



Chilterns Conservation Board submission on the Government Response to the Landscapes Review consultation

April 2022

Introduction

The Chilterns Conservation Board (CCB) is a statutory independent corporate body set up by Parliamentary Order in 2004 under the provisions of Section 86 of the Countryside and Rights of Way (CRoW) Act 2000.

The CCB has two statutory purposes under section 87 of the CRoW Act:

- To conserve and enhance the natural beauty of the Area of Outstanding Natural Beauty (AONB); and
- To increase the understanding and enjoyment by the public of the special qualities of the AONB.

Further information about the Chilterns AONB and the CCB is appended to this response.

About our response

As a member of the National Association of Areas for Outstanding Natural Beauty (NAAONB), the Chilterns Conservation Board (CCB) has contributed to discussions informing the NAAONB's response to this consultation, which we wholeheartedly support. The CCB's own response therefore focusses on additional points about:

- our status as a Conservation Board
- the challenges and opportunities facing the Chilterns AONB
- specific recommendations in the Landscapes Review regarding the Chilterns AONB and the Chilterns Conservation Board.

This response benefits from expert opinion and advice from both CCB's staff team and its Board members, all of whom are fully engaged and recognise this unique opportunity to shape the future of both the place - the Chilterns AONB - and the body tasked with caring for it - the Chilterns Conservation Board, in addition to the wider network of Protected Landscapes (PLs).

In particular, we recognise that the CCB is in a unique position to provide insight and comment on certain aspects of Defra's consultation, such as:

- future management and governance arrangements
- our role in environmental land management schemes and sustainable tourism initiatives
- engaging a diverse range of people and communities, and
- the threats to the designated area from housing developments, roads and infrastructure.

The government's response to the Landscapes Review makes a number of proposals that do not link to a question. We have addressed them either in other relevant questions, or at Question 25.

Overview

The Landscapes Review provides us with a once in a generation opportunity to understand and improve the vital role of Protected Landscapes in England. The CCB welcomed its conclusions and, since publication, has worked with Defra, Natural England, the NAAONB and the wider family of Protected Landscapes to explore how best to take the recommendations forward.

We therefore welcomed publication of the Government's response to the Landscapes Review, albeit two years after the Landscapes Review was published. Events in the meantime have emphasised more than ever the multiple benefits of well-functioning designated landscapes to the nation's social, economic and environmental wellbeing.

We also welcome the Minister's emphasis, in his foreword to the Government's response, on the important role of PLs in addressing many of the challenges and opportunities currently facing society: the impacts of a global Covid pandemic; connecting more people with nature and addressing inequalities in access; reversing declines in nature; tackling climate change; and 'levelling up' social and economic inequalities in society. In addition, the war in Ukraine challenges not only world peace, but also food security in many countries, including the UK.

Executive Summary

- Proposal 24 of the Landscapes Review - that AONBs be '*strengthened with new purposes, powers and resources*' is key to realising the government's ambition that its proposals will 'rise to the challenge before us and leave our protected landscapes in a better condition for future generations'.
- Any review of the purposes, powers and resources of PLs in the 21st century must recognise that these places are critical components of the nation's economic, social and environmental infrastructure - a fact sharply revealed during the Covid-19 pandemic. PLs are essential for people's physical and mental health and well-being, with further benefits arising from their special qualities, character and ecosystem services they provide. Such infrastructure requires cherishing through careful and positive management and planning.
- While we welcome the many positive proposals in the government's response to the Landscapes Review, especially proposals to strengthen AONB and Conservation Board purposes and powers, it is our view that the response does not set out the ambitious, transformational change that Julian Glover and his team envisaged and fails to match the government's own ambition for nature, climate and people.
- The single most important issue underpinning the future success of Protected Landscapes, and ensuring delivery of the government's ambitions, is for AONB teams and Conservation Boards to be properly resourced. We are concerned that the government's proposed package of measures will not fully achieve Proposal 24 and, as a result, does not offer a secure future for England's 34 AONBs.
- **We recommend that the government doubles AONB budgets over this Parliament (three years). A dynamic and progressive funding formula and package of measures should reflect both the government's ambition and the future needs of society and of these special landscapes.**

Consultation questions

1. Do you want your responses to be confidential? If yes, please give your reason.

No.

2. What is your name?

Chilterns Conservation Board.

3. What is your email address?

elaineking@chilternsaonb.org

4. Where are you located?

East of England and South East.

5. Which of the following do you identify yourself as?

AONB Team (Conservation Board).

6. Should a strengthened first purpose of protected landscapes follow the proposals set out in Chapter 2? YES/NO/UNSURE.

Unsure.

Our response is “unsure” because the proposals for the first purpose are unclear in the consultation document. It appears to propose to put Protected Landscapes (PLs) at the heart of nature recovery and climate policies, including in the delivery of nature recovery networks, (p.9) and supporting local authorities with local nature recovery strategies (p.10).

The CCB agrees with the Landscapes Review that PLs can and should play an important and enhanced role in nature recovery: they are large areas of mainly open land theoretically protected in the long term, where investment in nature has greater value than might be the case elsewhere. However, some of the current proposals cause concern, along with the rhetoric around them, and the way they have been interpreted by other stakeholders.

Arguably, nature recovery is already embedded in all PLs’ purpose of conserving and enhancing natural beauty, and PL teams and land managers in those areas are already delivering on nature recovery as much as their limited resources allow.

The consultation paper, and the recent Nature Recovery Green Paper, both note that PL status should not in itself justify inclusion in land calculated as being protected ‘for nature’ as part of the Government’s ‘30x30’ commitment. We strongly endorse this because:

1. Only land that contributes specifically to nature conservation or recovery should be included in that calculation. PLs’ diverse purposes is to conserve and enhance landscape, which includes not only nature, but also the protection of and understanding of both physical and intangible cultural heritage, as well as geological features, and people’s responses to and interactions with their environment.
2. The areas covered by PLs include developed land, which, while it could still contribute to nature recovery, cannot really be described as ‘protected’ for nature.

Some observers suggest that, since PLs are not part of the 30x30 calculation, and since parts of them are not rich in nature, they should prioritise nature recovery over the achievement of other objectives.

While the scale and intensity of the biodiversity crisis does indeed require radical action, in which PLs have a vital role, making nature recovery their exclusive objective would be deeply harmful to other elements that have formed the identity and character of the English Landscape.

Moreover, prioritising nature recovery over other matters would conflict with the International Union for Conservation of Nature (IUCN) objectives for PLs.

There are, in any event, insufficient resources to recover nature on all land, so investment in nature recovery should focus on areas (which may indeed be in PLs) where to do so would deliver multiple benefits, avoiding conflict with other objectives. This could be achieved within PLs through a process of coordinating nature recovery networks, Local Nature Recovery Strategies and local authorities' development plans, through PL Management Plans, all informed by appropriate evidence of the rich diversity of benefits that land provides in PLs, including Historic Environment Records, analyses of natural capital, species and habitat data, and so on.

The principles listed (p.10) for the proposed revised first statutory purpose are insufficient to ensure an appropriate balance between the objective of nature recovery and other objectives for which PLs have been designated.

The latter includes the conservation and enhancement of cultural heritage and scenic beauty, and the promotion of the understanding and enjoyment of these landscapes and the features they comprise. (See also our response to Q7).

There are also real concerns about the balance between nature recovery and the conservation of existing nature and habitats. The consultation paper is quite dismissive of the important objective of conserving "what remains". For example, peak biodiversity may be achieved in the Chilterns by restoring the whole area to prehistoric levels of broad-leaf woodland, but this would imply the loss of other habitats, such as chalk grassland (a very biodiverse, priority habitat), that have been established through human interaction with the landscape. This would contravene the IUCN's principles for the conservation of Category V Protected Landscapes.

The CCB considers that a revised first purpose for Protected Landscapes should ensure that nature recovery is pursued actively and strategically in conjunction with all the reasons for a PL's designation.

