

MALVERN HILLS AONB JOINT ADVISORY COMMITTEE

POSITION STATEMENT 2: HOUSING DEVELOPMENT IN THE MALVERN HILLS AONB AND ITS SETTING

1.0 CONTEXT

1.1 The Malvern Hills Area of Outstanding Natural Beauty (MH AONB) is a landscape whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard it¹. The statutory purpose of its designation is to conserve and enhance the natural beauty of the area².

1.2 The MH AONB is a living and working landscape, in which the social and economic well-being of local communities are important considerations. Maintaining vibrant and thriving local communities is essential to the long-term future of the AONB. Providing housing that meets the needs of local communities within the MH AONB plays an important role in achieving these aspirations.

1.3 However, these aspirations (including housing provision) need to be delivered in a way that is compatible with, and positively contributes to the statutory purpose of designation.

1.4 The outstanding natural beauty of the MH AONB (along with its relative proximity to several cities), makes it a very desirable place to live. This brings with it increased pressure to build more houses. It also potentially results in house prices that are higher than in surrounding areas. This contributes to the housing market within the AONB becoming increasingly unaffordable to people with a local connection.

1.5 This is particularly important given that many of the jobs that are essential to (i) conserving and enhancing the natural beauty the area (e.g. farming and forestry) and (ii) increasing the understanding and enjoyment of its special qualities (e.g. the tourism sector) are relatively and traditionally low paid. These workers, especially young people, are being priced out of the housing market in the landscapes and communities that depend on them.

1.6 As such, the provision of affordable housing that meets the needs of local communities, including the provision of housing that is affordable in perpetuity, should be a high priority in the Malvern Hills AONB.

1.7 For these reasons, this position statement advocates two over-arching principles for housing development within the MH AONB and its setting:

- Housing development within the MH AONB and, where relevant, in its setting, should be 'landscape-led'.

¹ Section 82 of the Countryside and Rights of Way Act 2000

² Defra (2019) *Areas of Outstanding Natural Beauty: technical support scheme (England) 2019 to 2020*

- Housing development within the MH AONB should be prioritised for local need arising within the AONB.

1.8 Key recommendations relating to the 'landscape-led' approach to housing are provided in the Malvern Hills AONB Partnership's Landscape-Led Development Position Statement. As such, this position statement primarily focusses on housing need and affordable housing, although it also briefly addresses the location and design of housing developments.

1.9 With regards to good practice, this position statement has been modelled significantly on approaches adopted by several nationally designated Protected Landscapes, including the Cotswold National Landscape's Housing Position Statement, the South Downs National Park Local Plan, West Oxfordshire Local Plans, Arnside & Silverdale AONB Development Plan, and the New Forest National Park Local Plan. The Appendices to this position statement provides relevant case studies of these.

2.0 PURPOSE OF THE POSITION STATEMENT

2.1 The primary purpose of the MH AONB Partnership Position Statements are to expand on relevant policies within the current MH AONB Management Plan. They provide further context, guidance and recommendations in relation to specific policies and associated issues. They do not create new policies.

2.2 The recommendations within the Position Statements intend to help local authorities, particularly plan-making bodies, as well as other relevant stakeholders, including those involved in decision-making and developers to:

- have regard, and positively contribute to the purpose of the AONB designation;
- ensure that the purpose of AONB designation is not compromised by development, and that the outstanding natural beauty of the MH AONB is conserved and enhanced;
- fulfil the requirements of the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) (or, where relevant, National Policy Statements) with regards to AONBs and the factors that contribute to their natural beauty;
- take account of relevant case law;
- have regard to and be consistent with the AONB Management Plan and guidance published by the Partnership;
- emulate best practice in the MH AONB and other protected landscapes;
- develop a consistent and coordinated approach to relevant issues across the whole of the MH AONB and its setting³.

³ Three local authority areas (Herefordshire Council, Malvern Hills District Council and Forest of Dean District Council) overlap with the MH AONB, with each with local authority having its own development plan. One of these local authorities (Malvern Hills) produces its development plan jointly with Worcester City and Wychavon in the form of a single local plan for South Worcestershire Councils. It is also noted that Worcestershire County Council and Gloucestershire County Council are within the MH AONB boundary designation.

2.3 With regards to housing need and affordable housing, the most relevant policy within the MH AONB Management Plan is Policy BDP3: *“Development in the AONB should be based on convincing evidence of local need. Priority should be given to the provision of affordable housing and enhancing local services”*.

