

2. The Management of the Kent Downs AONB

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Summary of changes

Note of changes following final comments from the Kent Downs AONB Joint Advisory Committee/ Jan/ Feb 2021

Aim 2 has been amended as agreed at the January '21 JAC meeting

MMP2 – reworded so that it is in keeping NPPF/PPG that the AONB is a material consideration in plan making and decision taking.

Our vision for the management of the Kent Downs AONB

In 2031... the Kent Downs AONB is widely recognised and greatly valued. It is a landscape cherished and held in the highest esteem by those who visit, live and work there and nearby as well as by those who influence its future. Residents and visitors know where the AONB is and they understand its character and qualities and support and help deliver the purposes of its designation. The Kent Downs AONB partnership is acknowledged, supported, funded and equipped to be the main and an influential and effective advocate, convenor and champion for the AONB. A diverse range of individuals and organisations are delivering positive action on the ground and are collaboratively engaged in the partnership and management planning. The AONB partnership is engaging and open about the conservation and management of the AONB.

2.1 The Kent Downs in context

2.1.1 Areas of Outstanding Natural Beauty

The 46 Areas of Outstanding Natural Beauty (AONB) in England, Wales and Northern Ireland cover approximately 1/8th of the land surface. In England 33 AONBs amount to 15% of the total land area. They vary greatly in landscape character and size ranging from the smallest, the Isles of Scilly (16sq. km) to the largest, the Cotswolds (2,038 sq. km). In Kent, the High Weald and Kent Downs AONB cover around a third of the county's land area.

The distinctive character and natural beauty of AONBs make them some of the most special and cherished places in Britain. AONBs are living, working landscapes that contribute some £16bn every year to the national economy. Although home to less than half a million people (under 2% of England's population), over two thirds of England's population live within half an hour's drive of an AONB and at least 170 million people visit English AONBs every year, spending in excess of £2bn.

Together with National Parks, AONBs represent our most outstanding landscapes; unique and irreplaceable national assets, each with such distinctive character and natural beauty that they are recognised internationally as part of the global protected areas family to be managed in the interest of everyone – local residents, businesses, visitors, and the wider public - and protected for future generations.



Figure 2.1 National Parks and Areas of Outstanding Natural Beauty in England

2.1.2 International recognition

Areas of Outstanding National Beauty are recognised and classified by the International Union for Conservation of Nature (IUCN). Along with National Parks and Heritage Coasts the AONBs in England and Wales fall into Category V – Protected Landscapes/ Seascapes. These are defined as a ‘protected area where the interaction of people and nature over time

has produced an area of distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values.’ The IUCN primary objective for Category V Protected Landscapes is ‘to protect and sustain important landscapes/seascapes and the associated nature conservation and other values created by interactions with humans through traditional management practices.’

Until recently, the AONB designation was regarded (together with that of UK National Parks) as an anomaly in the international protected area system which prioritised ‘naturalness’ as a criterion of value. In the last quarter-century, however they have come to be recognised, particularly within Europe, as leaders in the move towards area-based sustainable development. AONBs, in particular, as ‘working’ landscapes, lead the way in pioneering new approaches to integrated countryside management based on voluntary partnerships engaging and working with local communities to secure common goals.

2.1.3 National legislation

The National Parks and Access to the Countryside Act 1949 legislated for the designation of AONBs and National Parks. Their purpose was to be similar – to conserve and enhance natural beauty. The Countryside Commission further defined the purpose of AONB designation in a statement of 1991.

Purpose of AONB designation...

‘...is primarily to conserve and enhance natural beauty’.

‘In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry, and other rural industries and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment”.

‘Recreation is not an objective of designation but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.’

Areas of Outstanding Natural Beauty: A policy statement (Countryside Commission, CCP 356, 1991, p. 5).

