

COUNCIL
24 MARCH 2022

Report of the Director of Regeneration and Policy

LANDSCAPES REVIEW NATIONAL PARKS AND AONBS: CONSULTATION ON THE GOVERNMENT RESPONSE

SUMMARY

This report presents Members with the details of the Government Response to the Landscapes Review, (also known as the Glover Report). It sets out a proposed set of responses to the consultation questionnaire for submission to the Secretary of State by the deadline of 9th April 2022.

RECOMMENDATION

1. That the suggested responses to the questionnaire in Appendix Two are approved and forwarded to DEFRA by the 9th April deadline.

WARDS AFFECTED

All Wards within the Peak District National Park.

STRATEGIC LINK

The reorganisation of the Peak District National Park governance arrangements as a consequence of the National Landscapes Review may have a significant influence upon the delivery of the Council's Corporate Plan, particularly business growth, job creation and the delivery of affordable housing.

1. BACKGROUND

- 1.1 The [Landscapes Review](#) led by Julian Glover and panel was published in 2019. This was a comprehensive review of designated landscapes, including the National Parks, commissioned by the Government in 2018 in response to the Government's [A Green Future: Our 25 Year Plan to Improve the Environment](#). This is 25 year plan and sets out a comprehensive and long-term approach to protecting and enhancing landscapes in England for the next generation. The review focused on five specific areas:

1. Landscapes alive for nature and beauty
2. Landscapes for everyone
3. Living in landscapes
4. More special places
5. New ways of working

- 1.2** The key conclusions of the Glover Report are that even though there is merit in designated landscapes the founding mission for landscape protection has been eroded and that there hasn't been an adequate response to changes in society and culture or diversity of the natural environment. There have been changes in all aspects of society, new forms of farming, carbon emissions, the sprawl of housing, new technology and social shifts have changed the relationship between people and the countryside, and left nature and our climate in crisis. The Glover Report looked at how to protect and improve landscapes in response to these changes and what society needs from these places today.
- 1.3** The main findings of the review were that structural changes are needed in particular bringing the 10 National Parks and 34 AONBs together under one organisation, the National Landscapes Service (NLS) in order to minimise duplication of resources, enable a bigger voice, increase ambition and provide a new way of working to meet new challenges. It was proposed that National Parks maintain their current levels of funding and autonomy over planning. One recommendation of the Glover Report addresses the diversity of the National Parks governance and diversity of the Boards. It is also proposed that AONBs are renamed National Landscapes and there will be a wider range of non designated systems of landscape protection that come under the NLS. In total there were 27 wide-ranging Proposals, see Appendix One.
- 1.4** In January 2022 the Government published a [response](#) to the Glover Report and the 27 Proposals. It is inviting comment on their position and recommendations for future reform. Comments are required in the form of a questionnaire, details of which are set out in Appendix Two. The Government responses that may have implications for Derbyshire Dales are detailed in section 2.
- 1.5** Recent correspondence between Cllr Purdy and the Secretary of State for Housing RTH Christopher Pincher MP, sought to establish the current approach in terms of housing development in the National Park, see Appendix Three. This affirmed the known position of the Peak District National Park that Planning Policy relating to areas of importance, including National Parks, can be applied to restrict development. A Local Authority can alter national policy protections to accommodate development but this needs to be proven through a Local Plan Examination (the National Park Local Plan) to demonstrate that all other options have been explored.

2. Government Response

- 2.1** The [Government Response to the Landscapes Review](#) is structured along thematic lines and therefore the Glover Report Proposals are not in numeric order. This report follows this format.

Chapter 1: A More Coherent National Network

Chapter 2: Nature and Climate

Chapter 3: People and Place

Chapter 4: Supporting Local Delivery

Chapter 1: A More Coherent National Network

- 2.2** The Glover Report Proposal 25 suggested the creation of a new public body, the Government response disagrees with this approach instead suggesting a new National Landscapes Partnership to ensure that existing bodies work together more effectively. This partnership should:
- generate additional private income through green finance initiatives and joint funding bids
 - champion protected landscapes and run national campaigns, such as promoting tourism
 - develop strategic partnerships and programmes with a particular focus on commercial partners
 - create opportunities to provide training and development
 - share knowledge and expertise to build capacity across the protected landscapes family
- 2.3** The Government proposes that DEFRA will provide clearer strategic direction for protected landscapes through a new national landscape strategy. It is suggested that Natural England's role as statutory advisor on England's Landscapes be reinvigorated to support them better recover nature and provide good quality access to them.

Officer Comment

A new partnership is unlikely to have a direct impact on Derbyshire Dales. However, it is considered beneficial to have liaison with District Councils, where they are geographically part of a National Landscape, included in the terms of reference. Clarification regarding the role of the Partnership in terms of statutory consultee for planning applications would also be welcomed.

