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Assessment of Current Level of Resourcing and Scope of Planning Work in AONBs

NAAONB Questionnaire Survey December 2012

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1. Introduction

This report has been drawn together by the National Association for Areas of Outstanding Natural Beauty (AONBs).

The idea of undertaking a questionnaire of AONB Partnership engagement in the planning process began with the South West Planning Co-ordination group in 2011 and was endorsed by the Lead Officer meeting in Feb 2012 as a national collaboration priority.

This is an important moment for the AONB family to define the ‘added value’ the AONB designation brings to the planning process. The context for the review being:

- The governments economic growth imperative
- The National Planning Policy Framework
- LUC study” Delivery of Planning Services in Statutory Designated Landscapes in Wales: Final Report
- Re-structuring of Local Authorities services.

AONB Partnerships work to facilitate development in the context of safeguarding the special qualities of designated landscapes. Positive planning can ensure that the full suite of services delivered by a healthy, functioning landscape provide benefits to society and support strong rural economies.

In an ideal world the Local Authorities ‘duty to have regard’ to AONB purposes would be sufficient to safeguard and promote sustainable management of the designated landscape. In reality, it is the landscape expertise applied by AONB teams that is the critical component ensuring compliance with Section 85 of the CRoW Act (2000). Many local planning authorities appreciate the expertise and support offered by AONB teams but in difficult times a case needs to be made to recognise and secure the “added value” provided through AONB teams.

The questionnaire sought to begin a process of communicating a picture of the role AONB partnerships play in the planning process - the scale, depth and breadth of the 'added value' provided through AONB Partnerships. This report will help the NAAONB develop and support a collaborative approach to national and local planning engagement through:

- a) Providing data into a national meeting of protected landscape planning staff and other planning specialists to explore the role of the AONB designation in the planning process,
- b) Developing packages of support to AONB teams to develop the positive contributions to sustainable outcomes at the local level.

The questionnaire survey was conducted between 7th and 22nd December 2012. The survey was promoted to all AONBs teams.

The findings of the survey and research that underpin this draft report will be presented to a workshop meeting of AONB teams and Partners in Birmingham on 27 February 2013.

2. AONB Designation - The Planning Context

- . AONBs, under the National Parks and Access to Countryside Act have a sole statutory purpose is: “to conserve and enhance the natural beauty of the area”. AONB is a rural designation: legal framework provided by Countryside and Rights of Way Act 2000 (CRoW) and overseen by Defra.
- . In terms of their landscape, both National Parks and AONBs share the statutory designated landscapes are of equal (national) importance. This is recognised in legislation - “*National Parks and AONBs are of equal status in terms of landscape and scenic beauty and both must be afforded the highest status of protection from inappropriate developments*”. In development plan policies and development control decisions National Parks and AONBs must be treated as of equivalent status.
- . Introduced in March 2012 the National Planning Policy Framework (NPPF) replaced c5,000 pages of planning policy guidance. In the case of AONBs PPS 7. NPPF sets out high level policies leaving Local Planning Authorities to determine how policies are interpreted and applied to local circumstances and needs. The onus is on LPAs to get up to date Local Plans in place

NPPF Para 115: “*Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas and should be given great weight in National Parks and the Broads*”

NPPF continues to give the highest status of protection in relation to landscape and scenic beauty for National Parks, the Broads and AONBs. Yet some point to the subtle downgrading of protection resulting from the replacement of ‘natural beauty’ (as defined in PPS 7) with ‘scenic’ beauty.

The major development ‘test’ has been retained by the NPPF:

Para 116. “Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- *The need for the development, including in terms of national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- *The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- *Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

The NPPF’s also contains policies for the wider landscape and the undeveloped coast;

- Planning should take account of the different roles and character of different areas..recognising the intrinsic character and beauty of the countryside.
- Local and neighbourhood plans should... be based on stated objectives for the future of the area and an understanding of its defining characteristics. Planning policies and decisions should aim to ensure that developments... respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.
- The planning system should contribute to and enhance the natural and local environment by... protecting and enhancing valued landscapes.
- LPAs should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas can be judged.
- LPAs should maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in Heritage Coasts.

3. Summary of Planning Survey

A survey of AONB teams was conducted in December 2012 to establish the scale, depth and impact of AONB Partnership involvement in the planning process.

32 responses received from AONBs

(NB North Wessex Downs/ Isle of Wight and CCWWD AONBs completed 2 survey forms - 1 form received from AONB wholly in Wales).

The AONBs were asked “ Does your AONB Partnership/ Board engage in planning matters?”

31 Answered Yes

1 No

Supplementary questions asked if there was any sort of planning protocol in place to guide AONB engagement?

22 have protocols or equivalent guidelines with their Local Planning Authorities (1 in draft, 1 under review, 3 out of date or in not currently adhered to) 4 respondents identified that protocols extended to include Natural England.

5 Do not have protocols.

Question 2 “ What resources does the AONB Partnership/Board have to support its planning activities?

