**Item 6**



**SURREY HILLS AONB BOUNDARY REVIEW**

**Report on Progress to the AONB Board 7th September 2022**

**Purpose of the report**

This is to provide the AONB Board with a report on progress, since the last AONB Board meeting that was held on June 6th 2022. It will outline the next steps with Natural England’s project to review the boundary of the Surrey Hills AONB.

To remind the Board, Section 82(1) of the Countryside and Rights of Way Act 2000 states:

“Where it appears to Natural Englandthat an area which is in England but not in a National Park is of such outstanding natural beauty that it is desirable that the provisions of this Part relating to areas designated under this section should apply to it, Natural England may, for the purpose of conserving and enhancing the natural beauty of the area, by order designate the area for the purposes of this Part as an area of outstanding natural beauty”.

**Introduction and a recap on the earlier stages of the project prior to June 2022**

The Written Ministerial Statement of 24th June 2021, by George Eustice Secretary of State (Defra), confirmed that Natural England is taking forward the government’s commitment to designate additional protected landscapes and is currently considering the designation of four new areas which included an extension to the Surrey Hills AONB.

Since that time, Natural England and Surrey Hills AONB officers working with the AONB Board Chairman have developed a collaborative approach with an emphasis on a comprehensive review of the boundary, undertaken as efficiently and quickly as possible whilst encouraging significant local stakeholder engagement in the process.

The June WMS was an initial response to Julian Glover’s [Landscapes Review,](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment_data%2Ffile%2F833163%2Flandscapes-review-final-report.pdf&data=04%7C01%7CDavid.Vose%40naturalengland.org.uk%7C8e2a18396fa84df4d1e708d9db419e1d%7C770a245002274c6290c74e38537f1102%7C0%7C0%7C637781898376647615%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=LT0rmd4JVwLb3tZVIPRu%2Bnc3ze5q6%2F%2Btsa4LtS4%2BwEk%3D&reserved=0)  commissioned by Michael Gove and published in September 2019.  Government’s more substantive response to the ‘Glover’ Landscape Review[[1]](#footnote-1) was published on 15th January 2022.

The approach that has been developed for the Surrey Hills AONB project strikes a balance between ensuring that Natural England fulfils its statutory responsibility with the rigour that experience has shown is required in such projects, whilst working collaborative with the AONB team and seeking active and meaningful engagement with local people and stakeholders from an early stage in the process.

**Progress pre June 2022**

Management Advisory Group (MAG)

This group, meeting monthly and comprising officers from Natural England and the Surrey Hills AONB has been very active in codesigning the project, including in agreeing the ‘area of search’ and in overseeing the approach to stakeholder engagement that was carried out at the start of the year. The MAG is chaired by Stephen Rudd, Natural England’s Senior Responsible Officer for this project.

Technical Advisory Group (TAG)

The group brings together officers from each of the relevant local authorities as key partners contributing technical expertise and relevant background evidence to support the project. The group meets on an *ad hoc* basis and is chaired by Ian Dunsford, Planning Policy Manager, Reigate and Banstead Borough Council.

### Appointment of Consultants

Resources for Change (R4C) were appointed by Natural England in September 2021 with the initial task of undertaking a stakeholder engagement exercise in order to gather locally generated evidence. They are a consortium which collectively combines innovative approaches to stakeholder engagement with a high level of expertise in the evaluation of natural beauty.

### Call for evidence 1st December 2021 – 31st January 2022

* At the end of the evidence gathering period, we had 2117 separate evidence submissions, which were all assessed and evaluated to help inform the natural beauty assessments.
* A series of webinar briefings, 4 in total, were then run in the second half of March to brief people on how their evidence was being used by our consultants to help inform the assessments of natural beauty. They also provided information on the results of the desk research and outlined when next there would be an opportunity to engage in the process. Over the 4 webinars we had 222 people book on to the webinars and 175 people attended.

The following link will take you to both the questions and the webinar recordings:

<https://www.dropbox.com/sh/1wrs264pwp46k11/AABCzPgZ86_Hjk5SubcGIGN5a?dl=0>

Technical assessment of natural beauty

* Since March our consultants have been very busy carrying out the technical assessment of natural beauty to identify ‘Candidate Areas’; these being areas assessed as meeting the natural beauty criterion prior to a consideration of the desirability of such areas being proposed as potential extensions to the Surrey Hills AONB.
* At the end of May we held an all-day workshop at Warren Farm Barns with the Management Advisory Group. This workshop came at the point where the Natural Beauty assessment has been completed and candidate areas have been developed. The session involved, presentations, a review of physical maps and facilitated face to face discussions.

**Progress since June 2022**

On the 13th of June we held an informal and targeted consultation with the Technical Advisory Group/ representatives of the Surrey Planning Officers Association (SPOA). A series of online meetings were also held with special interest groups – National Trust, Wildlife Trust, Woodland Trust, NFU/ CLA, Environment Agency and the Banstead Commons Conservators.

The venue for the workshop was the Surrey Hills AONB Office at Mickleham.