Various Acts progressively strengthened the legal framework for AONBs; the Countryside and Rights of Way Act 2000, revised and partially replaced the AONB provisions of the 1949 Act, including a requirement that a management plan be prepared for each AONB and reaffirms the primary purpose (Section 82). In the case of the Kent Downs AONB (and others covered by more than one local authority), the management plan must be prepared by the local authorities acting jointly, it is the AONB Unit which takes forward this work with and for the Local Authorities.

Four common national aims unite AONBs partnerships and management plans:

- Conserve and enhance the natural and cultural heritage of the UK’s AONBs ensuring they meet the challenges of the future.

- Support the economic and social well-being of local communities in ways which contribute to the conservation and enhancement of natural beauty.
- Promote public understanding and enjoyment of AONB landscapes and encourage people to conserve and enhance them.
- Value, sustain and promote the benefits that AONBs provide for society including clean air and water, food and carbon storage.

2.1.4 The Kent Downs AONB

The Kent Downs AONB is a nationally important landscape and one of the most enchanting parts of southern England. The AONB was designated in July 1968; it covers 878sq.km (326 sq. miles) stretching from the Surrey/Greater London border to the Strait of Dover. Aside from a small area within the London Borough of Bromley, the AONB lies wholly within the county of Kent and covers around 23% of the total land area of the county. It rises to an altitude of 250m above sea level at its highest point at Toy's Hill south of Sevenoaks, and is crossed in three places by the river valleys of the Darent, the Medway and the Stour, all flowing northwards.

The Kent Downs are the eastern half of the North Downs ridge of chalk stretching from Farnham in Surrey to the English Channel. The western half of the chalk ridge lies within the Surrey Hills AONB, which adjoins the Kent Downs. The same ridge of chalk reappears on the French side of the Channel, where it lies within the Parc Naturel Régional des Caps et Marais d'Opale. In Kent, the North Downs, along with part of the Greensand Ridge and Lympne Escarpment form the Kent Downs AONB.

The Kent Downs is the eighth largest AONB in England and Wales, and administratively one of the most complex falling within twelve local authorities and lying partly or wholly within 137 parish council boundaries.

When the Kent Downs were confirmed as an AONB, the overall remarks of the designation committee were summarised as:

“The scarp slope and dry valleys of the Kent Downs are the main target for designation, particularly where they retain a downland character, that woodlands are highly valued throughout the designated area and particularly on the scarp slope and dry valley sides, and that other qualities of note are views from the escarpment, pastoral scenery, parklands, villages, churches and castles.”

The boundary of the Kent Downs AONB was drawn over 50 years ago, over time a variety of requests to extend the boundary have been submitted but the view of the Joint Advisory Committee has been to hold off from formally promoting boundary reviews until the process for extension has been simplified, despite the merits of extension (the body currently responsible for designation and boundary reviews is Natural England). Simplifying boundary extensions is a recommendation of the Government's Landscape Review which might create the opportunity to extend the AONB in the future (the Review also recommends a new National Landscape Service which would take responsibility for the designation process) .

