

DM30 – The Chilterns Area of Outstanding Natural Beauty

6.94 A large proportion of the Wycombe District is within the Chilterns Area of Outstanding Natural Beauty. Policy DM30 sets out our local requirements concerning developments that may come forward within the Chilterns AONB. It is supplemented in particular by Policy DM32 Landscape Character and Settlement Patterns.

POLICY DM30 – THE CHILTERNES AREA OF OUTSTANDING NATURAL BEAUTY

1. The Council will require development within the Chilterns Area of Outstanding Natural Beauty to:

- a) Conserve, and where possible enhance, the natural beauty of the Chilterns AONB;
- b) Be appropriate to the economic and social wellbeing of the local communities within the AONB, or to promote the understanding or enjoyment of the AONB;
- c) Deliver the highest quality design which respects the natural beauty and built heritage of the Chilterns and enhances the sense of place and local character.

2. Planning permission for proposals which constitute major development within the Chilterns Area of Outstanding Natural Beauty will only be permitted in exceptional circumstances.

3. Development in the setting of the Area of Outstanding Natural Beauty must not have a significant adverse impact on the natural beauty of the Chilterns Area of Outstanding Natural Beauty.

6.95 Areas of Outstanding Natural Beauty represent areas of the highest scenic quality, and, in landscape terms, are intended to enjoy equal status with National Parks. The primary purpose of Area of Outstanding Natural Beauty designation is the conservation of the natural beauty of the landscape.

6.96 The Chilterns Area of Outstanding Natural Beauty is a living landscape encompassing a variety of character areas and a range of settlements types. The Chilterns Area of Outstanding Natural Beauty 's special qualities include the steep chalk escarpment with areas of flower-rich downland, broadleaved woodlands (especially beech), commons, tranquil valleys, the network of ancient routes, villages with their brick and flint houses, globally rare chalk streams and a rich historic environment of hillforts and chalk figures. The Chilterns has areas of tranquillity and remoteness along with visually sensitive skylines, geological and topographical features as which contribute towards making this a special landscape.

6.97 The Chilterns Area of Outstanding Natural Beauty covers 13 local authorities and the Councils work together to safeguard the future of this shared nationally

protected area through the Chilterns Conservation Board. The Chilterns Conservation Board produces a range of documents including a statutory 5 year management plan, a series of position statements, and the Chiltern Buildings Design Guide which is supported by a number of specific technical notes; these can be used to as a material consideration in in the determination of planning applications and should be used to inform the formulation of planning proposals.

6.98 The Council will therefore consider all proposals for development within the Chilterns Area of Outstanding Natural Beauty very carefully, and will not permit any development that would unacceptably harm its natural beauty. In applying this policy, the Council will require developers to provide a Landscape and Visual Impact Assessment for any significant proposals within the Area of Outstanding Natural Beauty or its setting. The Council will advise on a case-by-case basis whether this is required.

6.99 The legal framework for Area of Outstanding Natural Beauty s is set out in Part IV of the Countryside and Rights of Way Act 2000 (CROW). Section 85 of the CROW Act places a legal duty on the Council: "In exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty." Section 87 of the CROW Act places a similar duty on the Chilterns Conservation Board, who are also required to have regard to "increasing the understanding and enjoyment by the public of the special qualities of the Area of Outstanding Natural Beauty" and also to "foster the economic and social well-being of local communities within the Area of Outstanding Natural Beauty". Section 92 of the CROW Act specifies that "the natural beauty of an area includes [...] its flora, fauna and geological and physiographical features." The Act sets out that in exercising these secondary functions, they should not undermine the primary duty of protecting the Area of Outstanding Natural Beauty.

6.100 The National Planning Policy Framework advises that "Great weight should be given to conserving 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 landscape and scenic beauty" but also that due regard is had to the economic and social well-being of all rural communities (NPPF 115 and section 3).

6.101 This policy is drafted to reflect this legal framework, giving priority to the natural beauty of the Area of Outstanding Natural Beauty. Part 1 of the Policy draws together the NPPF guidance on Areas of Outstanding Natural Beauty with other issues arising from the CROW duties noted below.

