

# Surrey Hills Area of Outstanding Natural Beauty Boundary Review

## Planning Policy Committee Thursday, 23 March 2023

Report of: Interim Chief Planning Officer

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Purpose: For decision

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Publication status: Open

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Wards affected: [All]

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### **Executive summary:**

On the 7th March 2023, Natural England launched a 14 week consultation (ending the 13th June) regarding the proposed expansion of the Surrey Hills AONB. As a statutory consultee. The Council needs to prepare a consultation response and, further, consider the implications for locally valued landscapes.

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**This report supports the Council's priority of:** Creating the homes, infrastructure and environment we need/ Becoming a greener, more sustainable District

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### **Recommendation to Committee:**

- A. the report be noted and Chief Planning Officer, given the timescales involved, be authorised to prepare a formal response to the consultation, in collaboration with the Planning Policy Working Group and planning policy officers, this response should consider whether:

- an appropriate extension boundary has been defined in Tandridge District as a Surrey Hills AONB for the future
- whether any areas have been omitted that are worthy of AONB designation requiring a review of national AONB designation criteria which might support the inclusion of these areas
- whether AONB boundary definition criteria or otherwise has led to exclusion of areas that should be in the extended AONB and how this might be resolved

B. the Chief Planning Officer be authorised to

- (i) appoint landscape consultants up to a fee cap of £30k to support the preparation of the consultation response given the highly technical nature of the Boundary Variation Project and its detailed evidence; and
- (ii) undertake further work to consider the future of the Areas of Great Landscape Value (AGLV) currently identified in the Tandridge District development plan as potential candidate areas for AONB status but now omitted from Natural England's Surrey Hills AONB review proposal in the context of locally valued landscapes as provided for in the National Planning Policy Framework 2021.

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## **Reason for recommendation:**

As a statutory consultee under section 83(1) of the Countryside and Rights of Way Act 2000, the Council needs to prepare a response to the Surrey Hills AONB Boundary Review consultation.

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## **Introduction and background**

- 1 Natural England launched a statutory and public consultation on 7th March into their proposal to extend the boundary of the Surrey Hills Area of Outstanding Natural Beauty (see appended map). It will run for 14 weeks from 7th March 2023 to 13th June 2023. Tandridge District Council is a statutory consultee under section 83(1) of the Countryside and Rights of Way Act 2000.
- 2 The consultation documents can be viewed online at: [Surrey Hills Area of Outstanding Natural Beauty Boundary Variation Project - Defra - Citizen Space](#). The plain English summary and technical documents can also be viewed in person at the Council offices and Oxted Library as well as Natural England regional offices and Surrey Hills AONB offices.
- 3 The consultation process is wide ranging and Natural England aim to reach as many stakeholders as possible. They are arranging meetings for stakeholders as well as 'drop-in' events for the public. A members briefing event was held on the 9<sup>th</sup> March. A series of public drop-in events are being held and details can be found here: [Surrey Hills Area of Outstanding Natural Beauty Boundary Variation Project - Drop in events & Document](#)

[viewing locations - Defra - Citizen Space](#). Two sessions are being held at Caterham on 29<sup>th</sup> March (18.00-20.30) and 20<sup>th</sup> May (10.00-15.00).

- 4 The Council is being asked by Natural England whether it considers that the proposed extension meets the criterion of outstanding natural beauty, whether it is desirable that it should be designated as an extension to the Surrey Hills AONB and, if so, where the boundaries should be drawn.
- 5 The consultation ends on 13<sup>th</sup> June, 2023. The consultation response is required by then. But this Committee of the Council does not meet again after the 23<sup>rd</sup> March meeting date until 22<sup>nd</sup> June, 2023, so beyond the consultation period. Arrangements need to be in place for the Council to formally respond to Natural England's consultation by the end of the consultation period.

## **Boundary Variation Project Approach**

- 6 A staged process has been followed to identify the proposed areas for extension, drawing on the Natural England technical guidance (Guidance for Assessing Landscapes for Designation as National Park or Area of Outstanding Natural Beauty in England, [https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user\\_uploads/guidance-on-assessing-landscapes-for-designation-updated-2021\\_final-30.6.21\\_2ndtestpdf.pdf](https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user_uploads/guidance-on-assessing-landscapes-for-designation-updated-2021_final-30.6.21_2ndtestpdf.pdf)). To date the following stages have been complete:
  - a. A broad area of search was defined based largely on Areas of Great Landscape Value. This was subdivided into provisional Evaluation Areas – see consultation website Figure 2. [https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user\\_uploads/background-data-maps-part-1-fig-1---5.pdf](https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user_uploads/background-data-maps-part-1-fig-1---5.pdf)
  - b. Engagement with stakeholders and the general public, including a call for evidence, led to the refinement and expansion of the Evaluation Areas – see consultation website Figure 9. [https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user\\_uploads/background-data-maps-part-2-fig-6---9.pdf](https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user_uploads/background-data-maps-part-2-fig-6---9.pdf)
  - c. Evaluation Areas were assessed against natural beauty criteria, leading to the identification of a Candidate Area. If land did not meet the criteria for outstanding natural beauty, it was excluded at this stage. The detailed evaluations can be found in Surrey Hills AONB Boundary Review Natural Beauty Assessment (2023) [https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user\\_uploads/final-natural-beauty-report-28-feb-2023.pdf](https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user_uploads/final-natural-beauty-report-28-feb-2023.pdf)