It must be managed carefully where there is potential for nature recovery to conflict with other objectives, such as the conservation of the special qualities of the landscape, including its cultural heritage and scenic beauty, accessibility, and the understanding and enjoyment of the landscape.

This revision would make the revised first purpose complex, and it may need breaking down into more than one purpose, with guidance on how different elements of the purpose should be balanced. The same applies to the proposed second purpose.

7. Which other priorities should be reflected in a strengthened first purpose e.g. climate, cultural heritage? OPEN

The CCB agrees that the revised first purpose must reflect other factors in addition to nature recovery and be clear how these should be balanced with each other (see also our answer to Q6).

Existing PLs have been designated on the basis of their 'natural beauty' - a questionable term which contrasts with the IUCN's 'scenic value/quality' descriptor. Nonetheless, there are two key sources of understanding of the meaning of 'natural beauty' as applied to PLs in England:

- Natural England's *Guidance for Assessing Landscapes for designation as National Park or Area of Outstanding Natural Beauty in England (updated June 2021)*; and

- Paul Selman and Carys Swanwick's [*On the meaning of natural beauty in landscape legislation*](#) (2010).

Nature (biodiversity, habitats, species) is just one dimension of what can make a landscape special and is not a prerequisite for PL designation. Note, for example, that the UNESCO World Heritage designation of the Lake District National Park is made under entirely cultural criteria: the Lake District, along with the majority of English landscapes including the Chilterns, in fact represents a fragile combination of natural and cultural elements.

Other factors that need to be reflected in a new first purpose will include:

- The purpose of conserving and enhancing scenic beauty: the character and special qualities of the landscape that appeal to people's senses (including tranquillity and remoteness as well as visual appeal). These give the area its sense of place, identity or brand, makes people want to visit, live, or set up a business there, and are key contributors to landscapes' benefits for health and well-being. These qualities led to the designation as a PL and should be their primary purpose. Changing or re-prioritising the purposes of PLs could arguably result in a need to re-assess their designation in the first place.
- The purpose of mitigating and adapting to climate change: the climate emergency is intrinsically linked to the biodiversity crisis, and both must be recognised. PLs have tended to focus on mitigating climate change but will need increasingly to consider how landscapes will need to adapt. For example, recovering nature by increasing the beechwood canopy in the Chilterns may be ineffective if beech trees are impacted by climate change (also note the experience of ash dieback).
- The purpose of conserving and enhancing historic environment and cultural heritage: the Chiltern Hills and their surroundings comprise one of the richest archaeological and historic landscapes in the country - its rich grasslands and chalk stream valleys have drawn human life and activity for millennia. There is abundant evidence for the time-depth of our human story in one special place, and this deserves not only recognition and understanding, but also protection and support for future generations to experience. The same principles apply to all PLs.
- The consultation's purpose of conserving, enhancing and even recovering cultural heritage must include intangible elements of heritage as well, such as archaeology and physical structures. These include, for example, traditional land management practices and literary or artistic associations (as recognised by the IUCN), as well as other aspects of rich cultural activity or identity. Local examples include the 'strip parishes' that enabled communities in the Chilterns to have access to woodlands, high and low pasture, spring water and arable land, reflected in administrative boundaries and the relationships between settlements to this day.

8. Do you support any of the following options as we develop the role of protected landscapes in the new environmental land management schemes? Tick all that apply.

9. Do you have any views or supporting evidence you would like to input as we develop the role of protected landscapes in the new environmental land management schemes?

OPEN

We are answering Q8 and Q9 together, partly because we did not find that the options presented in Q8 gave the opportunity to fully express the complexity of issues surrounding them.

Farmland covers approximately 60% of the Chilterns AONB. As in most, if not all other Protected Landscapes (PLs), the policies and infrastructure that support farmers therefore have a major influence

on how, or whether, the government's ambitions are realised in these landscapes, not least because PLs do not necessarily own or directly manage any land themselves (the Chilterns Conservation Board does not).

If designed and delivered well, future land management policies will help meet the government's commitments on net zero and reversing declines in nature, while supporting farmers to run sustainable businesses and increasing food security. They will also support people's health and wellbeing, increase access to the countryside, contribute to a thriving local economy and protect and enhance the cultural and historic environment.

Farmed land is where the biggest gains for nature recovery will be made. Future schemes must provide farmers the support they need.

Defra's three-year Farming in Protected Landscapes programme (FiPL) has enabled the CCB to deliver numerous projects in partnership with Chilterns farmers. Our FiPL webpage is [here](#) and a summary of the projects funded in Year 1 are [here](#).

The FiPL programme gives all PLs an opportunity to deliver more for nature and people - as set out in the recently published Nature Recovery Green Paper, 25 Year Environment Plan and proposals in the Landscapes Review. Indeed, the government's own advisors, Natural England, advocate that Protected Landscapes be the 'backbone' of nature recovery in England.

While FiPL has enhanced our work engaging and delivering positive outcomes with farmers and landowners, inevitably improvements can be made. The CCB has shared its views as part of the programme's ongoing evaluation process. We also set out below a number of observations that we hope might inform future land management policies and programmes, especially in Protected Landscapes.

Challenges with FiPL

Resources: the limited total funding means only a small proportion of the farmers in the Chilterns AONB benefit from the funds. The CCB and other PLs are already demonstrating how we can work collaboratively with farmers and landowners to deliver positive outcomes, through FiPL and other means. This work needs to be scaled up to ensure that future environmental land management schemes truly deliver the government's ambitions. Key to success will be to ensure the programmes benefit *all* farmers and deliver huge gains for nature and people across the *whole* of the protected areas.

The level of support for individual project elements is also challenging, with many farmers telling us that they will not be able to sign up for new environmental land management schemes, and continue to manage their farms to enhance nature, as insufficient financial support means that they cannot run a profitable business.

For example, a Chilterns farmer who owns common land and associated fields recently explored FiPL funding for clearing scrub, installing new fencing and water troughs, and introducing cattle to graze the area. This would have brought an area of poor-quality chalk grassland habitat into favourable condition. However, stock fencing rates in Countryside Stewardship (CS) are £4.90/m, but the likely actual cost of purchase and installation is around £13/m. FiPL grants cannot exceed CS payments and the gap between a grant and actual costs was too great.

Flexibility: agri-schemes need to be designed to be flexible, allow innovation to meet local needs, engage all farmers, be deliverable at scale and be consistent with nationally set targets.

An example of the need for effective funding and flexibility of agri-schemes is the urgent need to care for the 1% of remaining calcareous chalk grassland in the Chilterns, which can support a very diverse range of flora and fauna, with botanical rarities in the Chilterns AONB including Chilterns gentian, wild candytuft and pasque flower.

While farmers and land managers are keen to maintain and enhance the small fragments of valuable habitat scattered through the Chilterns AONB, they cannot do so within the existing agri-environment framework: species-rich grassland payments are very low and do not provide flexibility to address local needs and opportunities.

Long term certainty: Some of the Chilterns AONB's most critical sites for delivering nature recovery represent a cost, rather than an income stream, for farmers and landowners. Long term support is therefore essential to support both nature recovery and sustainable farm businesses.

For example, a Site of Special Scientific Interest (SSSI) in the central area of the Chilterns AONB, noted for its chalk grassland and butterfly species, has had little or no active management for the last 20 years. The farmer wanted to develop a chalk grassland restoration project but needed advice on specialist management, funding for developing and delivering the project, plus ongoing management, and a way to demonstrate impact.

The CCB's Chalk Cherries and Chairs Landscapes Partnership - funded by the National Lottery Heritage Fund - provided financial support for initial ecological advice, development of a SSSI management plan and a Higher Tier Countryside Stewardship application. The site has now been transformed and is in active management. However, current stewardship schemes only offer funding for the first two years of the £80,000 capital works and only 80% of the full cost.

The project would not have taken place but for CCB's project funding, and while the CCB's project has funded the initial improvements, funding for long-term management will be needed.

