



NORTH WESSEX DOWNS AONB POSITION STATEMENT

SETTING

(Development Affecting the Setting of the North Wessex Downs AONB)



October 2012

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Position Statement Status

The purpose behind this Position Statement is to inform local planning authorities, landowners, applicants and other interested parties regarding development outside but within the setting of the North Wessex Downs AONB. This document is intended to guide policy makers, to assist in the preparation of planning applications and to assist in the decision making process. The Position Statement has been prepared in consultation with and approved by the Management Working Group and the Council of Partners that make up the North Wessex Downs AONB. This guidance forms an extension of the principles laid out within the North Wessex Downs AONB Management Plan (2009-2014). The primary purpose of AONB designation is to conserve and enhance the natural beauty of the area, as confirmed by Section 82 of the *Countryside and Rights of Way Act 2000* (CRoW Act). Within Section 85 of the CRoW Act 2000 there is a duty on all relevant authorities to have regard to this purpose in exercising or performing any functions in relation to, or so as to affect land in AONBs. This Position Statement was first published in January 2011 though has been reviewed following publication of the National Planning Policy Framework (NPPF) in March 2012.

Introduction

1. Areas of Outstanding Natural Beauty (AONBs) are designated by the Government for the purpose of ensuring that the special qualities of our finest landscapes are conserved and enhanced. In planning policy terms they have the same status as National Parks.
2. The primary purpose of the North Wessex Downs AONB is to conserve and enhance the natural beauty of the AONB. The AONB also has secondary purposes to increase awareness and understanding of the special qualities of the AONB, to take account of the needs of agriculture, forestry and other rural industries and to foster the social and economic well being of local communities and those who live and work in the area.
3. The setting of the North Wessex Downs AONB can be explained as being the surroundings outside the AONB and although outside its boundary its extent is not fixed and may change over time. Elements of a setting may make a positive or negative contribution to the AONB, it may affect the ability to appreciate that significance or may be neutral. For the purposes of spatial planning, any development or change capable of affecting the significance of the AONB or people's experience of it can be considered as falling within its setting.
4. The surroundings of the North Wessex Downs AONB are also important to its landscape character and quality. Views out of the AONB and views towards or into it from surrounding areas can be very significant. Development proposals that affect views into and out of the AONB need to be carefully assessed to ensure that they conserve and enhance the natural beauty and landscape character of the AONB.

National Planning Policy Framework

5. The NPPF (March 2012) constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF confirms that it is highly desirable that local planning authorities have an up-to-date plan in place.
6. Although setting as a concept is only presented in the NPPF in relation to heritage assets there are many references throughout the document to planning considerations which are setting issues. Within the second paragraph the NPPF states that *“Planning Policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements.”* AONBs are of course protected under the existing statutory requirements of the *Countryside and Rights of Way Act 2000*, specifically under Section 85 it is a legal duty for all relevant authorities to have regard to the primary purpose of AONBs to conserve and enhance the natural beauty of the area.
7. The NPPF highlights and explains the three dimensions to sustainable development as being economic, social and environmental. These three dimensions then give rise to the need for the planning system to perform a similar number of roles – an economic role, a social role and an environmental role.
8. Although the NPPF promotes at paragraph 14 for the first time *“a presumption in favour of sustainable development”* it then goes on to highlight the position for plan makers and for decision takers in areas where this policy may be *“restricted.”* Specifically footnote 9 which highlights AONBs as such an area where restrictions may apply to the above presumption. It is also clear from the following paragraphs within the NPPF, as explained below, the emphasis is on great weight being given to conserving the landscape and scenic beauty of AONBs and that they have the highest status of landscape protection.
9. At paragraph 113 the NPPF states that *“Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged.”* The phrase *“or affecting”* landscape areas supports the need for setting as a consideration in policy making.
10. The NPPF contains a number of references to various forms of pollution. Pollution can result from outside the AONB, but impact on and into the AONB including from noise, dust, and light. Paragraph 125 states *“By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”* At paragraph 123 of the NPPF it is also recommended that policy makers and decision takers *“identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.”*

Purpose

11. This Statement, which includes consideration of the National Planning Policy Framework, provides guidance to local planning authorities, landowners and other interested parties regarding the consideration of the impact of development and land management proposals which lie outside the AONB but within its setting.

