

| <b>Local Plan Panel Meeting</b> |  |
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| <b>Meeting Date</b>             | 3 September 2020   |
| <b>Report Title</b>             | Draft Kent Downs AONB Management Plan 2020 – 2025  |
| <b>Cabinet Member</b>           | Cllr Mike Baldock, Cabinet Member for Planning<br>Cllr Tim Valentine, Cabinet Member for Environment   |
| <b>SMT Lead</b>                 | James Freeman  |
| <b>Head of Service</b>          | James Freeman  |
| <b>Lead Officer</b>             | Karen Sinclair   |
| <b>Key Decision</b>             | No   |
| <b>Classification</b>           | <b>Open</b>  |
| <b>Recommendations</b>          | That the Panel agree, subject to any additional comments, the Council's response to the consultation on the draft Kent Downs AONB Management Plan at Appendix 2 of the report. |

## **1 Purpose of Report and Executive Summary**

- 1.1 The Kent Downs Area of Outstanding Natural Beauty is one of 37 areas in England designated for the conservation and enhancement of the natural beauty of the landscape, biodiversity and cultural heritage.
- 1.2 Under the Countryside and Rights of Way (CRoW) Act 2000 there is a statutory requirement for local authorities to produce Management Plans for Areas of Outstanding Natural Beauty (AONB) within their boundaries and to review them every five years. Where the AONB covers more than one local authority area, then the CRoW Act requires them to act jointly in preparing a Management Plan. The Kent Downs AONB covers 12 local authority areas and, therefore, the AONB Joint Advisory Committee (JAC) has prepared the Management Plan for and on behalf of the constituent local authorities.
- 1.1. As the current Management Plan for the Kent Downs AONB covered the five-year period to 2019, a review and update of the plan has recently been undertaken. Whilst much of the current Management Plan approach remains relevant, the review recognises that the context within which the Management Plan operates is likely to see considerable change over the next few years, providing both opportunities and threats: these include the departure from the European Union and its impact on agriculture, mitigating and adapting to climate change, biodiversity loss, growing development pressures and the outcomes from the Government's 25 Year Environment Plan and 2019 Landscapes Review.
- 1.3 Consultation on the draft Management Plan is taking place over an eight-week period between the 14<sup>th</sup> July and 7<sup>th</sup> September 2020. The purpose of this report is to agree the Council's formal response to the draft Kent Downs AONB Management Plan.

## 2 Background

- 1.1. The CRoW Act requires local authorities to review adopted and published AONB Management Plans at intervals of not more than five years, setting out the local authorities' policy approach to the management of the AONB. The CRoW Act also requires local authorities to act jointly in the preparation and review of AONB Management Plans and to 'have regard to' the purposes of AONB designation in exercising or performing any of their functions affecting land in the area: the national Planning Practice Guidance highlights that this is particularly important when considering development proposals. The Management Plan provides some of the evidence required to inform and guide the preparation of Local Plan policies (and other strategic policy) in relation to the AONB. It is also a material consideration in the determination of planning applications and at appeal.
- 1.2. The review of the Management Plan on behalf of the 12 local authorities has been co-ordinated by the AONB JAC, which includes member (Cllr Tim Valentine) and officer (Principal Landscape and Urban Design Officer) representatives from the Council. The Council, together with other JAC members, had the opportunity to comment on an earlier informal iteration of the draft Management Plan and a number of the comments made by the Council have been reflected in the published consultation draft Management Plan.
- 1.3. The AONB Management Plan sets out a vision, aims and principles to guide the management of the Kent Downs AONB and seeks to ensure that the natural beauty and special character of the landscape and vitality of the communities within the AONB are recognised, maintained and strengthened into the future. The successful implementation of the Plan's vision and aims is not just the responsibility of the AONB JAC but is also dependent on the partnership and cooperation of many organisations, individuals and communities. As such the Management Plan provides an agreed approach to conservation and enhancement, guiding the work of stakeholders and providing a framework to coordinate plans and strategies of a range of partners.
- 1.4. The current Kent Downs AONB Management Plan came into effect in April 2014 and will be replaced by this review. Natural England, the Government's statutory advisor on landscape, has previously advised that the Kent Downs AONB Management Plan represents exemplary or best practice. Reflecting this, much of the existing Management Plan remains in place.
- 1.5. The Management Plan is structured around a number of themes including: the management of the AONB, sustainable development, landform and landscape character, biodiversity, farmed landscape, woodland and trees, historic, cultural and scientific heritage, heritage coasts, geology and natural resources, quality of life and vibrant communities, access, enjoyment and understanding. For each of these themes the special characteristics and qualities of the AONB are articulated together with the main issues, opportunities and threats, aims and principles.
- 1.6. A copy of the draft Management Plan 2020 – 2025 is attached as Appendix 1 to the report, with the key changes to the Management Plan set out below. Whilst a