In conclusion, neither Countryside Stewardship nor FiPL on their own cover the full package of support needed to get major nature recovery projects off the ground. Future environmental land management schemes must make this possible across whole PLs.

An approach that addresses the challenges above could be to support a farmer with the true costs of environmental schemes, particularly where the multiple benefits can be demonstrated, such as boosting nature, sequestering Carbon, improving access to the countryside, protecting archaeology and the historic environment and supporting sustainable farming businesses.

Future schemes

Existing infrastructure and farmer clusters: Despite the FiPL programme being introduced late, the CCB used existing relationships and networks through its three farmer clusters to deliver the [FiPL programme](#) in the Chilterns AONB on time and to budget in its first year. We believe that future environmental land management schemes can be delivered effectively through farmer clusters. The CCB facilitates and supports three farmer clusters in the Chilterns AONB, with the most well-established (because it is well-resourced through external funding from the National Lottery Heritage Fund) being the Central Chilterns Farmer Cluster. Our case study is [here](#).

Archaeology and historic environment: the CCB is often asked to advise farmers and others on the heritage that needs to be protected on their land, and how to make it more sustainable and accessible to the wider communities. Many partners have also expressed a desire to benefit from 'in house' expert heritage advice from the CCB. The CCB's archaeologist deals with requests for advice but is on a fixed term contract, funded through a National Lottery Heritage Fund project, [Beacons of the Past](#).

We propose that conserving and advising on archaeology and heritage be included in PLs' core work as part of a broader package of increasing government funding of PLs. In the meantime, the CCB is exploring means by which this may be funded.

Key to PLs playing a vital role in new environmental land management schemes is to establish, expert, well-resourced and permanent staff teams that can strategically manage, guide and facilitate nature recovery activities, working in partnership with farmers and other stakeholders.

10. Should AONBs have a second purpose relating to connecting people and places, equivalent to that of National Parks? YES/NO/UNSURE

11. Should a strengthened second purpose of protected landscapes follow the proposals set out in Chapter 3 to improve connections to all parts of society with our protected landscapes? YES/NO/UNSURE

12. Are there any other priorities that should be reflected in a strengthened second purpose? OPEN

We are answering Q10, Q11 and Q12 together.

Q10 and Q11: UNSURE

We have answered "unsure" only because the proposals for the second purpose are, as yet, unclear. It is worth noting that a second purpose equivalent to that of National Parks already applies to AONB Conservation Boards.

However, we strongly agree with the need to reach and engage all parts of society and make the countryside more inclusive and appealing to urban audiences, socio-economically deprived groups, those from Black Asian Minority Ethnic (BAME) communities, young people, those with limited mobility and other under-represented groups. From our experience of carrying out relevant projects, which we set out below, we know that this can be achieved with the necessary resources and expertise.

The Covid pandemic has highlighted the inequalities of access to green spaces, and this is evident in the Chilterns, with significant BAME populations living in a number of Chiltern towns including Luton, Aylesbury, High Wycombe, Reading and Chesham, plus other nearby towns including Slough and Didcot. Despite having the Chilterns AONB on their doorstep, many are not aware of this special landscape and do not currently access or engage with it.

We have developed National Lottery Heritage Fund (NLHF) projects which have enabled us to scale up our engagement work with people and diverse communities. Our NLHF [Chalkscapes](#) project is at the development stage which, if successful, will enable us to deliver an exciting programme of engagement, connecting diverse communities with the northern Chilterns landscape. These externally funded projects play an important role in our work and we are keen to secure additional funding to scale-up this work across the full designated area and reach greater numbers of people.

The CCB has also been able to coordinate and manage extensive volunteering programmes. Effective engagement with volunteers requires significant capacity and resources. In the Chilterns AONB this is largely facilitated through externally funded projects, such as our NLHF Landscapes Partnership, [Chalk, Cherries & Chairs](#). Ultimately, our ambition is to develop and support volunteering programmes across the whole AONB, rather than only in project areas, enabling us to work strategically with the NHS, schools and other specialist organisations on green prescribing and related initiatives.

A second purpose relating to connecting people and places would therefore be most welcome but would require adequate resources to support implementation and impact.

Countryside Access for All

The government's response states that "We strongly support taking a more active role in supporting access than just promoting opportunities" and we wholeheartedly agree. The Chilterns has particular strengths in provision of stile-free routes, extensive health walks programmes and some high-quality wheelchair-accessible trails, all within easy reach of large populations. However, people with limited mobility and other physical and mental health disabilities, are still underrepresented amongst those people that engage with and enjoy the countryside.

The CCB is exploring means by which we can genuinely engage a diverse range of people and become a national exemplar for inclusive access, building on existing efforts.

Current CCB initiatives include:

- Actively engaging with groups who find it hard to access the countryside, and working with them to support participation and enjoyment;
- Encouraging more provision of accessible trails and traffic-free multi-user routes;
- Encouraging more accessible facilities within the hospitality sector (cafes, pubs, accommodation with wheelchair accessible toilets). At present provision is poor, making it a disjointed visitor offer.

A strengthened second purpose could also refer to:

- The need for centrally-coordinated communications campaigns to make real impact on visitor management and behaviour change. This needs proper long-term investment;
- The need for AONB teams to be able to effectively influence decisions on land use, including beyond the planning system, in line with the purposes of designation.

Note that the resulting complexity of the proposed second purpose may necessitate breaking it down into more than one purpose, with guidance on how different elements of the purpose should be balanced, including balancing these with the first purpose. The same applies to the proposed first purpose.

13. Do you support any of the following options to grant National Park Authorities and the Broads Authority greater enforcement powers to manage visitor pressures? Tick all that apply. (Fixed Penalty Notices / Public Space Protection Orders / Traffic Regulation Orders)

The CCB agrees that National Park/Broads Authorities should be given greater access to enforcement powers to help manage visitor pressures such as those outlined in the consultation paper.

As a point of principle, consistent with levelling-up the powers and functions of AONBs with those of National Parks, we suggest that consideration also be given to whether those powers could be applied to AONB Conservation Boards (e.g., as 'concurrent functions' under their establishment orders), subject to appropriate resources being made available to support such activity.

14. Should we give National Park Authorities and the Broads Authority and local highway authorities additional powers to restrict recreational motor vehicle use on unsealed routes? YES/NO/UNSURE

Yes. The CCB considers that there is a very strong case for National Park/Broads and Highways Authorities to be granted additional powers to restrict recreational motor vehicle use on unsealed routes. Consistent with some of our other comments, and with the objective of levelling up the powers and functions of AONB teams with those in National Parks and the Broads, we would like consideration to be given to whether those powers could be applied to AONB Conservation Boards (e.g. as 'concurrent functions'), subject to appropriate resources being made available to support such activity.

In this regard we also commend general observations on the issue made by the Green Lanes Environmental Action Movement (e.g. their briefing at <http://www.gleam-uk.org/wp-content/uploads/2009/07/GLEAM-briefing-Glover-Landscapes-Review.pdf>), and observations on the Ridgeway in the Chilterns set out by the Friends of the Ridgeway.

15. For which reasons should National Park Authorities, the Broads Authority and local authorities exercise this power? (Environmental protection / Prevention of damage / Nuisance / Amenity / Other)

We agree with all of the reasons listed and would add the safety of all users of such routes, and emphasising tranquillity as an important aspect of the necessary environmental protections.

16. Should we legislate to restrict the use of motor vehicles on unsealed unclassified roads for recreational use, subject to appropriate exemptions? (Yes – everywhere / Yes – in National Parks and Areas of Outstanding Natural Beauty only / Yes – in National Parks only/No/Unsure

Yes - in National Parks and AONBs, and also elsewhere on National Trails, as a minimum.

Restrictions should be applied automatically in National Parks, AONBs, on National Trails and in other similarly protected areas, and there should be a positive presumption in favour of local application of restrictions elsewhere, supported with a model local traffic regulation order with pre-approved wording and conditions.

