

Cabinet

15 May 2019

**North Pennines Area of Outstanding
Natural Beauty (AONB) Management
Plan 2019-24**



Ordinary Decision

Report of Corporate Management Team

Ian Thompson, Corporate Director of Regeneration and Local Services

Councillor Cllr Ossie Johnson, Portfolio Holder for Tourism, Culture, Leisure and Rural Issues

Electoral division(s) affected:

Barnard Castle West, Lanchester, Tow Law, Weardale. Small parts of Barnard Castle East, Esh and Witton Gilbert and Evenwood.

Purpose of the Report

- 1 To consider formal adoption of the North Pennines Area of Outstanding Natural Beauty (AONB) Management Plan 2019-24.

Executive summary

- 2 The North Pennines AONB covers part of County Durham, Northumberland and Cumbria and is one of 46 areas in England, Wales and Northern Ireland designated under the National Parks and Access to the Countryside Act (1949) for the conservation and enhancement of natural beauty of the landscape, its biodiversity and cultural heritage.
- 3 Under Section 89 of the Countryside and Rights of Way (CRoW) Act (2000), Durham County Council, and the other four relevant authorities (Carlisle, Eden, Northumberland, and Cumbria) have a statutory duty to act jointly to prepare, and every five years re-issue, a management plan for the North Pennines Area of Outstanding Natural Beauty (AONB).
- 4 The AONB Management Plan is a plan for the area, and many organisations, individuals and communities will have a role in implementing it. It focuses on landscape, biodiversity, geodiversity and cultural heritage, articulating why the area is special and presenting a

series of actions and desired outcomes. Its functions include providing some of the evidence required to support policies in local development plans and other strategic documents, and assisting with securing funding for project implementation. It does not include policies, but rather it informs and guides local authority (and other) policy in relation to the AONB.

- 5 The first statutory Management Plan for the North Pennines was published in 2004 and reviewed and reissued in both 2009 and 2014. It was recognised that the period ahead, (2019-24) may bring with it considerable change not just from the proposed Brexit, and its impact on agriculture, but also the Government's 25 Year Environment Plan, and the current national Protected Landscapes review. A review of the Plan is therefore very timely.
- 6 A Draft Plan 2019-24 was prepared by the AONB team and approved by the AONB Partnership for release as a consultation version in December 2018. The AONB Partnership comprises a wide range of public, private and community organisations, including Durham County Council Portfolio Holder representation.
- 7 There was extensive consultation on this draft plan, with a wide variety of organisations invited to make comment as well as press and social media announcements and encouragement to complete online surveys. There was very strong support overall and from approximately 800 comments 234 revisions were made; these amendments were subsequently endorsed by the AONB Partnership in late February 2019, to move to formal consideration by the partner Councils. For Durham County Council, feedback was given to ensure full alignment with the emerging County Durham Plan, and the consultative draft was amended to achieve this.
- 8 The Final Draft Plan which is attached in **Appendix 2**.

Recommendation

- 9 Cabinet is recommended to:
 - (a) Adopt the North Pennines Area of Outstanding Natural Beauty (AONB) Management Plan 2019-24 in **Appendix 2**.

Background

- 10 Areas of Outstanding Natural Beauty (AONB) are statutory landscape designations made under the National Parks and Access to the Countryside Act 1949. The primary purpose of AONB designation is to conserve and enhance the natural beauty of the area. In pursuing the primary purpose the following subsidiary purposes should also be taken into account: i) the needs of agriculture, forestry and other rural industries and the economic and social needs of local communities, ii) the principles of sustainable development, and iii) the needs of recreation.
- 11 The formal legal responsibility for both development control and for management of AONBs (including the duty to prepare an AONB Management Plan) lies with the local authorities in whose area(s) the AONB exists. The North Pennines AONB covers five relevant authorities (Durham County Council, Carlisle, Eden, Northumberland County Council, and Cumbria County Council). Each authority makes financial contribution to the operation of the AONB Partnership staff team alongside funding from Department of Environment Food and Rural Affairs (Defra) and project funding secured by the team, to support a core team, who promote and deliver plan objectives. The AONB team is hosted by Durham County Council, with a governance structure which reports to AONB Partnership, which includes all five local authorities and a variety of other stakeholders. This is common to the 34 AONBs in England and Wales.
- 12 Section 89 of the Countryside and Rights of Way (CRoW) Act 2000 places a duty on local authorities to act jointly to produce and review, on a five yearly basis, management plans for the AONB within their administrative boundaries. Statutory guidance make it clear that preparation of a plan needs actively to engage and gain the support of all key stakeholders, who will assist in its delivery.
- 13 The AONB Management Plan is a plan for the area, (not a work plan for the AONB team/Partnership) and many organisations, individuals and communities will have a role in implementing it. It focuses on landscape, biodiversity, geodiversity and cultural heritage, articulating why the area is special and presenting a series of actions and desired outcomes. Its functions include providing some of the evidence required to support policies in local development plans and other strategic documents, and assisting with securing funding for project implementation. It does not include policies, but rather it informs and guides local authority (and other) policy in relation to the AONB.

