

Neighbourhood Development Plans:

considering the High Weald AONB in your plan



Produced by the High Weald AONB Partnership www.highweald.org

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Introduction

Neighbourhood Plans, like Local Plans, must have regard to the implications of their policies and proposals for Areas of Outstanding Natural Beauty (AONBs). This guidance note sets out how Neighbourhood Plans being prepared in areas within or adjoining the High Weald AONB can take proper account of its designation.

What are Neighbourhood Plans?

Neighbourhood planning was introduced through the Localism Act in 2011. The aim was to enable communities to shape development in their areas by producing Neighbourhood Development Plans¹, as well as Neighbourhood Development Orders and Community Right to Build Orders² (for more information, visit [GOV.UK](https://www.gov.uk) and [My Community Rights](#)).

Essentially, the purpose of Neighbourhood Plans is to establish planning policies for the development and use of land in a ‘neighbourhood’ – often, but not exclusively, a town or parish council area. Therefore a Neighbourhood Plan will include policies that specify:

- Where new homes and offices should be built;
- What these new homes and offices should look like.

Neighbourhood Plans ultimately become part of the statutory ‘development plan’ for the area and their policies can then be used in the determination of planning applications.

Neighbourhood Plans provide local communities the opportunity to apply the broader-scale strategies made in Local Plans, which are drawn up by local councils, to reflect local circumstances. However, they are still required to conform generally to such strategic policies, which in most cases will mean providing for the housing and other development needs in the area set out in the relevant Local Plan. It should be stressed that the Neighbourhood Plan policies cannot block development that is already part of the Local Plan. What they can do, however, is decide the location and form of development.

¹Hereafter Neighbourhood Development Plans will simply be referred to as ‘Neighbourhood Plans’, as in practice this is the more commonly used term.

²Neighbourhood Development Orders and Community Right to Build Orders allow communities to grant planning permission, in full or in outline, for the types of development they want to see in their areas.

The legal framework for Areas of Outstanding Natural Beauty

Countryside and Rights of Way Act 2000

All relevant authorities (including statutory undertakers, regulators, parish councils, and holders of public office in addition to government and local planning authorities) are required under Section 85 of the Countryside and Rights of Way Act 2000 to consider the purpose of the AONB designation — i.e. the conservation and enhancement of natural beauty (see below). For more information, please see [Section 85 of the CRow Act 2000 in its entirety](#).

The Countryside and Rights of Way Act 2000

“In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty”

- **Section 85, CroW Act 2000**

In addition, Defra recommends that these same public bodies be able to clearly demonstrate that they have considered the purpose of AONBs in their decision making.

Duty of regard

In addition to Section 85, a [Defra Guidance Note on AONBs](#) that expands on this duty of regard states that the relevant authorities “should be able to clearly show how they have considered the purposes of these areas in their decision making.”

- **Defra 2005**

National Planning Policy Framework (NPPF)

National planning policies are contained in the [NPPF](#). Its focus is on sustainable development, the meaning of which is defined in paragraph 8 as simultaneously seeking economic, social and environmental gains.

Paragraphs 115 and 116 relate specifically to development in AONBs:

National Planning Policy Framework

115. 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. 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.

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 any 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;
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Implications for Neighbourhood Plans

Paragraphs 115 and 116 of the NPPF complement Section 85 of the CROW Act 2000 by expecting planning bodies, which includes those preparing Neighbourhood Plans, to not only have regard for the conservation and enhancement of AONBs, but to also give it great weight.

The use of the terms “*landscape*” and “*scenic beauty*” in paragraph 115 highlights the need to consider both the visual impacts on the scenic qualities of an AONB and the impacts on its intrinsic landscape character, which embraces aspects of landform, geology, flora and fauna, landscape features and historic settlement pattern, developed over centuries.