light touch review has been undertaken, changes have been made to ensure it responds to the changing context in which the plan operates including new legislation, guidance and changes to government and other agendas.

- the vision focuses on a shorter time period (10 years as opposed to 20 years). Whilst the overall direction of the vision remains largely unchanged the wording has been strengthened to reflect the level of growth and change expected in Kent and in recognition of the timetable adopted by local authorities to respond to the climate and ecological emergencies they have declared;
- 'Policies' have been replaced by 'principles'. This reflects the advice of the JAC that the Management Plan should as a whole be recognised as the policy for the AONB;
- Sustainable development is presented as an overarching theme and places the plan in the local context of contributing to the delivery of some of the Sustainable Development Goals, which were agreed globally in 2015;
- the concept of a natural capital and ecosystems approach is embedded across the management plan;
- The climate change section has been updated to reflect the most recent climate change predications and anticipated impacts. The draft Management Plan also sets an ambitious target for AONB landscape management to be carbon neutral by 2030;
- The draft Management Plan recognises the potential significant changes and challenges to farming arising from the UK's departure from the European Union. But the opportunities that this may bring are also recognised, in particular the indication that future public financial support for agriculture through the new Environmental Land Management system (ELMs) will be focused on 'the public good' and investment in new access opportunities, nature recovery and landscape management. The draft Management Plan provides a framework for the opportunities presented by ELMs;
- The link between landscape and community health and well-being has been strengthened;
- Aligning the Management Plan with the Kent Biodiversity Strategy, recognising the scale and impact of biodiversity loss that has been experienced; and
- The overview and narrative covering landscape character has been updated to reflect the findings of the Landscape Character Area review, which has been undertaken (and published) alongside the review of the Management Plan.

1.7. The Management Plan review has been undertaken at the same time as the Government's review of protected landscapes. The national Landscape Review report was published in September 2019 and made a number of recommendations with regard the funding, role and management of AONBs, including their role in the planning system. However, it will be the Government's response to the Review that will provide confirmation of any changes related to governance, funding and the statutory purposes of the AONBs: this is expected by the end of the year. Reflecting this, and to 'future proof' the Management Plan, the findings and recommended actions of the national Landscape Review are referenced throughout the Plan. Some minor changes to the draft Management Plan may be needed to reflect and ensure consistency with the Government response but it is not expected that this would delay the adoption process.

- 1.8. Following the end of the consultation period, the responses received will be considered by the AONB Unit and used to inform a final version of the Management Plan, which will be presented to the local authorities for adoption. At this stage, a further report will be brought to the Panel with an appropriate recommendation to Cabinet. The aim is for all 12 local authorities to go through the Management Plan adoption process by the end of March 2021.
- 1.9. The draft Management Plan is an authoritative and comprehensive Plan for the AONB and will ensure the management of the AONB continues successfully. In terms of the review of the Local Plan, it is considered that the existing AONB policy (Policy DM 24) remains consistent with the reviewed Management Plan and no substantive changes to the Local Plan in respect of the approach taken to the AONB are envisaged at this stage.
- 1.10. A suggested response to the consultation has been prepared using the consultation response form (Appendix 2 to this report). The proposed response acknowledges the engagement that has taken place with a broad range of stakeholders and the opportunity the Council has had to contribute to the review process. Subject to a number of comments and suggestions, it is considered the draft Management Plan should be supported by the Council.

