



Members of the Chilterns Conservation Board for the Chilterns Area of Outstanding Natural Beauty are hereby summoned to a meeting of the full Chilterns Conservation Board on

13th October 2016 at 10.00am

Hastoe Village Hall, Church Lane, Hastoe, Herts, HP23 6LU

Agenda

1. Apologies
2. Declarations of Interest
3. Minutes of Previous Meeting 23 June and Minutes of AGM 23 June
4. Matters Arising
5. Public Question Time
6. Board Review – including Report from Executive and Planning Committees
7. Planning and Development
8. Any other business

Presentation to Claire Forrest and Cathy Rose

Lunch

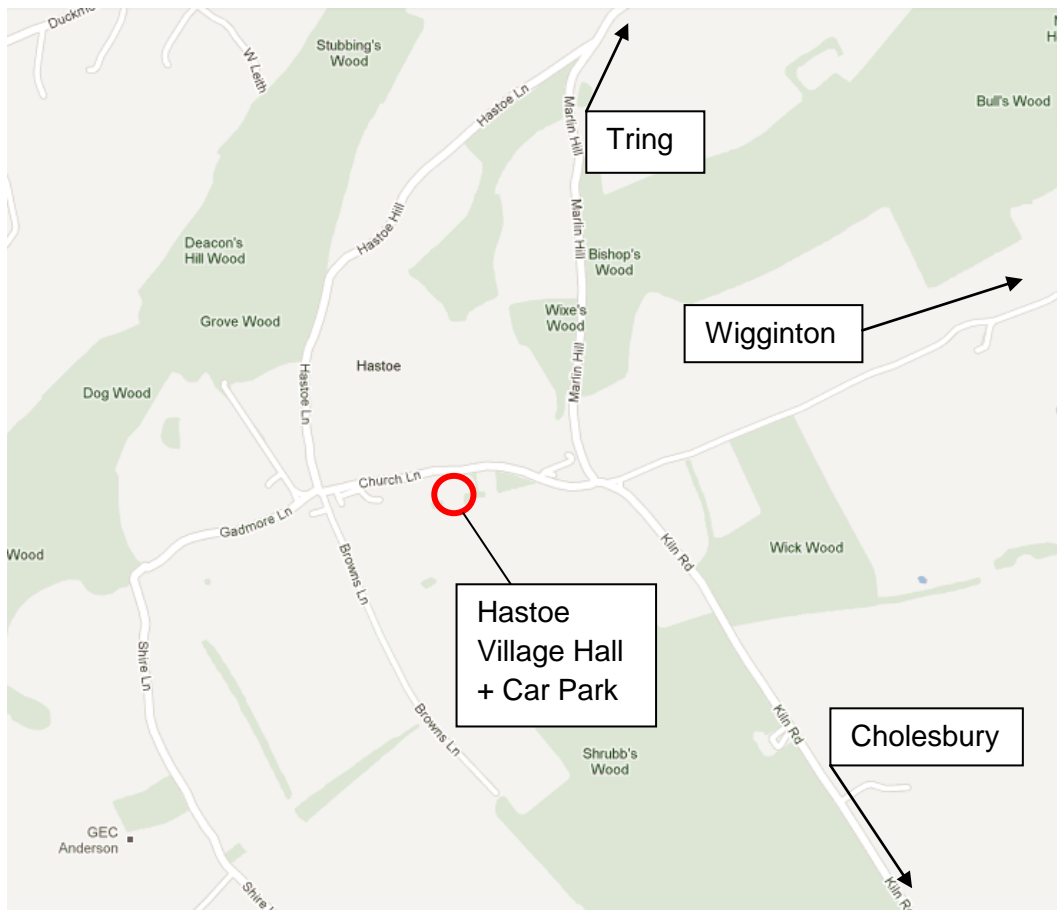
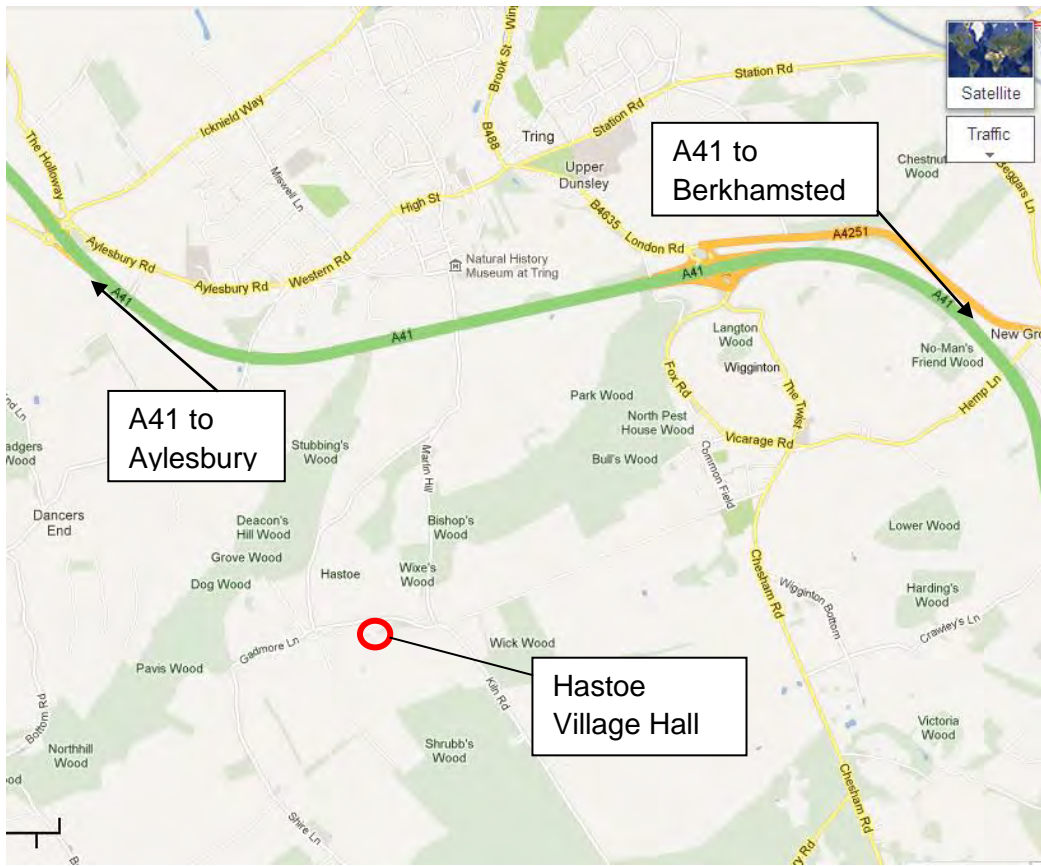
Followed by Board Walk to Tring Park – Led by Annette Venters

