



**EAST DEVON**

*Area of Outstanding Natural Beauty*

# Neighbourhood Plans Guidance Note

UPDATED 2023

# Neighbourhood Plans

## Brief guidance note for local communities

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This brief note provides a quick reference guide relating to AONBs for those considering developing a Neighbourhood Plan. Further advice is available from East Devon District Council planning policy team.

Your Parish Council will know if the Area of Outstanding Natural Beauty (AONB) designation applies to any part of your parish. Even if just a small part of the parish falls within the AONB you will need to take the designated landscape into account in producing your plan.

## AONB purpose, designation and duty of regard

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### Purpose

Natural England is responsible for advising on AONB designation. In its 1991 policy statement on AONBs they identified the following three aims for AONBs:

- The primary purpose of AONB status is to conserve and enhance natural beauty.
- When carrying out the above duty, account should be taken of the needs of agriculture, forestry, other rural industries and of the economic and social needs of the local communities. In particular, sustainable forms of social and economic development, that in themselves conserve and enhance the environment, should be promoted.
- Recreation is not a purpose of designation but demand should be met if this does not harm conservation of natural beauty or the needs of agriculture, forestry and other uses.

### Designation

AONBs were brought into being by the same legislation as National Parks - the National Parks and Access to the Countryside Act of 1949. They have been described as fine landscapes, of great variety in character and extent.

The East Devon AONB lies solely within East Devon District and covers, or part covers, 30 parishes. It was designated in 1963 and covers 103 square miles (268sq kms) - approximately 32% of East Devon District and is home to approximately 30,000 residents.

### Duty of regard

Statutory duties in relation to AONBs are provided for in Section 85 of the Countryside and Rights of Way Act 2000. Specifically, they state that, *'in exercising or performing any functions in relation to, or so as to affect, land in these areas, relevant authorities (public bodies etc) "shall have regard" to their purposes'*. This would include parish, town and district authorities.

## Key Documents

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There are a number of documents that you should be aware of that have relevance to AONB designation which you are advised to refer to in drawing up your plan.

### [East Devon AONB Partnership Plan](#)

This policy document is the key reference document in relation to the AONB. Its production is a statutory requirement for the District and County Councils and the AONB Partnership and Team carry out this duty.

The Management Strategy refers to the key policies affecting the AONB and contains a wide range of information about landscape, wildlife and communities of the AONB. The Delivery Plan for the Strategy identifies key targets and actions that may have particular relevance to your area and priorities.

The AONB Management Strategy is an important reference document for development proposals in the AONB for developers, local council's and communities. See <https://www.eastdevonaonb.org.uk/about/aonb-management-plan>

### [East Devon and Blackdown Hills Landscape Character Assessment](#)

To help understand more about the landscape character and quality of East Devon there have been a number of landscape studies. The need for a detailed Landscape Character Assessment (LCA) at the local planning authority level has enabled detailed assessment of proposals for the emerging local plan, in particular the village and town assessments which contain important assessments of the suitability in landscape terms of potential site allocation choices. The assessment information is used in helping to determine planning applications where they may affect the wider landscape.

The Landscape Character Assessment for East Devon and the Blackdown Hills was produced in accordance with national guidance. It covers the whole of the East Devon District and the area covered by the Blackdown Hills AONB, extending into Somerset.

### [National Planning Policy Framework](#)

The National Planning Policy Framework (NPPF) was originally published by the UK's Department of Communities and Local Government in March 2012, consolidating over two dozen previously issued documents called Planning Policy Statements (PPS) and Planning Policy Guidance Notes (PPG) for use in England. It was revised in 2018, 2019 and 2021.

In addition to key Policy Paragraphs 176 and 177, Sections 15 and 16 of the National Planning Policy Framework contain highly relevant paragraphs around nature conservation and the historic environment.

176. Great 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. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads.

177. When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development<sup>1</sup> other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a. the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b. the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c. any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

<sup>1</sup> Footnote 60 in NPPF - Footnote 60. For the purposes of paragraphs 176 and 177, whether a proposal is '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.

Other key landscape character documents include:

- Devon County Landscape Character Area Assessment
- National Character Areas prepared by Natural England (Blackdowns and Devon Redlands)
- Historic Landscape Characterisation prepared by Devon County Council

Other relevant documents include

- Dorset and East Devon Coast World Heritage Site Management Plan
- European Landscape Convention prepared by Council of Europe
- South Devon and Dorset Shoreline Management Plan prepared by Coastal Advisory Group
- Devon Landscape Policy Group Advice Notes

Further advice is available from East Devon District Council.

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