

Planning and Development in the Forest of Bowland AONB

The following report outlines two planning and development matters for consideration by the Committee and relate to:

- i. Planning and Development Protocol between Natural England and the AONB Partnership
- ii. Forest of Bowland AONB Obtrusive Lighting Position Statement and Guidance

i) Planning and Development Protocol

Background

The fundamental principle underlying planning and development management in AONBs is that any new development within the AONB that has a materially adverse impact can only proceed where it is demonstrated that it satisfies an over-riding national need. All development is expected to conform to a very high standard of design, to be in keeping with local distinctiveness and should seek to conserve and enhance the AONB's natural beauty.

Within Section 85 of the CROW Act (2000) there is a duty on all relevant authorities to have regard to this purpose in exercising or performing any functions in relation to, or so as to affect land in, AONBs. Sections 88 & 89 of the Act state that each local authority and Conservation Board shall prepare and publish a Management Plan for their AONB, which should then be reviewed at intervals of no more than 5 years. Management Plans are adopted statutory policy of the local authority.

The AONB Partnership is not a statutory consultee for planning applications or the formulation of Local and Neighbourhood Plans. However, the AONB Unit does provide advice and guidance for local planning authorities on landscape planning matters on behalf of the Partnership, where requested.

Natural England is the statutory consultee for landscape-related planning issues (alongside its broader land use planning remit relating to protection and conservation of the natural environment). The AONB Unit has (up to present) informally liaised with Natural England's Land Use Planning team on these matters.

Draft Protocol

The draft Protocol (Appendix B refers) sets out agreed working arrangements between Natural England and the Forest of Bowland AONB Partnership for responding to consultations about development management and planning policy affecting the AONB in accordance with relevant legislation and paragraphs 115 and 116 of National Planning Policy Framework.

This Protocol is about establishing good working practices and ensuring the scope of comments submitted by both organisations reflects the need to conserve and enhance the special qualities of the AONB. The Protocol is not intended to facilitate joint responses and Natural England and the AONB may offer different advice to local planning authorities.

ii) AONB Obtrusive Lighting Position Statement and Guidance

Background

Over the last century large parts of Britain have rapidly lost access to naturally dark skies. Light in the wrong place, or obtrusive lighting, is one of the major unaddressed sources of pollution in this country and it affects people, wildlife and our landscapes. In 2009, the Royal Commission on Environmental Pollution published its report on 'Artificial Light in the Environment' and recommended that those responsible for the management of existing National Parks and Areas of Outstanding Natural Beauty and the equivalent National Scenic Areas in Scotland seek to eliminate unnecessary outdoor light and to better design and manage that which cannot be eliminated.

In the Forest of Bowland, the relative isolation means that there are areas of land still largely unaffected by light pollution, however where lighting is obtrusive (e.g. on isolated dwellings or within some developments) this can seriously affect the quality of the landscape which was designated partly because of its tranquility and value of its heritage and biodiversity.

Position Statement and Guidance

The Position Statement (Appendix C refers) has been produced in order to clearly set out the position of the AONB Partnership with regards to obtrusive lighting in the Forest of Bowland. It aims to provide guidance to assist the six local planning authorities which operate in the area, and which have a statutory duty to further the purposes of the AONB. It is hoped that this will assist in the determination of planning applications for any development which may include exterior lighting.

The Statement has been drafted in conjunction with the AONB's Guidance on Lighting (Appendix D refers) for residents and businesses, which highlights examples of good practice the AONB has compiled. These additional documents aim to encourage and support a gradual removal of existing obtrusive lighting as this cannot be tackled via the planning process.

Recommendations:

The Committee is requested to:

- i. consider the draft Protocol, offer comments and if minded, approve adoption of the by AONB Partnership.
- ii. consider the draft AONB Obtrusive Lighting Position Statement and Guidance, offer comments and if minded approve adoption of the policy by the AONB Partnership