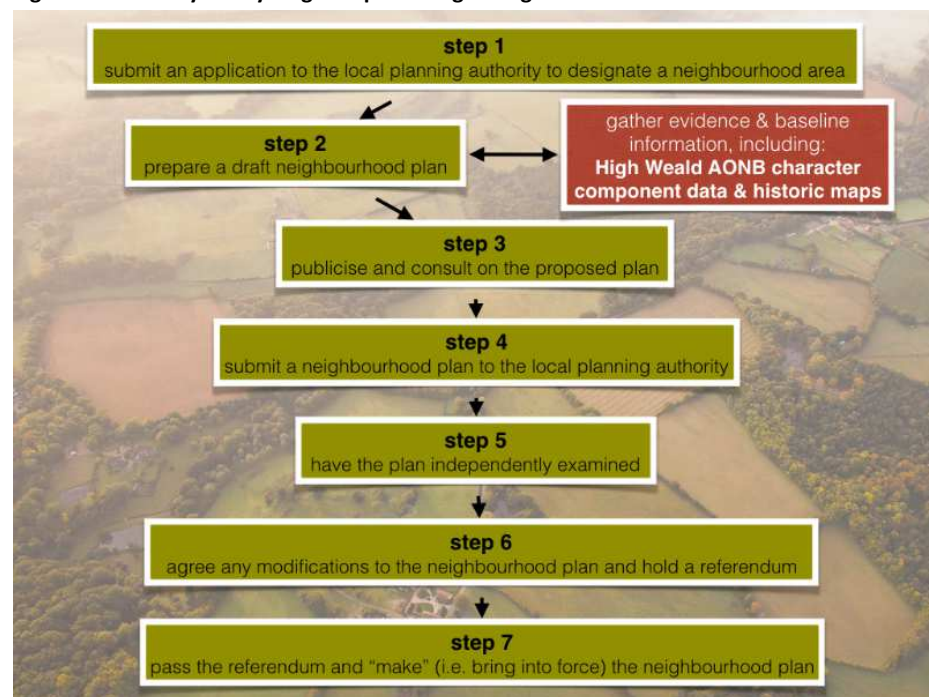
Also, the emphasis on sustainable development may be taken as encouraging plans to seek developments that offer benefits in terms of conserving or enhancing natural beauty. For example, a strong rural economy in which farm and woodland enterprises thrive enables the management necessary to conserve key landscape features.

Key stages in Neighbourhood Plans and building an evidence base

There are a number of stages in the preparation of a Neighbourhood Plan. The basic steps are outlined in the diagram below, along with an indication of where evidence relating to the AONB should be incorporated. For a more detailed account of these stages, please see the government’s [planning portal guidance on neighbourhood plans](#) as well as Locality’s [neighbourhood planning roadmap](#).

Although this only provides a broad overview of the steps involved, it clearly indicates that AONB-related evidence and data should be sought early in the process — ideally soon after a neighbourhood plan area has been agreed upon and designated. This will help ensure that planning policy and proposals are based on a meaningful understanding of the AONB and robust information about the local area (i.e. the “evidence base”).

Figure 1: Summary of key stages in producing a Neighbourhood Plan



Introduction to the High Weald AONB

A medieval landscape of wooded, rolling hills studded with sandstone outcrops, small, irregular-shaped fields, scattered farmsteads, and ancient routeways, the High Weald is one of Britain's 46 Areas of Outstanding Natural Beauty and a nationally significant designated landscape. Its natural beauty is defined by its five character components:

Key components of natural beauty in the High Weald AONB

1. **Geology, landform, water systems and climate**
 - Sandrock outcrops
 - Gill streams
2. **Settlement:**
 - Dispersed settlement pattern
 - Historic farmsteads
1. **Routeways:**
 - Drove ways
 - Sunken lanes
2. **Woodland:**
 - Ancient woodland
 - Archaeological remains
3. **Field and heath:**
 - Unimproved grassland
 - Heathland
 - Historic field boundaries

Together, these character components — which are found consistently across the High Weald, from Rye in the east to Horsham in the west — help constitute the fundamental character of the area. They have made the High Weald a recognisably distinct landscape for at least the last 700 years and will continue to define it in the future.

The [High Weald AONB Management Plan](#) has been adopted by the Area's 15 constituent local authorities in order to help conserve and enhance this natural beauty. The Management Plan defines the Area's natural beauty — its 'character components' — and sets objectives for these components. Neighbourhood Plans should have regard to the AONB Management Plan and its objectives in its assessment of proposals.

Evidence to help you conserve the High Weald AONB

In order to effectively conserve and enhance the AONB it is first necessary to know the location and extent of important features in the landscape. Once known, any potential impacts can be avoided or mitigated and may even be directed towards the conservation and enhancement of the landscape.