3.0 STATUS OF THE POSITION STATEMENT

3.1 Position statements are supplementary to the MH AONB Management Plan. It is worth noting that Policy BDP2 of the MH AONB Management Plan 2019-2024 states that *“development in the AONB and its setting should be in accordance with good practice guidance including that produced by the AONB Partnership”*. As such, for development proposals to be compatible with the AONB Management Plan, they should also be compatible with the relevant position statements.

3.2 The AONB Management Plan is a material planning consideration in decision-making. However, it must be acknowledged that, in a plan-led planning system, it is the policies of the relevant adopted local authority development plan that have the greatest weight. As such, within this planning system, the hierarchy is as follows⁴:

Decision-making is taken in accordance with the adopted development plan, unless material planning considerations indicate otherwise. The adopted development plan comprises the Local Planning Authority Development Plan, and any ‘made’ Neighbourhood Development Plan.
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The MH AONB Management Plan, like the National Planning Policy Framework are examples of material planning considerations, but do not form part of the adopted development plan. MH AONB Position Statements and guidance documents supplement the AONB Management Plan.
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4.0 ACHIEVING THE RIGHT BALANCE

4.1 The MH AONB Partnership recognises that achieving the right balance, in terms of the quantum and type of housing that should be delivered in the MH AONB and its setting, is a difficult challenge for local authorities, especially where a significant proportion of their area lies within the AONB.

4.2 Achieving the right balance is likely to become more challenging, given the pressure on local authorities to allocate and permit more and more homes, combined

⁴ In England, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states: “If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.” The National Planning Policy Framework is itself a significant material consideration, although it is acknowledged regarding the presumption in favour of sustainable development under Paragraph 11, particularly in relation to plan-making and decision-making.

On Wednesday 13th September 2023, the DEFRA Secretary of State tabled a [Written Ministerial Statement](#) setting out a package of measures to support nature recovery in Protected Landscapes. The package includes a commitment to new legislation through an amendment to the Levelling Up and Regeneration Bill at Third Reading which will enhance National Park and AONB Management Plans by placing a stronger requirement on partners to contribute to their delivery.

with a decrease in the number of suitable sites as more of these sites are developed over time.

4.3 We also recognise that there may be exceptional circumstances in which major housing developments are permitted in the MH AONB, and/or its setting⁵, that have the potential to have significant adverse effects on the outstanding natural beauty of the AONB and/or meet needs arising elsewhere.

4.4 However, we hope this position statement will help to ensure that the right balance can be achieved across the MH AONB, and its setting, with an appropriate quantum and type of housing being delivered in a way that is compatible with the purpose of AONB designation and meets the needs local communities within the AONB.

5.0 LOCAL NEED & AFFORDABLE HOUSING

5.1 Housing Need v Housing Requirements

5.1.1 The first step in the process of deciding how many homes need to be planned for in an area is to assess housing need. The NPPF sets an expectation that this assessment should follow the Government's 'standard method', although it does allow for an alternative approach to be used in exceptional circumstances⁶.

5.1.2 It is important to note that 'housing need', as calculated using the standard method, is an unconstrained assessment of the number of homes needed in an area⁷. In contrast, establishing the 'housing requirement' for an area requires consideration of 'constraints'⁸, including the AONB designation.

5.1.3 As such, there is a clear distinction between 'housing need' and 'housing requirement'.

5.1.4 AONBs face a challenge as the standard method figure is based on the local authority area as a whole, rather than on the AONB area. Efforts to accommodate this housing need figure potentially risk harming the outstanding natural beauty of the MH AONB and its setting.

5.1.5 The Ministerial Statement released in December 2022 announced a review and updates to the NPPF to better enable local authorities, working with their communities, to determine how many homes can actually be built, taking into account what should be protected in each area. Proposed changes have now been consulted on and a final report is awaited⁹.

5.1.6 The requirement to take account of AONBs in this process is an important factor in the Government's assertion that planning policies relating to AONBs 'may mean

⁵ Refer to Paragraph 177 of the NPPF

⁶ Paragraph 61 of the NPPF 2023

⁷ <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>. Paragraph 001.

⁸ <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>. Including paragraphs 002, 010, 012, 013, 014, 015, 018, 021 and 025.

⁹ At the time of writing, we are awaiting publication of an updated NPPF.

that objectively assessed needs cannot be met in full through the plan making process’.

5.1.7 The recommendations outlined in the MH AONB Partnership’s Landscape-led Development Position Statement are an important consideration in this process¹⁰.