If there is no appetite for applying such restrictions by default to all unsealed unclassified roads, or even to such roads in protected landscapes, the CCB supports the position of the National Trails organisation that the use of National Trails be restricted to that envisaged in the National Parks and Access to the Countryside Act 1949, i.e. for walking, cycling and horse riding.

17. What exemptions do you think would be required to protect the rights and enjoyment of other users e.g., residents, businesses etc? OPEN

Exemptions should apply to access for residents and businesses, including farm businesses. There should not be exemptions for organised or commercial recreational activity, e.g. by visitors, though case-by-case exemptions could be offered to support limited commercial recreational activity consistent with the peaceful enjoyment of the natural beauty of the landscape, for example guided vehicle safaris and to enable access by people with mobility impairments.

18. What roles should AONBs teams play in the plan-making process to achieve better outcomes? OPEN

Before considering the role of AONB teams in plan-making, the CCB would observe that the planning system could be better equipped to deliver better outcomes for Protected Landscapes (PLs):

- a) with improvements to the content of the National Planning Policy Framework (NPPF) and its supporting online Planning Practice Guidance (PPG), and
- b) should such improvements not be practicable - by ensuring that decision-makers, including local planning authorities (LPAs) and the Planning Inspectorate (PINS), correctly followed the existing provisions of the NPPF and Planning Policy Guidance (PPG).

The NPPF correctly recognises PLs as assets (strictly “areas or assets of particular importance” at e.g. NPPF para 11(b)(i)). We contend that PLs are essential elements of the nation’s economic, social and environmental infrastructure, which should be managed positively through both the plan-making and development management processes in a manner consistent with the reasons for their designation. Harm to those qualities which led to PLs being designated, whether by cumulative erosion of their character or wholesale development of land, should not merely be limited, but avoided altogether, unless it is essential to meet a pressing local or national priority that cannot be achieved elsewhere or by other means. The NPPF policies (e.g. paras 176-178) that are intended to achieve this are negatively worded and the tests intended to prevent such harm are incredibly weak and require urgent attention.

The NPPF’s flagship ‘presumption in favour of sustainable development’ policy (para 11) is, in fact, very positive about PLs, treating them as “assets” and allowing LPAs to plan to deliver less than their identified development needs in areas where PLs apply (para 11(b)(i)).

However, few LPAs take the opportunity to plan for lower levels of development than are identified as needed (e.g. through the national standard method for assessing local housing need) and many plan to exceed their identified need, even where it is apparent that such levels of growth cannot be achieved without causing harm to a PL (or other ‘footnote 7’ asset).

In local plan examinations, planning inspectors tend to be focused on increasing the delivery of development, in preference to other equally important objectives of the planning system and rarely, if ever, intervene where unrealistic or potentially harmful development requirements are proposed, even when concerns have been raised by AONB teams or by Natural England.

As an example, the recent South Oxfordshire Local Plan included a 15% housing growth aspiration, which could have been reduced when a Neighbourhood Plan demonstrated adverse impact on two AONBs. However, the outcome of the Local Plan Examination was to make 15% a target to be met and exceeded, on the grounds of lack of evidence of harm to the AONB and of the need to avoid placing a ‘cap’ on development. It is hard to see how the NPPF’s clear policy that the “scale and extent of development within all these designated areas should be limited” (our emphasis, para 176) can be complied with without allowing local or neighbourhood plans to place a ‘cap’ on the amount of development to be planned for.

A serious conversation about planning policy in PLs is urgently needed. Currently there is considerable uncertainty: the rewards of success make it profitable to speculate on housing and commercial development within PLs, through local plans or planning applications, even though such forms of development is meant to be limited. At the same time farmers, small business owners and residents do not have confidence to invest in projects that would be compatible with the designation and are priced-out of land purchase by the hope value caused by property speculation.

On the specific consultation question about the role of AONB teams in plan-making processes, the CCB would make the following comments:

A distinction may need to be made between the role of AONB Conservation Boards and other types of AONB teams. As independent statutory bodies, Conservation Boards operate at a more arms-length distance, especially compared to those AONBs lying within a single local authority area. AONB teams operating across a large number of local authority areas are likely to have a similar experience to established Conservation Boards.

We do not agree with the Landscapes Review proposal for a single comprehensive local plan for a whole AONB area.

This would be disruptive for existing plan-making arrangements by LPAs, and the Conservation Board would have neither the resources, nor the democratic mandate, to deliver. There would also be issues of how residual local plan areas would be handled. For example, in the Chilterns, it would leave local authority areas such as Buckinghamshire and South Oxfordshire with local plans divided by the Chilterns area.

For several years, the CCB has promoted a model AONB policy for inclusion in the multiplicity of local plans that make up the AONB, with moderate success. Most adopted local plans contain a version of the model policy, often modified during the consultation and examination processes (resulting in uneven application across the AONB). The policy is focused on development management matters and has little strategic influence beyond policy that is already contained in the NPPF.

A model more along the lines of the joint Arnside and Silverdale AONB DPD highlighted on p.62 of the Landscapes Review might be more appropriate. This is not a local plan in the traditional sense, but more like an 'action area plan' DPD as envisaged under the Planning etc Act 2004, which overlaps with other policies of the individual authorities' plans. This approach is still lawful, despite more recent planning reforms, but is not actively supported in the NPPF.

However, the way forward might not be in the composition of the local plans themselves, but in the ways in which they are prepared. We recommend the following options:

- **That AONBs should be removed from the standard methodology for the assessment of local housing need, as National Parks are.**
- Instead, a requirement should be set to identify specific local housing needs and the opportunities to meet those, and other development needs, through the use of suitable previously developed land and/or small-scale sites, including rural exceptions sites.
- **That AONB Conservation Boards are granted 'Specific Consultation Body' status, which would require local authorities to include CCB in a "Statement of Common Ground", about strategic issues such as housing numbers and distribution.**
- This status would underpin their respective Local Plans. Such a Statement would define how Local Authorities would encompass the conservation of the AONB in their Local Plans, making it integral to their thinking in contrast to CCB's current 'arm's length' position, and putting us in a similar position to other strategic bodies. It would build a relationship with Councils on many policy matters, in agreeing text and justification, and would raise the AONB profile both when the plan is examined, when planning inspectors review policy text/land allocations, and in the sometimes-quirky decisions on subsequent planning appeals.
- **That conformity with the NP/AONB Management Plan is made a specific statutory requirement of local plans** (where the area covered includes or is adjacent to a Protected Landscape) and built into the tests of soundness in para 35 of the NPPF.

19. Should AONB teams be made statutory consultees for development management? YES/NO/UNSURE

Yes.

Statutory consultee status is desirable for AONB teams because it is the only available option that offers some potential to improve our voice on planning decisions.

Such status would be especially important in enabling AONB teams to determine what we are consulted on, have recourse if we are not consulted and raise the profile of our submissions.

However:

- Established caselaw suggests that, despite the fact statutory consultees views should be given greater weight than others, it is not in any way enforceable.
- Statutory consultee status comes with conditions, e.g. requirements to provide a substantive response and to report on responses made, etc., which could add to the pressure to respond, and definitely adds to workload (especially in the short term while ‘standing’ or ‘standard’ responses are prepared). As a result, statutory consultee status would require increased resources being provided to AONB teams.
- Statutory consultee status only applies to planning applications, when what AONB teams really need is increased status further up the strategic decision chain, including better policy in the NPPF, consideration in various national and local development orders, and statutory standing in preparation of local/neighbourhood plans, as well as in decisions in other regimes, e.g. NSIPs, T&W Act, Hybrid Acts, etc.
- Greater impact may be had through a suite of changes not necessarily directly related to consultee status. For example:
 - Reconsidering the meaning of statutory consultee status in the relevant regulations in terms of the nature of the ‘regard’ or ‘account’ to be had.
 - Reconsidering the impact of s.85 of the CRow Act, so that an AONB teams’ role is explicitly to explain to the decision maker how they can have regard to the purposes of the designation (and, in particular, the delivery of the AONB Management Plan).
 - Granting to AONB teams a power to request a Secretary of State call-in of the application. This should include a role for the Secretary of States at both the Department for Levelling up, Housing and Communities (DLUHC) and Defra to balance more equitably the achievement of the government’s objectives for PLs with their objectives for delivering development.
 - A limited third-party right of appeal.