- d. The Candidate Area was assessed to consider whether it was desirable to designate as AONB. The detailed evaluation can be found in Surrey Hills AONB Boundary Review Desirability Assessment (2023)  
[https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user\\_uploads/final-desirability-report-28-feb-2023.pdf](https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user_uploads/final-desirability-report-28-feb-2023.pdf)
  - e. Following confirmation of desirability of designation, a detailed boundary review of the Candidate Area was undertaken. This led to refinement of the Candidate Area. The review can be found in Surrey Hills AONB Boundary Review Boundary Considerations (2023)  
[https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user\\_uploads/final-boundary-report-28-feb-2023.pdf](https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user_uploads/final-boundary-report-28-feb-2023.pdf)
  - f. The resultant boundary is now the subject of consultation – see consultation website Figures 21-24 for Tandridge maps.  
[https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user\\_uploads/boundary-maps-part-2-fig-18---23.pdf](https://consult.defra.gov.uk/ne-landscape-heritage-and-geodiversity-team/surrey-hills-boundary-variation/user_uploads/boundary-maps-part-2-fig-18---23.pdf)
- 5 The final stages of the AONB extension process are set out later in this report.
- 6 Methodology points of note:
- a. Evaluation Areas will by default include land that does not meet the AONB criteria as they are based on a broad area of search.
  - b. Assessment of natural beauty is based on the current situation (rather than an assessment of potential)
  - c. Boundaries are drawn tightly in transition areas. The intention is to only capture excellent landscapes (as opposed to 'good') within the AONB.
  - d. In drawing up the boundaries, allocated sites and sites with active planning permissions were excluded. Allocations in emerging Local Plans were noted but not given much weight in the assessments.

### **Boundary Variation Project – Emerging Conclusions**

- 7 The proposed boundary for the Surrey Hills AONB constitutes 106.5 sq.km, equivalent to a 25% increase. Within Tandridge itself, there would be an increase of 30,016 sq.km, (28.19%).
- 8 There are four proposed areas for expansion within Tandridge, at Caterham Woods (Evaluation Area (EA) 8c); Woldingham Valleys (EA 9a), Limpsfield (EA 10c) and Godstone Hills (EA10a and 10b).

- 9 Very small slithers of land were identified as not meeting the AONB criteria currently. None of these fall within Tandridge. Natural England is not looking to de-designate but rather identify where improvement is sought.
- 10 Nearly 66% of the land currently designated in the development plan as an Area of Great Landscape Value (AGLV) falls outside of the proposed extension area.

### **Boundary Variation Project – Next Steps**

- 11 Following closure of the consultation, Natural England anticipate it will take in order of six months to analyse responses.
- 12 If no additions to the boundary are identified through the consultation analysis, a notice of the intention to expand the AONB will be published. During the subsequent deposit period (4 weeks), there will be a further opportunity to comment on the proposal.
- 13 If additions to the boundary are identified through the consultation analysis, a further round of consultation will be held regarding the area of change only. Timing and nature of this consultation needs to be defined but it is likely that it would last a further 12 weeks. The notice will be prepared following completion and analysis of the additional round of consultation.
- 14 At the end of the notice period, a legal order will be drawn up and submitted to the Secretary of State (SoS) for decision. The provisional timetable would see the order submitted in Summer 2024. The SoS may choose to hold a public inquiry, although this only likely if there are still major unresolved issues regarding the boundary. The timetable at this point is unknown – previous track records suggest a maximum of four years is possible, although many decisions have been reached in a quicker period.

### **Key Issues**

- 15 The Council needs to prepare a response to the consultation. Natural England have indicated that they would welcome scrutiny and challenge of the evaluation findings and proposed boundary.
- 16 The Council needs to consider if there are any changed circumstances, for example around allocated sites or major planning applications, which should be noted by Natural England in defining the proposed boundary.
- 17 The Council needs to consider the future of / next steps for the AGLV that will lie outside of the proposed boundary. The NPPF 2021 provides protection for these areas if defined as locally valued landscape. There is now a set methodology and guidance for defining these areas as locally valued landscape. The Council needs to decide if there is a need for an

updated study of these areas and / or revised local policy or guidance. This will be subject to a report to June Planning Policy Committee.

- 18 The Council will need to take into account the proposed boundary in planning application decisions and plan making. The weight accorded to the boundary will increase the further the project progresses towards potential confirmation.

## **Key implications**

### **Comments of the Chief Finance Officer**

The appointment of Landscape Consultants will follow the Council's financial regulations and contract standing orders. The cost is to be confirmed at time of publication but will be met from existing Planning Policy budgets, along with the officer time involved in coordinating the Council's response.

### **Comments of the Head of Legal Services**

Areas of Outstanding Natural Beauty (AONB) are statutory landscape designations made under the National Parks and Access to the Countryside Act 1949. The primary purpose of AONB designation is to conserve and enhance the natural beauty of the area. Areas are designated in recognition of their national importance by the relevant public body e.g. for Natural England or equivalent. Paragraph 176 of the National Planning Policy Framework (July 2021) that in considering planning applications, great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs and National Parks which have the highest status of protection in relation to these issues.

Assuming the timetable is followed as set out in this report, and 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 by the summer 2024. 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**

Duty under the Equalities Act 2010

In assessing this proposal, the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

## **Climate change**

There are no significant environmental / sustainability implications associated with this report.

## **Appendices**

None

## **Background papers**

None

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