5.1.8 Recommendations:

- Housing need figures identified using the Government’s standard method should not be presented as a ‘target’ for housing provision. This can be tempered by a clear explanation if housing need cannot be met in full because of ‘constraints’ e.g. AONB designation.
- Recommendations outlined in the MH AONB Partnership Landscape-led Development Position Statement should be an important consideration when assessing housing and economic land availability.
- It should be recognised that national planning policies relating to AONBs and other relevant designations, may mean it is not possible to meet objectively assessed needs for development in full through the plan-making process.
- Consideration should be given to whether the constraints relating to the AONB designation merits exceptional circumstances which may justify an alternative approach to the standard method for assessing housing need.

5.2 Insufficient Sites/Broad Locations to Meet Needs

5.2.1 If objectively assessed needs cannot be met in full, factoring in constraints, Government guidance states that it will be important to establish how needs might be met in adjoining areas, although it is important to avoid hard development edges along the boundary of the AONB. The guidance goes on to state that if, following this, needs cannot be met then the plan-making authority will have to demonstrate the reasons why as part of the plan examination¹¹

5.2.2 It is important that the setting of the AONB is also not adversely impacted and efforts to avoid development within the AONB does not inadvertently lead to hard development edges along the boundary of the AONB.

5.2.3 Recommendation:

- If AONB-related constraints mean that objectively assessed needs cannot be met in full, local authorities should seek to identify how these needs may be met within other areas of the local authorities control, or in partnership with neighbouring local authorities.

¹⁰ <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 041

¹¹ <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>. Paragraph 025.

5.3 Accommodating Unmet Needs, arising elsewhere, within the Malvern Hills AONB

5.3.1 Relevant to the provision of housing, three local planning authority areas are within the MH AONB – Herefordshire Council, Malvern Hills District Council and the Forest of Dean District Council¹² (Worcestershire County Council and Gloucestershire County Council also have areas falling within the MH AONB but are not responsible for planning decisions relating to housing).¹³ As well as meeting their own housing needs, all three local authority areas are required (through the duty to cooperate and statements of common ground) to accommodate unmet needs arising in adjoining local authorities areas. If this situation arises, this could add pressure for more housing within the local authority area, including the MH AONB.

5.3.2 Within the local authority areas that overlap the MH AONB, there are locations where the AONB boundary provides a clear delineation between the built environments of settlements that are adjacent to the AONB and relatively undeveloped land within the AONB. There is often pressure to, in effect, extend the built environment of these settlements into the AONB.

5.3.3 However, Government guidance makes it clear that AONBs *‘are unlikely to be suitable areas for accommodating unmet needs arising from adjoining (non-designated) areas’*¹⁴.

5.3.4 The MH AONB is unlikely to be a suitable area for accommodating unmet needs from adjoining local planning authority areas that do not overlap the AONB even if the overlapping local authorities have to accommodate this unmet need. The same principle should apply for unmet needs arising from developed areas that are adjacent to an AONB and which are in the same local planning authority area as the AONB. It is unlikely that it would be appropriate to extend the built environment, of adjacent settlements into the AONB.

5.3.5 Government guidance does not define ‘unlikely’ in this context, and thus, it may be appropriate to apply the requirements of paragraph 177 of the NPPF, relating to major development, in this regard.

5.3.6 Recommendations:

- Where a local planning authority area, that is located within the MH AONB, is required to accommodate unmet needs from neighbouring local authorities (including as part of a joint plan), this unmet need should not be factored into

¹² This is further complicated in the case of Malvern Hills District Council as its development (local) plan is prepared jointly with Worcester City and Wychavon Councils and presented as a single plan for South Worcestershire – the South Worcestershire Development Plan (SWDP).
¹³ Gloucestershire and Worcestershire both are two-tier counties, with the relevant County Council responsible for planning applications related to mineral working and associated development, and the disposal of waste, whereas other planning applications are determined by the relevant District Council.

¹⁴ <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 041

housing provision in the MH AONB at either plan-making or decision-making stages.’**

- Housing developments that would extend, into the MH AONB, the built environment of settlements adjacent to the AONB should not be allocated or permitted. ‘*’

‘*’ - Except in exceptional circumstances and where it can be demonstrated that it would be in the public interest to do so. It may be appropriate to apply the requirements under paragraph 177 of the NPPF, relating to major development, in this regard.

