adoptions in local authorities within the Kent Downs during 2016). Including reference to the need for enhancement of the AONBs is also considered important to help ensure a consistency in decision making across the AONB which is covered by 12 different local authority areas. Relevant extracts from the recently adopted local plan policies are reproduced below:

Canterbury Policy LB1, adopted 2017 - Kent Downs Area of Outstanding Natural Beauty

High priority will be given to conservation and enhancement of natural beauty in the Kent Downs Area of Outstanding Natural Beauty (AONB) and planning decisions should have regard to its setting. Major developments and proposals which conflict with the objective to conserve and enhance the AONB, or that endanger tranquillity, will not be permitted except in exceptional circumstances where it is demonstrated to be in the public interest, the need is shown and any detrimental effect is moderated or mitigated.

In considering proposals for development within the AONB, the emphasis should be on proposals that are sustainably and appropriately located and designed to enhance the character of the AONB. The City Council will grant proposals which support the economy and social well-being of the AONB and its communities, including affordable housing schemes, provided that they do not conflict with the aim of conserving and enhancing natural beauty by addressing location, scale, form, high quality design, materials and mitigation and have regard to the advice set out in the Kent Downs AONB Management Plan, and its supporting guidance.

Proposals will be encouraged where they facilitate the delivery of the statutory Kent Downs AONB Management Plan and are desirable for the understanding and enjoyment of the area.

Maidstone Policy SP 17, adopted 2017 - The Countryside

The countryside is defined as all those parts of the plan area outside the settlement boundaries of the Maidstone urban area, rural service centres and larger villages defined on the policies map.

1. Development proposals in the countryside will not be permitted unless they accord with other policies in this plan and they will not result in harm to the character and appearance of the area.

2. Agricultural proposals will be supported which facilitate the efficient use of the borough's significant agricultural land and soil resource provided any adverse impacts on the appearance and character of the landscape can be appropriately mitigated.

3. Great weight should be given to the conservation and enhancement of the Kent Downs Area of Outstanding Natural Beauty.

4. Proposals should not have a significant adverse impact on the settings of the Kent Downs Area of Outstanding Natural Beauty or the High Weald Area of Outstanding Natural Beauty.

5. The Metropolitan Green Belt is shown on the policies map and development there will be managed in accordance with national policy for the Green Belt.

6. The distinctive landscape character of the Greensand Ridge, the Medway Valley, the Len Valley, the Loose Valley, and the Low Weald, as defined on the policies map, will be conserved and enhanced as landscapes of local value.

7. Development in the countryside will retain the separation of individual settlements.

Account should be taken of the Kent Downs Area of Outstanding Natural Beauty Management Plan and the Maidstone Borough Landscape Character Guidelines Supplementary Planning Document.

Swale - Policy DM 24, adopted 2017 - Conserving and enhancing valued landscapes

The value, character, amenity and tranquillity of the Borough's landscapes will be protected, enhanced and, where appropriate, managed.

Part A. For designated landscapes areas:

Within the boundaries of designated landscape areas, as shown on the Proposals Map, together with their settings, the status given to their protection, enhancement and management in development decisions will be equal with the significance of their landscape as follows:

The Kent Downs Area of Outstanding Natural Beauty (AONB) is a nationally designated site and as such permission for major developments should be refused unless exceptional circumstances prevail as defined by national planning policy. Planning permission for any proposal within the AONB will only be granted subject to it:

- a. **conserving and enhancing the special qualities and distinctive character of the AONB in accordance with national planning policy;**
- b. furthering the delivery of the AONB's Management Plan having regard to its supporting guidance documents;
- c. minimising the impact of individual proposals and their cumulative effect on the AONB and its setting, mitigating any detrimental effects, including, where appropriate, improving any damaged landscapes relating to the proposal; and
- d. being appropriate to the economic, social and environmental wellbeing of the area or being desirable for the understanding and enjoyment of the area.

Sevenoaks District Council - Allocations and Development Management Plan Policy - EN5: Landscape

The Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection in relation to landscape and scenic beauty. **Proposals within the AONB will be permitted where the form, scale, materials and design would conserve and enhance the character of the landscape** and have regard to the relevant Management Plan and associated guidance.