

National Landscape Update

Planning Policy Committee Thursday, 19 September 2024

Report of: Taryn Pearson-Rose, Deputy Chief Executive

Purpose: For decision

Publication status: Unrestricted

Wards affected: All

Executive summary:

On the 24 July 2024 Natural England published an analysis report of the June 2023 Surrey Hills AONB Boundary Review consultation. The report provided an update to the boundary review, consultation data summary, and the Natural England response to the responses received.

In regard to Tandridge, this has resulted in a number of changes to the proposed expansion areas.

The report also outlined the next steps in the process of the implementing the boundary amendments. Due to the introduction of new land parcels to be included in the AONB, a second round of consultation is to take place under the requirements of the Countryside and Rights of Way Act 2000; this is scheduled for Tuesday 17th September 2024 and will last for 12 weeks, ending on the 10th December 2024.

In due course, the Planning Policy team will therefore need to prepare a response on behalf of the Committee, to the consultation.

In regard to the High Weald AONB, the High Weald Joint Advisory Committee have recently published their Dark Skies Technical Advice Note for the High Weald AONB Partnership concerning development affecting the dark skies within the High Weald AONB.

This report supports the Council's priority of: Protecting and enhancing our environment.

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Recommendation to Committee:

It is recommended that:

- A. the report be noted and the Deputy Chief Executive, given the timescales involved, be authorised to prepare a formal response to the forthcoming consultation, in collaboration with the Planning Policy Working Group and Planning Policy Officers.

Reason for recommendation:

The proposed boundary amendments affect land use within many wards in the District – under part 4 section 83 para 1 of the Countryside and Rights of Way Act 2000, the Council have been consulted by Natural England on the potential boundary changes; it is therefore appropriate to respond to the upcoming consultation. The Council has previously responded to earlier consultations and engaged appropriately with Natural England and other neighbouring authorities where necessary, throughout the boundary review process. The Council will continue to work cooperatively with Natural England and will provide a response for Natural England’s consideration as part of the consultation.

Introduction and background

1. Natural England is the public body responsible for conserving and enhancing the natural environment in England. One of the statutory duties is the protection of land through designation as National Park or National Landscape (AONB) under the Countryside and Rights of Way Act 2000.
2. During June 2021, Natural England announced plans to assess areas around the Surrey Hills National Landscape as possible extensions to the designated area. Some areas of countryside outside but adjacent to the National Landscape boundary are designated as Areas of Great Landscape Value (‘AGLV’) by local authorities, as is the case for Tandridge District Council.
3. Natural England conducted an early call for evidence that helped build an understanding of potential areas to include in the boundary extension, carried out by specialist landscape consultants. Technical assessments of the landscape were then undertaken to identify distinct extension areas.

2023 Statutory consultation

4. During March - June 2023 Natural England held a statutory consultation for the proposed extension to the Surrey Hills National Landscape. The Council submitted a response to the consultation supporting the proposed

areas of inclusion and presenting and evaluating a number of further areas for inclusion within the amended boundary.

5. Natural England have since reviewed the consultation responses, revisited the initial assessments, and undertaken additional field work. A detailed analysis report has been published which presents the findings of the consultation and analysis process: [Surrey Hills Area of Outstanding Natural Beauty Boundary Variation Project - Defra - Citizen Space](#)
6. This has resulted in a number of deletions and additions to the proposed boundary extensions within the Tandridge District and at Happy Valley on the boarder of Tandridge, comprising:

Deletions:

- Land west of Coulsdon Common (Happy Valley)
- Properties along Stanstead Road – Caterham Woods
- Property east of Tupwood lane – Caterham Woods
- Land north of New Road – Godstone Hills
- Land south of South Park – Godstone Hills

Additions:

- Land west of Farthing Downs (Happy Valley)
 - Land east of Farthing Downs (Happy Valley)
 - Properties along Western edge of Halliloo Valley – Woldingham Valleys
 - Beddlestead Valley – Woldingham Valleys
 - Land south to Staffhurst Wood – Limpsfield
 - Land at The Bogs – Godstone Hills
 - Land at Oxted Mill – Godstone Hills
7. Extending or removing potential areas of inclusion was determined by Natural England using their published "*Guidance for assessing landscapes for designation as National Parks or Areas of Outstanding Natural Beauty in England*" (hereafter the Natural England Guidance) (Natural England, 2021). Therefore, all proposed land that has been included or omitted from the boundary amendments has been assessed against the guidance, and subsequently aligns with designation requirements.

Boundary review - next steps

8. Due to the inclusion of potential additional land in the boundary review, a further round of consultation is required in accordance with Natural England's duties under the Countryside and Rights of Way Act 2000. This consultation will be launched on Tuesday 17th September 2024 and will last for 12 weeks, ending on the 10th December 2024. A series of public engagement events will be held to enable people to discuss these new proposals with members of the Natural England team. Additionally, a number of webinars are being held to by the consultants Resources for

Change, where information will be provided on the project so far and how to participate in the second round of consultation.