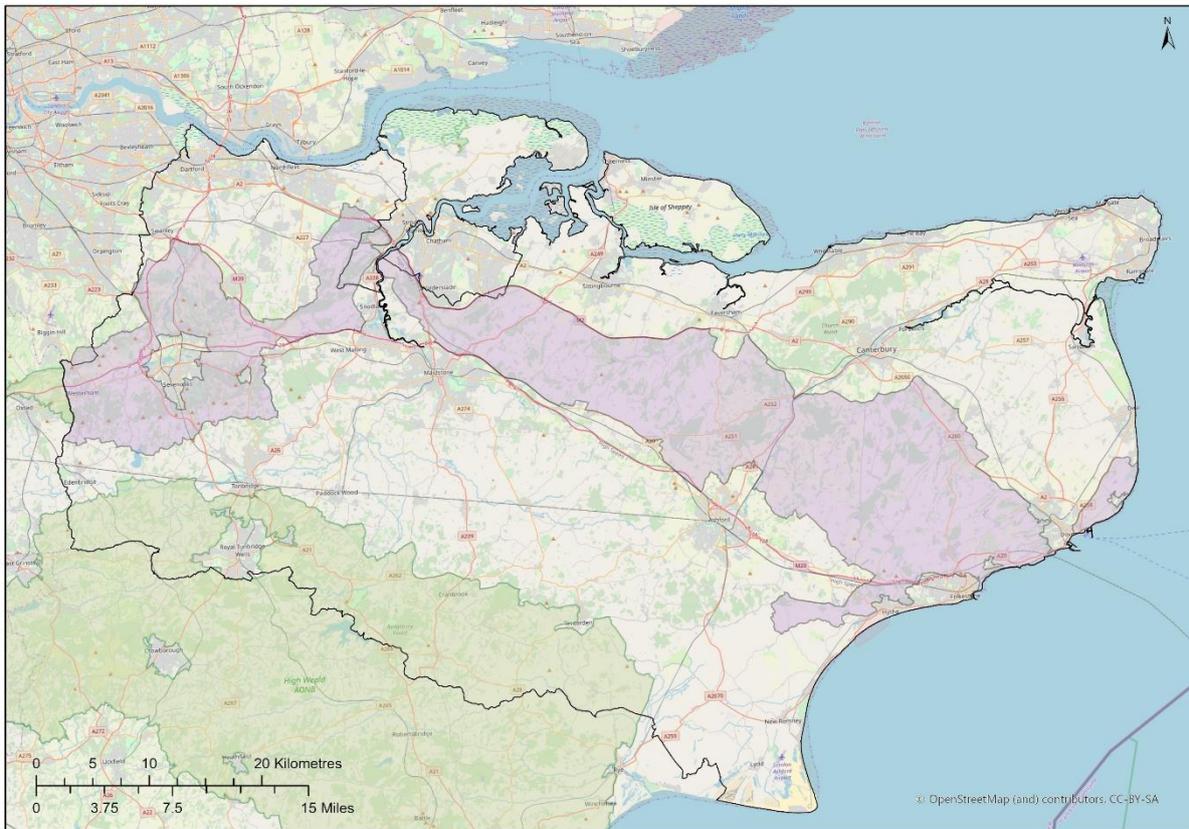


Figure 2.2 Kent Downs AONB Boundary

2.1.5 Definition of natural beauty and landscape

The term ‘natural beauty’ remains at the heart of the purpose of AONB designation. Part IV of the 2000 Act provides the following definition of natural beauty:

“Any reference in this Part to the conservation of the natural beauty of an area includes a reference to the conservation of its flora, fauna, geological and physiographical features”.
Countryside and Rights of Way Act 2000, section 92.

The term ‘natural beauty’ was always intended to embrace more than just the visual or scenic elements of the landscape and the definition has been updated and broadened to include historic and cultural heritage. Government agency guidance specifically on AONBs provides a useful non-technical definition:

“Natural beauty is not just the look of the landscape, but includes landform and geology, plants and animals, landscape features and the rich history of human settlement over the centuries.”

(Areas of Outstanding Natural Beauty: A guide for AONB partnership members – Countryside Agency, CA24, November 2001)

The Natural Environment and Rural Communities Act 2006 (NERC): Section 99 formally clarifies in law that the fact that an area consists of or includes land used for agriculture or woodlands, or as a park, or ‘any other area whose flora, fauna or physiographical features

are partly the product of human intervention in the landscape' does not prevent it from being treated, for legal purposes 'as being an area of natural beauty (or of outstanding natural beauty).'

At the core of the secondary purpose of AONB designation is the understanding that the landscape is not just scenery, but it is the result of the historic and on-going interaction between people and place. Social and economic activity that contributes to the landscape and natural beauty is fundamental to shaping the future of the AONB.

The important link between people and place is emphasised in the European Landscape Convention (Council of Europe) where landscape is defined as "an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors". The convention, ratified by the UK in 2006, also recognises that "the landscape is an important part of the quality of life for people everywhere; in urban areas and in the countryside, in degraded areas as well as in areas of high quality, in areas recognised as being of outstanding beauty as well as everyday areas".

