



## **CPRE Sussex Response to Government Response to the Landscapes Review**

The pandemic has overwhelmingly emphasised the value of and our need for Protected Landscapes, and for their importance for our health and well-being and the timeliness of the Glover Report on Protected Landscapes.

It is quite clear, particularly so far as AONBs are concerned, that these landscapes cannot properly face the challenge for the future with the framework and resources they have at the moment.

Therefore change for improvement must happen, and in light of the climate emergency challenge, it must happen as soon as reasonably possible.

### **Introduction**

Please note that the Proposals put forward by the Glover Report and the subject of this response are reproduced in the schedule attached to this response, to assist referencing them.

Throughout this response we are highlighting the impact of the proposals on Sussex, and in particular the South Downs National Park, Chichester Harbour and the High Weald AONBs. We are using the paragraph headings used in the Government response.

### **Nature and Climate**

The Government, in a desperate attempt to catch up and to appear green-thinking, have made a number of initiatives and commitments, but we are not certain if these are achievable with the resources promised, let alone those not promised; the 30 by 30 commitment being an obvious one.

There does need to be a single co-ordinating body in charge of maintaining and assessing progress, and being of such weight in government circles that it is capable of extracting the necessary resources to reach the goals it is charged to achieve. Should this be a supercharged Natural England? As it stands at the moment, the roles of DEFRA, Natural England and the new National Landscapes Partnership (NLP) are not very clear, and if the NLP is to be at all effective, its role needs to be spelled out clearly.

Are we aware of any similar steps or plans occurring in the other home nations or indeed in similar Western European countries/EU wide? If not, should not we be, and furthermore learning from them?

A programme referred to in the Government's response in the Farming in Protected Landscapes programme runs only until March 2024. It seems extremely short-sighted for instance, that farmers are only required to maintain capital infrastructure, eg fences or

gates or restored buildings funded by this scheme, for five years after such works have been completed.

CPRE Sussex consider that capital investment in nature and the environment should be secured for the long term. We consider generally that the Glover proposals were aspirational, as they were not fully fleshed out, and we are certainly awaiting Government proposals on how progress in this area is to be funded.

So far as Sussex is concerned, we believe that the county benefits substantially from its two Areas of Outstanding Natural Beauty (High Weald and Chichester Harbour) as well as being encircled and protected by the Kent Downs, Surrey Hills, and with the South Downs National Park covering a substantial part of the central and western Sussex, and forming a very substantial arc of Protected Landscapes.

So far as the case for new designations of landscapes in Sussex, we consider the county is adequately protected by the current designations, including those European designations such as Europa 2000 sites, and international designations such as Ramsar. The challenge in Sussex lies in achieving their purposes (as the Government response proposes to widen them) through enhanced governance and essential additional funding.

We support the aim of **Proposal 20** to create new designated landscapes and a new National Forest, insofar as boundary changes should be made much easier to make than they presently are. We also encourage the working together between the guardians of protected landscapes.

The Government response refers to the encouragement of tree planting, which we agree with, but greater attention needs to be made to the protection, of our existing woodland and especially those of Ancient Woodland classification, given that almost half of the UK's ancient woodland has been lost in the last 80 years. Many areas of ancient woodland are under threat of development because many LPAs simply do not recognise biodiversity and the carbon sink capacity they provide.

This means even greater emphasis should be placed on the dangers of biodiversity loss than is apparent in the Government response. The Government needs to provide adequate resources so that the aims of the Colchester Declaration can be met. Lead partners should be tasked specifically with the identification of locations within their Management Plans where new tree planting is to be supported within their protected landscape and the diversity of tree species that should be planted there.

## **Chapter 1 A More Coherent National Network**

### **Strengthened AONB**

**Proposal 24** 'to strengthen AONBs and rename them' is the first to be mentioned, and nothing can be truer than the statement that "AONBs are indistinguishable from National Parks ... but lack equivalent recognition in law and support in resources".