The different relationship that Conservation Boards have with LPAs in comparison with AONB Partnerships or teams also needs recognising, as it might have an impact on the operation of statutory consultee status, since the observations of internal officers (e.g. conservation or highways officers) are often treated differently from external observations.

20. If yes, what type of planning applications should AONB teams be consulted on? (Formally agree which applications / all applications requiring EIA, 'major' or NSIPs / Other)

We agree with the general principle that AONB teams should formally agree with local planning authorities which types of applications they should be consulted on.

However, this should be facilitated through the preparation of a model agreement, developed by the sector, based on existing good practice examples (e.g. that used in the Cotswolds National Landscape). The model agreement could be pre-approved by the government, perhaps with advice on a baseline of minimum standards for consultation that must be adhered to.

Note that, concerning the second option in Q20, the meaning of 'major development' is different in PLs (under NPPF footnote 60) to that generally used in relation to development management consultations. Part of the decision-making process on which AONB teams must be involved, on a case-by-case basis, is the determination of what development might need to be considered as 'major development' under footnote 60.

21. Which of the following measures would you support to improve local governance? Tick all that apply. (Training / Performance / Advisory panels / Flexibility on Board proportions / Merit-based appointments / Reduced Board size / Secretary of State appointed chair / Other)

Discussions on governance arrangements for all PLs, and particularly for the Chilterns AONB and the Chilterns Conservation Board, currently involve a large number of 'moving parts'. The CCB is closely involved with many ongoing discussions and has been very pleased to contribute its views and share its experience. In particular, our Board members recognise the importance of effective governance and are actively engaged with this area of work. For example, in addition to this consultation, the CCB is:

- progressing its own internal governance review, led by the Deputy-Chair of the Board, with the latest proposals discussed and approved by the Board at its meeting on 1 March 2022
- contributing our ideas and experiences through conversations with Defra officials
- working with Natural England, as part of its [Designations Programme](#), to explore innovative enhanced [management and governance arrangements](#) for the Chilterns AONB

While the CCB set out its current thinking in an [article](#) on its website, published in March 2022, we feel a detailed answer to this question now would only be a snapshot in time and would soon become out of date. We therefore take the opportunity here to set out some key principles and observations and look forward to continuing to engage further with Defra, Natural England and other Protected Landscapes in the coming months.

Having started from different points and different perspectives, these conversations appear to be converging. Key elements of a new model include:

- flexible approaches that co-create governance arrangements with local stakeholders to suit each landscape's circumstances;
- partnership arrangements that engage stakeholders in policy development;
- a more nimble and responsive body to make operational decisions, without necessarily reducing the size of the responsible body as a whole.

Furthermore, different approaches are appropriate for National Park Authorities and AONB Conservation Boards. The Conservation Board model is poorly represented and appears to be poorly understood in both the Landscapes Review and the government's response to it. Conservation Boards are inconsistently grouped either with National Parks or with AONB Partnerships, without acknowledging the differences in existing governance arrangements for these bodies.

National Park Authorities can be resource intensive and inflexible, whereas the AONB/Conservation Board model delivers better value for money in a more responsive and stakeholder-friendly way. The way forward for all PLs could be an enhanced Conservation Board model, rather than seeing National Park status as the holy grail. We explore this in the article referred to above.

Overall, the minutiae of decisions on how PL bodies should be constituted may be less important than understanding exactly what such bodies are intended to do, and how they are meant to achieve their objectives. In that sense the consultation may not be asking the right questions.

22. Should statutory duties be strengthened so that they are given greater weight when exercising public functions? YES/NO/UNSURE

Yes. There are three aspects to this:

1. It requires concerted effort to remind public bodies of their existing duty under section 85 of the CRoW Act and keep them all on track with how that duty will be strengthened. See for example our concerns about transport bodies under 'Sustainable Transport' in Q25. This is also one of the reasons why we advocate other government departments and relevant public bodies be a part of the proposed national landscapes partnership.
2. The duty itself could be strengthened with more direct language. This applies to the meaning of 'have regard', as is discussed in the consultation paper, and also what public bodies are expected to have regard to, i.e. 'the purpose of conserving and enhancing the natural beauty of the area', which will itself become more difficult to interpret in the context of two more complex purposes as proposed elsewhere in the consultation.

The CCB believes there should be a duty to require public bodies to demonstrate how their actions are delivering the provisions of the AONB Management Plan.

3. Consideration should be given to how public bodies demonstrate how they are meeting the provisions of the duty. For example, local authority committee reports (not just planning) could include a mandatory section setting this out, as they have previously done for duties under equalities and finance legislation.

23. Should statutory duties be made clearer with regards to the role of public bodies in preparing and implementing management plans? YES/NO/UNSURE

Yes. See our response to Q22 above.

The engagement of other public (as well as private and voluntary) bodies in the preparation and implementation of AONB Management Plans is central to the partnership approach to AONB governance that we are engaged in developing with Defra and Natural England. Lessons could be learned on this from the experience of preparing Sustainable Community Strategies through Local

Strategic Partnerships under the Local Government Act 2000 (although the *requirement* to do so was revoked in 2015).

24. Should National Parks Authorities and the Broads Authority have a general power of competence? YES/NO/UNSURE

Yes.

Consideration should also be given to granting a general power of competence to AONB Conservation Boards. This would greatly enhance our ability to deliver, if backed up by the resources to do so.

25. If you have any further comments on any of the proposals in this document, please include them here. [FREE TEXT]

The Chilterns Conservation Board has a number of observations to make on:

- (a) proposals of the Landscapes Review that do not appear to have been addressed in the government's consultation document;
- (b) proposals made in the government's response that do not appear to relate to a consultation questions;
- (c) other matters of relevance to the future of Protected Landscapes in England not otherwise covered in the consultation.

We have attempted to group these using the structure of the consultation document, with specific reference to the Landscapes Review and the consultation document where possible.

However, we emphasise our views on finances and the resourcing of AONB Teams first, as we consider this to be the most pressing issue that needs to be addressed in order to realise the government's ambition leave our protected landscapes in a better condition for future generations.

Consultation document: Sustainable financing

It is our view that Proposal 24 of the Landscapes Review is the most important recommendation. AONBs need enhanced purposes, powers and resources, to deliver what is needed for people, nature and landscapes in the 21st century.

We have commented above on proposals to strengthen purposes and powers. In this section, we set out our views on how AONBs should best be resourced into the future.

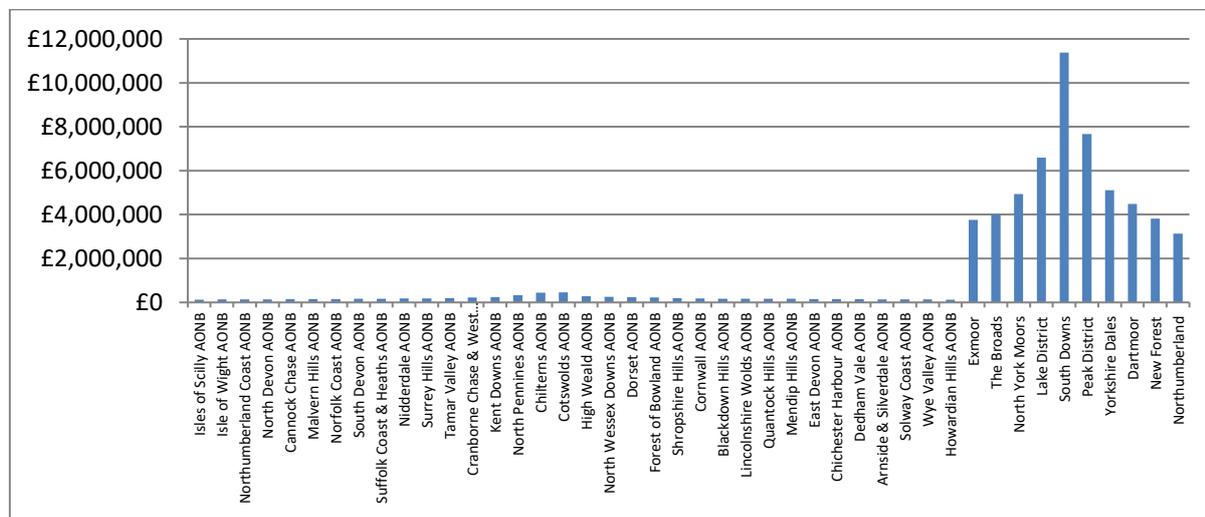
The Landscapes Review highlighted the chronic underfunding of AONBs and the CCB therefore welcomes the government's recognition that AONBs' 'core grant does not provide the opportunity to increase funding to the scale needed to deliver our vision'.

