

Committee(s): Epping Forest and Commons Committee – For decision	Dated: 18/05/2023
Subject: Surrey Hills AONB Boundary Extension Proposals	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	4,9,10,11,12
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain’s Department?	N/A
Report of: Juliemma McLoughlin, Executive Director, Environment Department	For Decision
Report author: Geoff Sinclair, Assistant Director The Commons	

Summary

On the 13 October 2022 your committee agreed the recommendation to ‘Approve further involvement in the Area of Outstanding Natural Beauty (AONB) boundary consultation process....’ involving both the Chilterns and the Surrey Hills AONBs. Natural England (NE) after extensive technical assessments and local liaison launched a consultation on the proposed boundary extensions for the Surrey Hills AONB on the 7th March 2023. Their proposals include adopting the greater part of the City Corporation’s Farthing Downs site within the AONB. The adjacent City Corporation sites Coulsdon Commons, Kenley Common and Riddlesdown were not considered to have met the natural beauty criterion required for an AONB. It is proposed that the City Corporation supports NE’s recommendation to include part of Farthing downs in the AONB with closing date for comments being the 13th June 2023.

Recommendation(s)

Members are asked to:

- To support the inclusion of part of Farthing Downs in the proposed Happy Valley extension to the Surrey Hills AONB (Option 2)

Main Report

Background

1. On the 13 October 2022 a report was presented to your committee concerning forthcoming proposals to extend the boundaries of the Surrey Hills and Chilterns Areas of Outstanding Natural Beauty (AONB). Your committee agreed the recommendation to 'Approve further involvement in the AONB boundary consultation process with the current intention being 'inclusion within their boundaries' as follows:
 - Burnham Beeches and Stoke Common within an extended Chilterns AONB boundary.
 - The Coulsdon Commons within an extended Surrey Hills AONB boundary
2. On the 7 March 2023 Natural England (NE) launched its consultation on the proposed boundary extensions for the Surrey Hills AONB Appendix 1. The closing date for comments concerning the proposals is the 13th of June 2023.
3. AONB's are designated for the purpose of conserving and enhancing their natural beauty. Natural England is responsible for considering which areas in England meet the criterion, set down in law, for being included in an AONB, and whether to proceed with their designation. Under the Countryside and Rights of Way Act 2000 ("CRoWA") NE has the power to designate land as AONB as set out in Section 82(1) of CRoWA. Section 83 (7) of CRoWA gives NE the power to vary the boundaries of existing AONBs.
4. NE can designate an area as AONB where it is satisfied that it has such natural beauty that its designation is desirable for the conservation and enhancement of its natural beauty. The Natural Environment and Rural Communities Act 2006 clarified that the wildlife and cultural heritage of an area, as well as its natural features, can contribute to the natural beauty of landscapes.
5. To designate an area as AONB NE sets out to answer three questions:
 - Does the landscape have outstanding natural beauty?
 - Is it desirable to designate this landscape as an AONB for the conservation and enhancement of its natural beauty?
 - Where should the boundary be drawn?
6. The key effects of designation as an AONB are:
 - to provide powers for local planning authorities to take appropriate action to conserve and enhance the natural beauty of AONB's;
 - to place a duty on public bodies to have regard to the purpose of enhancing and conserving the natural beauty of the AONB;
 - it engages the powers and duties of conservation boards, including in respect of the protection of the countryside and avoidance of pollution and in connection with the conservation and enhancement of the natural beauty of AONB's and public understanding and enjoyment of AONB's.

- it places a duty on relevant local authorities and conservation boards to prepare and publish plans which formulates their policies for the management of the AONB and for the carrying out of their functions in relation to it
7. The Surrey Hills AONB boundary review commenced early 2022 as a 'call for evidence' at which point the Assistant Director sought Chairman's approval to provide supporting material for the inclusion of the four Coulsdon Commons within the AONB boundary, i.e. Coulsdon Commons, Farthing Downs Common, Kenley Common and Riddlesdown, all of which are included in the recently created South London Downs National Nature Reserve
 8. This report outlines how the proposed extension of the Surrey Hills AONB proposals, (Appendix 1) will impact on the City Corporation's landholding at the Farthing Downs. It also makes recommendations for responding to the consultation.

Current Position

9. NE have identified eighteen proposed extension areas for the Surrey Hills AONB. A significant proportion of the City Corporation's Farthing Downs Common has been included in one of the proposed extension areas known as the 'Happy Valley Extension', see page 27 of Appendix 1 for full details.
10. NE considered the Happy Valley extension suitable for inclusion in the AONB due to:
 - The dramatic chalk valley system of Happy Valley and surrounding farmland.
 - Network of ancient woodland and wooded shaws that create a patchwork across areas of downland and arable farmland.
 - Extensive areas of nationally significant calcareous grassland habitat.
 - Narrow rural lanes and tracts of land only accessible on foot.
11. The Farthing Downs landscape was seen to be influenced by urban fringe land uses and consideration was given to drawing back the proposed boundary to the AONB to exclude transitional landscape influenced by the surrounding urban development. This would have resulted in almost all the Down being excluded due to a lack of clear features to follow on the ground. Given the ridge of downland is valued for its scenic view into Happy Valley, natural heritage (it is a Site of Special Scientific Interest and National Nature Reserve) and cultural heritage (Scheduled monuments present) Natural England propose taking a pragmatic decision to extend the boundary to the urban edge which enabled the 'feature' to be included in its entirety.
12. The proposed extension of the AONB to include Farthing Downs has been reported by Time Out 30th March 2023 as 'London is set to get its first Area of Outstanding Natural Beauty'.

