The following are the responses of the Surrey Hills AONB Planning Adviser to the Inspector’s Initial Matters, Issues and Questions where they relate to the AONB and also, where appropriate, the AGLV. A submission was made to the Draft Plan on behalf of the Surrey Hills AONB Board on 30th September 2018.

HSG11: Land to the west of Godstone.

6.53 Is the Policies Map in respect of the boundary of the Surrey Hills Area of Outstanding Natural Beauty (AONB) correct?

Yes. The AONB boundary now accords with the original AONB Designation Order 1956 Map, one of only two known copies is within the Surrey Hills AONB Unit’s Office at Warren Farm Barns. An extract of the map showing the AONB boundary in the vicinity of Godstone was sent to Tandridge Planning Department in July 2018. It appears that the boundary shown on the Core Strategy Map was not quite correct and this may have led to some confusion.

6.54 Does the allocation constitute major development within the AONB?

No. The allocated site is mostly within the AGLV and only a small western corner and the slither of land to the north, mainly for the access road, intrude into the AONB. As set out in footnote 6 to NPPF paragraph 172, it is not considered that the nature, scale and setting of those parts of the allocated site warrant it constituting a major development within the AONB. Nor would its development of appropriate form and design have a significant adverse impact on the purposes for which the area has been designated. Government advice gives no indication that a large development in the setting of an AONB may constitute a major development for AONB purposes.

The AONB issue is more whether the site allocation would harm the setting of the AONB. The latest Government panning guidance on this issue is set out in its guidance on “Natural Environment” published on 21 July 2019. Paragraph 042 states the following:

“Land within the setting of these areas (AONB, The Broads and National Parks) often makes an important contribution to maintaining their natural beauty, and where poorly located and designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within or adjoining the designated area is complimentary. Development within the settings of these areas will therefore need sensitive handling that takes potential impacts into account.”
In this context my AONB advice in September 2018 on this site allocation was as follows and remains the same:

“Since the road has been constructed to the west of the site and the adjacent tree and shrubbery belt has become established, the site has become somewhat enclosed and visually associated with the built up area of Godstone to the east. The open field of the majority of the site does not therefore play an important wider landscape role but is more contained. Furthermore, the AONB to the north has been significantly harmed by the presence of the M25 and its associated Godstone interchange.

Whilst the development would likely be visible from the higher AONB ground north of the motorway it would be seen in association with the built up area of Godstone and would unlikely appear as an incursion into the wider landscape.

The northern part of the site is in the AONB as the Policy acknowledges. Clause II under Ecology/ Landscape seeks to avoid significant development within this area and is generally supported. Consideration could be given to requiring further planting of native trees to supplement the existing along the northern and western boundaries.

Furthermore, the housing layout should allow for landscaping strips within the body of the development to be outside private properties. Sufficient space should be allowed for the planting and growth of large native trees without overcrowding neighbouring dwellings. These trees would help soften the visual impact of development in any countryside views into the development.

The Planning Department has been supplied with an extract from the Surrey Hills AONB 1958 Designation Map which suggests that the AONB boundary shown in the existing Local Plan 2001 may not quite accord with it in detail.”

The only matter I would suggest the Inspector may like to take into account and if necessary recommend is the reference in the recent Government Guidance “Natural Environment” to biodiversity and wider environmental net gain as set in the document’s paragraphs 020 to 028. This is not meant to be a criticism of the Local Plan but is a matter that has only recently come to the forefront through this very recently published Government guidance. It takes forward an aspect of Defra’s “25 Year Environment Plan” published in 2018.

Net environmental gain in planning is a concept gathering momentum following the Government’s encouragement in this recent planning guidance. It describes an approach to development that leaves the natural environment in a measurably better state than it was beforehand designation The AGLV designation and part AONB designation and setting would imply that this a site allocation in an environmentally sensitive area and where the Local Plan should perhaps now include a requirement that development proposals should provide a scheme and/or financial contribution towards achieving biodiversity and environmental net gain. It should to be agreed with the Planning Authority desirably in consultation with the Surrey Hills AONB Board. The Surrey Hills Director and I would liaise with the Council and developer on behalf of the Board.
It may be that the Inspector decides this would be necessary in light of the very recent Government guidance for the Local Plan to be found sound. It is not for me to suggest whether this net gain issue should also apply to other sections or site allocations in the Plan outside the AONB or not impacting upon its setting.

**SERS04: Westerham Road Industrial Estate, Tatsfield.**

**7.16** Does the allocation constitute major development within the Surrey Hills AONB? Would the proposed development conserve the landscape and scenic beauty of the AONB?

Footnote 55 to the NPPF’s paragraphs 172 and 173 states the following with regard to “major development”:

“For the purposes of paragraphs 172 and 173, whether a proposal is a “major development” is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.”

The site has been used for commercial purposes for many years. The nature of the site is that it does not make a positive contribution to the Surrey Hills AONB in which it is located. At the same time the uses on the site have in the past been relatively low key.

In assessing the scale of the local plan proposal it is a large site and proposed redevelopment could be of a large scale. But, clause IV to Policy SES14 states that the regeneration, enhancement and development of Strategic Employment Sites should not “negatively impact upon the setting of the Surrey Hills AONB”. This would seem to imply that the scale of any redevelopment of this site should not be of such a large scale as to harm the AONB. Some amplification in the policy’s supporting text of what is meant in IV as not negatively impacting upon the setting of the AONB would be helpful and may allay some fears.