12. The North Wessex Downs AONB unit does not set out to judge the precise extent of the setting of the AONB. The scale, height, siting, use, materials or design of a proposed development will determine whether it affects the natural beauty and special qualities of the AONB. A very large or high development may have an impact even if some considerable distance from the AONB boundary. Therefore there is no defined boundary where the setting of the North Wessex Downs AONB ends. However, distance away from the AONB will obviously be a material factor in forming a decision on any proposals, in that the further away a development is from the AONB boundary the more the impact is likely to be reduced. Development likely to result in a negative impact on the setting of the AONB will not be supported, in accordance with meeting the key aims of the North Wessex Downs AONB Management Plan 2009-2014 and the primary purpose of designation. Accordingly development resulting in the conservation of the existing setting of the AONB or preferably its enhancement will be supported where all other environmental considerations are also acceptable.
13. The North Wessex Downs AONB will continue to make representations where new planning policy makes no reference to the setting of the AONB to ensure it is included.
14. Examples of adverse impacts on the setting of the North Wessex Downs AONB could include:
 - development which would have a significant visual impact on views in or out of the AONB;
 - loss of tranquillity through the introduction or increase of lighting, noise, or traffic movement or other environmental impact like dust, vibration, spatial associations and historic relationships;
 - introduction of abrupt change of landscape character;
 - loss of biodiversity, particularly if of habitats or species of importance to the AONB;
 - loss or harm to heritage assets and natural landscape, particularly if these are contiguous with the AONB;
 - change of use of land where of a significant enough scale to cause harm to landscape character; and
 - development individually or cumulatively giving rise to significantly increased traffic flows to and from the AONB, resulting in loss of tranquillity and erosion of the character of rural roads and lanes.
15. Adverse effects may not only be visual, a development that is noisy may well affect the tranquillity of the North Wessex Downs AONB even if not visible from the AONB.
16. The North Wessex Downs AONB will monitor and comment as appropriate on significant planning applications that relate to the impact of development on the setting of the AONB. The AONB will consider proposals on the balance of their positive change against negative impacts.

Avoiding Harm to the Setting of the North Wessex Downs AONB

17. The best way of minimising adverse visual impacts on the setting of the AONB is through avoidance in the first place so that schemes conserve or enhance the setting of the AONB. The North Wessex Downs AONB therefore, in relation to development within or affecting its setting, supports the following:
 - measures to consider impact on the setting of the AONB, including where required through Landscape and Visual Impact Assessments;
 - care over orientation, site layout, height and scale of structures and buildings;
 - consideration not just of the site but also the landscape, land uses and heritage assets around and beyond it;
 - careful use of colours, materials and non-reflective surfaces;

- restraint and care over the installation and use of street lighting, floodlighting and other external lighting to prevent harm to the dark night skies of the AONB;
 - the grouping of new structures and buildings close to existing structures and buildings to avoid new expanses of development that are visible and out of context (though detrimental impact on historic buildings/groupings will need special consideration to avoid insensitive development); and
 - detailed mitigation measures, for example including native landscaping (where possible contributing to BAP targets), and noise reduction (though again landscaping in certain contexts can be damaging to historic features/deposits/landscape/character so again will require careful consideration).
18. It is considered that many issues in relation to new development within the setting of the North Wessex Downs AONB can be resolved through careful design, appropriate materials, location and layout and mitigation measures from landscaping to use of minimal, well-directed and full cut-off street (and other external) lighting. The North Wessex Downs AONB is very willing to enter into any pre-application consultations to ensure full attention is given to these factors and to assist in the process at the earliest opportunity.

Recommendations

19. This Position Statement is intended to ensure acknowledgement of the importance of the setting of the North Wessex Downs AONB and to ensure the adoption of policies and practices which recognise and accordingly conserve and enhance its natural beauty. Specifically, it also aims to ensure that all Local Plans include reference to the importance of protection and enhancement of the setting of the North Wessex Downs AONB within relevant policies.
20. The Position Statement is also intended to provide guidance to consider the potential wider impact of development at the earliest stages of the planning process so harm to the setting of the North Wessex Downs AONB can be prevented, designed out, reduced or mitigated before applications are submitted. The North Wessex Downs AONB will positively support schemes that offer enhancement to the setting of the AONB where all other environmental matters have also been addressed.
21. The North Wessex Downs AONB will expect local authorities, where appropriate, to take into consideration the setting of the North Wessex Downs AONB when determining planning applications and, in accordance with their Section 85 duties, to ensure that only development that conserves and enhances the natural beauty of the AONB, in this case in relation to its setting, is supported.