Kent Downs AONB response to Sevenoaks District Council Green Belt SPD consultation May 2013

SDC have chosen to address rural development management policies through a combination of overarching policies (SC and EN policies, Green Belt and Green Infrastructure Policies,) and the by the allocations themselves. Most of the AONB is covered by Green Belt, but not all the Green Belt is covered by the AONBs. The AONB has the highest level of protection and this should be clear through the way in which the policies are couched. In the context of the design of the ADMP we have addressed the generic overarching Sustainability (SC) and Environment (EN) policies to meet better the requirement to conserve and enhance the AONBs. But the Kent Downs AONB are disappointed that there are no criteria based policies relating to the countryside and AONB other than covered by the overarching Sustainability and Environment policies in the ADMP.

Under para 113 NPPF, LPAs are expected to set criteria for development in designated areas. We therefore expect conservation and enhancement of the components of natural beauty of AONBs to be addressed in the ADMP and countryside/rural policies. The KDAONB Management Plan is not expected to have drafted planning policies which can be used in the same way as LDP policies in determining planning applications. It is helpful that the AONB Management Plans are mentioned in policy and are therefore there for the guidance of applicants and decision makers, however the more detailed criteria which are needed to make planning decisions should be set out by the LPAs. - The KDAONB depends upon strong LDP policies to conserve and enhance the AONB and demonstrate that the LPA is carrying out its duty of regard under the CROW Act 2000 through robust and defendable policies which give sufficient guidance to applicants. This is all the more important now in the context of the revocation of the SE Plan and the new National Planning Framework (NPPF). NPPF para113 states clearly that ‘LPAs should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged.’

Currently therefore because of the way in which the NPPF is structured unless there are clear criteria based policies for AONBs there is a gap in policy to cover those developments that are not considered to be ‘Major development’ (para 116). LPA criteria to guide other development (NPPF para 113) which reflect the conservation and enhancement of landscape character, and the components of natural beauty are needed. **A way to achieve this would have been to have a section of countryside policies in the ADMP which also addressed both AONB and GB issues**

The criteria for acceptability of development in the GB are similar to the criteria needed in the AONB but not exclusively since they are driven by different objectives. Development within an AONB requires more stringent criteria in relation to the impact on the protected landscape, and all its components than the objectives of the Green Belt (amongst others, to maintain the open nature of the Green Belt, - NPPF Para 79 and which are set out in para 2.2 of the GBSPD).

The opportunity for a SPD covering all countryside with distinctions made between policy and criteria applying to Green Belt and AONBs should be taken. The Green Belt Polices are thorough and reflect most of the requirements for any development in an AONB. For this reason it would seem to make more sense to make mention of the AONB in the policies set out for the Green Belt,- as they also apply to the AONBs - and where they fall short of AONB requirements to add mention of elements that should be addressed where development is both within the GB and the AONB. The GB SDP would then instead be renamed ‘Countryside SPD’.
We therefore request that the GB policies set out in the ADMP are revised and the opportunity taken to revisit the GBSDP to revise it to meet the needs of AONBs, which are afforded the highest protection (NPPF 115). NPPF 113 addresses the needs of smaller development in AONBs by requiring the LPAs to produce criteria to guide development, whilst NPPF 116 addresses ‘major development’. The distinction between the national planning context for Green Belt and AONBs should be made and the definition of ‘major development’ addressed.

The KDAONB would be happy to meet with Sevenoaks DC to discuss these issues more thoroughly and seek agreement on how best to meet the need for clear distinction between what is required by GB policies, and what criteria should be used in the AONB.