The following mapped data can be supplied by the High Weald AONB Unit to support the production of your Neighbourhood Plan:

Character component data

These are the most important datasets in terms of the AONB designation as they represent those features that constitute the High Weald's natural beauty. These data consist of:

- Water systems data (watercourses, ponds, reservoirs and openwater)
- Geology data (bedrock geology and sandstone outcrops)
- Settlement data (historic settlement pattern and historic farmsteads)
- Historic routeways data
- Woodland data (ancient semi-natural woodlands and plantations on ancient woodland site)
- Field and heath data (historic field boundaries, heathland, and wildflower grassland)

Additional contextual data

These datasets provide additional information to help interpret the character component data, to help highlight locally important features, and to provide general historical context. These data consist of:

- Historic maps (OS Epoch maps, tithe maps, OSD and estate maps)
- Historic Landscape Characterisation data
- Aerial images
- LiDAR data (only partial coverage of the AONB)

By providing data that can be used to inform Neighbourhood Plans, we aim to support the duty of all public bodies and statutory undertakers set out in Section 85 of the CROW Act 2000 to 'have regard to the purpose of conserving and enhancing the natural beauty'. These spatial data should help to fulfill this duty of regard by identifying features that – together with other sources of information – will lead to a better understanding of the landscape and its sensitivity to change.

Although examining mapped data and other sources of information can be useful, when it comes to the natural and historic environment there is no substitute for undertaking an on-the-ground field survey. Undertaking or commissioning surveys has the advantage of potentially picking up important features or species missed by existing datasets, or identifying important changes that have occurred since a mapped dataset was originally created.

Other useful information and data

There are a range of additional information sources that are also relevant to High Weald AONB objectives and which may be consulted during the production of your Neighbourhood Plan. They may be divided up into four broad categories: landscape, environment, historic and other.

Landscape

Landscape Character Assessments (LCAs) provide useful descriptions of the landscape character more locally. They take account of the framework provided by the larger-scale National Character Areas (NCAs) defined by Natural England (see the [High Weald NCA](#)) and describe variations in the landscape character at a sub-county scale. Click on the links below to find your relevant Landscape Character Assessment:

- [East Sussex](#)
- [West Sussex](#)
- [Kent](#)
- [Surrey](#)

Environment

A good starting point for environmental data is the government's [Magic website](#). Through Magic you can access information on habitats, species, designations (both landscape-scale and site-scale), geology, soils, and the Agricultural Land Classification (ALC). All data are presented in an interactive map viewer (see the screenshot below) which does not require any special software to use.



It is also worth consulting your county biological records office for biodiversity information relating to the local area. For non-commercial use this data is usually supplied free of charge in the form of a report listing things like protected species, invasive species, rare species, habitats and designated areas. Please follow the links below to find out more about obtaining data from your county biological records office:

- [Sussex Biodiversity Records Office](#)
- [Kent Biological Records Office](#)
- [Surrey Biodiversity Information Centre](#)

The [National Biodiversity Network \(NBN\) Gateway](#) is another useful way to access an enormous number of species records from all across the UK. Like the Magic website these records can be viewed online on an interactive map (see the screenshot below).



Undertaking a rapid survey of the grassland in your parish is also recommended. This will help ensure any habitat of high biodiversity value (i.e. species-rich meadow) is picked up at an early stage. It will also help to fulfill the requirement outlined in [Paragraph 117 of the the NPPF](#) to promote the preservation, restoration and re-connection of [priority habitats](#) – of which [lowland meadows](#) are one. For further information about how to go about doing this please contact the High Weald AONB Unit using the details provided at the end of this document.

Finally, it is important to consider potential impacts on light pollution and tranquillity in the preparation of Neighbourhood Plans. To this end it is worth consulting the following sources of information:

- The Campaign to Protect Rural England [tranquillity data](#) and [guidance](#)
- [The Commission for Dark Skies](#) (information on light pollution and its harmful effects, as well as guidance and tips on how it can be prevented)
- [The International Dark-Sky Association](#) (information on light pollution and its harmful effects, as well as guidance and tips on how it can be prevented)
- [The Institute of Lighting Professionals](#) (information and technical guidance on lighting and the prevention of light pollution)
- [Ashford Borough Council](#) (a good example of how to take dark skies and dark sky conservation into account in a planning document)

Historic

In terms of historic data you should first consult your county record office or county council website. Typically they offer an online map viewer (see the screenshot below) which allows you to display a variety of historic data for your area of interest (NB: West Sussex County Council does not offer an online record viewing service and instead requires a formal request for data to be made directly to them).