Chapter 2: Nature and Climate

- 2.4** The Glover Report concluded that despite the efforts of lead partners there has been a long term decline in nature and protected landscapes are not contributing as they could to restore nature or respond to climate change. The Government response reinforces the role of protected landscapes in terms of their potential to deliver on its environmental ambitions, including the 25 Year Environment Plan goals, Environment Act 2021 forthcoming targets, and reaching net zero.
- 2.5** Proposal 4 is a Nature Recovery Network that aims to join up and make space for nature across England, underpinned by Local Nature Recovery Strategies (LNRSSs). The Government approach is set out in the Nature Recovery Green Paper with a goal to protect 30% of land for nature by 2030. The Government wants all protected landscapes to have clear visions for nature recovery but these must also collectively make a major contribution to national nature recovery outcomes.
- 2.6** The Glover Report Proposal 1 states that that the current statutory purpose to 'conserve and enhance' is not strong enough. The Government response

considers that this does not reflect that many of the existing landscapes are now badly degraded, or the urgency of the fight to tackle biodiversity loss. The Government proposes to strengthen this purpose, clearly stating the need to actively recover nature in these areas, rather than simply conserve what remains. The Government considers that this strengthened purpose for nature would also be more closely aligned with national policy objectives, increase the weight given to nature recovery by public bodies, and reinforce that these areas should contribute to our target to halt the decline in species abundance by 2030. It is proposed to support the Glover report recommended new wording of the current statutory purpose, for National Parks and AONBs so that:

- a core function of protected landscapes should be to drive nature recovery
- a revised purpose should be more specific with regards to nature outcomes and explicitly mention biodiversity
- the principle of natural capital should also be included to capture the societal value of nature in our protected landscapes and encompass a broader range of ecosystem services.

Officer Comment

The introduction of new wording into the National Park Statutory Purposes with the intention of strengthening nature recovery may have implications for residents of Derbyshire Dales District Council. One of the consequences is that it is likely to be increasingly difficult to achieve a level of affordable housing provision for people living and working in the Dales due to constraints on land supply. In addition, by strengthening this purpose it may be harder to achieve economic development in these communities. In principle the goal of nature recovery is understood and supported but should not be at the expense of the vitality of rural communities.

- 2.7** Proposal 2 & 3 are related to monitoring and reporting. They seek to regularly and robustly assess the state of natural capital and to include clear priorities and actions for natural recovery in Management Plans. This will include but not be limited to wilder areas and the response to climate change, notably tree planting and peatland restoration, with implementation backed up by a stronger status in law. It is proposed that Natural England will undertake this role. In addition the Government is developing the Natural Capital and Ecosystem Assessment (NCEA), which will provide data on habitats, natural capital, and ecosystem function.

Officer Comment

Increased data regarding the communities of the National Park is welcomed, if undertaken in an open and transparent manner this will benefit the understanding of the communities and landscapes of the Derbyshire Dales and may positively contribute the Local Plan Annual Monitoring report.

Chapter3: People and Place

- 2.8** The review suggested a number of proposals to increase engagement with all parts of society, particularly younger and more diverse audiences (Proposals 8 and 9), through expanded volunteering (Proposal 11), supported by increased rangers (Proposal 13).

Officer Comment

These are to be welcomed as it may provide valuable training opportunities for communities in the Derbyshire Dales. However, for the links to accessible, public transport must be embedded in any proposals, otherwise the anticipated increase and broadening of participation may not manifest.

2.9 Proposal 7, is supported in the Government response, that a strengthened second statutory purpose for National Park Authorities would clarify and reinvigorate our lead partners' ambition to connect all parts of society with our protected landscapes. It is proposed to amend the current statutory purpose to:

- highlight the need to improve opportunities and remove barriers to access for all parts of society
- clearly reference public health and wellbeing as an outcome
- take a more active role in supporting access than just promoting opportunities

Officer Comment

This amendment to broaden participation and recognise the public health role of the protected landscape is welcomed as it is recognised that the communities of Derbyshire Dales will benefit from this more proactive approach

2.10 Proposal 17 suggested creating a new statutory purpose to foster the economic and community vitality of their area. The Government response states that the National Park Authorities, AONB Conservation Boards and the Broads Authority already have a statutory duty that relates to the economic and social well-being of local communities. It is considered that there are risks that introducing a third purpose could dilute the importance of the existing purposes and have unintended outcomes such as impacts on future designations. The response states *"We recognise the importance of supporting rural communities and share the panel's desire to support vibrant local communities, however we do not consider that a new statutory purpose is the appropriate policy to achieve that objective. Instead, we will support our lead partners to discharge their existing duties effectively and consistently through government guidance and sharing best practice."*

Officer Comment

The Glover Report suggests the addition of a specific new purpose for the National Parks relating to economic and community vitality. The Government response is that this is not necessary as they already have a statutory duty with regards to economic development and they do not want to dilute the existing purposes. This reflects the overarching approach and indicates the direction that the Government see the protected landscapes taking in the future. Whilst delivering social and economic well-being at a local level may seem to be an appropriate response from Government given the evidence and previous experiences from the Peak District National Park (where there is not an appropriate balance given to social and economic wellbeing and too much weight given to landscape and environmental protection) it is considered that the District Council should seek to support the approach advocated in the Glover Report rather than the Government's response.