15 of the AONB Partnerships employ specialist planning staff, either full time or part time. Of these 9 staff spent over 75% of an FTE post on planning work and 6 spent 50% or less of an FTE post on planning work.

- 1 full time post is shared across 2 AONBs
- 1 full time post is operated on a job share basis
- 21 AONB Lead Officers devote time to planning matters - 3 up to 50% FTE post and 18 less than 25% FTE post
- 5 AONB Partnerships engage planning support from outside consultants all less than 25% of a FTE post
- 12 AONB Partnerships call on other full time staff to deliver planning input - 3 up to 50% FTE post 11 less than 25% FTE Post
- 12 AONBs draw on Partnership members to support planning work - 1 up to 50% FTE post 11 less than 25% FTE post

Question 3 Details of staff employed

- 15 posts
- 9 f/t 6 p/t

Comment

High number of Lead Officers engaged in planning work (21 out of 26 reporting)

Many AONBs calling on core staff to support planning work, even when specialist planning resource is available.

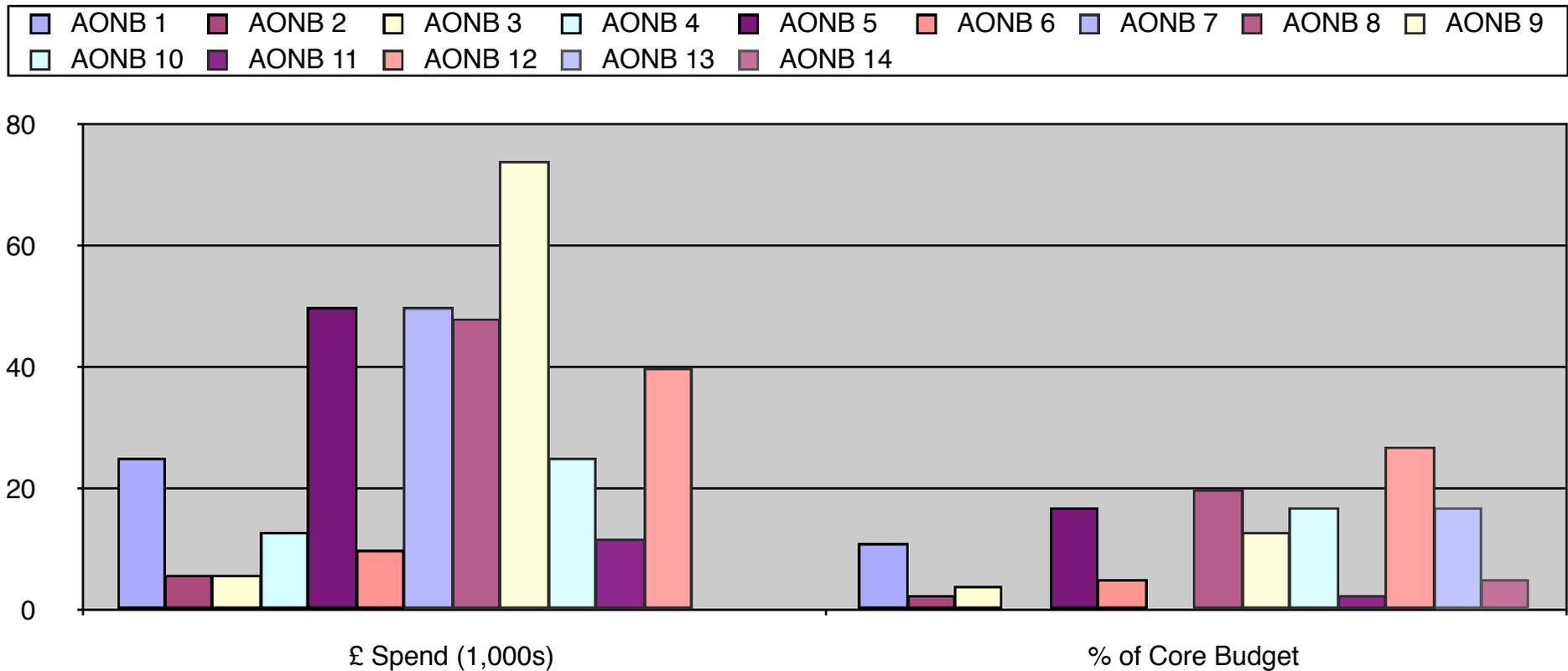
12 calling on Partnership members

Where there is a dedicated planning resource (p/t or f/t) Lead officers, core staff and partnership members are still engaged in planning work - reports suggesting no less than where there is no planning specialism available.

Question 4 asked “Are you able to put a monetary value on your input to planning matters?”

14 respondents were able to do this but 11 could not.

Figures of actual total costs of planning input varied from as little as £4k to as much as £74k or expressed as a % of the core AONB budget from 2.5% to 27%.