Future Meetings:

<u>Full Board</u>	8 th February 2017
	21 st June (+AGM) 2017
	25 th October 2017
<u>Executive Committee</u>	8 th December 2016
	27 th April 2017
	13 th September 2017
	24 th January 2018

CCB Board Meeting
Hastoe Village Hall
Church Lane
Hastoe
Tring
Herts HP23 6LU

Thursday 13th October 2016





**MINUTES OF MEETING OF THE CHILTERNES CONSERVATION BOARD HELD ON
THURSDAY 23rd June 2016 at Chinnor Community Pavilion OX39 4PU commencing at 10.21 am**

MEMBERS PRESENT

Appointed by Local Authorities

Cllr David Barnard
Cllr Bill Bendyshe-Brown
Cllr Jacqui Burnett
Cllr. David Collins
Cllr Heather Kenison
Cllr. Lynn Lloyd
Cllr Hugh McCarthy
Cllr David Nimmo Smith
Cllr Ian Reay
Cllr Nick Rose
Cllr Alan Walters M.B.E.

Appointing Body

North Hertfordshire District Council
Buckinghamshire County Council
Luton Borough Council
Dacorum Borough Council
Three Rivers District Council
South Oxfordshire District Council
Wycombe District Council
Oxfordshire County Council
Hertfordshire County Council
Chiltern District Council
South Buckinghamshire District Council

Appointed by the Secretary of State

Colin Courtney	Secretary of State
Alison Doggett	Secretary of State
Gill Gowing	Secretary of State
John Nicholls	Secretary of State
Ray Payne	Secretary of State
Helen Tuffs	Secretary of State
Elizabeth Wilson	Secretary of State

Elected by Parish Councils

Cllr Alison Balfour-Lynn	Hertfordshire
Cllr Susan Biggs	Oxfordshire
Cllr George Case	Buckinghamshire
Cllr John Griffin	Oxfordshire
Cllr Tony Penn	Buckinghamshire

CCB Officers

Kath Daly	Countryside Officer
Sue Holden	CCB Chief Officer
Chris Smith	CCB Finance Officer

Other:

Deirdre Hansen	Clerk to the Board
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16/17. Item 1 Apologies for absence

Apologies for absence were received from Cllr Ken Janes Central Bedfordshire Council and Ian Waller Secretary of State appointee.

Absent: Cllr Andrew Southam, Cllr Michael Stonnell

16/17. Item 2 Declarations of Interest

No declarations of interest were made.

16/17. Item 3. Minutes of the previous meeting

The minutes of the meeting held 24th March 2016 were approved as a true record and signed by the Chairman.

10.22 Cllr Tony Penn joined the meeting.

16/17. Item 4. Matters Arising

The Chief Officer reported that

1. Re the Electrification of the Great Western Main line, Network Rail are testing alternative gantries. Network Rail have also agreed to pay the CCB's officer time working on this project.
2. She had been invited by the Chiltern Society to attend their Executive Committee meeting and we will have a joint board members meeting in August.

16/17. Item 5. Public Question time

No public present.

16/17. Item 6. Board Review

Reports from the Executive Committee and the Planning Committee had been received.

The Chief Officer also reported that

1. The new magazine "Outstanding Chilterns" replaced "Chalk and Trees". It is an annual publication and can reach out to the tourism industry. It was noted that the horse-riding fraternity had not been included in this edition.

10.29 Cllr Bill Bendyshe-Brown joined the meeting

Discussion took place on a variety of topics concerning this publication.

The Chief Officer would ask the Information and Interpretation and Access Officers to discuss including horse-riding in literature with the Hertfordshire Parish Council member.

- 1. The Board NOTED the papers and the decisions made under delegated authority.**

16/17. Item 7. Statement of accounts and Annual Return 2015/16

The Finance Officer presented the Statement of Accounts and the Annual Audit Return for the Finance Year 2015-16. The yearend position showed an overall net surplus of £ 2,428.