### **3 Proposals**

- 3.1 The proposal is for a response to be agreed and submitted as the Council's formal response to the draft Kent Downs AONB Management Plan public consultation.

### **3 Alternative Options**

- 1.1. The Panel could decide not to submit a Council response to the draft Management Plan public consultation. However, not submitting a response at this stage would mean the Council would miss the opportunity to influence the Management Plan prior to considering the final management plan for adoption: at this stage there will not be the opportunity to seek amendments to the Plan.
- 1.2. The recommended action, therefore, is to submit the response proposed (Appendix 2) subject to any additional comments the Panel may agree.

### **5 Consultation Undertaken or Proposed**

- 1.3. Officers from the Environment and Leisure, Housing, Economic Development and Community, Development Management and Planning Policy (including the Conservation and Urban Design/Landscape officers) teams were asked for comments to feed into the Council's response.
- 1.4. The preparation of the Management Plan has involved a wide-ranging public engagement process undertaken by the AONB Unit, including through the 'Heads of the Hills' 50<sup>th</sup> anniversary celebrations for the Kent Downs AONB. The AONB Unit have directly informed a wide range of individuals and organisations about this

consultation and details of the consultation have been publicised on the Kent Downs AONB website and through other means including social media.

## 6 Implications

| Issue  | Implications   |
|--|--|
| Corporate Plan                               | <p>The AONB Management Plan supports the Council's corporate priorities of:</p> <p>Investing in our environment and responding positively to global challenges (Priority 2)</p>  |
| Financial, Resource and Property             | <p>The Council is a funding partner of the Kent Downs AONB JAC and makes an annual revenue contribution, which is funded from the Council's revenue budget.</p> <p>There are no additional financial implications arising from this report.</p>  |
| Legal, Statutory and Procurement             | <p>There is a statutory requirement to carry out a review of the Kent Downs AONB management plan at five-year intervals and to act jointly with other local authorities within the AONB in its preparation. Failure to do so will place the Council in breach of Section 89 of the CRoW Act 2000.</p> <p>Local authorities are required to have regard to the Management Plan and to the purposes of AONB designation in carrying out their functions.</p>   |
| Crime and Disorder                           | None identified at this stage.   |
| Environment and Climate/Ecological Emergency | <p>The draft Management Plan has been subject to a Strategic Environmental Assessment (SEA), which provides a comprehensive assessment of its potential environmental impacts, and Sustainability Appraisal (SA). The SEA and SA processes have been combined into an Environment Report published alongside the draft Management Plan.</p> <p>The Environment Report concluded that there is nothing in the Management Plan that will undermine the special qualities of the AONB and the implementation of the Plan, including measures to address environmental and climate change considerations, will have environmental and sustainability benefits for the Kent Downs AONB.</p> |
| Health and Wellbeing                         | The draft Management Plan recognises the health and wellbeing benefits that can be gained from enjoyment of the landscape and includes specific aims in this respect.  |
| Risk Management and Health and Safety        | None identified at this stage.   |

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| Equality and Diversity      | The draft Management Plan has been subject to an Equality Impact Assessment (EIA) and this has been published alongside the draft Plan. The assessment concluded that the Plan would not be expected to negatively affect any protected group. Rather it supported a range of improvements that would remove barriers and enable a wider range of people to benefit from access, understanding and enjoyment of the AONB. |
| Privacy and Data Protection | None identified at this stage.  |

## 7 Appendices

- 7.1 Appendix 1 – Draft Kent Downs AONB Management Plan 2020 - 2025  
Appendix 2 – Draft response

## 8 Background Papers

The review of the Kent Downs AONB Landscape Character Areas, Environment Report and EIA can be found online at:

[https://kccconsultations.inconsult.uk/consult.ti/kentdowns\\_aonb/consultationHome](https://kccconsultations.inconsult.uk/consult.ti/kentdowns_aonb/consultationHome)

The Kent Downs AONB Management Plan 2014 – 2019 can be found online at:

<https://www.kentdowns.org.uk/landscape-management/management-plan/>