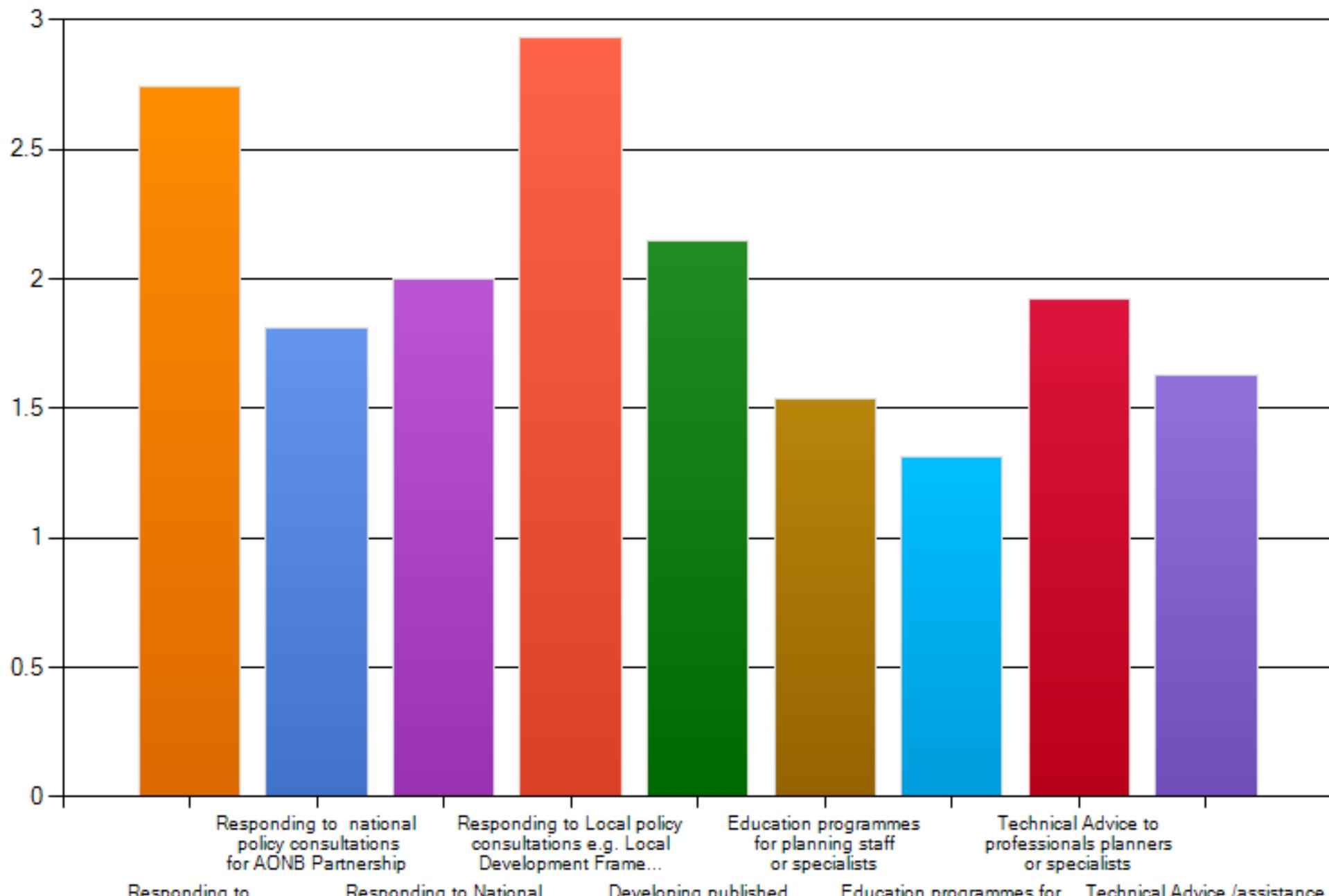
There appeared to be distinct clustering of responses with 5 respondents quoting that the % of core allocated to planning work was 5% or less a further 5 quoting % of core of 13-20% and 1 of 27% - Similarly 4 respondents quoted total costs of less than £10k, 5 respondents £12 to £25k and 5 upwards of £40k to £74k.

Comment

Where there was no dedicated planning resource and where the onus rested with the Lead Officer to undertake a planning role (up to 25% of time) real costs and % of core were at the lower end of the scale (<£12k and <5% of core costs) - where there was a dedicated planning input costs were predictably higher (£15k - £40k and 12 - 20% of core costs)

Point above that having dedicated planning resource does not necessarily reduce the time input from the Lead Officer or team - often LO still doing up to 25% of time input with resultant increase in costs/ % of core dedicated to planning work.

Where are the resources you apply to planning, mainly focused?



Question 5 asked “where are your resources mainly focused?”

