



## **Position Statement - Dedham Vale National Landscape Partnership (January 2024).**

### **Development in the setting of the Dedham Vale AONB**

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#### **Introduction**

There are 34 Areas of Outstanding Natural Beauty (AONB) in England. Designated by Government, they are considered some of the finest landscapes in the country and there is a statutory purpose to conserve and enhance their natural beauty.

#### **Purpose**

This Position Statement provides guidance to local planning authorities, developers/scheme proposers, landowners and other interested parties about the need to consider how development and land management proposals in the setting of the Dedham Vale AONB can impact on natural beauty of the AONB. Development includes all proposals requiring planning permission, as well as transport and other infrastructure projects. Land management includes tree planting, energy crops, and drainage schemes.

The National Landscape Partnership, a grouping of around 20 organisations which act as a champion for the AONB, considers the setting to the AONB to be the area within which development and land management proposals, by virtue of their nature, design, scale, siting, materials and colour have the potential to result in substantial impacts, positive or negative, on the natural beauty and special qualities of the AONB.

#### **Policy Context**

The need to consider the impact of proposals within the setting of an AONB is enshrined in the National Planning Policy Framework, Planning Practice Guidance, National Policy Statements for Energy, the Countryside and Rights of Way Act 2000 and in adopted Local Plans covering the Dedham Vale AONB. These are discussed more fully in Appendices 1 & 2.

This Position Statement expands upon issues raised in the statutory Dedham Vale AONB and Stour Valley Management Plans which are reviewed every five years.

The Management Plan recognises that nationally designated landscapes sit within a wider countryside setting, which not only enhances the value of these landscapes and the experience of being in them, but also delivers wildlife and access benefits.

The Position Statement is intended to be used to support the inclusion of Management Plan policies and objectives covering development and land management in the setting to AONBs in Local Plans and other relevant policy documents.

It is intended to aid decision-making for development or land management proposals within the setting to the AONBs as it clarifies the National Landscape Partnership's understanding of setting.

The National Landscape team and National Landscape Partnership will seek to ensure that Local Plan policies and other relevant documents highlight the need to consider the impact of

development and land management proposals on natural beauty, within the setting to the Dedham Vale AONB.

The National Landscape Partnership anticipates that local authorities, decision makers, and proposers, will consider fully the potential impacts on natural beauty, positive and negative, that could arise from a development within the setting of the AONB. It is anticipated that the views of the Partnership will be sought when significant impacts are anticipated. Examples of adverse impacts are set out in Appendix 3.

The National Landscape Planning Officer will seek to monitor and comment on planning applications within the setting of the Dedham Vale AONB which have the potential to significantly impact the natural beauty and special qualities of the National Landscape.

The National Landscape Planning Officer will report significant applications to the National Landscape's Joint Advisory Committee or Partnership as appropriate.

### **Notes**

In accordance with Section 85 of the Countryside and Rights of Way Act 2000, relevant authorities including planning authorities, statutory bodies and statutory undertakers have a duty to seek to further the statutory purpose of designation i.e. to conserve and enhance the natural beauty of the AONB.

The Dedham Vale AONB was first designated in 1970 and has been extended twice since then, in 1978 and again in 1991. It is one of 34 Areas of Outstanding Natural Beauty in England. It is the fourth smallest AONB, covering 90 sq km.

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## **Appendix 1 National legislation and guidance covering development proposals within the setting of the Dedham Vale AONB.**

### **National Planning Policy Framework**

Paragraph 182 of the National Planning Policy Framework (NPPF) requires great weight to be given to conserving and enhancing 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 these issues.

In addition to limiting the scale and extent of development within these designated areas it also states that

*'.....development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'*

### **Planning Practice Guidance**

The Planning Practice Guidance provides more detail about development within an AONB setting. It confirms that the statutory duty applies to proposals located outside of AONB boundaries, as they might have an impact on their setting or protection.