6.102 Section 2 of the Policy replicates paragraph 116 of the NPPF, but is included here for clarity. The NPPF sets up a public interest exceptions test for major development. Major development cannot be simply defined in terms of numbers, but is a matter of the impact, or extent of harm, on the Area of Outstanding Natural

Beauty, as well as the scale of development proposed. The term major development in this context therefore does not refer to the familiar planning application thresholds (10 dwellings) or any other numerical threshold but instead requires the Council to judge the significance of a proposal in its specific context. Section 3 of the Policy relates to development in the setting of the Area of Outstanding Natural Beauty. Section 85 CROW requires the Council to have regard to Area of Outstanding Natural Beauty purposes in the exercise of their functions not only in relation to land within the but also as they might affect land in an Area of Outstanding Natural Beauty.

6.103 Development proposals which lie outside the Area of Outstanding Natural Beauty but within its setting can also have impacts on it. The Council's duty of regard applies to development outside but which would affect land in an Area of Outstanding Natural Beauty. For example, views out of the Area of Outstanding Natural Beauty from key visitor viewpoints into surrounding areas can be very significant. Although it does not have a defined geographical boundary, the setting of the Chilterns Area of Outstanding Natural Beauty is the area within which developments, by virtue of their nature, size, scale, siting, materials or design could be considered to have an impact, either positive or negative, on the natural beauty and special qualities of the Chilterns Area of Outstanding Natural Beauty.

POLICY L1

1. IN CONSIDERING PROPOSALS FOR ANY DEVELOPMENT WITHIN THE CHILTERN AONB, SPECIAL ATTENTION WILL BE PAID TO THE CONSERVATION OF ITS SCENIC BEAUTY AND TO ANY WILDLIFE INTEREST. DEVELOPMENT WILL NOT BE PERMITTED IF IT IS LIKELY TO DAMAGE THE SPECIAL CHARACTER, APPEARANCE OR NATURAL BEAUTY OF THE LANDSCAPE OR THE FUTURE PUBLIC ENJOYMENT OF THE AREA.

2. WHERE OPERATIONAL DEVELOPMENT IS ACCEPTABLE, IT SHOULD BE OF THE HIGHEST QUALITY; ITS DESIGN SHOULD BE IN SYMPATHY WITH THE LOCAL LANDSCAPE AND LOCALLY TRADITIONAL BUILDING STYLES.

POLICY C10

1. WITHIN THAT PORTION OF THE COUNTRYSIDE BEYOND THE GREEN BELT, AND SUBJECT TO OTHER APPROPRIATE POLICIES OF THIS LOCAL PLAN, PLANNING PERMISSION WILL ONLY BE GIVEN FOR:

a. DEVELOPMENT REASONABLY NECESSARY FOR THE PURPOSES OF AGRICULTURE AND FORESTRY;

b. DEVELOPMENT FOR OUTDOOR SPORT AND COUNTRYSIDE RECREATION AND FOR BUILDINGS WHICH ARE ESSENTIAL TO SUPPORT THOSE USES, AS SET OUT IN POLICY RT5; (see below)

c. LIMITED AFFORDABLE HOUSING FOR LOCAL COMMUNITY NEEDS IN ACCORDANCE WITH POLICY H14;

d. LOCAL COMMUNITY FACILITIES WHICH CANNOT BE PROVIDED ELSEWHERE;

e. INFILLING WITHIN VILLAGES, HAMLETS AND IDENTIFIABLE RIBBONS OF DEVELOPMENT WHERE THERE ARE NO ADVERSE EFFECTS ON THE CHARACTER OF THE AREA. THE CLOSING OF GAPS OR ENCLOSURE OF OPEN AREAS WHICH CONTRIBUTE TO THE OPEN CHARACTER OF THE AREA WILL NOT BE PERMITTED;

f. DEVELOPMENT WHOLLY APPROPRIATE TO A RURAL AREA WHICH CANNOT BE LOCATED WITHIN A SETTLEMENT; AND

g. DEVELOPMENT CONSISTENT WITH THE APPROPRIATE POLICIES OF THIS CHAPTER.

2. ALL DEVELOPMENT MUST BE OF AN APPROPRIATE DESIGN AND SCALE FOR ITS LOCATION, AND CONTRIBUTE TO A SENSE OF LOCAL IDENTITY BY RESPECTING OR ENHANCING THE EXISTING CHARACTER OF THE AREA, IN ACCORDANCE WITH THE PRINCIPLES SET OUT IN POLICY G3.

