

APPROVAL OF HIGH WEALD AND KENT DOWNS AREAS OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLANS SECOND REVISION

Council - 18 February 2014

Report of: Chief Planning Officer

Status: For consideration

Also considered by: Cabinet – 6 February 2014
(Local Planning & Environment Advisory Committee (in quorate))

Key Decision: No

Executive Summary:

This report introduces a proposal to adopt the Second Revision of the Management Plans for both the High Weald and the Kent Downs Areas of Outstanding Natural Beauty (AONBs). Both AONB Units have revised their Management Plans to cover the period April 2014 to March 2019, fulfilling the statutory duties of the Countryside and Rights of Way Act (2000) on behalf of the constituent Local Authorities covering each AONB.

The report summarises the main amendments to the current Management Plans and seeks Council approval for formal adoption of the two Plans. Neither review represents a significant policy shift, but more generally light touch reviews of the existing respective Management Plans.

These are not consultation documents; detailed consultation has already taken place on the two proposed plans. SDC has been involved in the development of the plans through its membership of the two AONB Units and through Portfolio Holder comments on the draft plans. Any changes requested through the adoption process should be minor in nature and not materially affect the plan. The statutory adoption deadline of each plan is 1 April 2014.

This report supports the Key Aims of the Community Plan

Portfolio Holder Cllr. Ian Bosley

Contact Officer(s) Kirsti Johnson ext. 7134

Recommendation to Local Planning and Environment Advisory Committee:

That the Local Planning and Environment Advisory Committee recommend Cabinet endorse the recommendation to Full Council, below.

Recommendation to Cabinet:

That Cabinet endorse the recommendation to Full Council, below.

Recommendation to Full Council:

That the Council adopts the Kent Downs and High Weald AONB Management Plans and makes copies available on its website.

Reason for recommendation:

To fulfil the Council's statutory duties under the Countryside and Rights of Way Act (2000) to prepare and publish Management Plans for Areas of Outstanding Natural Beauty.

1. Introduction

- 1.1 Two Areas of Outstanding Natural Beauty cover parts of Sevenoaks District. These are the Kent Downs and High Weald AONBs. A map showing the extent of the two areas is provided at appendix A.
- 1.2 Under the terms of the Countryside and Rights of Way (CROW) Act 2000 ('the Act' hereafter) (part IV Section 89), Sevenoaks District Council ('the Council') has a statutory duty to act jointly with other Local Authorities within the AONB to prepare, publish and subsequently review a Management Plan for the respective AONB.
- 1.3 The Act requires that an AONB Management Plan formulates the Local Authority policies for the management of the AONB and for carrying out their functions in relation to it.
- 1.4 The Act also requires Local Authorities to review the AONB Management Plan every 5 years. This means that a revised Plan will need to be in place and adopted by all partners of the Joint Advisory Committee (JAC) for both the High Weald and the Kent Downs AONB Units by 1 April 2014.
- 1.5 This report refers to the second review of the Management Plan, first adopted by this council in 2004.

2. Background – Purpose of the AONB designation

- 2.1 The National Planning Policy Framework (NPPF) places great weight on conserving landscape and scenic beauty in AONBs, giving them the highest status of protection in relation to landscape and scenic beauty.
- 2.2 AONBs are designated by Government under the National Parks and Access to the Countryside Act 1949, for the primary purpose of conserving and enhancing the natural beauty of the landscape. The legal status and importance of AONBs is on a par with National Parks, although they do not have the same administrative arrangements.

2.3 The Act also:

- places a duty on all public bodies and statutory undertakers to ‘have regard’ to the purposes of AONBs
- establishes a process for creating AONB Conservation Boards, where this is locally supported; and
- Reaffirms the original purposes of designation and confirms the powers of local authorities to take appropriate action to conserve or enhance the natural beauty of AONBs.

2.4 A secondary purpose of designation is to ‘take account of the needs of agriculture, forestry and other rural industries and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of economic development that in themselves conserve and enhance the environment.’ Whilst recreation is not an objective of designation, ‘the demand for recreation should be met so far as this is consistent with the conservation of natural beauty.’

3. Links to other Council Policy and Strategy

3.1 The AONB Management Plan has the potential to improve the quality of life for residents of Sevenoaks District living and working in and around the AONBs through the conservation and enhancement of their landscape and supporting the social and economic wellbeing of communities.

3.2 The guidance provided in the Management Plans is supported by the Council’s Core Strategy (2011) under Policy SP1. More widely, the use of the Management Plans can assist the Council in delivering the greener aims contained within the SDC Community Plan, and wider green infrastructure policies of the Allocations and Development Management Plan (currently at examination stage).

4. Summary of review process and consultation

4.1 The review of each Management Plan has been undertaken with stakeholder and public consultation and engagement. SDC has been involved in the reviews from the beginnings of the processes through its membership of the AONB Units. The High Weald AONB Unit carried out consultation in June and July 2013, and Kent Downs AONB Unit in August and September 2013.