The Landscapes Review called for urgent and focussed action by the government to secure the viability and resilience of the local AONB teams. Their passion, commitment and innovation in delivering public goods for the nation against a backdrop of chronic under-funding was lauded by the Review. It was also unequivocal that, on the ground, the vast majority of AONBs are indistinguishable from National Parks.

In addition, AONBs' total area is 50% greater than that of the Parks, they contain just as much important nature and are even more popular with visitors. AONB teams do vital work to restore nature, promote understanding and enjoyment of these outstanding places and support the local economy. But all this is without full recognition in law or support in resources.

Nevertheless, in 2013/14 the Government commissioned a review of the resourcing of AONBs and National Parks. At that time Defra allocated £61.6m to AONBs and National Parks. However, only 16% (£6.7m) was directed towards the 65% of land that is designated AONB, while 84% (£54.9m) was directed towards the 35% of land designated National Park. The figures are illustrated below.

Defra funding allocations to AONBs and National Parks 2013/14



More recently, the government has committed to reduce the disparity in funding between AONB and National Parks by ‘increasing the grant settlement for AONBs teams by almost £1m (15%) in the current financial year’, in addition to confirming that AONBs will be funded to this level for the following two years. This investment and recognition of the value of AONBs is to be welcomed but it follows real term budget cuts to AONBs of 36% over the past 10 years, alongside reductions in local authority spending. This small uplift is therefore not in line with Proposal 24 in the Landscapes Review - that AONBs’ ‘total funding be doubled from the current £6.7m to £13.4m.

The resourcing disparity between AONB teams and National Parks Authorities remains unresolved and must be given the urgent attention that it deserves.

The CCB welcomes the government’s view - consistent with the Landscapes Review’s proposal - that the grant allocation should be reviewed. We are, however, very concerned at the government’s statement that ‘there is relatively little scope to increase the core grant by the scale suggested in the review, or to provide longer term funding settlements that exist beyond a spending review period’, and that while it ‘agrees’ with the Landscapes Review proposal to review the funding formula, it has not actually committed to do so.

Instead of doubling AONB teams’ budgets and reviewing the funding formula, the Government is proposing that Protected Landscapes seek to secure investment from private and blended financing models. However, this approach fails to recognise the specific challenges for AONB teams. While collectively AONBs are innovative, flexible and willing to explore new ways of operating and sourcing funds, at a practical level most do not have the staff capacity to invest in securing funding, least of all from untested sources. This is in contrast to National Parks which have been able to resource such initiatives.

In addition to our concerns above, we should point out that some measures that the government recommends for National Parks - such as fees for chargeable activities including planning, parking and navigation - cannot be applied by AONB teams, unless their statutory purposes and powers are further

strengthened, and they are provided with the associated funding to get the necessary measures in place.

While we recognise the current pressures on the public purse, the funds required to enable AONBs to deliver transformational change are relatively small. We are willing to explore innovative sources of funds but must be supported to do so. The proposed national landscapes partnership is intended to lead on this in the longer term, but it is not clear how AONBs are expected to continue to function, let alone drive transformational change in the interim period.

The single most important issue underpinning the future success of the PL network, and ensuring delivery of the government’s ambitions, is for AONB teams and Conservation Boards to be properly resourced. We are therefore extremely disappointed and concerned that the government’s response fails to properly address this fundamental issue.

We recommend that the Government doubles AONB budgets over this Parliament (three years). A dynamic and progressive funding formula and package of measures should reflect the level of ambition and the future needs of society and these special landscapes.

[Consultation document: Introduction](#)

[New Landscape Approaches](#)

Proposal 20 of the Landscapes Review welcomed new approaches to landscapes, including in cities and on the coast.

The CCB agrees with this in principle, recognising the positive relationships that can be developed between ‘traditional’ landscape approaches, such as in the Chilterns AONB, and more recent and emerging approaches. In our area these include the Colne Valley Regional Park, Watling Chase Community Forest and the London National Park City movement.

The principle of exploring the relationship between the landscape of countryside and the landscape of towns and cities is of particular interest in the Chilterns, with the close proximity of significant built-up areas to the designated landscape. Challenges include ‘rogue’ planning decisions that set aside considerations of the recognised scenic beauty of land simply for being adjacent to built development, while opportunities include engaging under-represented communities, such as through our Chalkscapes project, working with communities in Luton and Dunstable.

[Chapter 1: A more coherent national network](#)

[Strengthened AONBs / A unified mission](#)

Chapter 1 addresses the ‘levelling-up’ of AONBs with National Parks, both through the renaming of AONBs (p.7) and through the alignment of statutory purposes (p.8). However, this is not followed up with consultation questions. This is an area of great interest to AONBs.

The CCB strongly supports measures that will enhance the status and significance of AONBs and, in particular, help to level-up the visibility and recognition of AONBs compared to National Parks. This directly addresses the powerful statement on p.129 of the Landscapes Review: “The reality is that on the ground the vast majority of AONBs are indistinguishable from National Parks and their statutory purpose for natural beauty is only different in minor detailed wording. They account for more of England’s landscape, making up 60% of the total area of national landscapes, contain just as much important nature as National Parks and are even more popular with visitors. They all do vital work to promote understanding and enjoyment of their places, but without the recognition in law or support in resources.”

The Landscapes Review set out the key elements of transformative change required for AONBs to be able to realise their potential:

- new purposes and powers;
- new governance which is representative and dynamic;
- innovative and broad engagement approaches to programmes and plans;
- ‘improving’ the designation process;
- better and consistent staff development and support.

Any name change must be representative of a transformative step change for AONBs, with an ambitious new title linked directly to delivering the Landscapes Review’s Proposal 24: strengthened purposes, powers and resources.

We comment in detail in other sections on the government’s proposals that relate to Proposal 24 in the Landscapes Review. In particular, in the absence of a specific question on the subject, we address the matter of resourcing AONBs in more detail at Question 25. Inevitably, we refer to finance in other areas too, as the lack of appropriate funding limits AONBs’ ambition and ability to scale up much of its work.

While a name change must reflect a step change in funding, we also consider that any final decision on the rebranding of the existing Protected Landscapes should be deferred until the future status and governance of these areas is fully understood and agreed.

Factors considered should include:

- Natural England’s ‘All-England Assessment’ - which is expected to identify opportunities for new types of designation;
- Natural England’s current Designations Programme (which includes exploring a boundary extension to the Chilterns AONB);
- the government’s thinking following responses to this consultation;
- the outcome of future spending reviews.