## The workshop came at the point where the Natural Beauty assessment had been completed and candidate areas had been developed. It acted as a link between this element of the work and the forthcoming desirability assessment. Therefore, the focus for the discussion was to:

Develop a shared understanding of

* 1. what is being proposed and why in terms of candidate areas
  2. likely concerns these proposals might raise

The workshop provided the opportunity to discuss if there was any additional evidence which required further review at that stage. It also explored the desirability of designating the proposed candidate areas to help us understand what issues are possibly affecting the proposed Extension Areas, such as:

-current management arrangements

-alternative management arrangements

- what difference would AONB designation make

-effect of AONB funding/expertise/resources

-effect of long-term commitment

- will designation result in other issues which mean it is not desirable to proceed

Why we consider desirability

It is important to understand what difference designation will make. Designation of qualifying areas may give rise to issues which are unfavourable to effective management, such as:

- poorly connected

-leave areas vulnerable to adverse change

-increase administrative complexity

**Words of Statute**

***…it is desirable that the protective provisions of Part IV of the CROW Act should apply to it for the purpose of conserving and enhancing the area’s natural beauty.***

Desirability is subsequently at the heart of the legislation.

Overall, the meeting was well attended by all local authorities and they welcomed the opportunity to be consulted on the proposed Candidate Areas. In summary we didn’t receive any objection to our proposals which were generally supported by all in attendance.

Following the TAG workshop and online conversations with the special interest groups our consultants have been working on determining the desirability of designating the qualifying Candidate Areas. They have now submitted their reports on natural beauty and desirability to Natural England for fact checking and detailed consideration.

**Next steps:**

* Identifying proposed revised boundaries for areas that are provisionally assessed as having outstanding natural beauty and considered ‘desirable to designate’ – This work will now begin at the start of October 2022 and is expected to run until the middle of November 2022
* Presentation to the AONB Board via the MAG - what is being proposed and why in terms of candidate areas. December 2022
* Submission to Natural England directors for approval to undertake a statutory and public consultation -by end of December 2022
* Preparation of documentation for statutory and public consultation – by end of January 2023
* Subsequent undertaking of the statutory and public consultation -by end of April 2023
* Assessment of responses to the statutory and public consultation -by end of May 2023
* Drafting a paper, with supporting evidence, to seek Natural England Board approval of a draft Order with regard to extending the boundary of the Surrey Hills AONB and approval to proceed to a formal period of Notice. - by end of June 2023
* The draft legal Order would then be subject to a 28-day Notice period prior to submission to the Secretary of State (DEFRA) for confirmation. The Notice period allows anyone who wishes to do so to make representations to Natural England, objecting to, supportive of, or proposing amendments to the Order, and stating the grounds on which they are made.
* Following analysis of all representations made, Natural England Board will then be asked to give final approval for the submission of an Order for confirmation to the Secretary of State (Defra) varying the boundary of the Surrey hills AONB. Natural England then ‘makes’ (signs and seals) the legal Order prior to submission to the Secretary of State- by end of August 2023.

**Please note that the timescales provided are only indicative and may change. A national landscape designation (AONB/ National Park) is a significant undertaking requiring robust evidence gathering, engagement and consultation with local and national communities and stakeholders and is therefore rightly not a quick process or one where timescales can be firmly determined. Overall, we expect a designation to take 2-3 years. Previous designations have taken three to five years from commencing technical assessments to the submission of a designation order for confirmation by the Defra Secretary of State. The time until the Minister confirms an order varies according to several factors including whether a public inquiry is deemed necessary.**

**It is not possible to say how long the Secretary of State’s decision will take following submission or whether a Public Inquiry will be called.**

**What changes as a result of designation of an area as an AONB**

It is important to note that although it is Natural England’s responsibility to decide whether to designate an area as AONB, any decision made by its Board, having considered the evidence and the results of the statutory consultation, does not take effect unless and until it is confirmed by the Secretary of State (Defra). The Secretary of State has the power call a Public Inquiry if minded to do so, prior to reaching this decision.

Any areas that become a part of an extended Surrey Hills AONB, following the Secretary of State’s decision, will then have the benefit of the national status that designation brings and the statutory protection this provides. They will be fully reflected in future AONB Management Plans and benefit from the resources and skills of the AONB Management Unit.

There is no presumption against development in an AONB. All planning decisions will continue to be made by the existing local planning authorities, in line with the National Planning Policy Framework which provides the highest level of planning protection for AONBs alongside any specific local development plan policies.

Great weight is given to conserving and enhancing the landscape and scenic beauty, the scale and extent of development is likely to be limited, and planning permission refused for major development unless in exceptional circumstances where it is in the public interest. Some Permitted Development Rights are however withdrawn, requiring affected proposals to be subject to the full planning application process.

There are no changes to access rights over and above those that already exist.

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1. [https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response/landscapes-review-national-parks-and-aonbs-government-response](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Flandscapes-review-national-parks-and-aonbs-government-response%2Flandscapes-review-national-parks-and-aonbs-government-response&data=04%7C01%7CDavid.Vose%40naturalengland.org.uk%7C8e2a18396fa84df4d1e708d9db419e1d%7C770a245002274c6290c74e38537f1102%7C0%7C0%7C637781898376647615%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=EJGfOZVolI6lfoZPZr76ELHlqEfnGKiuZHQAYanQkrw%3D&reserved=0) [↑](#footnote-ref-1)