



POSITION STATEMENT

DESIGNATION: PROTECTED LANDSCAPES

INTRODUCTION

1. A number of existing and new policy drivers appear to be converging towards more designation or extensions of current designations. These include the DEFRA 25 Year Environment Plan, the Landscapes Review, the Prime Minister's speech to the United Nations high-level summit on Biodiversity, and in Wales the Welsh Government's commitment to create a new National Park in the Clwydian Hills and Dee Valley.
2. Protected areas are of many kinds and have many different labels. These include wilderness areas, nature reserves, marine reserves, sites of special scientific interest, nature parks, regional parks, national parks and areas of outstanding natural beauty.
3. National Parks and AONBs are designated to conserve areas deemed to have remarkable natural beauty, distinctive character, environmental importance and for their recreational opportunities.
4. The CLA recognises the important contribution designation (National Parks and AONBs) makes to the local economy in providing an attractive landscape where people want to visit, work and live. These landscapes offer public goods and services to the wider society that should act as a window to the rural community, which is important in raising awareness of agricultural and land management practice and food production. This window provides opportunities that must be explored and exploited. The opportunities presented by designation include:
 - Enhanced protection of an area's natural capital
 - Potential for Government funding or fund raising to support designated landscapes
 - Increase in property and land values
 - Tourism-related opportunities with increased visitor numbers and expenditure and increased employment
 - Improved local service provision through increases in rateable values of businesses
 - Education of visitors to have an increased awareness of landscape, nature conservation, cultural heritage, Countryside Code
 - Branding for local produce schemes

WHAT ISSUES NEED TO BE ADDRESSED FOR OPPORTUNITIES AND BENEFITS TO BE DELIVERED?

5. Landscape designation brings with it restriction with environmental considerations often overruling economic and social decision-making processes. The effect of this is to place businesses and communities within designated areas at an unfair disadvantage to those who are outside these artificial boundaries, and unable to provide a sustainable flow of funds to sustain both their businesses and nature conservation and landscape.



6. The issues are:

- *Restricted economic diversification and growth due to restricted development.* Designated areas, with hard boundaries and buffer zones, and overly restrictive planning policies, are not conducive to flexible and adaptable development, let alone the delivery of a broader based economy with high value industries creating higher wage opportunities. The current duty to foster the economic and social well-being of businesses and communities is disjointed, ignored and/or misunderstood. Designation does not promote business opportunities (beyond tourism) even though it is often these businesses that are key to delivering designated area agendas.
- *Tourism industry: A 'tourism mono-culture' in designated landscapes is unsustainable:* the sector is vulnerable to shocks (as both Covid and Foot and Mouth Disease have shown). Furthermore, the employment profile of the tourism industry tends towards lower paid and seasonal jobs, rather than focussing on delivering an all-year round professional industry with updated and changed employment structures that encourages better quality jobs and higher wages.
- *Landscapes are highly managed:* their visual appearance and beauty depend on land managers and farmers actively maintaining them – this is often forgotten. Business viability requires a viable flow of funds, from diversified farming businesses, to be able afford to maintain and enhance landscape and biodiversity. If this was not to continue then the nature conservation and reasons for creating the designation in the first instance are jeopardised.
- *The economic viability of those farming designated landscapes is often very tight and alternative sources of income are essential to maintain the business.* This viability is often undermined as planning policy is rigid and strict about what will/not be granted planning permission. The uncertainty about achieving a beneficial outcome leaves many land managers unwilling to attempt to steward a planning application through the planning authority decision-making process; this leads to inertia and a lack of investment, and in turn to declining profitability for businesses and declining communities.
- *Decreased housing affordability and availability:* Increases in the number of second homes; increased house prices with associated affordability issues and change in social mix. This results in the loss of young people from communities through difficulties in securing local employment and affordable housing. Reverse commuting to jobs in designated areas affected by house price to income ratio.
- *Unsustainable reliance on government funding:* If designated areas cannot be economically self-sustaining, they will rely on public funding to a greater extent. Funding to National Parks and AONBs has been severely cut. More designation will be expensive to fund, and it is unlikely that the Environmental Land Management scheme, farming in protected landscapes grant aid, Community Renewal Fund/UK Shared Prosperity fund will plug the gap.
- *Conflict between public access and nature:* Possible impacts due to visitor numbers on landscape, biodiversity and built heritage unless careful management is put in place. The cost of repairs to landscape in visitor hot spots is high. Increasing visitor numbers cause traffic congestion and harm nature conservation.