9. This consultation will be limited to additional proposed extension areas only. It will therefore not be necessary to comment on the previous proposed expansion areas in any consultation response.
10. Following Natural England's analysis of the 2024 consultation responses, where necessary, proposed boundaries will be amended to take account of any further relevant evidence received. If no fundamental objections arise that cannot be overcome, and assuming no identified boundaries need to be altered as a result of the consultation, the next stage will be to draw up the draft Variation Order and the publication of the Notice Period.
11. The Notice Period allows anyone who wishes to do so to make representations to Natural England, objecting to, supportive of, or proposing amendments to the proposal, and stating the grounds on which they are made.
12. Following the Notice Period, a further period of response analysis will be undertaken, and any further consequent changes made to the draft legal Order. Natural England Board approval will then be sought to allow the Order to be finalised and submitted to the Secretary of State for confirmation. If there are any unresolved objections, these will be submitted to the Secretary of State with the Order, who has discretion to call a Public Inquiry, before deciding whether or not to confirm the Order.

Consultation response

13. It is therefore necessary for the Council to produce a response to this upcoming consultation. The response will need to focus on any new additional land proposed for inclusion in the boundary review. It is proposed that delegated authority should be granted to the Deputy Chief Executive to prepare and submit a response, in consultation with the Planning Policy Working Group and Planning Policy officers in order to meet the likely timeframe for the consultation.

High Weald 'Dark Skies' Technical Note

14. The High Weald Joint Advisory Committee have recently published their Dark Skies Technical Advice Note for the High Weald AONB Partnership concerning development affecting the dark skies within the High Weald AONB. The guidance is an important tool to enable appropriately designed lighting schemes within the AONB and needs to be taken into account for planning applications.
15. The guidance aims to provide developers and planners with the necessary information to assess lighting schemes which are appropriate to the landscape, and covers:

- Overview of the importance of Dark Skies in the High Weald AONB
 - Lighting Terminology and impacts
 - Overview of light assessment, both in the design of external lighting schemes, and in building design and the location of development
 - Best practice for lighting strategies in different types of development proposals
16. The guidance does not seek to eliminate or ban lighting regardless, more so to advise how to appropriately design lighting schemes so as not to unnecessarily pollute or pose a significant impact to the dark skies. A set of principles are presented to ensure the delivery of good lighting that reduces light pollution and its impact on dark skies, comprising:
- Useful – justified with a clear purpose and benefit
 - Designed – professional designers should be consulted using as few lights as possible
 - Targeted – directed to where it is needed and not spill into the neighbourhood
 - Low-light – do not use needlessly bright lights or lights that produce unnecessary glare
 - Colour – lamps should have a colour of 3000k or less
 - Controlled – external lights should be controlled with timers
17. A planner’s checklist is provided which delves further into the above principles.
18. The guidance has been produced to support the High Weald AONB management plan which presents two main objectives and a number of actions to support these:
- Objective 1: To preserve the dark skies of the High Weald AONB by minimising light pollution, obtrusive external lighting and internal light spill from domestic, commercial, and public premises in both existing and new developments within the High Weald, and from highways lighting.
- Objective 2: To protect wildlife and habitats from light pollution across the High Weald.
19. Finally, the guidance provides a detailed section on Good Lighting Design that focuses on four themes that are important to consider when designing and assessing lighting schemes to minimise light pollution.

Key implications

Comments of the Chief Finance Officer

Aside from Officer time, there are no financial implications to this report. As such, the Section 151 Officer supports the report.

Comments of the Head of Legal Services

Protection of AONBs in England and Wales is grounded in the Countryside and Rights of Way (CRoW) Act 2000, under which new designations are made and the government stated in paragraph 182 of the National Planning Policy Framework (2023) that in considering planning applications, great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs.

The Planning Department will need to continue to ensure that the increased duty is being met through its development management processes and will continue to consult relevant organisations (ie. Natural England) on applications in the AONB as part of the statutory consultations taking their views into account in the overall decision-making process.

Assuming that Natural England determines that a boundary variation should be made following the technical assessments and statutory consultation, Natural England would expect to submit a variation Order to the Secretary of State for a decision. It is not possible to say how long the Secretary of State's decision will take following submission or whether a Public Inquiry would be called.

Equality

In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

There are not considered to be any direct equality issues arising from this report. Future individual schemes or considerations may well be subject to appropriate review to ensure they comply with latest equality legislative need. Any risks and opportunities identified will also be subject to assessment for impact on those that share a protected characteristic.

Climate change

It is considered that increasing the level of land within the National Landscape boundary will result in less development within the district as a result of the increased protection afforded to the land. This has the potential to reduce the carbon footprint of the district in whilst the designation stays in place.

Appendices

None.

Background papers

None.

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