The pension liability, a figure not defined by the Board and outside its control, had been reduced.

The Annual Governance Statement was considered and the Statement of Accounts was examined. The Board members took the opportunity to pose questions which were answered by the Finance Officer.

- 1. The Board APPROVED the Annual Governance Statement for 2015-16, as set out in section 1 of the Annual Return.**

2. The Board APPROVED the Statement of Accounts and the Accounting Statements for 2015-16, as set out in section 2 of the Annual Return.

16/17. Item 8. Governance Review

Following the recommendations arising from the Management Review the Chairman reported that Ray Payne is looking into the Governance of the Board.

The Conservation Board for the Chilterns Area of Outstanding Natural Beauty was established by statutory instrument 2004 no 1778 under part IV of the Countryside and Rights of Way Act 2000.

Ray Payne asked members to look at the governance arrangements and to bring any anomalies to his attention. He intends to bring a provisional paper to the Board Meeting in February 2017.

The Chief Officer also informed the Board that DEFRA is looking at the Conservation Board model for Areas of Outstanding Natural Beauty due to two requests for AONB's to become Boards.

1. The Board NOTED that a Governance Review is taking place.

16/17. Item 9 Landscape Partnerships

The Countryside Officer gave a presentation on the recent Landscape Partnership stage 1 bid that the Board had made to HLF. The process is a 2 stage process, if stage 1 is successful the second stage bid will be made 18 months later. We should hear October 2016 if the stage 1 phase has been successful.

The Chilterns AONB is under pressure from a wide range of sources especially development pressures. It has been shown that there is a need for bigger, better and joined up action at landscape scale to conserve and restore characteristic features. Far greater engagement with local communities and many more custodians of the landscape for the future are needed. The Chilterns Landscape Partnership Scheme engages more than 30 partners, is a £2.8m project, covering 260km² and delivery is over 5 years.

A number of possible areas relating to urban regions going outside the AONB were put forward for consideration to evolve into a rolling programme of projects. The suggestions were welcomed and the members took the opportunity to ask questions covering resources, partnerships, threats, opportunities, engagement, access and involvement.

The Chief Officer commended the work that the Countryside Officer and the team had done in submitting a substantial and ambitious bid to HLF and engaging numerous partners. The Countryside Officer was thanked for her excellent presentation.

Progress will be reported at future Board meetings.

1. The Board NOTED the presentation and the work that had been done.

16/17. Item 10 Celebrating Chilterns Walking

The Strategic Access Officer gave a presentation on the LEADER bid of £50,750 she had submitted for a Celebration of Walking in the Chilterns.

It is proposed to hold Chilterns Walking Festivals. A 3-year programme of 6 festivals of 15 days each involving different walks and activities.

90% of visitors who come and walk in the Chilterns are day visitors.

The aims of the project are to attract more visitors and staying visitors, increase visitor spend and accommodation occupancy, extend the visitor season, increase opportunities to learn about the Chilterns, strengthen the Chilterns brand, raised the Chilterns profile, encourage business collaboration and ensure the project is self-financing after 3 years.

If the project is successful a project manager will be appointed to run the programme.

Members provided views and advice.

The Strategic Access Officer was commended for her work.

1. The Board NOTED the presentation.

16/17. Item 11 Future meeting dates:

Board meetings: 13th October 2016,
8th February 2017
21st June (+AGM) 2017
25th October 2017

Executive Committee: 8th September 2016
8th December 2016
27th April 2017
13th September 2017
24th January 2018

16/17. Item 12 Any other Business

1. Cllr Bill Bendyshe-Brown mentioned that he is a member of the Princes Risborough Steering Group looking at the development of approx. 2500 houses in Princes Risborough. Although Princes Risborough itself is not in the AONB, it is surrounded by AONB. It was considered useful if he could provide a report to the Planning Committee.
2. Cllr Hugh McCarthy notified the Board of the substantial costs of planning applications decisions being challenged, carrying these costs is not sustainable for councils.
3. Thanks were also expressed to the Planning Officer and Advisor for their help to Local Authorities on new developments and putting the AONB causes forward.

16/17. Item 13 Exclusion of the public to consider a report on proposed restructuring.

It was proposed and seconded that the public be excluded from the meeting.

1. **The Board RESOLVED to exclude the public from the meeting to consider a report on the proposed restructuring of the Board.**
2. **The Board NOTED the process, timetable and delegated authority.**
3. **The Board NOTED the request to input to the consultation by 27th June 2016.**

The Chairman..... Date.....



**MINUTES OF THE ANNUAL GENERAL MEETING OF THE CHILTERN
CONSERVATION BOARD HELD ON**

**THURSDAY 23rd June 2016 at Chinnor Community Pavilion OX39 4PU
commencing at 10.00 am**

MEMBERS PRESENT

Appointed by Local Authorities

Cllr David Barnard
Cllr Jacqui Burnett
Cllr. David Collins
Cllr Heather Kenison
Cllr. Lynn Lloyd
Cllr Hugh McCarthy
Cllr David Nimmo Smith
Cllr Ian Reay
Cllr Nick Rose
Cllr Alan Walters M.B.E.