POLICY C11

1. WITHIN OR ADJOINING THE BUILT-UP LIMITS OF SETTLEMENTS OUTSIDE THE GREEN BELT, PLANNING PERMISSION WILL BE GRANTED FOR SMALL-SCALE EMPLOYMENT GENERATING DEVELOPMENT, INCLUDING EXTENSIONS TO EXISTING EMPLOYMENT USES, WHERE:

- a. THERE IS NO ADVERSE IMPACT ON LANDSCAPE OR WILDLIFE FEATURES, NOR ON RESIDENTIAL AMENITY;
- b. THE FORM, BULK, DESIGN AND INTENSITY OF USE OF THE PROPOSAL RESPECTS THE CHARACTER OF THE SURROUNDING AREA;
- c. THE SITE IS ACCESSIBLE TO LOCAL RESIDENTS ON FOOT, BY BICYCLE OR BY PUBLIC TRANSPORT AND DOES NOT GENERATE LEVELS OF TRAFFIC WHICH WOULD IMPACT ON THE RURAL LOCATION; AND
- d. IN THE CASE OF NEW USES, THE PROPOSAL MEETS IDENTIFIED LOCAL EMPLOYMENT NEEDS.

POLICY C14

1. SUBJECT TO OTHER APPROPRIATE POLICIES IN THIS LOCAL PLAN, PROPOSALS FOR EXTENSIONS TO DWELLINGS IN THE COUNTRYSIDE WILL BE PERMITTED WHERE THEY WOULD NOT:

- a. BE TANTAMOUNT TO THE CREATION OF A NEW DWELLING;
- b. BE DETRIMENTAL TO THE CHARACTER AND APPEARANCE OF THE EXISTING BUILDING; OR
- c. CONSTITUTE AN INTRUSION INTO THE RURAL AMENITIES OF THE AREA.

POLICY C15

DEVELOPMENT WITHIN RESIDENTIAL CURTILAGES IN THE COUNTRYSIDE WHICH WOULD CONSTITUTE AN INTRUSION INTO THE OPEN CHARACTER OR RURAL AMENITIES OF THE AREA, BY VIRTUE OF ITS SCALE OR DESIGN, WILL NOT BE PERMITTED.

POLICY RT5

1. RECREATIONAL DEVELOPMENT IN THE COUNTRYSIDE, WHETHER FOR LOCAL OR GENERAL USE, WILL BE ACCEPTABLE IN PRINCIPLE, PROVIDED THAT THE RURAL CHARACTER, QUALITY AND AMENITY OF THE PARTICULAR AREA IS RESPECTED AND THAT THE PROPOSED RECREATIONAL ACTIVITIES, BY THEIR NATURE, EXTENT, INTENSITY, FREQUENCY OR TIMING HAVE REGARD TO THE FOLLOWING CONSIDERATIONS:

- a. NOISE LEVELS LIKELY TO BE GENERATED BY THE PROPOSED ACTIVITIES;

- b. THE IMPACT OF VEHICULAR OR OTHER TRAFFIC MOVEMENTS TO, FROM AND WITHIN THE DEVELOPMENT SITE;
- c. ANY ADVERSE EFFECTS CREATED BY THE ARTIFICIAL LIGHTING OF THE AREA;
- d. THE EXTENT AND VISUAL IMPACT OF LANDFORMING WORKS INCLUDING THE FORMATION OF PLAYING SURFACES, TERRACING OR MOUNDING OR THE PLANTING OF TREES AND OTHER FORMS OF LANDSCAPING;
- e. EASE OF ACCESS BY ALL FORMS OF MOVEMENT, INCLUDING WALKING AND CYCLING AND THE EXISTENCE OR CREATION OF PUBLIC RIGHTS OF WAY;
- f. THE EXTENT AND VISUAL IMPACT OF THE SITING AND LAYOUT OF PARKING.

2. RECREATIONAL DEVELOPMENT SHOULD, AS FAR AS POSSIBLE, USE (OR SUITABLY CONVERT FOR USE) ANY EXISTING BUILDINGS AND ENSURE THAT NEW BUILDING IS LOCALLY UNOBTRUSIVE AND WOULD SERVE TO MAINTAIN THE OPEN CHARACTER OF THE RURAL SURROUNDINGS AS REGARDS OVERALL EXTENT, HEIGHT, EXTERNAL APPEARANCE AND USE OF FACING AND ROOFING MATERIALS.