5.4 Affordable Housing

5.4.1 As outlined above, Policy BDP3 of the MH AONB Management Plan 2019-2024 states that ‘priority should be given to the provision of affordable housing’.

5.4.2 There are several reasons for prioritising the provision of affordable housing in the MH AONB. For example, the outstanding natural beauty of the MH AONB makes it a desirable place to live. As a result, housing may be more expensive and less affordable than in areas outside the AONB.

5.4.3 Government guidance recognises that National Parks, at least, ‘*are not suitable locations for unrestricted housing*’¹⁵. Similarly, the Government’s Planning White Paper (2020) states that ‘*the whole purpose of National Parks would be undermined by multiple large scale housing developments*’¹⁶. Instead, ‘the expectation [in National Parks] is that new housing will be focussed on meeting affordable housing requirements, supporting local employment opportunities and key services’¹⁷.

5.4.4 AONBs have the same level of protection as National Parks, with regards to conserving and enhancing landscape and scenic beauty. The NPPF also requires that the scale and extent of development in AONBs (as with National Parks) should be limited¹⁸. As such, it would be logical to apply the same principles, outlined above for National Parks, in AONBs as well.

5.4.5 The need to provide more affordable housing is also addressed in the proposals of the Government-commissioned Landscape Review Final Report (commonly referred to as the Glover Review/Report)¹⁹.

5.4.6 Recommendation:

¹⁵ Defra (2010) English National Parks and the Broads – UK Government Vision and Circular 2010. Para 78.

¹⁶ Ministry of Housing Communities and Local Government (2020) White Paper: Planning for the Future. Para 2.25.

¹⁷ Defra (2010) English National Parks and the Broads – UK Government Vision and Circular 2010. Para 78.

¹⁸ Paragraph 176 of the NPPF 2021

¹⁹ Defra (2019) Landscapes Review Final Report). Proposal 18: A new National Landscapes Housing Association to build affordable homes.

- Housing provision in the MH AONB should be focused on – and prioritise – meeting affordable housing requirements.

5.5 Affordable in Perpetuity

5.5.1 The term ‘affordable housing’ covers various types of affordable housing, some of which are intended to be affordable in the longer term (i.e. in perpetuity) and some of which are not²⁰.

5.5.2 The Government guidance for National Parks, referred to above, specifies that National Park Authorities should work to ‘*ensure that ... affordable housing remains so in the longer term*’²¹. The Landscapes Review Final Report reiterates this point, stating that ‘*National Parks, as planning authorities, should consider using their powers to set conditions on new housing to ensure it remains affordable*’²². This focus on housing that is affordable in perpetuity is reflected in many National Park Local Plans (see Appendix 2 for relevant case studies), with social rented housing being a particular priority. Community Land Trusts are also becoming increasingly common to identify and provide housing that is affordable in perpetuity.

5.5.3 As explained in the ‘Affordable Housing’ section, given that AONBs have the same status of protection as National Parks, in terms of conserving and enhancing landscape and scenic beauty, it is logical to apply the same principles in AONBs.

5.5.4 If housing does not remain affordable in perpetuity, this will either lead to a reduction in the stock of affordable housing or will require the building of additional affordable housing to compensate for this reduction. As such, disproportionately more new housing would be required in a scenario where housing does not remain affordable in perpetuity. This would not be compatible with the requirement to limit the scale and extent of development in AONBs.

5.5.5 The MH AONB Partnership acknowledges that the Government sets certain requirements on the types of affordable housing that should be provided in new housing developments, not all of which are affordable in perpetuity. We also acknowledge that the type and tenure of new housing should reflect locally identified need. However, within these requirements, there remains scope to prioritise and set conditions for housing that is affordable in perpetuity.

5.5.6 Recommendation

²⁰ Annex 2: Glossary of the NPPF 2021 provides a helpful definition for affordable housing

²¹ Defra (2010) English National Parks and the Broads – UK Government Vision and Circular 2010. Para 79.

²² Defra (2019) Landscapes Review Final Report. Supporting text for Proposal 18: A new National Landscapes Housing Association to build affordable homes.

- Within the context of Government requirements and locally identified need, priority should be given to the provision of housing that is affordable in perpetuity, including social rented housing.

5.6 Local Connection

5.6.1 In the MH AONB, there are three 'choice-based lettings' (CBL) schemes that allow applicants to search, apply and bid for social rented properties in their own local authority area – Home Point in Herefordshire, Housing for You in the Malvern Hills and Homeseeker Plus in the Forest of Dean.