Appointing Body

North Hertfordshire District Council
Luton Borough Council
Dacorum Borough Council
Three Rivers District Council
South Oxfordshire District Council
Wycombe District Council
Oxfordshire County Council
Hertfordshire County Council
Chiltern District Council
South Buckinghamshire District Council

Appointed by the Secretary of State

Colin Courtney
Alison Doggett
Gill Gowing
John Nicholls
Ray Payne
Helen Tuffs
Elizabeth Wilson

Secretary of State
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Elected by Parish Councils

Cllr Alison Balfour-Lynn
Cllr Susan Biggs
Cllr George Case
Cllr John Griffin

Hertfordshire
Oxfordshire
Buckinghamshire
Oxfordshire

CCB Officers

Kath Daly
Sue Holden
Chris Smith

Countryside Officer
Chief Officer
Finance Officer

Other:

Deirdre Hansen

Clerk to the Board

The Chief Officer opened the meeting and welcomed all present.

1. Apologies for absence

Apologies for absence were received from Cllr Ken Janes Central Bedfordshire Council and Ian Waller Secretary of State appointee.

Absent: Cllr Bill Bendyshe-Brown, Cllr Andrew Southam, Cllr Michael Stonnell and Cllr Tony Penn

2. Election of Chairman

The Board RESOLVED that IAN REAY be elected Chairman of the Board for the ensuing year.

IAN REAY took the CHAIR.

He thanked the members for appointing him.
Ian Reay welcomed everyone.

3. Election of Vice- Chairman

The Board RESOLVED that Helen Tuffs be elected Vice Chairman of the Board for the ensuing year.

4. Declarations of Interest

No declarations of interest were declared.

5. Minutes of the meeting 25th June 2015.

The minutes of the meeting of 25th June 2015 were signed by the Chairman as a true record.

Three new members had been appointed to the Board:

John Nicholls, Colin Courtney and Alison Balfour-Lynn had been recently appointed to the Board, the Chairman welcomed them and asked Colin and Alison to introduce themselves. John had done so at the previous Board meeting.

6. Public Question Time.

There was no public present

7. Election of Members to the Executive Committee

The Board RESOLVED that the following members were elected unopposed to the Executive Committee:

Secretary of State Representatives (3)
Colin Courtney
Ray Payne
Helen Tuffs

Local Authority Representatives (4)

Cllr David Collins
Cllr David Nimmo-Smith
Cllr Ian Reay
Cllr Alan Walters

Parish Council Representatives (2)
John Griffin
George Case.

8. Election of members to the Planning Committee

10.16 Cllr David Barnard joined the meeting.

The Board RESOLVED that the following members were elected unopposed to the Planning Committee:

Secretary of State Representatives (3)
Gill Gowing
Helen Tuffs
Elizabeth Wilson

Local Authority Representatives (4)
Cllr David Barnard
Cllr Heather Kenison
Cllr Lynn Lloyd
Cllr Nick Rose

Parish Council Representatives (2)
Cllr George Case
Cllr Tony Penn

Gill Gowing raised the issue that the Planning Committee would be better served with another parish council member, to ensure meetings are always quorate. It was noted that the Planning Committee could co-opt additional members at their next meeting.

9. Date of next meeting.

The Board DECIDED that the date of the next Annual General meeting would be 21st June 2017 location TBC.

The Chairman.....

Date.....

Item 6: BOARD REVIEW OCTOBER 2016

1. Highlights

1.1 HLF visit

The first round assessment visit for our Chalk, Cherries and Chairs Landscape Partnership Scheme took place on 17th August. The bid goes first to the South-East Regional Committee and then to the HLF Board in late October. If the first round bid is successful the Board will be recruiting for a Development Manager and Development Officer for an 18 month development phase during which the detailed project proposals will be drawn up.

1.2 Countryfile Live

Thanks to the Cotswolds Conservation Board we got a free pitch at the first-ever Countryfile Live event, which took place at Blenheim Palace from 4-7 August. Thanks to all the Board members who helped to man our stand. It was a very successful event, with 148 people signing up to the e-newsletter and many leaflets distributed. 125,808 people visited the show and it is returning to Blenheim next year.

2. REPORT FROM EXECUTIVE COMMITTEE, 8th September 2016

- 2.1 The Committee received an update on restructuring and recruitment plans and discussed how the CCB should fulfil the Finance, Section 151 and monitoring responsibilities.
- 2.2 The Committee received a Finance Report that detailed satisfactory activity against budget as at 31st July 2016. However, it was noted that budget figures would change during the rest of the year as various staffing changes are implemented.
- 2.3 The second of two annual Treasury Management Reports was received, showing that an average interest rate on investments of 0.83% was earned in 2015-16, compared to 0.77% in the previous year. The amount of interest earned was £5,250. It was noted that following a reduction in the Bank of England Base Rate this performance would be difficult to achieve in the future.
- 2.4 The Committee adopted the bi-annual review of the Board's Financial Regulations.
- 2.5 The Committee discussed a progress report on the 2015 Management Review and agreed to send the Chief Officer their thoughts on further actions required in preparation for a paper, focused on development and funding, the main area outstanding from the Review, for the next Executive Committee meeting.

- 2.6 Ray Payne presented terms of reference for the Board's Governance Review and the Committee agreed that Ray Payne will report proposals to the Executive Committee in December with a view to draft outline papers for the 2017 AGM.

2.7 **Board Member Attendance**

Board Members will be in breach of the Local Government Act 1972 S85 by failure to attend meetings throughout a period of six consecutive months from date of last attendance. Two board members have been informed of this occurrence. The Committee discussed the matter and it was agreed that attendance would be monitored more closely. If board members are unable to attend, they should send the Chairman or Chief Officer their apologies.