That said, the CCB offers the following observations:

- The Landscapes Review emphasised “one family of national landscapes” and a commitment to “use ‘national landscapes’ to refer to the two designations of National Parks and AONBs together”, whereas the current proposal is simply to rebadge AONBs. Using a single term for all Protected Landscapes would confirm that they are intended to be treated equally in legislation and policy, especially in planning, and avoid the need for the clumsy and confusing “National Parks, the Broads and Areas of Outstanding Natural Beauty” to describe them.
- The Landscapes Review envisaged individual landscapes being able to retain their existing branding, hence the Lake District National Park, Chilterns AONB and the Cotswolds National Landscape could continue under those names if they chose, but still all be referred to by a single term defined by their shared set of statutory purposes.
- A single term for National Parks, the Broads and AONBs would also be consistent with the IUCN’s classification of all of them as [Category V protected areas](#) (‘Protected Landscapes/Seascapes’). It is hard to see how the Government can “show leadership on the international stage” (consultation paper, p.9) if it does not use terms to describe its protected landscapes that are consistent with definitions recognised across the world.

- Observations on potential new terms include:
 - National Landscape: Implies a single, representative landscape (as in national dress, national anthem, The National Forest), rather than reflecting the diversity and uniqueness of different areas.
 - Protected Landscape: While consistent with the IUCN nomenclature, this term implies a static state, rather than landscapes that are positively managed and within which natural and cultural heritage assets are sought to be restored and enhanced. It also implies that the land can be protected by a body designated for that purpose, when in reality that body has no control over the land.
- Other suggestions included combinations of the terms National, Protected, Special, Regional.
- Consideration needs also to be given to providing a clear distinction between the landscape (the area being conserved and enhanced) and the body promoting the conservation and enhancement of the landscape. All Protected Landscapes can share the same descriptive term, but still be subject to different governance arrangements and different combinations of functions.
- Finally, and in many ways most importantly, the NAAONB prospectus sets out an ambitious vision for AONBs in the 21st Century. This, coupled with work to explore the best governance approaches for Protected Landscapes in future - including the Chilterns Conservation Board's work on its own Management and Governance arrangements – may lead to the creation of a new Protected Landscape model. We suggest that this work be completed before any rebranding, while measures be put in place with urgency to address the continued under-funding of AONBs.

A national landscapes partnership within a reinvigorated Natural England

We welcome the government's view that 'national governance reform should be focussed on ensuring that our existing partners work together more effectively at a national level'. We also recognise the reluctance to create an entirely new arms-length government body and instead to create a new national partnership combined with an enhanced role for landscapes within a reinvigorated Natural England.

Key to the success of any such future partnership or body will be a means by which Protected Landscapes are given 'a bigger voice, bigger ambition and a new way of working', as advocated in the Landscapes Review (p.9).

However, we are concerned that the current proposal for a national landscapes partnership does not go far enough to give Protected Landscapes the voice that they need across Whitehall, with local government and with all relevant stakeholders in England, thereby ensuring they can address the challenges and opportunities of the 21st Century.

Protected Landscapes, by virtue of their designation, purposes and powers, are intended to deliver the objectives of several government departments. Even those AONBs whose statutory purpose is 'only' to conserve and enhance the natural beauty of their area are delivering functions that are not only beyond Natural England's remit, but beyond Defra's too.

We believe a solution could be to establish a contractual body that can draw on resources from the other government departments whose objectives Protected Landscapes are intended to deliver.

For example, conserving cultural heritage is a function of the Department for Digital, Culture, Media & Sport (DCMS), while the planning system, which is critical to protecting landscapes as a whole, is a function of the Department for Levelling Up, Housing and Communities (DLUHC). The second purpose - to increase the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty - brings in more functions from DCMS, as well as the Department for

Education and the Department for Health and Social Care through supporting people's physical and mental health and well-being.

Furthermore, the duty to foster the economic and social well-being of local communities within the AONB extends to the Department for Business, Energy & Industrial Strategy, as well as more functions of DLUHC.

The partnership would need to be expanded to include representation not only from Natural England, National Parks, AONBs (including Conservation Boards), other relevant government departments and agencies (e.g., Environment Agency and Forestry Commission), but ideally also other interested organisations, including CLA, NFU, National Trust, Local Government Association, RSPB, CPRE, The Ramblers, Wildlife Trusts, etc.

The CCB also recommends that Natural England makes clear in its stated remit and communications that its role is broader than solely nature and includes the management of Protected Landscapes. In this regard, Natural England has raised its ambition for landscapes, announcing its new [Designations Programme](#), in June 2021 (of which exploring an extension to the Chilterns AONB is a part) in addition to appointing its new [Landscape Advisory Panel](#), providing independent and expert advice and assistance to Natural England's Board on the discharge of its landscape functions.

Chapter 2: Nature and climate

Setting ambition and monitoring progress

At p.11 the consultation document outlines aspirations for the government to set or agree ambitious outcomes for the role of Protected Landscapes in delivering nature and climate objectives, and for Natural England to monitor progress against those outcomes.

Consistent with our responses to Q6 and Q7, we request that outcomes be defined for all purposes that Protected Landscapes are intended to pursue, so that monitoring progress against just a selection of those outcomes does not inadvertently prioritise their pursuit over other priorities.

Furthermore, the focus should be on defining the outcomes, and less on predetermining what Protected Landscape teams should do and how to do it. One element of successful partnership working is freedom to determine locally how to facilitate, convene and build a delivery network and deliver through it (although sector support for identifying good practice is always welcome). This also relates to considerations of a general power of competence (see response to Q24).

Chapter 3: People and place

Landscapes for everyone: national landscapes partnership's co-ordination function

We note that the coordination function proposed for the national landscapes partnership on p.13 of the consultation document is not listed among the proposed functions for the partnership given on p.8. A more joined-up approach to the creation of this partnership is essential.

Supporting local economies: social and economic purpose or duty

We note and support the government's rejection (p.14 of the consultation document) of the Landscape Review's proposal 17 to apply a third statutory purpose to foster community vitality. National Parks, AONB Conservation Boards and (through their host local authorities) other AONB Teams are already subject to a duty to foster social and economic well-being of communities in the pursuance of their other functions.

In principle we support the proposed approach to not elevate this duty to a purpose in its own right, as this could potentially conflict with the other two primary purposes (as existing or as proposed to be strengthened through this consultation).

However, we are concerned that the government’s proposal to instead foster rural communities by supporting “lead partners to discharge their existing duties effectively”, and through government programmes such as Farming in Protected Landscapes, will perpetuate a fragmented approach involving multiple organisations, with the lead partners being the local authority economic development teams and Destination Management Organisations.

These bodies focus on town centres, high street regeneration and the major commercial attractions. While important, they place insufficient emphasis on the rural hinterland, especially in Protected Landscapes, especially the opportunities for promoting market towns as gateways to the Chilterns, or of promoting the Chilterns as a destination. The countryside should be centre stage as a key attraction in its own right, as well as the backdrop for all other activities.

The CCB welcomes that the government’s response recognises the need to raise the profile of great British landscapes. However, this needs to be done at a landscape level, not a local authority level, with powers and resources applied to AONB teams in order to deliver on this ambition.

Realising the potential of the rural economy

With limited resources, the CCB achieves a great deal in its work to support rural economies. These activities were more important than ever both during the Covid lockdowns and in the months since, with trends pointing to a continued increase in domestic rural tourism and demand for countryside experiences – ‘experiential tourism’. Some of this work was funded by Open for Business project funding which is limited both geographically and in time.

Examples of our work:

- Promoting Shop Local and virtual visiting: with the Chiltern Society we developed a new series of social distance friendly walks during the Covid lockdowns. We reacted swiftly and played a key role bringing together countryside managers, retail and hospitality stakeholders to ensure a joined-up approach and consistent messaging. [See here](#).
- Convening an extensive network of stakeholders in the Chilterns to ensure collaborative working and communications, eg disseminating key messages on visitor management and the Countryside Code.
- Responding to tourism consultations, reflecting the views of the sector, for example leading a joint response to the All-Party Parliamentary Group for Hospitality and Tourism’s Inquiry ‘[Pathways to Recovery](#)’, the DMO tourism review and a NAAONB response to the DCMS sustainable tourism review.
- Organising festivals such as the biannual [Chilterns Walking Festival](#) which attracts hundreds of participants, volunteers and businesses. For example, the [summary report](#) of the October festival 2022 shows that 74% of participants used at least one local business benefiting the local area. See [here](#) for details of the Spring festival in May/June2022.
- Supporting businesses and developing new initiatives, eg developing and promoting Experience Tourism. More details at our recent [tourism update](#).