2.2 Management planning for AONBs

In recognition of the national and international importance of AONB landscapes the Countryside and Rights of Way Act 2000 required relevant Local Authorities to jointly prepare, publish and subsequently review a Management Plan. It is required that the Plan (as a whole) formulates their policy for the management of the AONB and for carrying out their functions in relation to it. The Management Plan is essentially about conserving and enhancing the natural beauty of the AONB, the statutory purpose of the designation, but it is widely scoped partly because of the complexities of what is included in 'landscape' and 'natural beauty' and also to respond to the wide variety of functions Local Authorities are responsible for.

Increasingly the Management Plan is designed to enhance the beauty and character as well as the quality of the landscape, the essential services the landscape provides to society and should be seen as a part of a suite of Management Plans for all of the National Landscapes which together make up a strategic resource for the nation.

2.2.1 The role of this management plan revision

The first statutory Kent Downs AONB Management Plan was adopted in April 2004. This is the third revision. In their formal observations the Countryside Agency and subsequently Natural England recognised the Kent Downs AONB Management Plan and its early reviews as representing 'exemplary' and 'best practice'.

This revised Management Plan is based on the original plan and its subsequent revisions. It justifies and details the aims and principles for the conservation and enhancement of the Kent Downs AONB. It has been prepared by the Kent Downs AONB Unit and Joint Advisory Committee (JAC) for, and on behalf of, the twelve local authorities that have land within the Kent Downs, thus fulfilling part of their statutory obligations.

The public consultation on this plan was extensive and took place during the 2020 Covid-19 Pandemic. Feedback from businesses, individuals and organisations was generally that the experience of the Pandemic made the vision aims and policies of the AONB Management Plan ever more important and urgent.

2.2.2 The status and role of management plan principles

The overarching aim of this Management Plan is to achieve the purpose of AONB designation.

The scope of the CRoW Act was wide for AONB Management Plans requiring policy both for the management of the AONB and for the Local Authorities to carry out their many functions. As part of this review process the Joint Advisory Committee has recommended that the approach of the plan is altered to recognise that the Management Plan as a whole represents their Policy (to be consistent with the CROW Act 2000 and PPGs). With this in mind what were described as 'Policies' in previous versions of the plan are now described as 'Principles'; some previous Policies have been removed so as not to repeat national policy.

The Management Plan does not and cannot formulate land use planning policies but provides evidence to assist in the policy and decision-making process in planning. The status of the Management Plan combined with the thorough process of Management Plan making and review means that the AONB Management Plan is a material consideration in planning matters and should be afforded weight in decisions. The Planning Practice Guidance confirms this, stating that 'AONB Management Plans may contain information which is relevant when preparing plan policies, or which is a material consideration when assessing planning applications'.

2.2.3 A Duty of Regard

The strengthened status of AONBs through the CRoW Act has brought commitments from a wide range of organisations – including those who are not directly involved in the AONB partnership. Section 85, Part IV of the CRoW Act requires all public bodies, statutory undertakers and relevant authorities to demonstrate that they have taken account of the purposes of the AONB in their decision making.

The Kent Downs AONB partnership has prepared a series of guidance documents, which support the Management Plan and inform and provide practical ways for organisations and individuals to implement their Duty of Regard.

In support of the Duty several Public Bodies and Statutory undertakers have either signed Joint Accords or have developed practical projects to deliver the conservation and enhancement of Natural Beauty on the ground. Notable amongst these are the Forestry Commission, Natural England and UK Power Networks.

2.2.4 Who is the plan for?

First and foremost, the Management Plan belongs to the AONB local authorities – the plan provides the vision, aims and principles that formulates their policy for the management of the AONB and for carrying out their functions in relation to it.

Second, this Management Plan is for all the government agencies, statutory undertakers, utilities and public bodies which have a 'duty of regard' (under S85 of the CRoW Act 2000)

for the purposes of the AONB designation in their functions and operations. All public bodies and relevant authorities have to demonstrate that they have taken into account the purposes of the AONB designation in all their functions within the area. This Management Plan will inform, guide and influence that process.