The PPG goes on to state that:

*Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.*

## **National Policy Statements for Energy - Developments outside nationally designated areas**

### **Overarching National Policy Statement for Energy (EN-1)**

Paragraph 5.10.8 of EN1 states *'The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse impacts on designated areas, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints.'*

### **National Policy Statement for Electricity Networks Infrastructure (EN5)**

In paragraph 2.11.4 of EN5 there is a strong presumption in favour of undergrounding new overhead transmission lines, within nationally designated landscapes i.e. National Park, Broads, or Areas of Outstanding Natural Beauty.

Paragraph 2.11.5 of EN5 states *'Away from these protected landscapes, and where there is a high potential for widespread and significant landscape and visual impacts, the Secretary of State should also consider whether undergrounding may be appropriate, now on a case by-case basis, weighing the considerations outlined above.'*

### **Nationally Significant Infrastructure Projects**

All Nationally Significant Infrastructure Schemes with the potential to impact on the setting of Protected Landscapes should accord with the requirements of Countryside and Rights of Way Act 2000.

Section 85 of the Countryside and Rights of Way Act 2000 places a statutory duty on all relevant authorities requiring them to further the statutory purpose of AONBs when coming to decisions or carrying out their activities relating to or affecting land within these areas.

Guidance on this new strengthened duty is being prepared.

In 2010 Natural England also published "Making Space for Renewable Energy  
" Natural England's approach to assessing onshore wind energy development".

This includes the statement:

*"Natural England regards the setting of protected landscapes as being potentially influential on the conservation of the special qualities of the National Park or AONB concerned".*

This guidance continues '*Spatial plans should include policies that take into account the sensitivity of the setting of protected landscapes.*' "*The potential for developments to dominate the setting of protected landscapes requires careful consideration.*" *guidance on developments within the setting to nationally designated landscapes.'*

## **Appendix 2. Local Plan Policies**

The Dedham Vale AONB extends across three local planning authority areas: Babergh Mid Suffolk District Council, Tendring District Council and Colchester City Council. These councils recognise the AONB in their Local Plans as set out below in adopted and emerging planning policy. Braintree District Council also recognises the sensitivity of the Stour Valley project area in its Local Plan.

### **Joint Babergh Mid Suffolk Local Plan Part 1 (adopted November 2023)**

#### **Policy LP18 –Area of Outstanding Natural Beauty**

Proposals for major development within the AONBs will be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

1. The Councils will support non-major development within the AONBs and development within the setting of the AONBs that:
  - a. Gives great weight to conserving and enhancing the landscape and scenic beauty;
  - b. Integrates positively with the character of the area and reinforces local distinctiveness of the AONBs;
  - c. Is sensitive to the natural and built landscape and visual impacts (including on dark skies and tranquil areas);
  - d. Supports the provision and maintenance of local services, facilities and assets (including affordable housing), so long as it is commensurate with the character and objectives of the AONBs;
  - e. Demonstrates special regard to conserving and enhancing landscape character, landscape values and heritage assets in the AONBs; and
  - f. Conserves the distinctiveness of the AONBs (including quality views), supports the public enjoyment of these areas and the wider social and economic objectives set out in the AONB Management Plans.

### **Braintree District Local Plan Adopted July 2022**

#### **Paragraph 6.27**

Just outside the District, the Dedham Vale Area of Outstanding Natural Beauty (AONB) covers a 90km<sup>2</sup> area centred on the lower Stour Valley. This area benefits from the highest level of protection in relation to landscape and scenic beauty as set out in the 2012 NPPF.

Legislation in Section 85 of the Countryside and Rights of Way Act 2000 requires that in exercising or performing any functions in relation to, or affecting land in an AONB, a relevant authority shall have regard to the statutory purpose for which the land is designated. In the case of an AONB, this is to conserve and enhance the natural beauty of the area.

The upper Stour Valley, adjoining the AONB, is partly located along the north and east boundary of Braintree District and is an important and sensitive rural landscape, recognised by the fact that it is part of the wider project area covered by the Dedham Vale AONB and Stour Valley Project. The impact of development proposals in the upper Stour Valley will be particularly carefully assessed in light of the sensitive nature of this landscape.

Proposed developments here should support the wider environmental, social and economic objectives as set out in the Dedham Vale AONB and Stour Valley Management Plan and should not prejudice the long-term aim to enlarge the area included within the AONB designation.