3. **REPORT FROM PLANNING COMMITTEE, 21st September 2016**

- 3.1 Gill Gowing was re-elected as Chair of Planning Committee, and the Committee co-opted Alison Balfour-Lyn as an additional Parish Council Board Member.
- 3.2 Committee heard an update on progress with establishing a model planning policy for the AONB which could be incorporated into Local Plans and Neighbourhood Plans across the Chilterns AONB. Committee discussed and endorsed the second draft (shorter, clearer) which had emerged from a Planning Forum meeting of planning policy officers. This will be a useful tool for local planning teams and for CCB in recommending what local policy should address.
- 3.3 As part of CCB's paid pre-application advice service, developers for the land at Newnham Manor site (Crowmarsh Gifford in South Oxfordshire) gave a presentation about the layout and design of a proposed major development. Committee members asked questions and discussed the plans, providing a steer for the formal written advice from CCB's Planning Officer following the meeting.
- 3.4 Committee heard about the busy summer that 2016 proved to be, with 15 local plan consultations, including three major plans addressing important issues of approach to the AONB (Wycombe, South Oxfordshire and Aylesbury Vale). Committee approved all the responses and expressed concern about the scale of threats to the AONB at the moment.
- 3.5 There was also discussion about a Network Rail consultation on proposals for the West Midlands and Chiltern line involving, among other things, the electrification of the railway line between Amersham and Aylesbury, and twin tracking the Wycombe single line to Princes Risborough, both through the AONB. CCB had

not been consulted despite the close engagement work that has been going on between Network Rail and CCB over the Great Western Mainline rail electrification. Committee asked for an urgent response to be sent to Network Rail together with a letter to the Minister.

4. REPORT ON COMMUNICATIONS AND ENGAGEMENT

- 4.1 The second ever national 'Outstanding Week' promotion of AONBs has just finished (17th – 25th September). Coordinated by the NAAONB it focused on promoting a central calendar of over 100 events across all AONBs during the week. The Board contributed details of 3 partner events and took part in extensive social media activity during the week. The Week was also supported by Visit England, CPRE and the National Trust and Lord Gardiner of Defra provided a statement of support.
- 4.2 Our social media accounts passed some milestones in the last 4 weeks: we now have over 4,000 Twitter followers (4th highest out of all AONBs) and over 1,000 Likes on Facebook (6th highest amongst AONBs).
- 4.3 A full Annual Review of the Board's activities for 2015-16 has been produced plus a summary leaflet which will be circulated to all county and district councillors, parishes, partner organisations and others. The Annual Review has been sent as a separate pdf alongside the agenda and papers for the October Board meeting.

5. REPORT ON HS2

- 5.1 The AONB HS2 Review Group is in the process of appointing consultants to develop an Enhancement and Additional Integration plan for HS2 in the Chilterns AONB and setting; this plan will identify measures over and above those proposed in the Bill. A budget of up to £3 million has been secured to support delivery of the measures identified, with a further £300,000 to cover costs associated with the Review Group.
- 5.2 A Programme Manager is also to be recruited on behalf of the Review Group. The Programme Manager will co-ordinate and focus the Review Group's activity with the aim of achieving a high quality design appropriate to this nationally important landscape, and will identify opportunities and develop a strategy to secure additional support and resources for projects to enhance the AONB. The CCB has offered to host and employ this post on behalf of the Review Group, subject to all employment costs being covered.

Item 7 Planning and Development

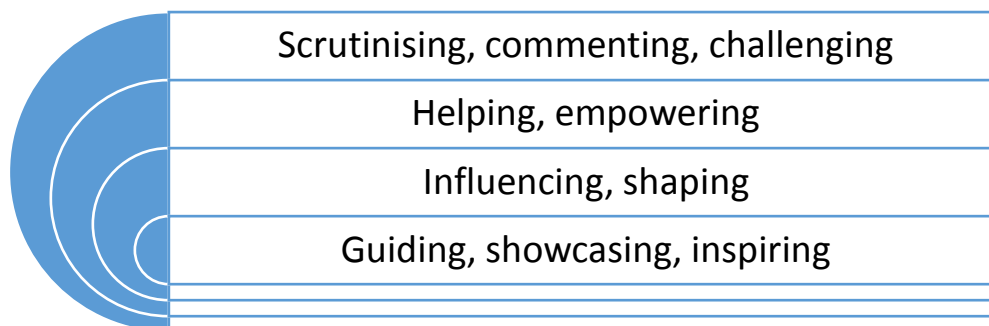
Author: Sue Holden Chief Officer
Lucy Murfett Planning Officer

Summary: To consider the scale of the development threat to the Chilterns AONB, the principles which should guide our position on development and consider new ways for CCB to influence these matters.

Purpose of Report: To explore the issues behind the increasing development threats to the AONB, to seek endorsement for the model policy, and approval for the preparation of a Position Statement on Development in the AONB.