Finally, and importantly, this is a plan for everyone who cares for, manages or whose work might affect the AONB as well as for those who live, work or play in the Kent Downs. The impact and difference that can be made by farmers, land managers, individuals, countryside management organisations, and community and voluntary organisations, when viewed as a whole is critical to the future of the Kent Downs. We intend that this Management Plan is practical and relevant to a wide and diverse range of individuals and organisations, and that it will help advise and influence activities, decisions and the perception people have of the Kent Downs.

3. The role of the Kent Downs AONB partnership

Within an area as large and varied as the Kent Downs, there are many hundreds of individuals and organisations which have a role in managing the landscape, supporting local business and communities and enabling quiet recreation.

Together the Kent Downs AONB partnership plays a central, pivotal and convening role in realising the strategic vision for the Kent Downs AONB and overseeing the Management Plan.

The Joint Advisory Committee (JAC) for the Kent Downs AONB was established in July 1997 and is at the heart of the partnership. JAC membership includes the twelve local authorities who have joint responsibility to prepare and review the Management Plan, namely: Ashford, Bromley, Canterbury, Dover, Gravesham, Kent, Maidstone, Medway, Sevenoaks, Folkestone and Hythe, Swale and Tonbridge & Malling; as well as Natural England. Additional advisory members are the Environment Agency, Country Land and Business Association (CLA), the National Farmers Union (NFU), Visit Kent, The Kent Association of Local Councils (KALC) and Action with Communities in Rural Kent (ACRK).

An Executive of JAC representatives and some outside advisors has assisted in steering the work of the Kent Downs AONB Unit. At a much larger scale, an occasional Kent Downs Forum is held for a wider audience, to discuss current issues and gain input and advice.

The AONB Unit is employed through and hosted by Kent County Council and works on behalf of Government and the JAC to carry out the preparation and review of the Management Plan, to advocate its vision, aims and principles and work in collaborative partnerships to deliver a range of actions described in the Action Plan.

The objective of the JAC is to ensure that the AONB Unit is effective, efficient and authoritative, recognised and valued by partners and policy makers as a professional body securing the purposes of the designation, delivering significant added value and enabling action on the ground.

The approach of the AONB Unit is to:

- Build knowledge and partnerships in order to inform and realise the ambitions of the

Management Plan.

- Deliver great value to partners, providing authoritative advocacy, advice and support, catalysing activity amongst existing organisations and leading where appropriate.
- Carry out a timely, inclusive and authoritative review of the AONB Management Plan on behalf of Local Authorities.
- Lead on the delivery of the AONB Management Plan and generate partnerships and collaboration in support.
- Build capacity, motivation and professionalism and retains expertise and high quality, highly motivated staff.
- Actively seek finance, partnerships and other resources to support the delivery of the Management Plan.

In doing this the Unit retains the highest standards of business management and relates positively and openly with partner organisations, individuals, businesses and civil society.

Defra and local authority partners provide essential funding to support the AONB Unit to enable it to fulfil its role in the wider AONB partnership.

Together the JAC, its Executive and the Unit form the Kent Downs AONB partnership.

The Government's **Landscape Review** made several recommendations about the future governance, funding and staffing arrangements for both AONBs and National Parks, these seek to ensure that AONBs in particular had sufficient resources to meet the objectives of the designation, improve efficiency and collaboration, strengthen participation and inclusion and enhance delivery. In addition the impact of the Covid-19 have been substantial on the health and wellbeing of society as well as the economy and has placed a new focus on the role of the AONB in recovery. In the light of the findings of the Landscape Review and the need to support the recovery from Covid-19 pandemic it is expected that the behaviours, values and culture of the AONB partnership, its governance and the funding arrangements of the Kent Downs AONB will be reviewed in the plan period.