Plan Contents

- 14 Full details of the Management Plan can be found at **Appendix 2**
- 15 The Plan starts with a Vision looking ahead to 2030. To achieve this Vision, a range of indicative actions and desired outcomes are set out. These are summarised most effectively in the diagram on page 58 of the Plan.
- 16 The Plan also identifies the Top Ten Conservation Priorities for the AONB during the next five years. These are: peatland; species-rich grassland; native and mixed woodland and scrub; rivers and riparian habitat; breeding wading birds; arctic-alpine flora; dark night skies; specific species conservation, including raptors; archaeological sites and features; historic buildings and structures.
- 17 Broadly the Management Plan has the following desired outcomes: there is a more resilient landscape, richer in wildlife; natural and cultural heritage assets are maintained in good condition; natural and cultural assets are valued for their own sake and for all they provide for us; communities have a strong sense of place and people share their heritage with others; well managed heritage supports sustainable tourism and safeguards local services.
- 18 Examples of some of the actions/projects referred to in the North Pennines AONB Management Plan include: ensure conservation of the special truly dark night skies in the North Pennines; deliver a results-based outcome-focussed approach to agri-environment payments; continue restoration of peatlands; build community capacity to take a lead on conserving and celebrating natural and cultural heritage; promote activities which encourage overnight stays and improve the profile of the North Pennines as a destination, including building the UNESCO Global Geopark brand; support development of new walking and cycling products linked to public transport hubs.

Consultation

- 19 The Draft Management Plan was consulted on from 3 December 2018 to 31 January 2019. Just under 150 responses were received, generating approximately 800 individual comments. All comments have been considered by the AONB Partnership and as a result a total of 234 proposed revisions (mainly enhancing or clarifying the Draft text) have been made to the final version of the Management Plan. A summary of consultation responses are attached in **Appendix 3**
- 20 Overall, the Draft Management Plan was very well received, with a range of 88% to 96% of respondents stating clear support for the different elements of the Plan. There was strong support for the stated

Vision, actions and Top 10 Conservation Priorities. The Vision has received a number of amendments to reflect valuable additions during consultation; the conservation priorities have been expanded in scope. There was particularly strong support cited for Conserving and Celebrating Dark Night Skies. The short and medium term outcomes set out in the Plan were all well received with no amendments made.

- 21 Examples of the type of amendments made to the Draft Plan include: more reference to historic environment in the Vision section; including actions that address climate change and improvements to water quality; including wetlands in the section heading on rivers; clarifying that encouraging farmers to cut hay instead of haylage/silage relates to species-rich meadows, not all meadows; making reference to conservation of other soils and not just peatlands. Natural England's latest position statement on burning of blanket bog is also incorporated into the final version.
- 22 The final version, incorporating all the proposed revisions, was endorsed unanimously by the North Pennines AONB Partnership on 21 February 2019 and is now ready for adoption by the area's five local authorities in accordance with the provisions under S89 of the CRoW Act 2000.

Implications and links to County Durham Plan

- 23 The Habitats Regulations Assessment (HRA) and Strategic Environmental Appraisal(SEA) Screening Reports were assessed by Natural England as the competent authority and concluded that full HRA and SEA were not required.
- 24 Durham County Council conducted an Equalities Impact Assessment on the plan and made this available to partner authorities. The report concluded that the Management Plan is likely to have limited impact on the equality agenda. It is most likely to have minor beneficial impacts on disabled people (in relation to improved access), and to broadening opportunity from people of all backgrounds to engage in environmental conservation.
- 25 The AONB accords with the County Durham Plan, in all relevant areas. For example the following.
 - **landscape conservation** – the Management Plan has an action which relates to local authorities having robust AONB policies in their local plans to ensure that development protects the area's special qualities and does not compromise the purpose of designation. Policy 39 (North Pennines Area of Outstanding Natural Beauty) of the Local Plan makes provision for new development in the AONB whilst protecting its special qualities

and statutory purposes and ensuring development is designed and managed to the highest environmental standards. Further protection is provided through the environmental policies in the Plan (policies 40-44) which seek to protect valued landscape, woodland, biodiversity, geodiversity, internationally designated sites and protected sites and species.