Visitors and Visitor management

We would like to attract a greater number and diversity of people to enjoy and engage with the Chilterns landscape. 1.6 million people live within 8km of the Chilterns and there are many large urban centres on the edge of the Chilterns such as Luton, Reading, Aylesbury, High Wycombe and Slough.

During the Covid lockdowns the sharp increase in countryside visitors created many problems, such as damaged crops, cars parked across farm access routes, attacks on livestock by dogs off leads, and disturbance to wildlife.

The Chilterns AONB has the potential to welcome and accommodate many more visitors, provided there is sufficient resource and expertise to manage visitors effectively, including staff on the ground.

The CCB does not have rangers on the ground to ease the pressures directly, therefore we instigated a series of social media awareness campaigns with partners such as the NFU, CLA, Kennel Club and Thames Valley Police, to shine a light on the issues and to promote the Countryside Code. See [Dogs on Leads campaign](#) and the [Countryside Code campaign](#). We also developed and promoted a series of social distance friendly walks, to disperse visitors away from the honeypot locations [here](#). More recently, one of our Board members, Dr Geeta Ludhra, has collaborated with Natural England to produce a [video](#) promoting behavioural change in the Countryside Code.

These activities have helped to raise awareness initially, but sustained behaviour change and visitor management solutions develop over time, with expertise and resources needed to implement successful programmes. The CCB is ideally positioned to lead on strategic and longer-term initiatives which could be delivered with additional resources.

Further practical advice on providing a balanced approach to both visitor promotion and management and development is required. For example [recent research](#) published by Dacorum Borough Council into the impacts of visitor activities on the Chilterns Beechwoods SAC at Ashridge and Tring Park, and Natural England's response, addresses the impact of visitors and proposals for new housing development on this sensitive area.

Sustainable transport

We note the government's support for sustainable transport on p.15 of the consultation document but consider that more action needs to be taken than simply maintaining a watching brief over good practice in the Lake District NP.

Working with other local stakeholders, the CCB has developed a draft [common approach to transport planning in the Chilterns](#).

However, our ability to positively influence transport planning across the AONB is hampered in two ways:

1. the complexity of transport planning structures, with five local highways authorities within the AONB, plus several more adjacent, two regional transport bodies whose proposals affect the AONB, plus the different arms of national transport planning (roads, rail and aviation)
2. the disregard all of the transport infrastructure planning bodies, operators and other service providers have for even the existence of the AONB, let alone how it should influence their proposals. This is a major concern and requires intervention from national government

The most obvious example of the impact of disregarding PLs is probably the electrification of the Great Western Railway, which has at least resulted in positive outcomes through the [Mend The Gap](#) project as compensation for implementing the electrification works without considering the implications of either the Chilterns or North Wessex Downs AONBs through which the railway passes.

Other issues include Reading Borough Council's local transport plan, which includes proposals for road building outside of its administrative area and within the AONB, with no apparent requirement to engage directly with the Chilterns Conservation Board.

Another very obvious example in the Chilterns AONB is the government's HS2 project where it is very difficult to see evidence of designers or contractors taking a significantly different approach within the AONB to that taken outside it, despite the existence of agreed design principles and an independent design panel.

Finally, the CCB needs the expertise and the resources to respond positively to consultations on transport strategies and make the case for why the AONB should even be considered in preparing them.

With sufficient resources, the CCB could identify, negotiate, and implement opportunities for sustainable travel in and around the AONB in the same way that a National Park Authority does in partnership with its local transport agencies. This is especially important in the Chilterns given the populations that live in or close to the AONB, and the opportunities for sustainable recreation and enjoyment of the landscape for millions of people.

National Trails

The CCB would support the inclusion of the National Trails in the national landscapes partnership (or equivalent – see our response above relating to the Landscapes Review proposal 15 and the consultation paper's reasoning on p.15).

We also recommend that National Trails which occur within a Protected Landscape have formal representation in the governance of that landscape. This might be for example through having a seat on the Board or a specific role in the partnership.

Sustainable tourism

The government is developing a sustainable tourism plan which we welcome. However, engagement with AONBs has been very limited, despite being well-placed to play a central role along with National Parks, given sufficient funding. Visitor management must be at the heart of sustainable tourism and connected to sustainable transport, both of which receive little mention in the government's response yet play a crucial role.

Planning: permitted development

We note the government's commitment to monitor and review the use of permitted development rights in Protected Landscapes (p.19), though we request greater urgency than simply keeping this matter under review.

Some permitted development rights are necessary, even in the most sensitive environments, especially when the changes addressed have no material impacts. However, even small impacts can accumulate over time, leading to erosions of the character and tranquillity of the landscape as a result of some permitted development rights undermining AONB teams' ability to manage impacts in the long term.

Anomalies and inconsistencies in existing rights applying or not applying in Protected Landscapes also need to be addressed, especially where forms of development are allowed in AONBs but not in National Parks. In addition, permitted development rights are not applied or disapplied to the setting of Protected Landscapes, which undermines enforcement of the new policy in NPPF para 176.

Recent policies and directions aimed at reducing the ability of local planning authorities to apply article 4 directions are unhelpful, and it would be beneficial if AONB Teams could be granted powers to promote or apply article 4 directions themselves.

Overall, it would always be better if new permitted development rights were presented as model development orders that can be applied by local planning authorities to suit local circumstances, rather than being imposed by central government. In all cases, Protected Landscapes should be given greater consideration in line with the Government's duty under section 85 of the CRoW Act.

Affordable housing

With regard to the Landscapes Review's proposal 18 concerning creation of a specialist housing association, the CCB agrees with the consultation paper (p.19) that a lack of bodies capable of delivering affordable homes in PLs is not the issue, but rather the policy context and resources to deliver are. This issue needs further detailed consideration through both the Affordable Homes Programme, including Homes England's role in facilitating its delivery, and the anticipated reforms of the planning system in England.



The Chilterns Area of Outstanding Natural Beauty

The Chilterns AONB was designated in 1965 for the natural beauty of its landscape and its natural and cultural heritage. In particular, it was designated to protect its special qualities which include the steep chalk escarpment with areas of flower-rich downland, woodlands, 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.

Chilterns Conservation Board

The Chilterns Conservation Board is a statutory independent corporate body set up by Parliamentary Order in 2004 under the provisions of Section 86 of the Countryside and Rights of Way (CRoW) Act 2000.

The Board has two statutory purposes under section 87 of the CRoW Act:

- a) To conserve and enhance the natural beauty of the AONB; and
- b) To increase the understanding and enjoyment by the public of the special qualities of the AONB.

In fulfilling these roles, if it appears that there is a conflict between those purposes, Conservation Boards are to attach greater weight to (a). The Board also has a duty to seek to foster the economic and social well-being of local communities within the AONB.

Like all public bodies, including ministers of the Crown, local authorities and parish councils, the Chilterns Conservation Board is subject to Section 85 of the CRoW Act which states under "General duty of public bodies etc"

"(1) 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."

List of Organisations providing Nominees to the Chilterns AONB Conservation Board

The Chilterns Conservation Board has 27 board members, all drawn from local communities; these are elected by:

- Hertfordshire and Oxfordshire County Councils
- Buckinghamshire, Central Bedfordshire and Luton Borough Councils (unitary authorities)
- Dacorum Borough and North Hertfordshire, South Oxfordshire and Three Rivers District Councils
- The Central Bedfordshire, Buckinghamshire, Hertfordshire and Oxfordshire Parish Councils (six elected in total), and
- The Secretary of State for the Environment, Food and Rural Affairs (eight in total).