

CHILTERNES AREA OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLAN 2014-2019

Cabinet Member: Councillor D Johncock

Wards Affected: All

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PROPOSED RECOMMENDATION TO COUNCIL

That Council acknowledges the Chilterns Area of Outstanding Natural Beauty Management Plan 2014-2019 and encourages the Conservation Board to identify relevant policies when commenting on planning applications.

Reason for Decision

To ensure appropriate consideration is given to the AONB when the Council determines planning applications and produces new development plan documents.

Corporate Implications

1. The production of the Management Plan is a duty on the Conservation Board and there is no requirement for the Council to adopt or endorse the plan.
2. There are no specific financial implications of this report.

Executive Summary

3. In April 2014 the Chilterns Conservation Board adopted the latest version of the Chilterns Area of Outstanding Natural Beauty (AONB) Management Plan covering the period 2014-2019. The Conservation Board has requested that constituent authorities endorse the Chilterns AONB Management Plan 2014-2019 as a material consideration in the exercise of their planning powers.
4. The Council has adopted policies in both the saved Local Plan (L1) and adopted Core Strategy (CS17) which in tandem serve to protect, conserve and enhance the special character, appearance and natural beauty of the designated Chiltern Landscape.
5. It is proposed that Cabinet acknowledges the management plan, but it is not necessary to state that it is a material consideration; this will vary from application to application. The Council welcomes comments received by the Conservation Board on planning applications and invites the Conservation Board to identify the relevant policies in the Management Plan in responses submitted to the Council.

Sustainable Community Strategy/Council Priorities – Implications

6. The Council has existing policies which serve to protect, conserve and enhance the Chilterns AONB, the Council is represented on the Conservation Board and has been involved in the revision of the Chilterns AONB Management Plan which was widely consulted on during production. Together this contributes towards delivering the sustainable development and community involvement priorities of the Council.

Background and Issues

7. The Chilterns Area of Outstanding Natural Beauty was designated in 1965 and covers approximately 70% of the District.
8. In April 2014 the Chilterns Conservation Board adopted the latest version of the Chilterns Area of Outstanding Natural Beauty (AONB) Management Plan covering the period 2014-2019. The production of a revised plan is a statutory requirement for the Conservation Board under the Countryside and Rights of Way Act 2000 (the CRoW Act). The plan sets out the Board's policies for the management of the AONB. The Conservation Board has requested that constituent authorities endorse the Chilterns AONB Management Plan 2014-2019 as a material consideration in exercising our planning powers.
9. The Conservation Board has produced a number of management plans and by it's own admission there is no substantial change from one plan to the next bar being updated to reflect changing circumstances.
10. The management plan is a comprehensive and well produced document that has policies covering the following areas:
 - Conserving and enhancing natural beauty
 - Landscape
 - Farming, forestry and other land management
 - Biodiversity
 - Water environment
 - Historic environment
 - Development
11. The Conservation Board have also produced a Building Design Guidance document and supporting technical notes, which the council endorsed in 2010 and are regularly used by planning officers in assessing planning applications in the AONB.

Planning Policy

National Planning Policy

12. The National Planning Policy Framework (NPPF) sets out in para.115 that *Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.* In addition the NPPF also sets out that permission for major development should be refused, subject to certain conditions being met.

13. The accompanying National Planning Policy Guidance acknowledges that AONB management plans are not part of the statutory development plan, but states that they “may contribute to setting the strategic context for development by providing evidence and principles, which should be taken into account in the local planning authorities’ Local Plans”. Management plans may also be material considerations in making decisions on individual planning applications, where they raise relevant issues.

Local Planning Policy

14. The saved local plan policy L1 “The Chilterns Area of Outstanding Natural Beauty” sets out to protect the special qualities of the AONB and balance the demands of informal recreation in the Chilterns. It also recognises the importance of design in the Chilterns along with the impact of developments outside the AONB. Policy CS17 “Environmental Assets” of the adopted Core Strategy further underlines the importance of the AONB as it sets out to conserve and improve environmental assets of the district, specifically requiring the conservation and enhancement of the AONB and its setting. These policies are part of the statutory development plan used by the Council in decision making on planning applications and will be retained in a similar form when the Council produces the New Local Plan.

Decision making

15. The Conservation Board has requested that the Council endorse the Management Plan as a material consideration; this is specific to decisions on planning applications. Section 38 of the Planning and Compulsory Purchase Act 2004 states that decisions on planning applications 'must be made in accordance with the [development] plan unless other material considerations indicate otherwise'. As the development plan has policies within it that cover development in the AONB and it is highlighted in national planning guidance, it is not felt necessary to state that the management plan is a material consideration, depending on the case being considered it may or may not be one. Further to this many of the policies included in the management plan are in fact covered by the policies referred to above or other general policies contained within the development plan.
16. The planning officer of the Conservation Board regularly submits comments on planning applications representing the views of the Conservation Board. The Council would welcome the identification of any relevant management plan policies that should be considered in the determination of planning applications by officers.

Consultation

17. It is not considered necessary to consult on this report as it has limited corporate implications. The Management Plan has already been subject to public consultation.

Options

18. The alternative is to not endorse the Management Plan and not use it in day to day decision making where appropriate. This would not support the conservation of the landscape and scenic beauty of the AONB.

Conclusions

19. The Council supports the production of the AONB management plan and supports the aims of the conservation board. The council has policies within the development plan which are used where appropriate to determine planning applications. On this basis it is not felt necessary to specifically identify or use the management plan in addition to the Council's own plans in the determination of planning applications. The Council would welcome the conservation board identifying relevant management plan policies in submitted responses on planning applications with the AONB. The Council will also use the management plan to inform the production of the new local plan and AONB specific policies if required.

Next Steps

20. That the Council write to the conservation board setting out our decision and reasoning and welcome working together in the future.

Background Papers

Chilterns Conservation Board Management Plan 2014 – 2019

Wycombe District Council Core Strategy (2008)

Wycombe District Local Plan (2004) (as saved and extended (2007) and replaced by the adopted Core Strategy July 2008 and Delivery and Site Allocations plan July 2013)