- **dark night skies** – the AONB is England’s darkest mainland AONB. Protecting dark skies is important for human health and well-being and for nature conservation. The Management Plan has actions for reducing light pollution, producing lighting guidance for developers and the public, and developing dark sky tourism through local businesses and communities. Local Plan Policy 32 (Amenity and Pollution) seeks to protect areas where tranquillity and dark skies are particularly valued and may be sensitive to light pollution, such as the AONB;
- **historic environment** – the AONB has evidence of the activities of its communities going back thousands of years from Mesolithic camp sites to the lead mining industries of the 20th century. There are many conservation areas, scheduled monuments and listed buildings within the area. The County Durham Plan recognises that heritage assets make an important contribution to the environment, economy, quality of life and lifelong learning for this and future generations. The policies within the Local Plan seek to preserve and protect the County’s heritage assets, seeking opportunities to enhance and better reveal the significance and understanding of heritage assets whilst improving access where appropriate;
- **tourism** – the Management Plan highlights that the AONB is a stunning landscape of moorland, dales, upland rivers, wildlife and heritage, with strong communities. Walking, cycling, riding, dark skies and archaeological/industrial heritage are all reasons why people come to the AONB. The Plan advocates the use of planning policy to support development of an environmentally and economically sustainable visitor economy. The Local Plan recognises that the visitor economy is an important and resilient part of the County Durham economy. This is reflected in Policies 7 and 8, which supports appropriate visitor attractions and accommodation where they make the most of our assets, enriching them rather than harming the very character, quality and beauty that makes them attractive to residents and visitors.

Guide, both of which are used by the Council to give greater expression to the (of necessity) broad brush AONB policy in the local plan.

Conclusion

- 27 Extensive consultation has been undertaken in developing this revised AONB Management Plan. Not only does its adoption fulfil statutory obligations, but it also sets the direction of the AONB Partnership and other bodies, including local authorities, in relation to the AONB over the next five years. Much has been achieved, however the next few years may bring both challenges and opportunities, and a plan in place will help to keep focus on priorities during a period of change.

Background papers

North Pennines AONB Management Plan 2019-2024.

<http://bit.ly/aonbplan>

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Appendix 1: Implications

Legal Implications

The Council has a statutory duty under section 89(9) of the Countryside and Rights of Way Act 2000 to review the Area of Outstanding Natural Beauty Management Plan , at intervals of not more than 5 years. Section 89(10) of the Countryside and Rights of Way Act 2000 provides that when reviewing the Management Plan, the Council shall:

- a) Determine on that review whether it would be expedient to amend the plan and what (if any) amendments would be appropriate,
- b) Make any amendments that they consider appropriate, and
- c) Publish a report on the review specifying any amendments made.

Finance

The plan is produced through the existing resources of the AONB Partnership, to which the County Council makes a small contribution and provides hosting services.

Consultation

Consultation has been carried out in a manner agreed by the constituent local authorities and is highlighted in this report.

Equality and Diversity / Public Sector Equality Duty

An Equalities Impact Assessment was undertaken for the report.

Human Rights

None.

Crime and Disorder

None.

Staffing

The North Pennines AONB Partnership and staff unit carries out a statutory function on the Council's behalf and that of other relevant local authorities. The staff unit and partnership committee is also been given support by council officers through technical officer input on projects and issues as appropriate.

Accommodation

None.

Risk

The Countryside and Rights of Way Act (2000) (S.85) places a duty on all public bodies and statutory undertakers to 'have regard' to the purposes of AONBs. However, the statutory responsibility to produce and review AONB Management Plans (S.89) rests with the relevant local planning authorities, acting jointly where AONBs cross administrative boundaries. In practice the North Pennines AONB Partnership carries out this function on behalf of the five local authorities across whose boundaries the AONB lies. Failure to discharge this duty would have significant implications for the management of the AONB.

Procurement

None.