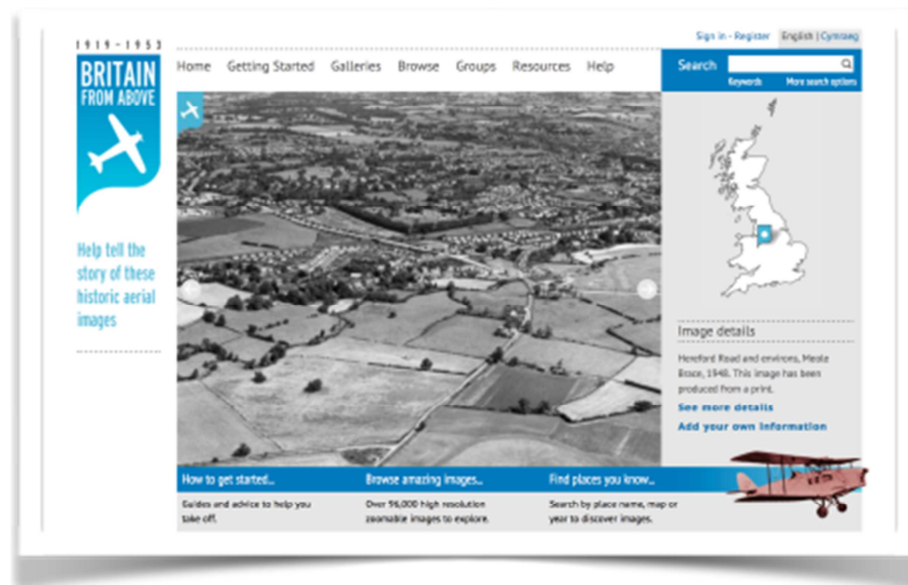


Primarily these data comprise the Historic Environment Records (HER) database for that county, but they may also include various historic maps, historic aerial photographs, and [Historic Landscape Characterisation](#) or HLC data (for more information please refer to the Historic England [guide on how to use HLC data](#)). Please follow the links below to find out more about accessing data in your county:

- East Sussex Record Office's [The Keep](#)
- West Sussex County Council's [Historic Environment Record](#)
- Kent County Council's [Heritage Maps](#)
- Surrey County Council's [Exploring Surrey's Past Maps](#)

For more information on HERs and the kinds of information they include, see Historic England's [guide to Historic Environment Records](#).

Finally, a series of unique aerial images – dating from between 1919 and 1953 and often taken from low altitudes at oblique angles – can be accessed on the website [Britain From Above](#) (see the screenshot below).



Environmental and Habitats Regulations Assessments

Neighbourhood Plans should be based on sustainability principles. Although a formal sustainability appraisal is not legally required, Neighbourhood Plans which identify sites for development in the High Weald AONB will most likely be required to undertake a 'Strategic Environmental Assessment (SEA)'. It is for the Local Planning Authority to determine, via a 'Screening Opinion', whether a Neighbourhood Plan is likely to cause significant environmental effects – something which, if deemed to be the case, would trigger an SEA. Also, where a Neighbourhood Plan may have impacts on a site of international nature conservation importance, a further assessment under the Habitats Regulations could be required. This is referred to as a Habitats Regulations Assessment (HRA).

If an SEA (and potentially a HRA) is found to be required, the gathering of evidence for its preparation can be integrated into the process of producing the Neighbourhood Plan. In this event it will be important to work closely with your Local Planning Authority and, through them, with Natural England.

However, these are complex issues and it therefore makes sense to contact your Local Planning Authority for a screening opinion on emerging Neighbourhood Plan proposals at an early stage.

Further guidance

For further guidance on Neighbourhood Plans, their preparation and planning policy in general, visit:

- [The Government's Planning Practice Guidance website](#)
- [The Forum for Neighbourhood Planning](#)

For technical support and to apply for funding to aid in the production of your Neighbourhood Plan, visit the [My Community Rights website](#) which has details about grants from the Department for Communities and Local Government (DCLG) up to £9,000. It may also be worth contacting your Local Authority to see what support they are able to provide during your neighbourhood planning process (see the contact information on the following page).

Contact information

This guidance was produced by the High Weald AONB Unit. If you have any queries about the AONB itself, or the character component data supplied by the High Weald AONB Unit, please contact us using the following details:

High Weald AONB Unit
Woodland Enterprise Centre
Hastings Road, Flimwell
East Sussex, TN5 7PR
Tel: 01424 723011
Fax: 01580 879499
Email: info@highweald.org

If, however, you have a question regarding the neighbourhood planning process, you should contact your Local Authority. Full contact details of each Local Authority in the High Weald AONB can be found by following the appropriate link below:

- [Ashford Borough Council](#)
- [Crawley Borough Council](#)
- [Hastings Borough Council](#)
- [Horsham District Council](#)
- [Mid Sussex District Council](#)
- [Rother District Council](#)
- [Sevenoaks District Council](#)
- [Tandridge District Council](#)
- [Tonbridge & Malling Borough Council](#)
- [Tunbridge Wells Borough Council](#)
- [Wealden District Council](#)