Cranborne Chase AONB – written evidence (NER0071)

Select Committee on the Natural Environment and Rural Communities Act 2006

1. The Cranborne Chase and West Wiltshire Downs AONB has been established under the 1949 National Parks and Access to the Countryside Act to conserve and enhance the outstanding natural beauty of this area which straddles three County, one Unitary and five District councils. It is clear from the Act, subsequent government sponsored reports, and the Countryside and Rights of Way Act 2000 that natural beauty includes wildlife, scientific, and cultural heritage. It is also recognised that in relation to their landscape characteristics and quality, National Parks and Areas of Outstanding Natural Beauty are equally important aspects of the nation’s heritage assets and environmental capital. This AONB’s Management Plan is a statutory document that is approved by the Secretary of State and is adopted by the constituent councils. It sets out the Local Authorities’ Objectives and Policies for this nationally important area. The national Planning Practice Guidance [Natural Environment paragraph 004] confirms that the AONB and its Management Plan are material considerations in planning.

2. The National Planning Policy Framework states (paragraph 109) that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes which include AONBs. Furthermore it should be recognised that the ‘presumption in favour of sustainable development’ does not automatically apply within AONBs, as confirmed by paragraph 14 footnote 9, due to other policies relating to AONBs elsewhere within the Framework. It also states (paragraph 115) that great weight should be given to conserving landscape and scenic beauty in 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 these areas.

3. Section 85 of the Countryside and Rights of Way Act 2000 requires that members of public office, councillors and the like have ‘a duty of regard’ to the purposes of AONB designation. The Government is thereby clearly directed to have regard for the purposes of AONB designation when carrying out its functions that affect land in or near an AONB. Government, and Government Departments, therefore have to be able to demonstrate that they have considered the purposes of AONBs in their decision making on any proposed legislative changes.

4. Cranborne Chase is the 6th largest of the nation’s Areas of Outstanding Natural Beauty and some 95% of the land in this AONB is under agricultural or woodland management. The combination of farming and forestry activities has contributed to the landscape character of this valued part of the nation. It is, nevertheless, vital that the needs of a competitive, resilient, and viable farming industry is balanced against the need for sensitive environmental management in landscapes on national importance.
5. Clearly the conservation and enhancement of the special qualities and characteristics of the landscape are the priority in the nation’s nationally protected landscapes. New development within AONBs, or affecting their setting, whether related to agriculture or otherwise, should not compromise this primary purpose.

6. Annex 1, attached, sets out the members of our Partnership.

7. This AONB is making two contributions to the Select Committee. Firstly we are commenting on biodiversity issues and that is related to your questions. Our second response relates to our experience of landscape and planning matters. That is set out as a statement of our experiences and a possible way of enhancing the current situation.

8. The AONB would, of course, be happy to elaborate on any of the points raised.

**Biodiversity**

Responses to the questions in the consultation.

1. There is little awareness that NE had taken on the role of the CRC. This AONB does not feel the force of any oversight or influence of an ‘ally’ in rural policy development and implementation.

2. Rural-proofing is not evident. An example is the setting up of the Local Enterprise Partnerships. Even in deeply rural areas such as this one, the LEPs were allowed to go ahead with scant regard to the needs of rural communities and businesses. They were allowed to develop with minimal to the natural and social capital that is only found in the countryside. We struggled to get our voice heard in any of the discussions and consultations and there was no policy driver or lever that we could use to ensure that the rural voice was listened to.

3. For many years we have asked Departments to work across their boundaries so that government policies are coherently implemented in rural areas. We have challenged executive NDPBs to work more collaboratively together within the area. Even though the goal of ‘joined up government’ maybe a priority for Ministers, it has not appeared as a priority for Departmental civil servants or mid-level managers in NDPBs. Examples of this abound: Highways England takes little notice of Natural England and Environment Agency priorities in managing the trunk road estate; MoD appears to do the minimum to avoid action under environmental regulation; and DCLG does not respond to DEFRA priorities that need to be addressed in spatial planning.

A local example in the AONB is Martin Down National Nature Reserve, managed by Natural England, and Vernditch Chase, owned and managed by Forestry Commission. The two properties are contiguous, both owned / managed by DEFRA NDPBs, both have long term management plans. Yet any suggestion that the management plans should respond to one another, or even mention the property next door, has been met with refusal. It would make more sense to manage both properties together as one, but that is probably about ten steps too far.
A lack of representation and co-ordination has been identified (in the collaborative work carried out by National Parks and AONBs in the Big Chalk programme) as a major problem that is causing damage to the water environment in particular and the natural capital of chalk landscapes generally. Current structures of government do not exist to do this, unless the role of the protected landscapes could be greatly increased to enable them to carry out this vital function.

The private sector and some elements of government are seeing the benefits of adopting a triple bottom-line approach, but this has not rolled out to DEFRA and its NDPBs, nor DCLG and the local authorities. If all local authorities were required to report on natural and social capital stocks and flows, as well as financial ones, then there would be fewer decisions with unintended and harmful impacts on the environment.

4. We find that NE staff are now so thin on the ground that they are nearly irrelevant to anything but facilitating the cumbersome processes of agri-environment schemes and other farm payments. We no longer have the regular contact with NE officers that could prevent poor outcomes developing or create new opportunities for conservation and enhancement. There is only capacity for a limited amount of responsive work from NE.

We do not find that NE exhibits a can-do attitude. Too often, we find that NE is creating inertia in moving reforms forward. River restoration and habitat creation and enhancement projects are held up or blocked by an overly zealous attitude to species protection. While we have no desire to see species protection weakened, we do want to move away from an attitude of “no newt / water vole shall die” to one where the habitat connectivity that supports a meta-population is considered before an individual animal.