5.6.2 All three schemes operating within the MH AONB include some condition for local connection (usually to the local authority area)²³. Additional local connection criteria may then also be applied for properties in rural villages where there can be shortages of housing sites with planning conditions. However, the approach is inconsistent between the schemes.

5.6.3 The MH AONB Partnership supports the priority given to local connection in CBL schemes. This is because we consider that this approach:

- helps to limit the scale and extent of new housing (by limiting the demand for affordable housing, within the MH AONB, from applicants that do not have a local connection); and
- is compatible with the duty to foster the social well-being of local communities within the AONB.

5.6.4 It is worth noting that local connection (in terms of residence) is also, inherently, a feature of rural housing need surveys as the data in these surveys relates to households within a specific parish.

5.6.5 Recommendation:

- The local connection requirement of Choice-Based Letting (CBL) schemes should be applied consistently across the MH AONB.

5.7 Affordable Housing Provision

5.7.1 Another important consideration is the percentage of affordable housing that should be provided in housing developments.

5.7.2 In many protected landscapes nationally:

- market-led housing developments are required to provide 50% affordable housing;

²³ Section 199 of the Housing Act 1996 specifies that someone has a local connection with the district of a local authority housing authority if they have a connection with it: a) because they are, or in the past were, normally resident there, and that residence is or was of their own choice; b) because they are employed there, c) because of family associations, or d) because of special circumstances.

- for Rural Exception Sites, there is an expectation that such sites will deliver 100% affordable housing (or, at least, a minimum of 75% affordable housing where 100% is not viable)²⁴;
- provision of affordable housing is sought for residential developments of 5 units or fewer²⁵.

5.7.3 Appendix 2 provides examples of ‘good practice’ case studies. In some protected landscapes, such as Arnside & Silverdale AONB, 50% affordable housing is required for developments of two or more dwellings²⁶.

5.7.4 The MH AONB Partnership supports these measures for a number of reasons. For example, having a high percentage of affordable housing will reduce the total number of houses that need to be built to meet locally identified affordable housing need²⁷. This, in turn, would help to ensure that the scale and extent of development in AONB is limited, as required in paragraph 176 of the NPPF. The higher price tag associated with housing in protected landscapes is another factor in justifying a higher percentage of affordable housing in these areas.

5.7.5 It is also worth noting that the Landscapes Review Final Report recommends that ‘local planning authorities in AONBs should also make use of the provision that allows them to demand on-site affordable housing contributions on all sites, including developments of five homes or fewer’²⁸.

5.7.6 We acknowledge that the viability of such options would need to be tested in viability assessments.

5.7.7 Recommendations:

- At plan-making stage, consideration should be given to setting policies for affordable housing provision in the MH AONB that requires:
 - At least 50% affordable housing in market housing developments;
 - On-site affordable housing provision for housing developments of two dwellings and above (rather than the 5+ that is currently the general expectation);
 - 100% affordable housing on Rural Exception Sites, with a lower percentage only being permitted in exceptional circumstances and the absolute minimum being 75%.

²⁴ The Partnership is aware of RES permitted for development in the MH AONB with the percentage of affordable housing as low as 50%. We consider this to be closer to the level that should be provided in market housing schemes. This level in a RES undermines the purpose of allowing such development, on sites where housing would not normally be permitted, which is to meet locally identified affordable housing needs. It also allows for excessive levels of market housing on such sites, which would not be appropriate in a protected landscape.

²⁵ This makes use of the provision in paragraph 64 of the NPPF, which allows for affordable housing to be required in residential developments of 5 units or fewer in designated rural areas.

²⁶ Lancaster City Council and South Lakeland District Council (2019) Arnside & Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document. Adopted Version 29 March 2019. Policy AS03 – Housing Provision.

²⁷ For example, the affordable housing need identified in rural housing need surveys.

²⁸ Defra (2019) Landscapes Review Final Report. Proposal 18: A new National Landscapes Housing Association to build affordable homes.

5.8 Evidence Of Local Need Arising Within The MH AONB

5.8.1 As outlined earlier, we acknowledge that the Government’s standard method is the starting point for calculating housing need in a local authority area. This housing need figure is then ‘filtered’ through the assessment of housing and economic land availability. This assessment, which takes account of relevant constraints, including the AONB designation, leads to a housing requirement figure. This housing requirement figure, together with the settlement hierarchy, then forms the basis of the spatial strategy for housing provision, as set out in the Local Plan. These spatial strategies sometimes identify the housing requirement for specific sub-areas or even individual settlements, which subsequently informs the development of Neighbourhood Development Plans (NDPs).