13. Coulsdon Commons, Kenley Common and Riddlesdown were not considered to have met the natural beauty criterion required for an AONB. See Appendix 2 for a map of the proposed extension area on Farthing Downs.

Options

14. Option 1: To object to the inclusion of part of Farthing Downs in the proposed Happy Valley extension to the Surrey Hills AONB. The proposal follows significant local consultation and technical assessment by Natural England. Not including the land in the AONB could reduce future opportunities for landscape scale working and funding opportunities under the AONB would be lost. It would avoid the impact of any additional planning requirements under the AONB. The City Corporation's management of Farthing Downs is in line with best practice and additional costs arising from the proposal are thought to be minimal and within the bounds of normal operating practice. **Not recommended.**
15. Option 2: To support the inclusion of part of Farthing Downs in the proposed Happy Valley extension to the Surrey Hills AONB. The proposal follows significant local consultation and technical assessment by Natural England and is in line with the previous EFCC agreement that inclusion in the AONB is the Committees initial intention. Inclusion in the AONB would help to progress greater landscape scale working and provide additional funding opportunities through the AONB. There is the potential of increased and potentially adverse visitor pressure and additional planning requirements that come with being in an AONB may impact some decisions. Management costs are not expected to be impacted in any significant way. **Recommended**
16. Option 3: To support the inclusion of part of Farthing Downs in the proposed Happy Valley extension to the Surrey Hills AONB and recommend that adjacent sites of Coulsdon Commons, Kenley Common and Riddlesdown also be considered for inclusion. The assessment for including sites followed a rigorous technical process that considered all the key factors. It is unlikely that case for inclusion can be made that would override the technical assessments. **Not recommended**

Proposals

17. As reported to your Committee on 13th October 2022 (Page 48 Para 24) the Government's aims for its protected landscapes, including AONBs, supports key City Corporation strategies and outcomes in this area

Corporate & Strategic Implications

Strategic implications

18. The proposal would help to meet the following City Corporation strategic objectives:
- Corporate Plan Shape Outstanding Environments: *'We have clean air, land and water and a thriving and sustainable natural environment.....Our spaces are secure , resilient and well maintained'*

- Corporate Climate Action Strategy: *“Preparing our response to natural and man-made threats; Providing thriving and biodiverse green spaces and urban habitats.”*

Financial implications

19. Short-term costs are expected to be mainly Officer time, associated with progressing the favoured option and will be fully contained within existing local risk resources. No additional long-term costs are anticipated should Farthing Downs be included in the AONB. Inclusion within the AONB may allow the City Corporation improved access to additional Government/external funding.

Resource implications

20. None

Legal implications

21. The provisions of CRoWA (including those summarised at paragraph 6) will apply upon Natural England effecting the designation by issuing relevant Notice and the designation being confirmed by the Secretary of State.

22. Designation has no effect on who makes decisions on applications for planning or development consent. These decisions are for the local planning authority or Secretary of State. In an AONB, local planning authorities must have regard to the purpose of conserving and enhancing the natural beauty of AONB's in exercising their functions (including in deciding planning applications) Through this duty designation provides a further statutory protection regime for Farthing Downs such as from the impact of housing and other development.

23. All other legal implications are included in the body of the report

Charity Implications

24. Farthing Downs is part of the four Coulsdon Commons registered charity (232989). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.

Risk implications

25. None

Equalities implications

26. None

Climate implications

27. Clearer links with neighbouring landowners will help to facilitate sympathetic management of Farthing Downs at the landscape scale further promoting opportunities for improved climate resilience of sensitive habitats and species.

Security implications

28. None

Conclusion

29. Following extensive technical assessment and local liaison Natural England have published consultation proposals on the extension of the Surrey Hills AONB.
30. The proposals include adopting part of the City Corporation's owned Farthing Downs site within the AONB. Adjacent City Corporation sites Coulsdon Commons, Kenley Common and Riddlesdown were not considered to have met the natural beauty criterion required for an AONB.
31. Minimal additional costs are envisaged from the site being included in the AONB. There are resourcing and landscape scale site management opportunities potentially arising from being in the AONB.
32. It is recommended that the City Corporation supports the adoption of the inclusion of part of Farthing Downs in the proposed extended AONB boundary.

Appendices

Appendix 1 – Surrey Hills Area of Outstanding Natural Beauty: Boundary Variation Project Consultation Document, Natural England

Appendix 2 - Map of the proposed extension area on Farthing Downs

Background Papers

1. Chiltern and Surrey Hills AONB boundary reviews: Report to the Epping Forest and Commons Committee, 13 October 2022

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