Background

1. At the March 2016 and June 2016 Board meetings the issues of development pressure in the Chilterns AONB were debated, with a request for further fuller discussion on the issues, and consideration of what Chilterns Conservation Board can do to address them.
2. There is unprecedented pressure on the AONB to accommodate infrastructure and housing. Most notably the threat from HS2, but also housing developments, new roads, the roll out of new telecoms, and investment in rail and road infrastructure.
3. There has always been development pressure on the AONB, indeed carving of the M40 motorway through the chalk escarpment in the 1960s was the trigger for the designation of the Chilterns AONB in 1965. Recognising what is being lost and seeking to protect the landscape from further unsympathetic change is a natural response to large scale development. At first the responsibility for the AONB fell entirely on local authorities, until the Chilterns Conservation Board was formally established in 2004 by parliamentary order. The Board has continuously employed a planning officer to provide expertise in AONB planning to local planning authorities. The planning officer reports to the CCB Planning Committee made up of Board members and stakeholder co-optees. CCB's planning role currently covers a range of themes, which can be summarised as:



4. Unlike a National Park where the National Park Authority prepares the local plan and makes the planning decisions, in AONBs these responsibilities are held by the constituent local planning authorities. The Chilterns Conservation Board has only an advisory role on planning and development matters. We seek to influence the actions of local government and statutory undertakers by commenting upon planning applications and plans, as well as producing guidance documents and running the Chilterns Buildings Design Awards. The Board has a number of policy documents to promote good practice; foremost is the [Chilterns AONB Management Plan 2014-2019](#) (the Development Chapter contains 18 policies on AONB planning¹), and the well-respected [Chilterns Buildings Design Guide](#) and its daughter documents on flint, brick and roofing materials, as well as two [Position Statements](#) (on renewable energy and development in the setting of the AONB).
5. Government policy on development in the AONB is that “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” (NPPF para 115)². It is important to appreciate that AONB have an equal status in planning to National Parks.
6. “Major development” should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest (NPPF para 116). Government advice is that “Whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context³.” The absence of a clear easy to use definition for identifying what is major development in the AONB is a problem that is frequently raised. Caselaw and planning appeals nationally give a varying picture over time and

¹ The status of AONB Management Plans is set out in the Government’s [Planning Practice Guidance](#) para 004 on the Natural Environment: they do not form part of the statutory development plan, but may contribute to setting the strategic context for development by providing evidence and principles, which should be taken into account in the local planning authorities’ Local Plans and any neighbourhood plans in these areas. Management plans may also be material considerations in making decisions on individual planning applications, where they raise relevant issues. Some but not all of our 13 local planning authorities have formally endorsed the plan as a material consideration.

² [National Planning Policy Framework paragraphs 115 and 116](#)

³ [Planning Practice Guidance on the natural environment para 005](#)

place. Some of our local planning authorities would welcome CCB providing a definition, although this is contrary to the government advice above which is that it should be assessed on a case-by-case basis.

7. The number of occasions when CCB has needed to provide advice has increased significantly in the last year. The workload was typically around 30 comments a year on major planning applications and 20 development plan consultations. This year this looks set to reach 60 planning applications (including providing evidence at least 2 public inquiries) and 60 development plan consultations. At the same time, government funding for the non-departmental public body Natural England has reduced the staff input it can put into commenting on local planning matters, focussing instead on major national infrastructure and deferring increasingly to AONB units and Conservation Boards to provide informed local comments on AONB planning casework.
8. Government changes to the structure of the planning system has removed levels of planning which formerly provided some protection for the AONB. Structure Plans and Regional Spatial Strategies diverted housing and employment growth away from the AONB and issues of macro scale development distribution were tested, consulted on and examined in the public arena. The current framework of decision making is that there is no top-down allocation of a housing number to a local authority, numbers are generated through studies commissioned by local planning authorities themselves, based on demographics, past trends and adjusted for things like market conditions (affordable housing need) and the economic aspirations of the local planning authority. There is no statutory consultation on these studies. Numbers are translated into housing requirements, and although government guidance sets out that constraints e.g. National Park, AONB, Green Belt and flood risk can be applied to moderate the figures, this seldom happens in practice. Any re-distribution of 'unmet need' between authorities to avoid the AONB must be negotiated under the Duty to Co-operate, a closed and often fraught political process.
9. Meanwhile, the government's localism agenda has encouraged parish councils and neighbourhood forums to take on the task of preparing neighbourhood plans. Once 'made' these form part of the statutory development plan against which planning applications are determined. Preparing a neighbourhood plan is an onerous process for non-planning professionals to engage in, with many potential pitfalls. Knowledge of AONB policy and enthusiasm for protecting it varies between parishes, some are very motivated and well informed, while others draft plans that scarcely look beyond the village boundary, prioritise protecting locally valued amenity land over nationally protected landscapes and display no understanding of the AONB or government policy towards it. These plans could clearly benefit from some assistance from CCB. As the volume of neighbourhood plans exceeds the capacity of the planning officer (there are 117 town and parish councils in the AONB all of whom could prepare a separate neighbourhood plan), a neighbourhood planning toolkit or

generic guide on plan making in the Chilterns AONB (possibly an interactive online tool) is planned.