The areas where respondents reported AONB resources are being applied most were:

- Responding to Planning Applications
- Responding to Local policy consultations and
- developing published guidance for particular types of development

Less resources are being applied to:

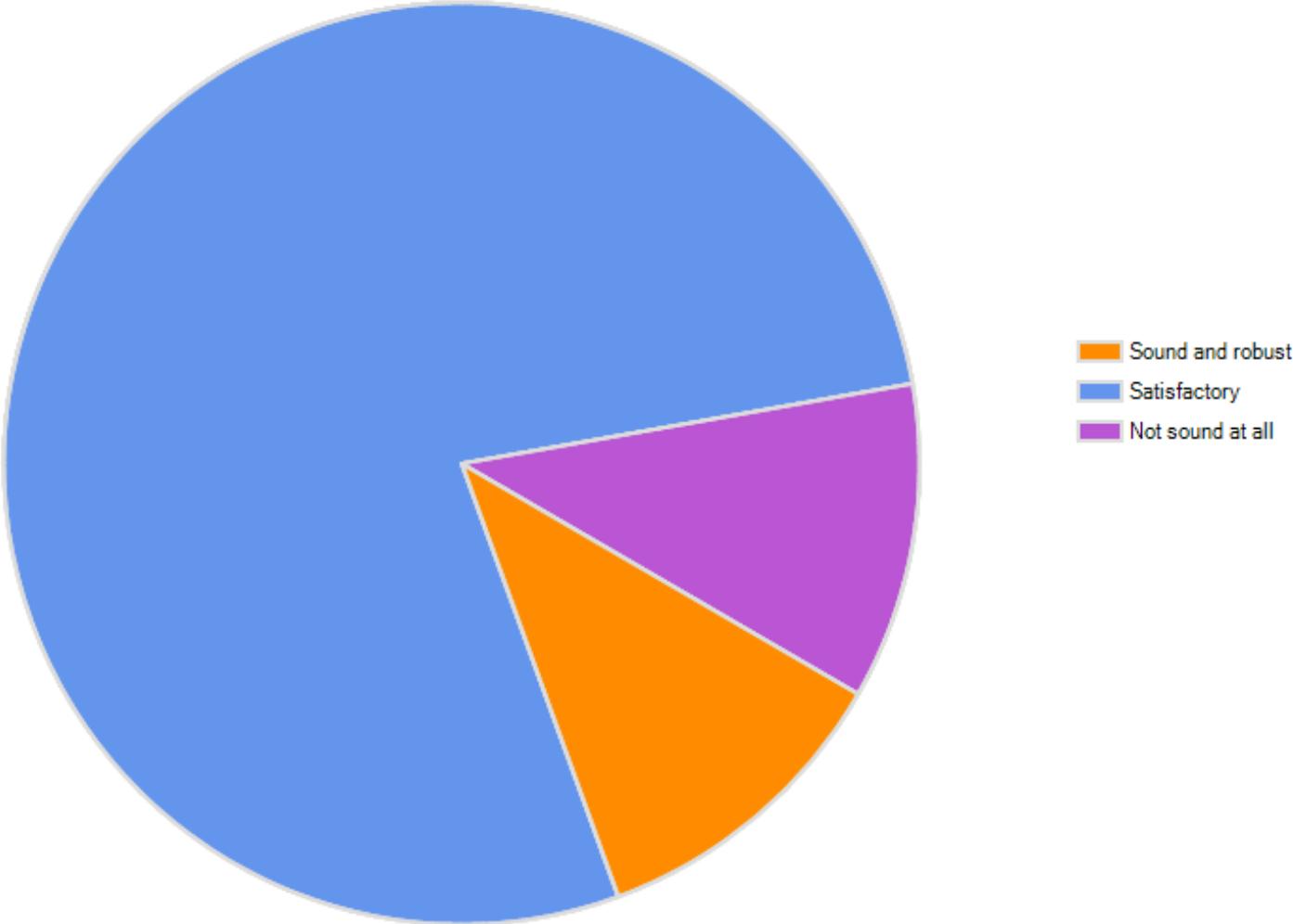
- Education programmes for non specialists
- Education programmes for planning staff/ specialists and
- Technical advice to non specialists

(NB As a number of respondents pointed out this does not imply a value judgement on these areas of AONBs planning work)

Additional responses included:

- Acknowledgement that more needs to be done toward training LPA councillors and Local councillors
- High importance given to Engaging in Planning Appeals/ hearings
- Green Infrastructure work
- the growing need to input to Neighbourhood planning
- half day week spent on pre application negotiations and site visits

In your opinion, how good are your Local Planning Authorities core strategy policies for safeguarding the purposes of AONB designation and fulfilling the local authority’s “Duty to have regard”?



Question 7 Asked: More on the Local Planning Framework

Something like 111 core strategies (incl mineral & waste plans) cover the designated AONBs that responded to the survey. Many of these documents require engagement from the AONB Partnerships and will have relevance to the management of the AONB designation. So far some 40 core strategies covering AONB designated land have been formally adopted. Respondent report that most adopted/ draft core strategies do have specific policies for the AONB designation (see question 6 regarding soundness) with only 22 of the 111 core strategies being reported as not having specific policies for the AONB (2 of these having polices for natural beauty but not the AONB designation specifically).