### **Colchester Local Plan Section 2 (adopted 4 July 2022)**

#### **Policy ENV4: Dedham Vale Area of Outstanding Natural Beauty**

Development will only be supported in or on land within the setting of the Dedham Vale Area of Outstanding Natural Beauty (AONB) that:

- (i) Makes a positive contribution to the natural beauty and special qualities of the AONB, including tranquillity and the AONB's good quality night/dark skies; and,
- (ii) Does not adversely affect the character, quality views, into and out of the AONB and distinctiveness of the AONB or threaten public enjoyment of these areas, including by increased motorised vehicle movement; and,
- (iii) That there are no adverse impacts on the setting of the AONB which cannot reasonably be mitigated against and,
- (iv) Supports the wider environmental, social and economic objectives as set out in the Dedham Vale AONB and Stour Valley Management Plan.

Applications for major development within or in close proximity to the boundary of the Dedham Vale AONB will be refused unless in exceptional circumstances it can be demonstrated that the development is in the public interest and this outweighs other material considerations.

Where exceptional development is suitable, landscape enhancements, mitigation or compensation measures must be provided. The Local Planning Authority will seek opportunities to mitigate the impact of features identified as having adverse impacts. Residual impacts may be offset by other planning gain within the AONB or contributions to the Stour Valley Environment Fund.

Proposals for solar farm developments or wind turbine/wind farms within or on land within the setting of the Dedham Vale AONB should have regard to the advice in the Local Planning Authority's Guidance Note 'Designing solar farm renewable energy development' and in the current 'Dedham Vale AONB Position Statement Renewable Energy in the Dedham Vale Area of Outstanding Natural Beauty'.

The Local Planning Authority will also encourage proposals in or near the AONB to underground new infrastructure associated with electricity schemes or communication equipment where financially viable, to help protect its landscape qualities.

#### **Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022) Policy PPL 3 The Rural Landscape**

The Council will protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance, including to:

- a. estuaries, rivers and undeveloped coast;
- b. skylines and prominent views including ridge-tops and plateau edges;
- c. traditional buildings and settlement settings;
- d. native hedgerows, trees and woodlands;
- e. protected lanes, other rural lanes, bridleways and footpaths; and
- f. designated and non-designated heritage assets and historic landscapes including registered parks and gardens.

Development proposals affecting protected landscapes must pay particular regard to the conservation and enhancement of the special character and appearance of the Dedham Vale and Suffolk Coast and Heaths AONBs, and their settings, including any relevant AONB Management Plan objectives.

Elsewhere, development proposals should have regard to the Natural England Character Area profiles for the Greater Thames Estuary (No.81) and the Northern Thames Basin (No.111) and the Council's Landscape Character Assessments, as relevant, and should protect and reinforce identified positive landscape qualities.

New development within the rural landscape should minimise the impact of light pollution on the site and its surroundings, in order to protect rural amenity and biodiversity. This Policy contributes towards achieving Objectives 7 and 8 of this Local Plan

### **Appendix 3. Examples of potential adverse impacts from development and land management proposals**

The setting of the Dedham Vale AONB has no defined geographical borders. The location, design, scale, materials and colour of a proposed development or land management activity will determine how it impacts the natural beauty and special qualities of the AONB.

A very large development may have an impact even if a considerable distance from the AONB boundary. Adverse impacts might not be visual. The special qualities of the Dedham Vale AONB include tranquillity. A development which is noisy may well adversely impact tranquillity even if not visible from the AONB.

Potential adverse impacts could include:

- Blocking or the interference of views out of the AONB particularly from public viewpoints
- Blocking or the interference of views of the AONB from public viewpoints outside the AONB
- Loss of tranquillity through the introduction of lighting, noise, or traffic movement
- An abrupt change to landscape character
- Loss of biodiversity, particularly species of importance within the AONB
- Loss of features of historic interest, particularly if these are contiguous with features within the AONB
- Reduction in public access to or within the AONB
- Increase in air or water pollution

While some developments may have an adverse impact on the AONBs, some development or changes to land use e.g. tree planting outside the AONB could enhance these areas, for example by screening unsightly existing structures.