4.2 Both plans have undergone a ‘light touch’ review whereby there are no major changes to the content of each Plan, but the review process has enabled improvements to be made to their layout making them more user-friendly documents for Officers and Members and other stakeholders to use. This reflects the robustness of the long-term approach taken in the current Management Plan.

- 4.3 Natural England conducted formal observations, and have confirmed that the revised plan conforms to relevant guidance, the statutory requirements and represents good practice.
- 4.4 The review of both Management Plans has previously been brought to the Portfolio Holder's attention through previous reports informing him of the public consultations and seeking support for the Portfolio Holder's approval of Officers comments in support of both reviews.
- 4.5 The High Weald AONB JAC approved the revised Management Plan at their meeting on 8 November 2013 and recommended its adoption by constituent local authorities. In a similar vein, the Kent Downs AONB JAC approved their respective revised plan on the 21 November 2013. SDC is represented on both of these JACs.

5. Summary of amendments of the High Weald AONB Management Plan

- 5.1 The revised Plan retains the same structure, being around AONB purpose, character and key components of natural beauty. The objectives remain essentially the same, although there is some elaboration of the nature conservation value of the AONB, linking to Natural England's National Character Area Statements.
- 5.2 The review has taken the opportunity to be clearer on policy wording and to strengthen the policies where required with some additions and alterations to the targets set for 2019. For example, Objectives R1 for Routeways and W2 for Woodlands place greater emphasis on partnership working with Parish Councils and Community Groups, which is in line with increased focus upon the principles of localism within the planning process.
- 5.3 The Plan takes account of the National Planning Policy Framework (NPPF) published in March 2012, updating the policy basis of the previous Management Plan.

6. Summary of amendments of the Kent Downs AONB Management Plan

- 6.1 The Plan has been updated to ensure consistency with the NPPF.
- 6.2 The length of the Management Plan has been reduced, its structure has been simplified and repetition removed. This has reduced the number of policies, whilst maintaining the emphasis placed on each previous policy area. For example a revised sustainable development section of the plan has been introduced to reflect the NPPF and consider cross cutting issues in one place, rather than repeatedly throughout the plan.
- 6.3 Care has been taken to ensure that there is a clear distinction between the wording of policies and actions. For example, Biodiversity Policy BD1 now has mention of the creation of new habitats and habitat corridors which will be pursued through collaboration to establish high quality Green Infrastructure. Green Infrastructure is a new planning term, which has become more widely used since the previous Management Plan Review, and is given emphasis within the Core

Strategy (2011) to enhance networks of green open spaces and natural habitats across the District and cross boundaries. This also involves identifying green infrastructure links through collaborative work with neighbouring authorities, reinforcing the Duty to Cooperate.

- 6.4 There are a few additions to the Plan since the previous review. It now recognises and implements principles of the Localism Act, for example through reference to Neighbourhood Plans within the Vibrant Communities Chapter of the revised draft.

7. Conclusion

- 7.1 Both the High Weald AONB and the Kent Downs AONB Management Plan reviews have been undertaken with public and other key stakeholder engagement and consultation. SDC has been involved in these reviews at every stage through its membership of the AONB Units.
- 7.2 These are 'light touch' reviews, based fundamentally upon the previous reviews covering the period April 2009 to March 2014.
- 7.3 The Plans are consistent with the changes made to national planning policy and legislation since the adoption of the previous reviews.
- 7.4 It is recommended that the Council adopt the revised Management Plans before the 1 April 2014 in order for the respective AONB Units to provide the Secretary of State with the Plans once endorsed by all constituent Local Authorities.
- 7.5 Adoption of the Management Plans is also recommended in order to fulfil the Council's statutory requirements.

Other Options Considered and/or Rejected

No other options have been considered. The Council have a statutory duty to prepare and publish a Management Plan for AONBs.

Key Implications

Financial

Funding for the management plan is being shared between the constituent local authorities of each AONB on an agreed basis. No additional costs to the Council arise from adoption of the Management Plan.

Legal Implications and Risk Assessment Statement.

The adoption of the Management Plan Review is a statutory requirement. Should the Council decide not to adopt the Management Plan in its proposed form there is a risk that the revision to the Management Plan will not be adopted by 1 April 2014 leaving no management guidance for the AONB resulting in this Council and others failing to meet their statutory responsibilities.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The plans have been subject to public consultation and Sustainability Appraisals, both of which take account of equality considerations.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?	N/A	

Appendices

Appendix A – Map of AONBs in Sevenoaks District

Background Papers:

Kent Downs AONB Management Plan 2014 - 2019

High Weald AONB Management Plan 2014 - 2019

Mr Richard Morris

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