Question 8 asked: If your AONB team gets involved in planning issues please rank the following planning issues: (1 being most important for your AONB , 12 being least important issue)

Planning issue	Ave value (where 1= Most important)
Wind Power	4.19
New Houses >3	4.39
Agricultural development	4.88
Leisure & Recreation	5.58
Other Energy Schemes	6.46
Equestrian development	6.58
Small Scale Domestic	6.62
Infrastructure Development (local)	6.69
New Roads	7.38
Infrastructure Development (national)	7.54
Telecoms	8.1
Other Development	9.58

Comment

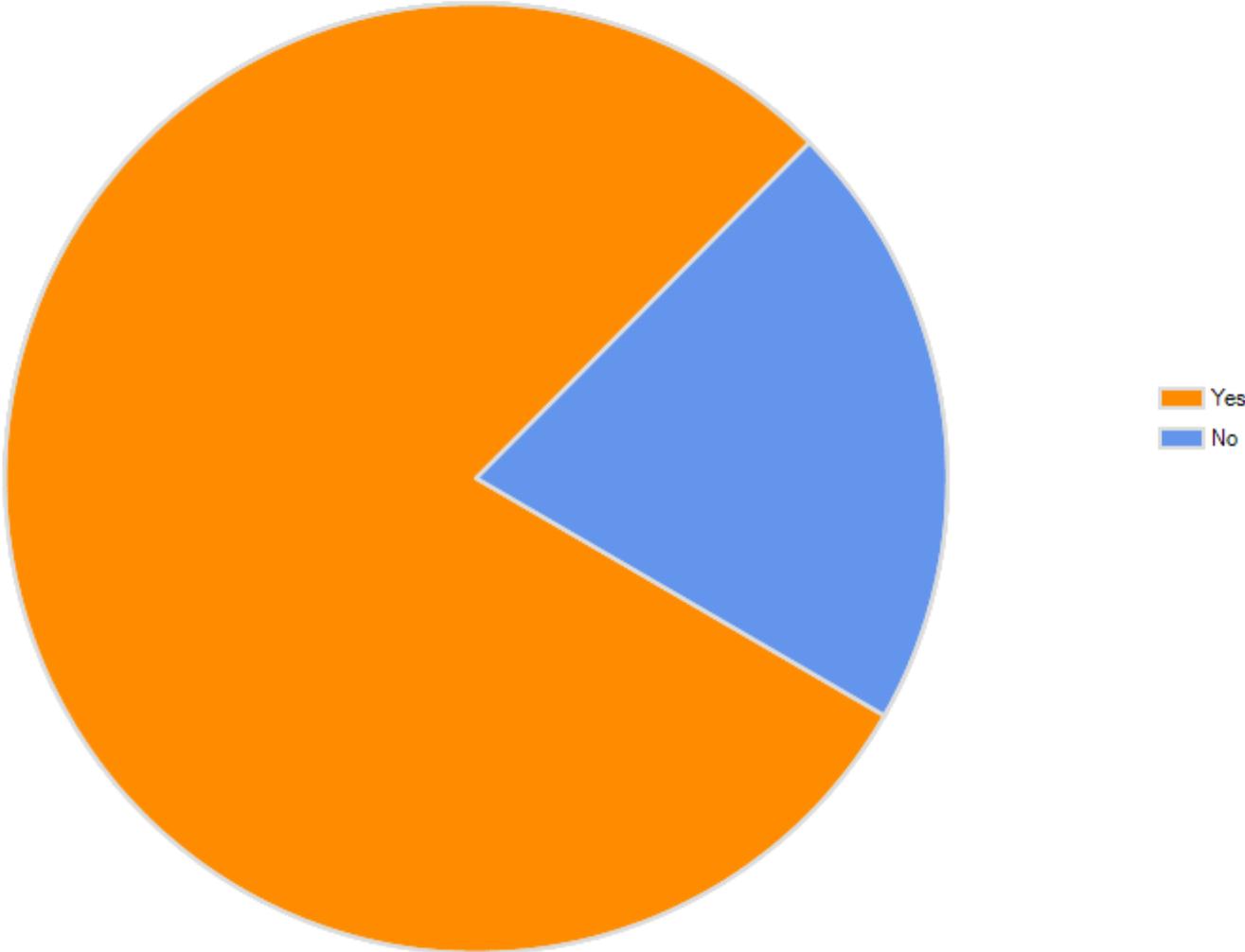
Energy schemes scored highly as important planning issues to most respondents. Wind power had 50% of respondents ranking it as 1 or 2 as most important. New homes over 3 houses, and agricultural developments were also ranked highly.

Planning issues that respondents ranked as least important were telecoms, national infrastructure development and new roads.

Guidance

20 respondents reported that they produced guidance or statements to guide or influence planning decisions - The NAAONB have produced a spreadsheet of AONB guidance documents/ position statements and question 11 provided an opportunity to update/ amend individual entries in the spreadsheet.

Does your AONB produce written guidance/statements to guide or influence planning decisions?