If renaming is to provide the reinvigoration needed, it needs to be better than name changing of Highways England to National Highways; so we wholeheartedly support the Government's expressed intention to ensure action to strengthen the work of the AONBs. However, we are unsure that a name change should be the first item mentioned. Whilst AONB is perhaps a cumbersome name, it has acquired meaning and recognition over the 73 years of its existence as a part of protected landscapes in England.

A name change for AONBs will be meaningless and ineffective unless their powers and resources are strengthened considerably. What exactly would be hoped to be achieved by an 'ambitious new title'? It would need to be ambitious for the publicity around its name change, and ambitious for the necessary resources to achieve current and any new tasks.

### **Strategic Direction**

The Government do not think that **Proposal 25**, the creation of a National Landscapes Service (NLS) should be proceeded with, but want to create a National Landscapes Partnership.

It appears to us that such a partnership can only be effective if it has the power to direct, rather than simply be as a talking shop. We referred earlier in the Introduction to the creation of the NLP, as requiring focus in its aims, powers and resources.

Natural England suffered a decade of cuts in the 2010s as well as a huge drop in the morale of its staff; so if it is to perform adequately the tasks indicated in Chapter 1 penultimate paragraph, it will, like other bodies referenced in our response, need to be properly resourced and responsively structured which, in our experience it certainly is not.

## **Chapter 2 Nature and Climate**

We wholeheartedly support the important proposals to bring forward legislation to widen the purposes of AONBs, and to strengthen the statutory language that, all too vaguely, requires public authorities to "have regard to" those purposes. That support is, though, conditional on those who manage the AONBs having sufficiently increased funding to do the bigger job effectively; and on the Government taking forward the suggestions in its consultation document to enhance the independence and skills of AONB boards - issues to which we return below.

### **The Nature Recovery Network and 30 by 30**

We applaud the Government's initiatives for the Nature Recovery Network, which the Glover report recognises in **Proposal 4**. This highlights in particular the role that the National Parks and Areas of Outstanding Natural Beauty can play in extending their geographical remit beyond their formal boundaries to encourage other areas to ensure that LNRs are as expansive and inclusive as possible. This will assist as well in meeting the challenge of 30 by 30, given the tight timetable in which to achieve this target.

The essential piece of the jigsaw missing from the Government's response to this chapter is the lack of recognition of the significant cost at the ground level of developing the data and evidence that will be required by lead partners and others to enable them to determine

the most effective strategies and plans to achieve nature recovery, biodiversity enhancement, increased accessibility and climate change mitigation. That cost includes the cost of further educating local planning authority decision makers in these matters: the level of expertise within LPAs in Sussex was identified in 2021 as “low” by the Sussex Local Nature Partnership.

### **A stronger mission for nature recovery**

**Proposal 1**'s first limb is accepted by the Government, which is to be applauded, as nature recovery is so obviously what should be the current priority for protected landscapes. We also applaud the link to the concept of 'natural capital' which the Glover report deals with in more detail in **Proposal 2**. We look forward to learning how the Government intends that this important principle should be turned into meaningful action.

### **Setting ambition and monitoring progress**

It is therefore good to see the Government's support for both **Proposals 2 and 3**. The reference to 'citizen science' is helpful acknowledgement that voluntary organisations, such as we have here in Sussex with the Sussex Biodiversity Record Centre, Sussex Wildlife Trust, the Sussex Ornithological Society and ourselves, can have a significant role to play. This is a welcome, albeit belated recognition of the role which voluntary organisation can play in the climate emergency.

### **Agricultural transition**

**Proposal 5** appears to be supported by the Government even if only in principle, but it remains to be seen into what shape the ELMS morphs. There is a danger in this discussion that protected landscapes will be side-lined into the LNRS structure, rather than being fully involved in the creation of a nature-rich ELMS for the benefit of all landscapes. There is a distinct lack of specificity here; see 'we will build', 'we are considering', 'these could include'.

## **Chapter 3 People and Place**

### **Landscapes for everyone**

The ideas within the paragraph headed 'Landscapes for Everyone' suggests to us that this is a future agenda for the NLP.