5.8.2 Within this process, we encourage local authorities and other stakeholders to have regard to Policy BDP3 of the MH AONB Management Plan 2019-2024, at both the plan-making stage and the development management stage. Policy BDP3 states that “*Development in the AONB should be based on convincing evidence of local need*”. Given that Policy BDP3 also prioritises affordable housing – “*Priority should be given to the provision of affordable housing..*”, a key consideration, in this context, is whether there is robust evidence of local affordable housing need arising from within the MH AONB.

5.8.3 Within this context, we consider that robust evidence of local affordable housing need arising from within the MH AONB includes:

- an up-to-date (rural) housing needs survey for the parish where housing is being considered²⁹;
- validated choice-based lettings system data where there is a local connection to – and preference for – the relevant parish / settlement (albeit with the caveats outlined later in this position statement);
- housing allocations, that address affordable housing need, in the relevant Neighbourhood Development Plan.

5.8.4 Where evidence of need arising within the wider MH AONB is being considered (i.e. beyond the level of the individual settlement/parish), this should be limited to the section of the MH AONB that lies within the relevant local authority area. In other words, it should not include evidence of need arising within the MH AONB in other local authority areas.³⁰.

5.8.5 Recommendations:

²⁹ Ideally, where a parish overlaps with the boundary of the MH AONB , there should be some consideration of the extent to which the identified need arises within, our outside, the AONB (at least when the data is being applied to a particular housing proposal). See also the guidance and recommendations in this position statement relating to needs arising in adjacent, non-designated areas.

³⁰ It also makes sense for the evidence of need not to extend beyond the relevant authority area, given that evidence of housing need is normally based on data specific to the individual local authority and the different approaches to housing need analysis and CBL Schemes between the authorities. This issue is particularly relevant in the absence of a spatial housing strategy for the MH AONB as a whole. Please also refer to the guidance and recommendations in this position statement relating to unmet needs arising in other local authority areas.

- At the plan-making stage, plan-making bodies should have regard to robust evidence of affordable housing need arising within the MH AONB (as defined above) when assessing potential housing allocations.
- At the development management stage, housing development proposals:
 - Within the settlement boundary, should have regard to robust evidence of affordable housing need arising within the MH AONB (as defined above);
 - Outside the settlement boundary, or equivalent, should be based on robust evidence of affordable housing need arising within the MH AONB (as defined above).

5.9 Rural Housing Need Surveys

5.9.1 As outlined above, rural housing need surveys (HNS) form an important part of the evidence base for potential housing developments. However, little weight is given to such surveys if they are out-of-date (i.e. more than five years old). Without this evidence base, more weight is likely to be given to the district-wide housing requirement figure (or even the housing need figure), which could potentially result in a larger number of houses being built.

5.9.2 Given that the provision of affordable housing that meets local needs is a key priority in the MH AONB, it may be appropriate to prioritise HNS in the AONB.

5.9.3 Recommendations:

- Housing need surveys should be kept up-to-date, particularly for parishes within the MH AONB where housing is likely to be allocated (for example, settlements higher up the settlement hierarchy) and/or, where there is strong developer interest in new residential development.
- Housing need surveys should be carried out on a five-year rolling programme.

5.10 Choice Based Letting Systems

5.10.1 As outlined above, data from the three choice-based lettings systems (CBL) – Home Point, Housing for You and Homeseeker Plus – used by the three local authorities whose areas overlap with the MH AONB, form an important part of the evidence base for potential housing developments. However, there are acknowledged limitations in these systems with regard to the data held, and this enables – albeit inadvertently - potential misinterpretation to present inflated affordable housing need figures. For example, some may not capture a Homeseekers' preference to remain or live in a particular parish. i.e. the registrant has noted simply that they live in the parish and wish to move. It may fail to identify applicants who may have already moved or who no longer have a housing need.

5.10.2 CBL system data should therefore not be used explicitly as a measure of affordable housing need. It may be more appropriate to cross-reference this data first with other evidence of affordable housing need, such as housing needs survey data.

5.10.3 The flowchart in Appendix 3, provides an illustration of the type of analysis that should be applied to data extracted from a CBL scheme register for it to provide effective evidence reports for use in decision making.

5.10.4 Recommendation:

- Data from choice-based lettings systems should not be used explicitly as a measure of affordable housing need unless the data has been verified and there is a clear local connection to – and preference for – the settlement in question.