The word “setting” is normally used in connection with a development proposal located outside the boundary of an AONB but which may adversely impact its setting. In this case, the site actually lies within the AONB, not in its setting, and therefore the full force of Government and local policies apply to it. Surrey Hills AONB Management Plan Policy LU5 refers to setting in the following way: “Development that would spoil the setting of the AONB, by harming public views into or from the AONB, will be resisted.”

The setting of the site is sensitive as the site is not seen in relation to any settlements, is in a wider tract of countryside and is visible from the higher ground of the North Downs nearby and also located within the AONB.

The decision maker under NPPF footnote 55 in this case is Tandridge Borough Council. The Council is therefore entitled to make its own decision as to whether this local plan policy proposal constitutes major development, unless such a judgement would be perverse, which I do not consider is the case. However, it would be helpful if the supporting text to the policy included some qualification to IV. This might include something along the following lines:
“Clause IV is intended to avoid any bulky and tall buildings visible from outside views, any noisy activities, including frequent heavy goods vehicles harming the relative tranquillity of the AONB, and provide for the use of sympathetic external building materials of muted colours and extensive native tree and shrubbery planting on the edge and within the proposed development. In short, it should provide for a net gain that leaves the natural environment in a measurably better state than it was beforehand.”

Only if this were done could it reasonably be argued the proposed allocation would conserve the landscape and scenic beauty of the AONB.

7.19 Are the proposed Modifications necessary for soundness?

The proposed modifications to the policy are of a minor nature and help in its understanding and interpretations and therefore desirable. If they were not there it is submitted the wording of the Policy would not be so deficient as to render the Plan unsound.

TLP34: Area of Great Landscape Value and Area of Outstanding Natural Beauty candidate Areas.

8.57 Would the retention of the designation of Areas of Great landscape Value (AGLV) until the Surrey Hills AONB review is completed apply any different development management requirements to the AGLV than that set out in TLP32?

Yes. Policy TLP32 is a general policy applying to the character of all landscapes. It does specifically distinguish between the AGLV and landscapes of lesser character. Other Local Plan Inspectors in considering local plans in other parts of the Surrey Hills in the last two years at Waverley and Guildford and shortly before that Reigate and Banstead also agreed. The policy sets the bar higher than a general landscape protection policy. If it did not there would be no point in having an AGLV designation in the tandridge Local Plan that would be out of accord with other recently adopted local plans in the Surrey Hills and the judgements of other planning authorities and Local Plan Inspectors.

8.58 Is the application of the principles for protecting the AONB to the AONB Candidate Areas consistent with national policy given those areas are not protected landscapes?

Policy TLP34 does not actually state that the principles for protecting the AONB will apply to AONB Candidate Areas. However, it is right for the policy to refer to those parts of the AGLV that are AONB Candidate Areas and those that are not. This is helpful to those proposing development, the general public and decision makers who can then attach appropriate weight to each in the consideration of planning applications.

Since this question was raised the Government published on 21 July 2019 its updated planning guidance on “Natural environment”. Under the heading “How can planning policies conserve and enhance landscapes” the document states, inter alia, that strategic policies should provide for the conservation and enhancement of landscapes (not new guidance) but it goes on to “this can include nationally and locally-designated landscapes but also the wider countryside” (new).
The conservation and enhancement particularly of designated landscapes, that now includes locally designated landscapes seems to be a growing Government planning aim.

The Landscape Character Assessment carried out by Hankinson Duckett Associates (HKA) was to guide Natural England (NE) in 2013 to including the Surrey Hills AONB Boundary Review in their current work programme, which NE did. HKA are specialist and independent landscape consultants experienced on AONB designation. Whilst their recommended AONB Candidate Areas have no legal status they have been recommended to NE by these specialist and experienced landscape consultants as meeting NE’s latest criteria for AONB and National Park designation. That being the case it would seem to be bad planning if in the knowledge a site lay within a recommended AONB with a probably strong likelihood it would shortly be formally designated AONB, that a development were to be permitted because landscape harm carried insufficient weight. It is submitted the decision maker to the landscape quality of the site should be allowed to take into account this policy and it is within an AONB Candidate Area.

8.59 Are the proposed Modifications necessary for soundness?

The proposed modifications to the policy help in its understanding and interpretation and are therefore desirable. If they were not there it is submitted the wording of the Policy would not be so deficient as to render the Plan unsound.

Clive Smith BA(T&CP) MRTPI, DMS
Surrey Hills AONB Planning Adviser
9th August 2019.
The Surrey Hills was one of the first landscapes to be designated an Area of Outstanding Natural Beauty (AONB) in 1958. It is now one of 34 AONBs in England having equal landscape status to a National Park. The Surrey Hills AONB stretches across rural Surrey, covering about a quarter of the county.

The Surrey Hills Board was established in 2008 as a Joint Management Committee to develop policies and programmes that:

- Protect and enhance the natural and cultural heritage of the Surrey Hills
- Enhance public understanding and enjoyment of the area
- Promote the social and economic well being of the Surrey Hills, particularly in regard to achieving the above objectives.

The Core Members funding the Surrey Hills Board are:

- Guildford Borough Council
- Mole Valley District Council
- National Trust
- Natural England
- Reigate and Banstead Borough Council
- Surrey County Council
- Tandridge District Council
- Waverley Borough Council

The Advisory Members (non funding) are:

- CPRE Surrey
- Country Land and Business Association
- National Farmers Union
- Surrey County Association of Parish and Town Councils
- Surrey Hills Society
- Surrey Wildlife Trust