Question 9 asked: If your AONB team gets involved in planning issues please show an estimation of the number of applications dealt with in the last 12 months:

Respondents had dealt with some 2000 planning applications in the last 12 months. Most striking was that unevenness in the distribution of applications being dealt with across the AONB respondents and across the various themes:

Scoring most with 592 applications were small scale domestic developments followed by other developments (415,) agricultural development (201) and wind energy schemes (157).

Not an even distribution across the respondents - for example under small scale domestic some respondents had dealt with large number of applications (270, 130, 136 whilst most respondents had dealt with 20 or less) for wind energy schemes a similar distribution pattern was observed with 4 respondent accounting for 90 or the 157 applications.

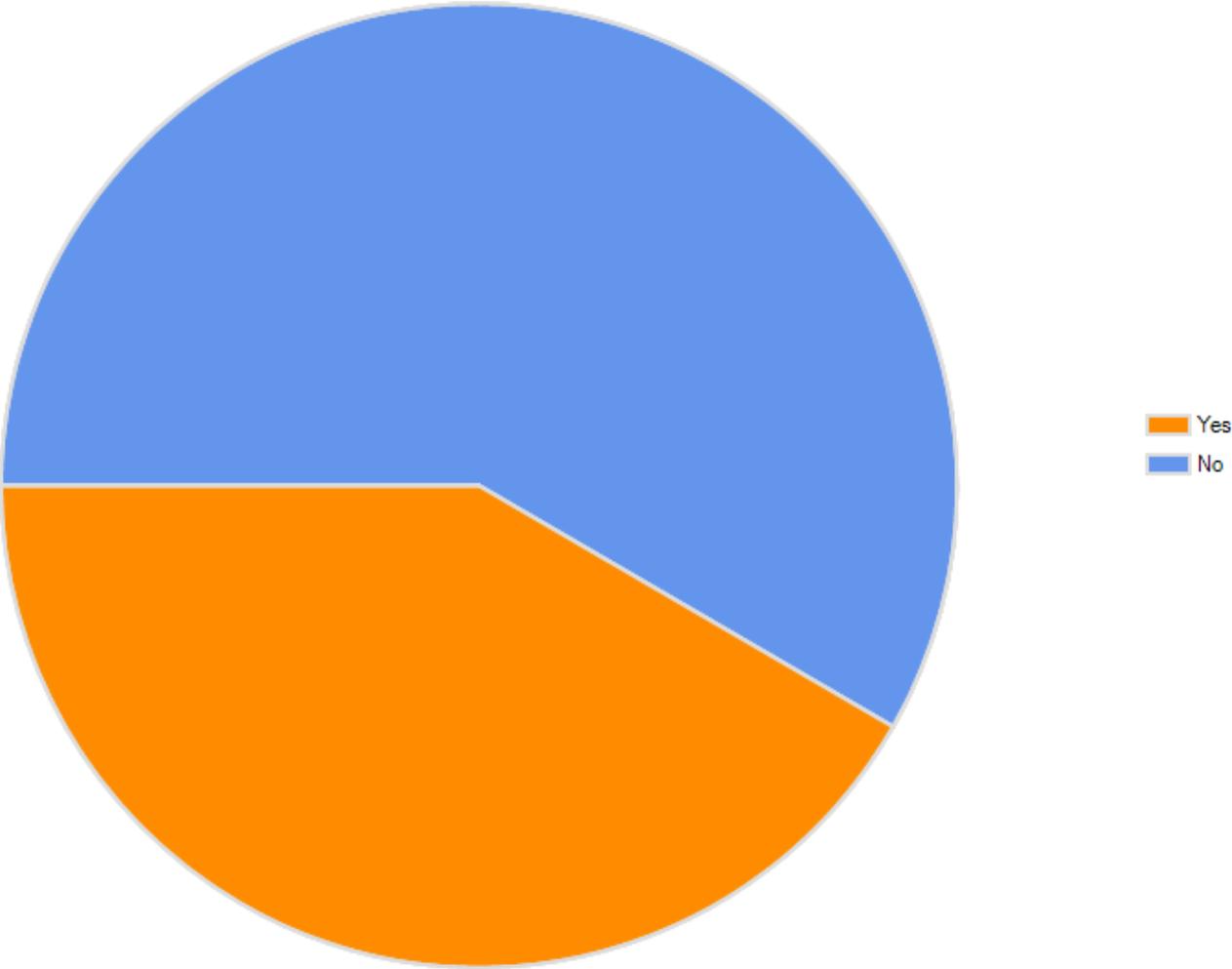
Comment

Though small scale domestic did not score well under question 8 which ranked planning issues in order of importance to conserving and enhancing the designation in question 9 it turns out to result in the highest number of applications being dealt with by AONB respondents.