It is very disappointing, given the elapse of time since Glover reported, that the Government cannot offer a more detailed plan as to how protected landscapes should be used to support public health and wellbeing. We call on the Government to commit to the publication (for consultation) of a suitable and costed strategy for this vital public health function of protected landscapes.

With regard to the desire to engage with younger people, the opportunity seems to have been missed to include within school curricula information about protected landscapes, their biodiversity role, as well as the other environmentally positive functions that protected landscapes perform.

Ideas such as community twinning, between an urban area with public transport links to a protected landscape or part thereof, should be part of this engagement process.

We support the Farming in Protected Landscapes Fund, but question whether it has received enough publicity. We support all efforts to increase the engagement of school children through the National Curriculum with nature.

Improving access to the countryside as indicated above is essential if social prescribing of exercise is to be successful. However, we feel the Government's idea of engaging the Probation Service's Community Payback Scheme would be more sustainable and efficient if used for urban rather than rural projects.

### **A stronger mission for connecting people and places**

With regard to changes in the statutory purposes of Protected Landscapes (PLs), we await sight of any final Government proposals to change these from the current ones, but suggest that some reference should be made in any revision to ensuring the economic and community vitality of the PLs, as well as the elements of conservation, protection, access and education, which form the heart of the current statutory purposes.

### **Supporting local communities**

**Proposal 17** is designed to achieve holistic communities within protected landscapes; we wholly support that objective, since at heart it is sustainability in action.

We believe that branding of PLs is vitally important, not only in order both to attract visitors to them and boost the economy, but also for those who live and work in such places, so they can have a real sense of ownership in what they do there; so towns and villages and public transport facilities, businesses and tourist attractions in such places should be consistently branded as being part of whichever protected landscape they are situated.

We have earlier emphasised the very important role to be played in our vision for Protected Landscapes by public transport. This is essential from both an environmental and a social point of view, leading to important economic benefits for such areas.

### **Open access land**

**Proposal 16** advocates at least the possibility of increased open access to the countryside. We support that idea in principle, as it could decrease the pressure often placed in tourist honey pots within Protected Landscapes, and as the proposal explains, it would increase access for horse riding in particular.

### **National Trails**

National Trails are included in **Proposal 15**; in Sussex, the South Coastal Path is sadly as far as major parts of it only 'in the initial planning stages' [*Reply to a FOIA question to East Sussex County Council dated 24 February 2022 re the Eastbourne to Camber section*]. Furthermore, they indicate that all costs are funded by Natural England, with nothing from the County Council itself. This is therefore a very clear example of where more Government funding is needed to progress this project.

The Government's suggestion that a new charity should be formed to promote National Trails to us indicates a semi-detached approach to the existence and promotion of National Trails themselves.

There are also other long-distance footpaths, which are not National Trails, which equally if maintained properly and promoted effectively, could improve access and healthy leisure opportunities within Protected Landscapes. The Sussex Border Path is just such a path, as it traverses the High Weald AONB and the South Downs National Park for almost its entire length.

### **Sustainable Tourism**

It has to be admitted that Protected Landscapes are almost inevitably to be located away from major centres of urban population. We were extremely surprised that in neither the Glover report, nor the Government response with regard to **Proposal 19**, is there any mention at all of the use of existing rail stations. We appreciate that perhaps using our local examples of the South Downs NP and the High Weald AONB, we are more blessed with rail stations than other protected landscapes, but a co-ordinated effort by rail companies to highlight the existence of rail stations within Protected Landscapes and to make special offers to promote travel to such stations must be encouraged. As an example, within the High Weald AONB there are 16 rail stations on four different lines, with another half dozen stations immediately adjacent to the boundary of the Area. Given the more environmentally friendly nature of rail travel, should this existing infrastructure not be better exploited, to encourage greener access to Protected Landscapes?

On the paragraph 'Managing Visitor Pressure' the revision of the Countryside Code is to be welcomed, but it can only be effective and influence good behaviour if it is sufficiently well publicised. The suggested additional penalty provisions to prevent bad behaviour and abuse of the countryside (FPNs, PSPOs and TROs) may improve matters, but the financial revenue from such must be returned to the relevant authorities and used to make environmental and access improvements for the landscapes.