10. A rush to prepare new local plans and neighbourhood plans has been triggered by three key drivers: (i) the requirement for local planning authorities to maintain and demonstrate that they have a 5 year supply of housing land, (ii) a 'presumption in favour of sustainable development' in the NPPF which cancels the effect of some protective planning policies where the plan is silent, absent or out of date (including not being able to demonstrate a 5 year housing land supply), and (iii) the threat that any authority which has not make significant progress with preparing an up-to-date plan by spring 2017 faces central government intervention. In the last couple of years many developers have made speculative planning applications on the basis of (ii) the presumption in favour of sustainable development, deciding that this could be more advantageous for them than waiting for sites to be allocated in the local plan, particularly for major schemes on unpopular or sensitive sites which are unlikely to be chosen for allocation. This has generated substantial workload of major planning applications and (as many of these are refused permission), planning appeals and public inquiries. These are time consuming and problematic both for local planning authorities and CCB to resource. Although the presumption in favour of sustainable development does not apply in locations like the AONB or Green Belt (they are exempted under footnote 9 of the NPPF), this is sometimes overlooked by local planners and councillors, who seem to have lost confidence in their ability to refuse speculative applications in the AONB. Running more training sessions for our local planning officers could assist with this.
11. Within the next year a new major new workstream for CCB planning is likely to emerge: commenting on the Schedule 17 planning applications for HS2 structures (bridges, overbridges, tunnel portal, noise barriers, vent shafts, viaducts), of which there are likely to be hundreds. The staff resourcing and funding for this work has yet to be established.
12. CCB has been working on a model planning policy on the Chilterns AONB for inclusion in local plans (and possibly neighbourhood plans). As all the Local Plans for the Chilterns AONB area are under review, CCB was asked by local policy planners to prepare a model AONB policy. A first draft was prepared in March and circulated to planners across the AONB, for discussion at a Planning Forum meeting of local authority planners and potential roll- out in all the Local Plans across the Chilterns. At the Planning Forum on 7th June a set of principles (or checklist) for what a Chilterns AONB policy should cover was agreed, but not all authorities were in agreement about the wording, with some preferring to prepare their own policies or variants of the model policy. Planning Committee on 21st September 2016 approved the second draft version of the model policy. The Board is asked to consider this second draft version and associated supporting text for adoption as the final recommended version.

Model Policy v2:

Policy x The Chilterns Area of Outstanding Natural Beauty

Permission for major developments in the Chilterns Area of Outstanding Natural Beauty will be refused unless exceptional circumstances prevail as defined by national planning policy. Planning permission for any proposal within the AONB, or affecting the setting of the AONB, will only be granted when it:

- a. conserves and enhances the Chilterns AONB's special qualities, distinctive character, tranquillity and remoteness in accordance with national planning policy and the overall purpose of the AONB designation;**
- b. is appropriate to the economic, social and environmental wellbeing of the area or is desirable for its understanding and enjoyment;**
- c. meets the aims of the statutory Chilterns AONB Management Plan, making practical and financial contributions towards management plan delivery as appropriate;**
- d. complies with the Chilterns Building Design Guide and technical notes by being of high quality design which respects the natural beauty of the Chilterns, its traditional built character and reinforces the sense of place and local character; and**
- e. avoids adverse impacts from individual proposals (including their cumulative effects), unless these can be satisfactorily mitigated.**

Model local plan supporting text

1. Areas of Outstanding Natural Beauty (AONBs) are designated by the Government for the purpose of ensuring that the special qualities of the finest landscapes in England and Wales are conserved and enhanced. In policy terms they have the same planning status as National Parks⁴. The Chilterns AONB was designated in 1965 and extended in 1990. The Countryside and Rights of Way Act 2000 places a statutory duty on local authorities to have regard to the purpose of conserving and enhancing the natural beauty of AONBs when coming to decisions or carrying out their activities relating to, or affecting, land within these areas⁵.
2. The Chilterns AONB covers 13 local authorities and the Councils work together to safeguard the future of this shared nationally protected area through the Chilterns Conservation Board. The Board prepares a statutory

⁴ [NPPF paragraph 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."

⁵ [Countryside and Rights of Way Act 2000 Section 85](#)

AONB Management Plan which *may be* / has been endorsed as a material consideration in planning decisions⁶. (delete as appropriate)

3. The AONB is a nationally designated landscape and as such permission for major developments will be refused unless exceptional circumstances prevail as defined by national planning policy⁷. National guidance explains that whether a proposal constitutes major development is a matter for the relevant decision taker, taking into account the proposal in question and the local context⁸. For the purposes of this plan, 'major development' will not be restricted to the definition of major development in the Town and County Planning (Development Management Procedure)(England) Order 2015 or to proposals that raise issues of national significance, and will include consideration of whether a proposal has the potential to have a serious adverse impact on the AONB.
4. *Add locally specific paragraph on AONB extent and special qualities and characteristics within each district. For example, for South Oxfordshire: The Chilterns Hills and the North Wessex Downs are part of a broad belt of chalk upland running across England in an arc from Dorset to Yorkshire. The Goring Gap, where the River Thames carves through the chalk escarpment, forms the boundary between the two AONBs in South Oxfordshire. Although both areas are chalk upland, their character differs: the Chilterns AONB is a generally more enclosed and wooded landscape that the broader more open uplands of the North Wessex Downs. The Chilterns escarpment in South Oxfordshire is particularly impressive, and the beech woods are justifiably famous.*
5. In determining compliance with criterion a, actions to conserve and enhance the AONB shall be informed by landscape assessment, having considered any relevant landscape character assessments and landscape and visual impact assessments and shall focus upon:
 - i. the Chilterns AONB's special qualities which include the steep chalk escarpment with areas of flower-rich downland, broadleaved woodlands (especially beech), commons, tranquil valleys, the network of ancient routes, villages with their brick and flint houses, chalk streams and a rich historic environment of hillforts and chalk figures;

⁶ See the Government's [Planning Practice Guidance 8-004-20140306](#) Paragraph 004 (PLUS add date of endorsement for LPAs which have taken through Cabinets)

⁷ [NPPF paragraph 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; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated."