- *Mis-aligned perceptions and unrealistic expectations:* (i) on the part of the public who believe the term “National Park” means designated land is in public ownership when in fact the majority is owned privately and actively managed as in a business use. This is likely to be exacerbated with the new title ‘National Landscapes’ recommended in the Landscapes Review; (ii) on the part of government and the public who expect that landscapes are delivered for free. There is an opportunity cost associated with delivering landscape requirements – alternative uses for finite farm resources (money and time) can undermine landscape and nature conservation.
- *The National Park “brand” has been diluted* by government policy shift from designation of extensive tracts of wildness towards designation of extensive tracts of countryside. This may continue with the proposal to rename National Parks and AONBs as “National Landscapes”

CLA ASKS OF GOVERNMENT

7. Designation should be seen as a catalyst for innovation, not a barrier to change.
8. The CLA asks of Government are:

Designation process and representation

- That designated landscapes should be our ***finest landscapes***. The CLA will seek a policy shift within DEFRA and Natural England back to a position that only those landscapes considered to be our finest will be designated in future.
- To seek a ***change to Natural England’s statutory powers*** to limit its ‘judge and jury’ decision-making role by providing a more balanced process. We are often told that Natural England’s remit only covers environmental objectives. However, Natural England does have a duty to consider the economic and social interests of rural areas when exercising its powers (for example under section 37 of the Countryside Act 1968 and the “growth duty” set out in the Deregulation Act 2015). The absence of a holistic evaluation of the social, economic and environmental objectives for the notified land results in one-dimensional decision-making with no regard for other government policy objectives.
- That Government decisions on new designations/boundary extensions should be (i) taken by ***a statutory body that has a wider remit covering environmental, economic and social objectives***, (ii) be supported by Impact Assessments and (iii) consider how adverse impacts on economies and communities in the area will be addressed. Should the government press ahead with the creation of a new ‘umbrella’ statutory body the same lobbying strategy would be pursued. The same arguments would likely apply in Natural Resources Wales.
- That each authority/board/partnership to contain a breadth of expertise which must ***include farming and rural business expertise***.



Economic and social objectives

- Introduction of a ***statutory purpose to foster the economic and social well-being of businesses and communities*** that happen to find themselves “washed over” by a designation. This has been a long-standing CLA objective and it is included in the Landscapes Review at proposal 17. This new purpose is necessary to demonstrate that economic growth can be accommodated whilst supporting a stronger environment and vibrant, dynamic communities.
- Lobby the Better Regulation Executive to require ***Impact Assessments*** or similar from Natural England on designation including boundary reviews, on the basis that it imposes a new burden on business and communities. If successful, this policy shift should be applicable to future designations of National Parks/AONBs and SSSIs.
- ***Engage with HM Treasury*** to exert pressure for updated Park/Board management plans and positively worded planning policies that promote and deliver economic resilience through more diverse rural business types, and housing of all types and tenures on rural exception sites. The CLA’s case is that a monoculture of tourism in National Parks and AONBs is dangerous, and that for National Parks, AONBs and SSSIs to be heavily dependent on public funding is unsustainable – there needs to be a viable and sustainable flow of funds both from public and private sectors to deliver environmental outcomes.
- Seek an ***update of DEFRA’s 2010 Vision and Circular for England’s National Parks***, including the Broads, in light of the Landscapes Review proposal 17 (duty to foster the economic and social wellbeing of businesses and communities) in order for National Park and AONB management plans to promote the delivery of diverse and resilient economies and communities in designated areas alongside the requirement to protect and enhance natural conservation, wildlife and cultural heritage and provide opportunities for recreation.

Local governance

- The Landscapes Review is proposing a new statutory body, the National Landscape Service, and the government is minded to take this proposal forward. The CLA will lobby to ensure that local governance remains in place in each National Park, including retention of planning powers at a local level. This would need to be accompanied by a case for bolstering Local Authority resources, especially if Local Economic Partnership’s role diminishes.

Access

- Demand for access is high up the publics and the government’s agenda. The Landscapes Review promotes greater access whilst acknowledging that any changes would need a much more ‘in depth investigation’. The CLA:
 - supports ‘voluntary, incentivised and permissive’ access, not mandatory additional access
 - will make the case for increased funding, for land managers as part of their farming business, to enable adequate visitor management, necessary infrastructure, access points maintenance etc, as well as funding for better signage and more



inclusive and better education that leads to behavioural change and ultimately more engaged visitors

- promotes making space for nature by restricting or preventing public access where environmental damage is taking place

CASE-BY-CASE ASSESSMENT OF THE GOVERNMENT'S DESIGNATION PROPOSALS

9. In combination with the general position set out above, the CLA will continue to consider and respond to government programmes of designation on a case-by-case basis.
10. The CLA approach will be based on a set of criteria including:
 - Whether the proposal meets the legislative criteria for designation and Natural England's 'desirable' criteria
 - Whether the proposed designation delivers the statutory purpose(s) by reference to the relevant Natural Beauty and Recreation evaluation criteria
 - Whether the proposed designation is for the *right reasons* (i.e. merits of designation)
 - The impact on economies and communities within the area proposed to be designated
 - How the duty to foster the economic and social wellbeing of businesses and communities would be delivered
 - What funding Government is proposing for the proposed designated area

CLA
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