We are aware of the considerable difficulties which walkers, cyclists and horse riders have in enjoying the countryside because of two main factors, both of which need to be addressed if access to the countryside is to be improved.

One is the simple condition of footpaths and bridleways. County Council budgets have been slashed over recent years and a major area of their responsibility to have been cut is adequate funds for the maintenance of footpaths and bridleways, let alone their improvement and extension.

The second is the problem that walkers, cyclists and horse riders experience when using country lanes, mainly C-class roads. Motorised traffic travels too fast on these roads, and CPRE Sussex are keen advocates of creating a network of Quiet Lanes on such roads, where with a voluntary speed limit of 20 mph, non-motorised users of such roads would feel more confident and safer in using them for leisure pursuits.

Both such ideas require financial support, mainly from County Councils, but are necessary to improve access to all landscapes, but especially protected ones.

Green Lanes are part of the network of footpaths, bridleways and Quiet Lanes to which we have referred already. Access for legitimate users, walkers, cyclists and horse riders must be made an absolute priority on green lanes, with motorised vehicles being encouraged to adhere to very low speed limits, which will prevent damage and erosion to the lanes, and improve safety for legitimate users.

There is a delicate balance to be drawn in encouraging 'smaller, lesser-known destinations'. Such would generally only be accessible by private car, unless the visitors walk, cycle or ride a horse to such destinations, and there is a distinct possibility that the tranquillity afforded by such places would be jeopardised.

### **Planning reform**

On planning reform, we welcome the recent changes to NPPF to reinforce the protection afforded to landscapes of national value, though they will need go further as part of the proposed review of the NPPF as inconsistency remains in the comparative evaluation of the public policy in the protection of our most valued landscapes and the public policy in meeting housing targets by allowing major development there. We would like to see the NPPF enshrine the Sandford principle, ie priority to be given to the conservation of natural beauty, which the Government reply mentions in the paragraph entitled 'A stronger mission for nature recovery' and ensure that it applies to all national landscapes.

Our caution regarding the introduction of the concept of biodiversity net gain for planning is twofold; first we are mistrustful that developers will only seek the minimum gain required, and second that long term adherence to BNG promises will be costly to enforce and local authority budgets need to be supplemented to cater for this. The principle of BNG however, is excellent; it is its execution in practice where we sound a note of caution.

The section on local governance reform is not stated to apply to AONBs that do not operate through Conservation Boards. We hope that your proposals are in fact intended to extend to other AONBs including those, like the High Weald AONB which operates through a very large board that includes representatives of each of the 15 local planning authorities with a stake in it, where issues similar to Conservancy Board structures apply.

We would underline the point that your response makes about the difficulty with which our local AONB team in the High Weald has in coping with the planning demands put on it by eleven district and borough councils and four county councils. We would, as a minimum, encourage the Government to put AONB teams in the same position as National Park authorities as statutory consultees, and assurer that they are afforded the necessary additional resources to fulfil that role properly.

We would urge that the Government go further in cases like the High Weald where there a multiplicity of planning authorities co-manage an AONB by requiring them to collaborate on the production of a single Plan for the AONB – one that recognises the constraints on the scope and types of development possible within the AONB. This already happens with

national parks, and as the protective and other purposes and status of AONBs become more closely aligned, so the associated need grows for a single coherent AONB plan and management for areas like the High Weald. The current absence of that requirement is evidenced in inconsistency in planning policy and its application within different areas of the AONB, and the absence of transparency. For example, there is no consistent approach to the degree to which individual LPA housing targets should be influenced by the presence of the High Weald within their district, and there is no central record of the level of new development occurring within the High Weald from which the effectiveness of its protective purposes can be measured.

We also endorse the Glover report's **Proposal 6** with regard to extreme care being taken to allow permitted development rights with Protected Landscapes. The Government seems very keen on ever extending these rights but we believe that protected landscapes should as their title suggest be protected against any automatic unscrutinised granting of planning permission.