⁸ [Planning Practice Guidance 8-004-20140306](#) Paragraph 005

- ii. the scope for enhancing and restoring those parts of the landscape which are previously developed, degraded or subject to existing intrusive developments, utilities or infrastructure;
 - iii. locally distinctive patterns and species composition of natural features such as chalk downland, trees, hedgerows, woodland, field boundaries, rivers and chalk streams;
 - iv. the locally distinctive character of settlements and their landscape settings, including the transition between man-made and natural landscapes at the edge of settlements;
 - v. visually sensitive skylines, geological and topographical features;
 - vi. landscapes of cultural, historic and heritage value;
 - vii. important views and visual amenity, including key views from the steep north-west facing chalk escarpment overlooking the low clay vale, and foreground views back to the AONB; and
 - viii. Tranquillity, dark skies and remoteness and the need to avoid intrusion from light pollution, noise, and motion.
6. Development proposals which lie outside the AONB but within its setting can also have impacts on it. The Council's duty of regard applies to development outside but which would affect land in an AONB⁹. For example, views out of the AONB from key visitor viewpoints into surrounding areas can be very significant. Although it does not have a defined geographical boundary, the setting of the Chilterns AONB is the area within which development and land management proposals, by virtue of their nature, size, scale, siting, materials or design could be considered to have an impact, either positive or negative, on the natural beauty and special qualities of the Chilterns AONB. Advice on development in the setting of the AONB is contained within guidance produced by the Chilterns Conservation Board¹⁰.
13. The Board is invited to discuss the issues raised in this paper, to inform the Board's stance on the unprecedented pressure on the AONB to accommodate housing and infrastructure. This will in turn inform the preparation of a Position Statement on Development in the Chilterns AONB.

We would particularly like the board to discuss the key principles which should underpin our work on development and which we would like board members' help in promoting:

⁹ [Countryside and Rights of Way Act 2000 Section 85](#) : in relation to, or so as to affect, land in an area of outstanding natural beauty"

¹⁰ Chilterns Conservation Board [Position Statement on Development affecting the setting of the Chilterns AONB](#)

- a. We will take the long view – incremental change over the next 50-100 years could, cumulatively, result in the loss of special qualities in the long term.
- b. We will take a holistic and landscape scale view of the place and our responsibilities for the place – protected landscapes are complex webs of interconnecting geology, ecology, heritage, natural capital and special features which do not function well ecologically or for society if many small pieces are lost.
- c. To fulfil our primary duty, we will take a position on the total quantity of development, siting and quality of development, pressures from development such as water abstraction and traffic, and impacts on special qualities including noise and light pollution.
- d. Whilst the Chilterns are already more developed than many protected landscapes, this does not mean the landscape has been devalued and we must be particularly careful not to dismantle the web of special qualities we have left, including tranquillity and views into and out from the AONB.
- e. Whilst the pressure for housing & development in the South East are greater than elsewhere, protected landscapes should not be compromised because of this: only 25% of land in England is designated: we do not need major development in AONBs.
- f. The Chilterns is as special and as protected as the Cotswolds or Lake District – we do not have to compromise more than other protected landscapes. And the standards we apply in our planning and development work do not get reduced because some local authority areas are a high percentage AONB.
- g. We cannot only consider each local authority's need for development, we must consider total quantity of development, and the cumulative impacts of development, across the AONB and to all the special qualities.
- h. The CCB will resist major development except in those exceptional cases where a site is particularly suitable and when it passes the tests in para 116 of the NPPF e.g. brownfield sites, where there is scope for careful development to enhance natural beauty. Potentially a few major developments, especially with a significant quantity of affordable homes, might be better than small amounts of development everywhere, but we must take a Chilterns-wide view.
- i. We are not an enabler of development, but we will help ensure that development is suitably sited and designed, with minimal impact on the AONB and with any impacts appropriately mitigated.
- j. The value of the Chilterns to society is most gained by it being a place of recreation, visiting, learning, volunteering and for health and

well-being, and not by its potential to house people. These benefits will most be appreciated by the 10 million who live within an hour especially the nearby urban populations. We, and our local authority partners, should place more emphasis on maximising that which the many will benefit from, not on how we can build a thousand more houses in the AONB.

- k. We will increasingly use evidence to make a case for an intact healthy landscape, its natural capital underpinning a healthy economy and healthy society and all the opportunities and benefits which flow to the society.

Some of the ways in which we will extend our influence on development in the AONB include the following objectives:

- l. We will work with communities to facilitate their engagement with planning issues; we will provide tools to support their work on plans.
- m. We will have a public position on development in the AONB, though we will not actively campaign.
- n. We will develop a suite of position statements on specific subjects such as renewable energy; green Infrastructure; telecommunications and broadband; employment, commercial and retail developments; equestrian uses; and minerals and waste.

14. We invite the Board to suggest other ways in which we can influence planning and development.

Recommendations:

- 1. To discuss the principles which will help ensure we fulfil our primary duty.**
- 2. To endorse the second draft model policy and supporting text.**
- 3. To support the preparation of a Position Statement on Development in the Chilterns AONB.**