It often seems as if NE is operating on a parallel track removed from the one the rest of us are on.

5. Brexit has not yet occurred. In the post-Brexit world, a total reform of DEFRA NDPBs should be considered. Adaptation of NDPBs is impossible if they are trying to ensure their survival as their primary concern.

6. NE should start with their own estate. The visitor numbers, quality of access and public awareness of the National Nature Reserves leaves a lot to be desired. Forestry Commission is slightly better but only does really well in certain honeypot locations. The reasons why these small sites should be owned by the state should be examined. Selling or leasing these sites might be unpopular with many people, but could be done if the site would be better used and protected.

7. The wording ‘have regard’ is so deliberately vague that it often creates the gap through which coach and horses are driven. For instance, in a River Basin Management Plan, Forest Design Plan or SSSI citation, it is enough to mention the fact of an AONB designation existing. The NDPBs are able to show that they ‘have regard’ without ever having to take any action for landscape or responsibility to deliver the AONB Management Plan to which they are signatories. This AONB has sought to improve this situation in relation to Local Plan policies by the inclusion of policy conditions along the lines of ‘applicants will need to
demonstrate how they have taken the objectives and policies of the AONB Management Plan into account’. This AONB recommends that more pro-active requirement could be applied instead of the vague ‘have regard’.

10. Reform of the NDPB structure.

Landscape and Planning Matters

The experience and perceptions of Cranborne Chase Area of Outstanding Natural Beauty are as follow. Establishing Natural England as the countryside body, combining wildlife, landscape, and the health of the countryside was a great in concept, but it has not turned out to be in practice!

Why is that?

a) Almost immediately there was a significant staff downsizing, which has continued through a number of phases. This led quickly to a lack of local staff and the loss of much of the landscape expertise – so important for AONBs – inherited from the Countryside Agency.

b) The centralising of NE consultation processes into a central hub with standard paragraphs issued by staff remote from sites and using desk based data only lacks the confidence that comes with the local, or specialist, staff in touch with the site or special interest.

c) The retention of wildlife staff appears to be at the expense of landscape staff whose wider and deeper understanding of the functions and sensitivities of the countryside is particularly relevant to AONBs.

d) The focus on protected species casts NE [and its staff] in the role of regulator, reliant on laws and statutes, rather than the source of expert advice and judgement. This creates a ‘protect the special’ mentality, which is contrary to the intellectual flow that conservation is about wise management and enhancement of all habitats and species at all levels.

e) The lack of accredited landscape expertise, both centrally and locally, means NE are limited – in all senses – in their engagement with landscape matters.

f) Increasingly NE have pulled away from engagement with local and regional countryside proposals. This focus on national scale projects only – except when protected species are involved – reinforces perceptions of NE as a wildlife, rather than countryside, organisation.
g) NE’s planning hub is remote and impersonal; apparently responding to consultations entirely from desk based information. Again this fails to convince that NE has its ‘feet on the ground’ and is in touch with the countryside it is writing about.

h) NE ‘pulls the rug’ from under AONBs by offering ‘no objections’ to development proposals, even when then referring the reader to consult the relevant AONB. NE is perceived by developers, planning authorities, and Planning Inspectorate as the ‘higher authority’ and hence AONB comments are undervalued. This is especially unfortunate when AONBs [and their constituent LAs] employ experienced and well qualified landscape architects / landscape managers.

i) Even when ‘protocols’ are established for NE to refer landscape matters in AONBs to the landscape specialists in those AONBs they are not consistently followed. Only today this AONB team identified a NE planning application response in this AONB for an agricultural building that only mentioned wildlife, with no reference to the AONB location or matters of landscape character, and headed ‘No objection’. This indicates that internal management processes are not as robust as they could be.

AONBs also perceive the lone home worker NE contact as lacking team interaction and support, and therefore having to rely increasingly on standard statements to respond to consultations.

There are two major activities where NE and AONBs interact in the regulatory sphere, as distinct from habitat or species management matters. These are contributing to the formulation of planning policies and responding to development management consultations. Our experience of the former relates to times when NE had more staff, but it was still a rarity to have professionally trained landscape staff contributing from NE on landscape matters. The reliance on a personal relationship between a NE regional officer and the AONB contributed to overcoming the fundamental shortages in the NE system. Those shortages are magnified in the development management situations where NE rarely comment on landscape issues even though responses are made on protected species [whether or not they exist!].

This AONB can see a potential solution!

- Separate the protected species aspects of NE responsibilities / work, possibly by outsourcing as the matters are fairly prescriptive. Draw together the countryside, reserves management, landscape, and planning aspects of NE work into the top level to achieve the NE’s strap line that it puts on its web page.

Yours faithfully

Linda Nunn, Director

For and on behalf of the CCWWD AONB Partnership

Encs: Annex 1 List of Cranborne Chase AONB Partnership Organisations
Annex 1

The Cranborne Chase Area of Outstanding Natural Beauty Partnership is made up of the following Partner Organisations

**Unitary, County, and District Council Membership** (1 Member and 1 Officer Representative each)
- Wiltshire Council
- Dorset County Council
- Hampshire County Council
- Somerset County Council
- East Dorset District Council
- North Dorset District Council
- New Forest District Council
- Mendip District Council
- South Somerset District Council

**Other Organisations**
- Natural England (2 Representatives)
- English Heritage (1 Representative)
- Campaign to Protect Rural England (1 Representative)
- Forestry Commission (1 Representative)
- The Country Land and Business Association (1 representative)
- National Farmers Union (2 representative)
- Community Representatives from the Wiltshire and Dorset Associations of Town & Parish Councils (ATPCs) (2 Representatives)

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