### **Affordable housing**

**Proposal 18** recognises the very special problem that providing sufficient affordable homes presents within any protected landscape. The market identifies protected landscapes as being premium places to live and thus house prices in such places attract that premium, making it extremely difficult for local lower paid workers to find suitable accommodation, either to buy or to rent. In Rother in East Sussex, the local authority has been successful with Hastoe Housing Association in providing small sites with affordable accommodation to rent, so it can be done. However, such enlightened housing associations would benefit from encouragement in their efforts by Government.

We certainly would encourage the greater use of exception sites; but there needs to be greater stimulus for such sites to be brought forward. In Mid Sussex district for example, where there is a significant need for more rural affordable homes, not a single rural exception site has come forward since at least 2014. The beneficial principle of encouraging affordable home building for local people in rural locations is subverted in practice by the lack of positive incentive on landowners to offer up sites for community benefit.

## **Chapter 4 Supporting Local Delivery**

### **Local Governance**

AONB Boards should have as their overriding object the implementation of the statutory purposes for which the AONB was established, and the preparation and implementation of a management plan for the AONB to give effect to those statutory purposes. The key requirement is that the AONB Board should be independently able to fulfil that primary object for the public benefit; and which requirement becomes all the more important with the Government's proposal to broaden and strengthen the purposes of AONBs and the "have regard to" subject matter of conservation and enhancement. Whilst Local Authorities with planning responsibilities should be represented on such boards, the Board's primary object does not necessitate every LPA having a seat and vote. Indeed, that is undesirable: firstly, because it tends to result (as in the case of the High Weald which has



15 involved LPAs) with a Board so large as to be operationally inefficient; secondly, because it produces a board dominated by LPA representatives with inevitably conflicting interests between their need to meet their large housing targets and their duties to promote the statutory purposes of the AONB's designation, so that the independence of the Board is inevitably questionable; and thirdly, because it makes it more difficult to attract enough authoritative, independent, diverse Board members to produce a genuinely independent Board that can be an effective custodian of the AONB's public purposes

We agree with the measures indicated by the Government to improve the performance of the board and its members individually in the paragraph 'Improved Performance' and we want to see greater diversity on the board, which is relevant to NPs or AONBs.

We agree that local appointments need to be made to better reflect the needs of the NP or AONB, and so support the Government on **Proposal 26**. We also agree with the Government on the need for the Chair only to be appointed at national level.

With regard to **Proposal 3**, the bottom line is that with the current plethora of initiatives; one can only hope that the proposed Natural England guidance for management plans is equal to the task.

### **Sustainable Financing**

It seems somewhat strange that the Government response has left to almost the last item the question of finance. One would have thought that with such agendas for the countryside and the aims expressed for protected landscapes, together with an admission that AONBs at least are chronically under-funded and have been for years, the Government would have put a more effective financial model at the top of their response.

As to financing of national landscapes, there is a self-evident gulf between aspiration and deliverability; most especially with regard to already poor-relation AONBs whose purposes are to be brought more closely aligned with national parks, and current underfunding is already (for all their great efforts and enterprise) a major inhibitor of purpose delivery. We fear greatly that the changes you, the Government, talk of bringing about better to deliver on a positive long-term future for our most important countryside, is set up to fail.

It seems to depend almost entirely on finding half a billion pounds of philanthropic private capital willing to be invested long term in a range of Government-inspired initiatives. The Government consultation document offers no evidence at all that such funds will be able to be raised and remain available, at the scale required and across the board, so that there is an equivalence of funding according to need throughout the national landscape network. Even with an optimistic view, it is likely to take quite a few years to attract the level of funding that the Government's vision demands. And yet, the need will be created immediately, by the passage of legislation, to extend the powers and responsibilities of AONB Boards and the other proposed initiatives – many of which fit into the Government's wider agenda for environmental enhancement and climate change mitigation.

The Government seem to place reliance or perhaps hope there will be currently untapped sources of private money, champing at the bit to be spent in improving the countryside.