'Today, we have a system [in England] which is fragmented, sometimes marginalised and often misunderstood. Indeed it is not really a system at all, but 10 National Parks, who do not always work together effectively, and an entirely separate network of 34 less powerful Areas of Outstanding Natural Beauty (AONBs). They have different purposes from National Parks, vastly less money, but sometimes greater pressures; and yet cover areas that are more visited, sometimes more biodiverse and are just as beautiful.'

The AONB partnership's role in planning policy and decisions

Planning and development issues have a fundamental impact on the statutory purposes of AONB designation; until the CRoW Act 2000, the land use planning system was the main mechanism by which AONBs were protected, conserved and enhanced.

Within the context of the National Planning Policy Framework and planning legislation, the Kent Downs AONB partnership has agreed to take on a limited land use planning role, in summary this is to:

- Provide design guidance in partnership with AONB Local Authorities.
- Comment on forward/strategic planning issues e.g. Local Plans.
- Involvement in development management only in exceptional circumstances, e.g. in terms of scale and precedence.
- Provide planning advice/comments on development management in other cases at the request of a Kent Downs AONB Joint Advisory member and /or local authority Planning Officers and Government.

This Management Plan is required by the legislation to 'formulate the local authority policy for the management of the AONB and for carrying out their functions in relation to it'. The planning function of Local Authorities is a critical way to conserve and enhance the Kent Downs.

Delivering in partnership and developing wider collaboration

Much that has been achieved since the publication of the first Kent Downs Management Plan has been through the many partners who work on the ground in the AONB. The Kent Downs AONB partnership is recognised nationally as one of the most effective at securing activity and resources in support of the Management Plan and its principles; this revision recognises that even greater benefit could be generated through larger scale and more broadly scoped collaborative partnerships working across sectors, seeking greater inclusion and diversity and at a landscape scale, including working beyond the boundary of the Kent Downs, for example for landscape scale conservation, projects and programmes which benefit populations outside the AONB and for the Nature Recovery Network.

4 The management of the Kent Downs AONB – issues opportunities and threats

The Government's Landscape Review has provided an overarching evidence-based assessment of the issues opportunities and threats affecting the management of our National Landscapes, they are recognised and supported by the Kent Downs AONB Joint Advisory Committee and so this plan does not repeat them here. The local response to the Review will be framed by the vision, aims and principles of this plan.

5 The management of the Kent Downs AONB - aims

A landscape in which:

1. In line with the findings and recommendations of the Government's Landscape Review the partnership leading the conservation and enhancement of the landscapes of the Kent Downs is effective and influential, properly resourced, suitably representative and has powers which are fit for purpose.

2. The AONB partnership provides leadership and direction for the future conservation and enhancement of the AONB within the context of the Kent Downs AONB Management Plan and is open to the views of all people, is adaptive and flexible to change.
3. The AONB partnership provides leadership and direction for the future conservation and enhancement of the AONB within the context of the Kent Downs AONB Management Plan.

6 The management of the Kent Downs AONB - principles

- MPP1 The Kent Downs AONB Management Plan and its supporting documents, supported by a strong partnership approach, will be pursued as the primary means to develop, co-ordinate and promote the management, conservation and enhancement of the Kent Downs AONB.
- MMP2 The Kent Downs AONB is a material consideration in plan making and decision taking, and so local authorities will give a high priority to the AONB Management Plan vision, aims, principles and actions in Local Plans, development management decisions, planning enforcement cases and in taking forward their other relevant functions.
- MPP 3 The development of strong, diverse working partnerships and landscape scale collaborations to implement the vision, aims and principles of the Kent Downs AONB Management Plan will be pursued.
- MPP4 Collaborative working partnerships and initiatives with other National Landscapes and the implementation of the findings of The Landscape Review will be pursued.
- MPP5 The involvement and engagement of diverse interest groups in decisions about and affecting the Kent Downs AONB future will be pursued.
- MPP6 The preparation and review of the Management Plan, advocacy of its vision, aims and principles and work in partnership to deliver the actions described will be pursued through a properly resourced Kent Downs AONB Unit supported technically and financially by the local authorities.