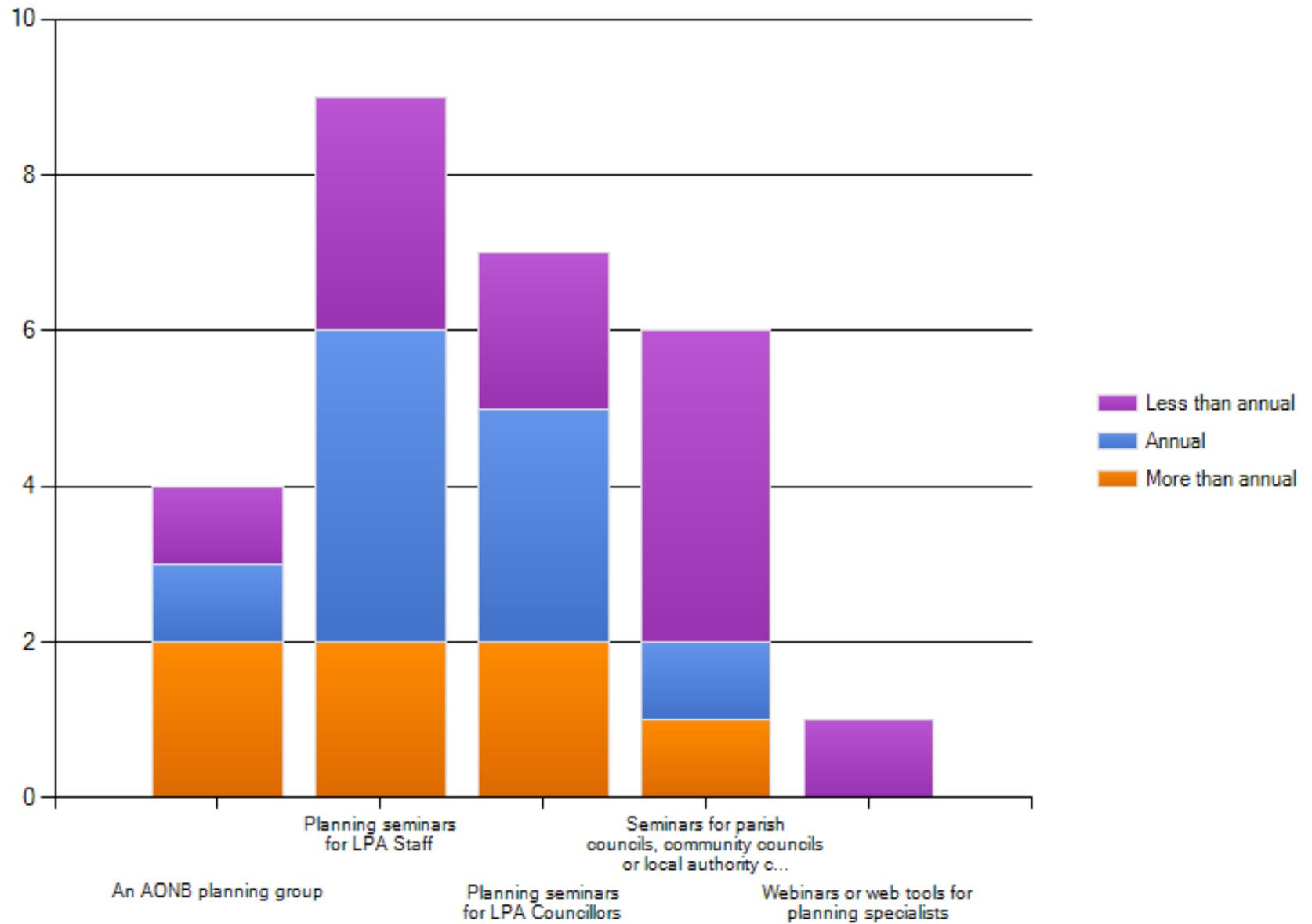
A small number of AONB respondents account for the bulk of applications being dealt with under most of planning themes. There appears to be a large discrepancy between the number of applications being dealt with by a few AONBs and the majority of respondent who deal with relatively small numbers of applications in a 12 month period - Average of 15 per theme as opposed to the “big 4” who average 60 per theme.

Education Activity:

Are you actively engaged in educational activity on planning?



Frequency of educational activity:



Comment

11 respondents reported that they were actively engaged in education activity in planning whilst 14 reported that they were not.

Additional responses indicated that a number of AONBs are or intend to increase the amount of education activity undertaken in support of getting the 'right' planning decision in the right place.

Only 9 respondents were able to detail their educational activity. The most popular education activity were:

Planning Seminars for LPA staff (9 respondents)

Planning seminars for LPA Councillors (7 respondents)

Seminars for Parish councils, community (6 respondents)

Most of these educational activities took place annually or less than annually - only 2 respondents undertook educational activities on a regular (more frequent than annual) basis.

Educational activity to support planning outcomes is clearly an area of AONB partnership work that can and should be looked at to grow in significance and resource input.

