

MALVERN HILLS AONB JOINT ADVISORY COMMITTEE

28 APRIL 2023

HOUSING AND LANDSCAPE-LED DEVELOPMENT IN THE MALVERN HILLS AONB - DRAFT POSITION STATEMENTS

Recommendation

1. The Committee is recommended to:

- a) Discuss, amend (if necessary) and endorse the ‘Housing Position Statement’ and its associated Appendices as a consultation draft;**
- b) Discuss, amend (if necessary) and endorse the ‘Landscape-led Development Position Statement’ and its associated Appendices as a consultation draft;**
- c) Agree that if future amendments are required, as necessary, that these can be made by Malvern Hills AONB Unit Staff, unless materially significant in which case they would be brought back to the Committee for further consideration; and**
- d) Agree a formal review date of both position statements to take place every five years unless otherwise amended.**

Background

2. Position Statements intend to establish the position of the Malvern Hills AONB Partnership on key issues affecting the area, helping guide the Partnership and relevant planning bodies and decision-makers to articulate how the AONB designation can be conserved and enhanced. They seek to help to deliver objectives and policies contained within the Malvern Hills AONB Management Plan.

3. The position statements are brief, stand-alone documents which set out the position (framed in terms of principles and recommendations) and provide some brief context explaining why the Partnership is taking this position. Whilst the AONB Partnership has previously published one position statement, this being on Setting, it is recognised that the adoption of Position Statements has become increasingly commonplace across several Nationally Protected Landscapes, including the Cotswolds AONB, who have produced very similar documents to these position statements.

4. The AONB Management Plan is a statutory document and a material consideration in planning decision-making. However, it is the adopted development plan policies of the relevant local authority that planning decisions are required to be taken in accordance with, unless material considerations indicate otherwise. As such, within the planning system, the hierarchy of development plans, AONB Management Plan and position statements is as follows:

- Local authority development plan and Neighbourhood Development Plan.
- AONB Management Plan.

- Position statements and Guidance.

5. The two draft position statements have been prepared by a local volunteer, Sue Haywood, in conjunction with staff in the Malvern Hills AONB Unit, namely the AONB Planning Officer (shared) and AONB Partnership Manager. They provide further context, guidance and recommendations in relation to specific Management Plan policies and associated issues. They are not intended to create new policies and will sit alongside the already widely published Guidance by the Partnership.

6. Consideration should be given to how the Partnership monitors development management decision-making within the Malvern Hills AONB, to help demonstrate the effectiveness of the position statements and other policy and guidance in supporting Local Planning Authority decision-making. The two position statements relate to one another and are thus being presented together. The position statements are summarised below.

The Housing Position Statement

7. The over-arching principle of this position statement is for housing development in the Malvern Hills AONB to be based on robust evidence of need arising **from within** the National Landscape. This is in line with Policy BDP3 of the Malvern Hills AONB Management Plan 2019-2024. Currently, assessments of housing need and housing requirements are based on local authority boundaries, not on the AONB boundary.

8. The current reliance on local authority housing need figures solely means that there can be unnecessary pressure to accommodate residential development from the wider area within the AONB boundary. This could be avoided if 'housing need' and 'housing requirements' are clearly differentiated.

9. The position statement takes a more pragmatic (and less hypothetical) approach, which will hopefully make it easier for the local authorities to implement the recommendations.

10. This is demonstrated by the fact that the draft position statement now explicitly recognises the government's 'standard method' for calculating housing need as the starting point for identifying how many houses need to be planned for in a local authority area. The position statement goes on to clearly differentiate between 'housing need' and 'housing requirements'.

11. In effect, the recommendations in the draft position statement should now help to filter, or screen, the initial local authority housing need figure down to a more appropriate level of housing provision within the Malvern Hills AONB. This will particularly apply when accommodating unmet needs, affordable housing, local connection, rural housing need surveys, choice based letting systems and second homes. Location & Design are also considered, particularly recognising climate change and needing to promote sustainable development.

12. The position statement is intended to help local authorities, developers and other relevant stakeholders to fully address AONB-related issues when considering housing need in planning policy and development management.

The Landscape-Led Development Position Statement

13. The over-arching principle of this position statement is that development within the Malvern Hills AONB and, where relevant, in its setting, should be 'landscape-led'. The Malvern Hills AONB Partnership recognises that there are a range of other considerations that must be weighted in the planning balance, including the climate and ecological emergencies and meeting housing needs and economic growth.

14. However, ideally, there should not have to be a binary choice between conserving and enhancing the natural beauty of the Malvern Hills AONB and planning for and permitting new development. The aspiration should be to deliver new development in a way that is compatible with – and positively contributes to – the purpose of AONB designation.

15. The draft position statement intends to provide a more balanced stance. For example, it takes account of relevant national and international drivers, such as the Government's objective to build 300,000 homes each year and the 'climate emergency' and does not present itself as 'anti-development'. It is hoped that the position statement should be helpful in increasing understanding of the AONB's special qualities.

16. The position statement has a strong emphasis on the purpose of AONB designation (i.e. to conserve and enhance the natural beauty of the AONB), including the factors that contribute to natural beauty. This is because it is the purpose of designation to which 'relevant authorities' have a statutory 'duty of regard'. The purpose of designation is also a key consideration when assessing if a proposed development in the AONB constitutes major development.

17. Consideration of landscape and visual impacts is obviously a key consideration when taking a landscape-led approach. However, a landscape-led approach should also consider all the factors that contribute to the natural beauty of the Malvern Hills AONB. In principle, the landscape-led approach is applicable to all development in the Malvern Hills AONB and its setting, albeit to a degree that is proportionate to the nature, scale, setting and potential impact of the proposed development.

18. Recommendations are made in relation to strategic and neighbourhood planning, development management stages and in relation to Major, EIA development and conserving and enhancing natural beauty on-site. The position statement is intended to help local authorities, developers and other relevant stakeholders to fully address AONB-related issues and be landscape-led in planning policy and development management.

Consultation

19. It is intended that both draft Position Statements be published for wider consultation with relevant stakeholders and interested parties. This primarily includes the three local planning authorities which overlap with the Malvern Hills AONB, and particularly the forward/strategic planning, neighbourhood planning and development management teams of these three local authorities. It is also intended that the position statements are sent/published to the National Association for AONBs for further technical guidance and constructive input.

20. The consultation is expected to be a six-week period to commence as soon as reasonably possible following the meeting, should both position statements be endorsed.

On-Going Review

21. If amendments to Position Statements are needed to be made, primarily as a result of a change in legislation, such as updates to Planning Policy i.e. a revised National Planning Policy Framework that may necessitate updates to paragraph numbers, it is hoped that the committee are happy that these aspects e.g. non-material amendments can be made by the AONB Unit, to ensure that the Position Statements do not become 'out-of-date' in terms of the planning framework that the documents fall within.

22. An intended formal review date of five years is currently envisaged for both position statements although this may be shortened or lengthened, as appropriate, with formally reviewed position statements presented to this committee for endorsement when the time comes.

23. These position statements along with the appendices should be beneficial as part of training sessions/presentations with elected members as well as Strategic, Neighbourhood Planning and Development Management Officers in local authorities.

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