

## Ensuring the planning system better protects and enhances designated landscapes

Wildlife and Countryside Link Land Use Planning Group briefing  
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National Parks and Areas of Outstanding Natural Beauty (AONBs) are living, working landscapes which cannot be frozen in time; the challenge is to ensure their special qualities are not damaged by inappropriate development. The planning system plays a critically important role in this process by ensuring that change is managed carefully. Weaknesses in the current system means that designated landscapes are not always delivering as much for nature, climate and people as they could be.

Reform of the planning system presents a significant opportunity to address these weaknesses by strengthening existing protections for National Parks and AONBs. In particular, the Government should use this opportunity to implement relevant proposals from the Glover [Landscapes Review](#) including: updating the statutory purposes; ensuring that all relevant partners from all sectors are playing their role in delivering those purposes; and giving AONBs a stronger role in the planning process.

As well as maximising the role that designated landscapes play in tackling the nature and climate emergencies, these improvements will ensure National Parks and AONBs make a significant contribution to the economic recovery. Tourism is very important to the local economy of these areas and many people choose to visit precisely because of the high-quality environment.

### **Updating the statutory purposes (covered in Glover proposal 23)**

National Parks and AONBs should be taking a leading role in tackling the nature, climate and public health emergencies. Although there are many successful nature recovery projects in National Parks, there are also significant problems. As set out in [Raising the bar: improving nature in our National Parks](#), data from Natural England highlights that a lower percentage of SSSIs are in favourable condition (25.3%) than the national average (38.5%). There needs to be far more focus on enhancing habitats, supporting species recovery and bringing protected sites in these areas into favourable condition. There also needs to be more focus on ensuring that people from all parts of society can visit and experience the health and well-being benefits of designated landscapes.

At the moment, a significant proportion of land designated as AONB and National Park does not meet a sufficiently high standard of protection and environmental management to be included in a “30 by 30” target for restoring nature. For the Prime Minister’s recent announcement on 30x30 to be meaningful and achievable, the purposes and plans for designated landscapes must be significantly improved for nature. Including a stronger mandate for biodiversity and environmental enhancement, with additional resources to support improvements, would ensure that more of our designated landscapes can contribute to that important goal. Designated landscapes have the potential to become wilder, thriving ecosystems that support species, carbon sequestration, flood mitigation and other services, while remaining amazing and attractive places for people to enjoy.

The Glover Review proposed addressing this by amending the purposes for designated landscapes to ensure that they give stronger support for natural beauty, nature recovery and connecting people to nature. However, it acknowledged that amending the purposes will be subject to significant debate and discussion and we are keen to play our part in that process. Further work is needed to agree the exact words and definitions to be used in order to ensure that key aspects of the existing purposes, such as landscape and cultural heritage, are retained while environmental enhancement opportunities are maximised. For example, the proposed new purpose to ‘foster the economic and community vitality of these areas’ could inadvertently put these landscapes at risk of inappropriate development. The Glover Review states that where this is a conflict between any of the three purposes greater weight must be given to the first of these purposes under an

updated 'Sandford Principle' and we encourage any reforms to the statutory purposes to ensure that this important Principle is upheld.

Updating the purposes is also an opportunity to ensure they reflect the full range of challenges that now need to be addressed, including climate change. If consensus is to be reached on the final wording in time for updated purposes to be introduced as part of the planning reforms, then the process of amending them should start now.

### **Ensuring effective implementation of the purposes (covered in Glover proposal 3)**

There are currently statutory duties on all public bodies to have regard to the statutory purposes of designated landscapes when making decisions which affects land within these areas.<sup>1</sup> This means, for example, that a local planning authority for an area adjacent to a National Park should consider any impacts on the Park when making planning decisions for areas close to the boundary.

However, the existing duties to 'have regard' are the weakest form of duty that can be imposed as they require only that there must be some consideration of the purposes of the designated landscape, not that any weight needs to be given to those purposes. Given the importance of designated landscapes to the nation, these duties are too weak. It is also inconsistent with the National Planning Policy Framework (NPPF) which requires that '[g]reat weight should be given to conserving and enhancing 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 these issues ...' (para. 172 of the revised 2018 NPPF).

The Glover Review proposed that the requirement of 'regard' to landscapes' existing purposes should be strengthened to one of 'furthering' the reformed purposes. In addition, it proposed introducing a statutory requirement on relevant bodies to support the development and implementation of Management Plans for National Parks and AONBs. We support both these proposals, which should be implemented as part of the proposed planning reforms. Strengthened Management Plans would allow the bodies responsible for designated landscapes to take a more integrated approach to land use and natural resource planning since one of the key mechanisms for delivering the priorities in the Management Plan is the Local Plan.

### **A stronger role for AONBs in planning (covered in Glover proposal 6)**

Although in theory, AONBs have the same status in the planning system as National Parks, in practice they often do not receive the same level of protection. This is largely because they do not have a separate planning authority, with responsibility for both plan-making and planning decisions, as National Parks do. A more holistic approach to planning in AONBs is needed, to reduce their vulnerability to speculative and unsustainable development. We support the proposal in the Glover Review that AONBs should work with local authorities to develop specific policies in local plans, which are upheld in decision making.

A stronger voice for AONBs on planning could be achieved by also implementing Glover's proposal to give AONBs statutory consultee status, which National Park Authorities already have. This would mean AONBs would be formally consulted on relevant planning cases and would have a strengthened voice in the decision-making process. It must be recognised that for AONBs to have capacity to respond formally to planning cases in their areas, many will require additional resources, which is identified as an issue in the Glover Review. For example, lessons can be learned from Natural England's role as statutory consultee for AONBs; it too often lacks the resources or the local expertise to express an opinion in many cases. But when NE does not respond to a planning case this can be taken as consent, increasing the vulnerability of AONBs.

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<sup>1</sup> The S62 duty of the Environment Act 1995 for National Parks and the S85 duty of the Countryside and Rights of Way Act 2000 for AONBs

**For questions or further info please contact:**

Hannah Conway  
Policy Officer  
T: 020 8078 3587

E: [hannah@wcl.org.uk](mailto:hannah@wcl.org.uk)

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