

National Planning Policy Framework (2012)

Key paragraphs / policies of most direct relevance to the AONB and Heritage Coast designations

(NCP comments in blue)

14. At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.

For **plan-making** this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.⁹

For **decision-taking** this means:¹⁰

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.⁹

⁹ For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

¹⁰ Unless material considerations indicate otherwise.

Paragraph 14 is often quoted as a justification for approving development. However, footnote 9 means that objectively assessed development needs in a local planning authority's area may be over-ridden by the need to restrict development to protect areas covered by specific designations, which includes AONB and Heritage Coast. Similarly, it also means that for development that would otherwise be in accordance with the existing development plan, or on which the plan lacks relevant policies or is out of date, planning permission may still be refused if it would contravene policies for such areas.

113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites,²⁴ so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

114. Local planning authorities should:

- set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; and
- maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to and enjoyment of the coast.

The unique and sensitive character of the North Norfolk Heritage Coast, although a non-statutory definition rather than a statutory designation like the AONB, is clearly and strongly protected.

115. 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. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.²⁵

This paragraph confirms the very strong protection given to AONBs and their equivalence to national parks in terms of their scenic beauty. It is therefore relevant to question whether a development proposed in or near an AONB would be considered acceptable for a national park.

116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Unfortunately, what constitutes 'major development' in this context is not clearly defined, and it is up to the local planning authority to decide this.

²⁴ Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.

²⁵ *English National Parks and the Broads: UK Government Vision and Circular 2010* provides further guidance and information about their statutory purposes, management and other matters.

From Annexe2 Glossary:

Heritage Coast: Areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.