We remain highly sceptical. Words such as ‘unlock the economic value of the natural and cultural heritage of our protected landscape’ sound a bit like commercialised pillage of these landscapes.

Whilst we endorse the Government’s ambition to try and get the private sector more committed to the funding of our public spaces, we consider it essential that, unless and until adequate alternative sources of funding can be raised, the Government must deliver sufficient public funding, in one way or another, to enable its ambitions for enhancing our nature-rich landscapes for the public and nature’s benefit to be delivered, and seen to be delivered. That commitment is visibly lacking at present. It is a fatal flaw; and, if it is seen to be failing, the prospect of attracting outside funding to a failing enterprise surely becomes all the more remote.

The phrase ‘pipeline of investment-ready projects and maximise the value of infrastructure for our lead partners and landowners’ seems as though it has been lifted out of a levelling up proposal for a derelict industrial waste land, not a Protected Landscape.

Therefore, we are dubious that the £500m at least of private finance can be raised. The financial gap is there now and needs to be plugged by Government, and not by hoping that some private fairy will wave a magic wand and money trees will suddenly burst forth in all Protected Landscapes.

A key point not addressed by the Government response is the need for more financial transparency, particularly with AONBs.

### **General Power of Competence**

We agree that NPs and AONBs should be given a general power of competence.

**Stephen Hardy MBE**  
**Trustee, CPRE Sussex**

**21 March 2022**

## **Schedule of Glover Report Proposals**

**Proposal 1:** National landscapes should have a renewed mission to recover and enhance nature, and be supported and held to account for delivery by a new National Landscapes Service.

**Proposal 2:** The state of nature and natural capital in our national landscapes should be regularly and robustly assessed, informing the priorities for action.

**Proposal 3:** Strengthened Management Plans should set clear priorities and actions for nature recovery including, but not limited to, wilder areas and the response to climate change (notably tree planting and peatland restoration). Their implementation must be backed up by stronger status in law.

**Proposal 4:** National landscapes should form the backbone of Nature Recovery Networks – joining things up within and beyond their boundaries.

**Proposal 5:** A central place for national landscapes in new Environmental Land Management Schemes.

**Proposal 6:** A strengthened place for national landscapes in the planning system with AONBs given statutory consultee status, encouragement to develop local plans and changes to the National Planning Policy Framework.

**Proposal 7:** A stronger mission to connect all people with our national landscapes, supported and held to account by the new National Landscapes Service.

**Proposal 8:** A night under the stars in a national landscape for every child.

**Proposal 9:** New long-term programmes to increase the ethnic diversity of visitors.

**Proposal 10:** Landscapes that cater for and improve the nation's health and wellbeing.

**Proposal 11:** Expanding volunteering in our national landscapes.

**Proposal 12:** Better information and signs to guide visitors.

**Proposal 13:** A ranger service in all our national landscapes, part of a national family.

**Proposal 14:** National landscapes supported to become leaders in sustainable tourism.

**Proposal 15:** Joining up with others to make the most of what we have, and bringing National Trails into the national landscapes family.

**Proposal 16:** Consider expanding open access rights in national landscapes.

**Proposal 17:** National landscapes working for vibrant communities.

**Proposal 18:** A new National Landscapes Housing Association to build affordable homes.

**Proposal 19:** A new approach to co-ordinating public transport piloted in the Lake District, and new, more sustainable ways of accessing national landscapes.

**Proposal 20:** New designated landscapes and a new National Forest.

**Proposal 21:** Welcoming new landscape approaches in cities and the coast, and a city park competition.

**Proposal 22:** A better designations process.

**Proposal 23:** Stronger purposes in law for our national landscapes.

**Proposal 24:** AONBs strengthened with new purposes, powers and resources, renamed as National Landscapes.

**Proposal 25:** A new National Landscapes Service bringing our 44 national landscapes together to achieve more than the sum of their parts.

**Proposal 26:** Reformed governance to inspire and secure ambition in our national landscapes and better reflect society.

**Proposal 27:** A new financial model – more money, more secure, more enterprising.