5.11 Second Homes

5.11.1 Second home ownership and buy to let can remove housing from the market that could otherwise be made available to first-time homeowners, and the resulting increased demand within a reduced pool of housing stock can inflate house prices, worsening affordability. This issue can be particularly challenging in protected landscapes, such as the MH AONB, whose outstanding natural beauty makes them very desirable places to visit and holiday in. This issue is recognised as being sufficiently significant in some protected landscape areas that it is explicitly addressed in Local Plan policies. For example, Policy HC-S4 of the Exmoor National Park Local Plan requires new market housing to be ‘principal residence’ housing³¹.

5.11.2 Recommendation:

- When plan-making bodies are reviewing their development plans, they should consider setting policies that ensure that new, and change of use to, market housing in the MH AONB is used as a ‘principal residence’ rather than as a second home or holiday home/let.

6.0 LOCATION & DESIGN

6.1 Context

6.1.1 The Government’s planning practice guidance states that ‘*all development in ... AONBs will need to be located and designed in a way that reflects their status as landscapes of the highest quality*’³². This guidance also states that poorly located or designed development in the setting of AONBs ‘can do significant harm’ to the landscape and scenic beauty of the AONBs. It adds that ‘*development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account*’³³.

6.2 Location

³¹ https://www.exmoor-nationalpark.gov.uk/__data/assets/pdf_file/0027/257751/Part-6-Achieving-a-Thriving-Community.pdf. Page 153.

³² <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 041.

³³ <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 042.

6.2.1 As outlined in the MH AONB Partnership Landscape-led Development Position Statement, proposals should be genuinely landscape-led throughout all stages of the planning process.

6.2.2 Another key consideration is locating new housing development close to essential services and facilities, to reduce/minimise reliance on car use to access these services and facilities. In other words, focussing housing development on settlements higher up the 'settlement hierarchy'. The need to protect and conserve the significance of heritage assets and their setting, as well as historic landscape characterisation and relevant evidence-based documents should also be considered.

6.2.3 A checklist of key principles and matters for consideration to encourage good development within the MH AONB and its setting, which includes those relevant for location and siting, can be found in the draft MH AONB Guidance on the Key Principles of Good Development.

6.2.4 Recommendation:

- New residential development should not be located in areas where there is potential for unacceptable harm to the MH AONB or its setting. Decision-making at plan making or development management stages should always follow the principles of landscape led development.
- The location of new residential development should be consistent with the 'settlement hierarchy' approach, whereby housing is targeted towards settlements that have a good level of services and facilities and a good level of opportunities to access them by a range of active travel measures, reducing car use dependency.

6.3 DESIGN

6.3.1 The value of the MH AONB landscape relies in part on the standard and character of the buildings within it. It is therefore the responsibility of all potential developers to ensure that each development adds value to the MH AONB landscape through good design. Several of the special features and qualities³⁴ of the MH AONB relate directly to the design of housing, including:

- Distinctive 'villagescapes', including conservation areas, listed buildings and local features, that define a 'spirit of place' in the settlements.
- Rural character and scale of settlements contribute to local distinctiveness, landscape character and sense of tranquillity.
- High-quality built environment characterised by numerous distinctive features, such as settlement patterns, landmark buildings, garden layouts, boundary elements and planting traditions

³⁴ See Introduction and Chapter 7 of the Malvern Hills AONB Management Plan 2019-2024 for more information on relevant special features and 'special qualities', and also the MH AONB guidance documents on Building Design and on Selection and Use of Colour in Development.

- There is no single building style, type of material or pattern of development in the AONB. There are a range of styles that give character and distinctiveness to different parts of the area. Lack of attention to details can harm the special qualities of the AONB and diminish the distinctiveness of its built heritage.
- The use of locally distinctive building materials and colour palette.
- Listed buildings, including Eastnor Castle, Bromesberrow Place and Little Malvern Priory, as well as listed headstones and chest tombs; and gas lamps.
- Conservation areas – including Malvern Wells, Eastnor, Colwall and part of Cradley.
- Victorian villas of Malvern (Malvern stone and render).
- Half-timbered buildings, especially in the west of the AONB

6.3.2 These special qualities are reflected in the following policies from the MH AONB Management Plan 2019-2024:

- LWP4: *Support the provision of a variety of housing that is appropriate to the character of the area and meets local community needs.*
- BDP2: *Development in the AONB and its setting should be in accordance with good practice guidance including that produced by the AONB Partnership*

6.3.3 To sustain natural beauty, it is important to ensure that future development is locally characteristic and distinctive, in terms of its design, siting and the materials used. There are many different styles of building that give character and distinctiveness to different parts of the area. Lack of attention to issues such as local design, layout, scale and materials can harm the special qualities of the AONB and diminish the distinctiveness of the built environment. The loss of specimen trees, stone walls, hedgerows and other landscape elements associated with development can also degrade local character and distinctiveness. The AONB Partnership has produced guidance on building design to show how new development can make a positive contribution to the natural beauty of the AONB³⁵.