Question 15: A wide range of additional responses were provided by respondents:

Theme	Comment
<p>Role of Natural England</p>	<p>Natural England links are minimal, they don't speak out on behalf of the AONB designation but look to us</p> <p>Relationship with local NE staff v good although we feel their new central arrangements aren't a good move</p> <p>An improvement in the relationship with NE Land Use teams would be appreciated. We deal with a very disparate, 'virtual' team scattered throughout the country, who often have limited knowledge of the AONB and very limited time to respond.</p> <p>NE sometimes cause problems with lack of engagement or wrongly worded responses (this is being addressed we believe).</p> <p>Relationship with NE good, we have a planning contact. Planning Hub responses are of a concern to us.</p> <p>Have had problems (as have others) with NE planning consultation responses.</p> <p>Natural England are increasingly not commenting on applications and leaving us to do so; this can undermine our case as NE's lack of response is taken as tacit consent / support.</p> <p>Effective local contacts/close working relationships with NE are helpful in co-ordinating consistent responses to local planning consultations. Some LPA's give greater weight to NE comments than from AONB teams?</p> <p>We have always had a good relationship with NE but recognise there have been some issues with its hub/local officer operations and staff changes.</p>

Theme	Comment
<p>Local Planning</p>	<p>The main problem we have identified in recent years is the lack of consideration of the AONB through the SA/SEA process when a Core Strategy is put together</p> <p>A number of Authorities are happy to have a standard AONB policy - but have failed to have actually considered the AONB when undertaking their SHLAA and SA/SEA process. We have therefore had on three occasions Local Authorities making large scale residential allocations into the AONB without having actually considered whether that is appropriate and in accordance with the NPPF paragraph 14 (footnote 9) and paragraphs 115 and 116.</p> <p>It feels like an ongoing struggle to get the AONB recognised. It is quite common for our comments to seem ignored and permissions granted (or occasionally not granted on grounds of the AONB when we have not objected)</p> <p>Need to get a suite of good model policies in place to hlep us input to the new Local Plans</p> <p>Heavily involved in cross boundary issues. Some concern about divergence between England and Wales over planning systems and approaches.</p>

Theme	Comment
<p>Education</p>	<p>There is a marked contrast between our 2 local planning authorities in terms of their understanding / support for the AONB. We are working on arranging more training for this LPA to try to improve our working relationship.</p> <p>Would like to do more training (for Parishes - good idea!)</p> <p>In terms of dealing with planning applications most Parish Councils and LPAs are well educated in the need to consider the AONB.</p> <p>It is telling to note that in recent months, LPA officers have referenced both AONB Management Plan policy, objectives and the Landscape Character Assessment management guidelines through direct quotes in refusing what they see as inappropriate development proposals in the AONB - a sign that with time and effort, influencing the tools for decision making is the most effective way to engage in planning for small AONB teams (or indeed ANY AONB team).</p>

Theme	Comment
<p>Identified needs</p>	<p>Issue of definition of major development is a particular technical matter that would benefit from some definition or agreement.</p> <p>It feels as if there should be potential for AONBs (as an area, or as a team,) to feature in demonstrating 'duty to co-operate' in planning, or work with NE and/or CPRE on pilots or best practice in planning at landscape scale/neighbourhood planning, sustainable rural growth, etc</p> <p>Relationship between LPA planning and AONB planning can be dependent on whether LA has own landscape officer who regularly comments on applications - sometimes views at variance, which can cause difficulties, but often relied on where there isn't one. This is a double edged sword - are we a landscape arm of the LA, or an independent body?</p> <p>AONB teams are in danger of becoming embroiled in planning consultations and the white horse for all local causes - a worrying trend, responding to local demands rather than focussing on developing/influencing policy and guidance which in time will serve all parties more effectively if appropriate and correctly applied</p> <p>Need to get better data and feedback about impacts of development on protected landscapes</p>

Theme	Comment
<p>Economic Imperative</p>	<p>The pressure for economic development (creation of jobs for example) seems to be driving many decisions which are contrary to our advice, and equally there seems to be a reticence on the part of the LPAs to refuse applications that might go to appeal (costs or lack of desire to defend decisions?) and to ensure that adequate enforcement resource is in place.</p> <p>There seems to be a recent trend in support of development due to over-riding concerns with the economy. We are considering pulling back more from casework and developing a new more general guidance document.</p>
<p>Landscape Expertise</p>	<p>There is a lack of landscape expertise in some of our local authorities and this makes our role more important.</p> <p>They (LPA) would like to use our capacity to cover their own gaps, e.g. no specialist landscape input, but we aren't really able to do this We are working on arranging more training for LPA to try to improve our working relationship</p>

4. Issues Emerging

- The extent to which Lead Officer time is called upon to input into the planning process.
- The discrepancies across the AONB family in resources being applied into the planning process
- the mis match between what AONB consider important planning issues to be engaged with and the spread of issues that AONBs actually spend time responding to: Low importance given to small scale domestic development yet high level of planning time spent on such issues.
- Discrepancies between the few AONBs with large casework input and the rest
- The feeling that education work needs to grow - but where will resource come from? Shifting current resource over to more educational work or identifying new resource?
- Relationship with NE over importance given to landscape and the tension between statutory and non statutory consultee status.
- Relationship between AONB teams and LPAs together with fears about the loss or absence of landscape expertise in LPAs.

5. Next Steps

The questionnaire survey was shared at the NAAONB Planning Workshop on Feb 27.