6.3.4 In addition, the MH AONB Partnership *Landscape Strategy and Guidelines*³⁶ and also its *Guidance on how development can respect Landscape in Views*³⁷ provide guidance on the potential landscape implications of housing developments and how potential adverse impacts can potentially be avoided and / or minimised.

6.3.5 A key reference point for the design of new residential development are design guides and guidance. There is not, currently, one over-arching design guide for the whole of the MH AONB, although the MH AONB has Guidance on Building Design. However, the advancement of design codes should build a design vision, such as a

35 <https://www.malvernhillsaonb.org.uk/our-work/planning/guidance-documents/>

36 <https://www.malvernhillsaonb.org.uk/wp-content/uploads/2022/01/MalvernLandStratGuideLoResFinal.pdf>

37 <https://www.malvernhillsaonb.org.uk/wp-content/uploads/2022/01/64339-MHAONB-Guidance-on-Respecting-Landscape-in-Views-v09.pdf>

masterplan or other design and development framework for a site or area, including emerging Local Plan/NDP policies.

6.3.6 An increasingly important consideration will be the extent to which new residential development incorporates energy conservation and renewable energy measures. This should be done in a way that is compatible with the purpose of conserving and enhancing the natural beauty of the MH AONB.

6.3.7 Where new residential development is proposed in 'open countryside locations' - for instance, barn conversions or individual housing on greenfield sites requiring outstanding design standards - design, materials and location should be given careful consideration as they, individually and cumulatively, affect local distinctiveness, special qualities, features of the landscape and visual effects, as well as effects on wildlife, which undermines tranquillity and all of which underpin the AONB designation.

6.3.7 Recommendations:

- New residential developments in the MH AONB should:
 - Respect locally distinctive characteristics of the existing settlement;
 - Respect the relevant Features and 'Special Qualities'³⁸ of the MH AONB;
 - Be consistent with relevant policies of the MH AONB Management Plan;
 - Be consistent with MH AONB Position Statements and Guidance Documents³⁹;
 - Facilitate opportunities for people to travel and access services by a range of transport modes, reducing car use dependency;
 - Consider the significance of the historic environment, heritage assets, both designated and non-designated, and their setting;
 - Account for emerging design codes and guidance;
 - Protect Grade 1 and 2 agricultural land, where possible; and
 - where new residential development is proposed in 'open countryside locations' for instance, barn conversions or individual housing on greenfield sites requiring outstanding design standards, consider design, materials and location, as they individually and cumulatively affect local distinctiveness, special qualities, features of the landscape and visual effects, as well as effects on wildlife, which undermines tranquillity, all of which underpin the AONB designation.
- New affordable housing should be indistinguishable from open market housing in terms of both character and design quality; and should be fully integrated into the village fabric.
- The use of Community Infrastructure Levy (CIL), where adopted, should be derived from new housing developments, for enhancing the natural environment within the MH AONB.

³⁸ As defined within the MH AONB Management Plan

³⁹ <https://www.malvernhillsaonb.org.uk/our-work/planning/guidance-documents/>

- The requirement for all landscape assessments – whether undertaken in support of a specific planning application or an allocation at the plan making stage – should be based on evidence on landscape and visual matters. In practice, judgements should be supported by clear reasoning, which is linked to evidence, to inform design.

7.0 SUPPORTING INFORMATION

7.1 In addition to the ‘footnotes’ provided throughout, this Position Statement is supported by several appendices (separate document), which provide:

- Extracts from the Government’s guidance on ‘Housing and Economic Land Availability Assessment’ (Appendix 1).
- Case studies of good-practice (Appendix 2).
- A flowchart illustrating the extent to which CBL data equates to convincing evidence of need within a specific settlement (Appendix 3).
- A sample extract from the draft MH AONB Guidance on the Key Principles of Good Development (Appendix 4).