- 2.11** Regarding transport, Proposal 19, the Government response recognises that a bespoke approach is necessary in the Peak District National Park and that the South Yorkshire Combined Authority and Derbyshire County Council, are to consider new types of Demand Responsive Transport (DRT) services. It is stated that Local authorities should consider opportunities such as these as part of their wider transport plans. The Government proposals to strengthen the statutory purposes of protected landscapes and strengthen the duty of regard should increase the weight local authorities give to supporting local rural communities and the public's enjoyment of protected landscapes through their transport plans.

Officer Comment

It is considered that there are two key transport issues; one the management of visitor traffic and two access to services, including education and health for people who live in rural areas. The Government's response merges the two issues and by doing so the impact on landscapes by visitors is in danger of dominating. There is no mention of the links between public transport and employment, cultural activity, access to education, retail services etc. for people who live in the rural area or people who are being encouraged to participate in the National Park under Proposals 8,9 and 11 . Increased reliance on Demand Responsive Transport (DRT) may provide transport for those with flexibility with their travel plans but for those who need to travel to work or education it may not be the solution. This needs careful consideration by Derbyshire County Council and DDDC should have appropriate input into any proposed schemes.

- 2.12** In response to increased visitor numbers in protected landscapes the Government is considering increased enforcement powers. These include powers to:
- issue Fixed Penalty Notices for byelaw infringements
 - make Public Space Protection Orders (PSPOs). This would only be used following consultation with LAs
 - issue Traffic Regulation Orders (TROs) to control the amount and type of traffic on roads
- 2.13** In addition the Government is intending to manage visitor pressures through visitor dispersal. An objective in the government's Tourism Recovery Plan is for visitor spending to grow year on year in every nation and region of the UK, not only within but beyond the usual tourist 'hotspots' to smaller, lesser-known destinations - including the lesser-visited protected landscapes.
- 2.14** As part of the consultation the Government has indicated that it wished to explore the possibility of protecting Green Lanes from damage and disturbance, whilst at the same time maintaining most public and private rights access. It is suggested that it could be achieved by giving greater discretion for National Park Authorities and local highway authorities to use existing powers to restrict use on a case by-case basis. Alternatively, the Government could consider restricting the use of certain motor vehicles on unsealed roads through legislation, but only if this could carefully balance the needs of all users including

motorised vehicle users, horse riders, cyclists and walkers, whilst also protecting private access rights.

Officer Comment

As the main settlements of Derbyshire Dales District Council, excluding Bakewell, sit beyond the park boundary there may be implications from this approach, it could lead to an increase in visitor parking. Close liaison with the National Park will be needed as their visitor management strategies are developed to secure a positive impact on the settlements lying beyond the park boundary, in terms of impacts on: local economies, transport management and perhaps an increase in second homes/ holiday cottages in the Derbyshire Dales.

From time to time, there are incidents where damage is caused by excessive use by large numbers of off-road vehicles to the Green Lanes. The Peak District National Park has already introduced Traffic Regulation Orders on a number of locations as a means of limiting damage caused by recreational vehicles. The suggestion that additional powers be introduced to restrict usage by recreational vehicles is to be welcomed. This, however, needs to be evidence based and needs to be balanced against the needs of local communities who may use these facilities lawfully and without any causing undue damage.

- 2.15** The Government response recognises that the planning system has to balance protections with supporting local communities and economies. It states that this balancing exercise is carried out differently in protected landscapes to ensure statutory purposes and special qualities are protected. This approach is clarified in recent revisions to the [National Planning Policy Framework \(NPPF\)](#) (2021) development in the setting of protected landscapes should be sensitively located and designed to avoid or minimise adverse impacts. It states that further planning reform will follow to address “levelling up” and regeneration of left behind places. This is in addition to The Environment Act 2021 which embeds a biodiversity net gain approach into the planning system. This new requirement to offset unavoidable impacts of development will create new opportunities to conserve and enhance habitats and ecological networks, including within protected landscapes.

Officer Comment

The recognition of the need to support local communities and economies is welcomed however more detail as to how perceived adverse impacts can be minimised would be welcomed. The issue of rural deprivation and access to services is not fully recognised in the response and it is unclear how the “levelling up” agenda and associated initiatives will operate in a protected landscape setting. The decision making on planning policy and planning applications in the Peak District National Park has traditionally given significant weight to the National Park purposes. The Government should be advised that the approach to protected landscapes should ensure there is an appropriate balance achieved with sufficient weight given to support the vitality and viability of local communities in appropriate circumstances. Otherwise such communities will not survive.

In terms of achieving a net biodiversity gain there is some further investigation needed in partnership with Derbyshire Wildlife Trust as to how the DDDC will benefit from this. If all gain is directed to the National Park this would perhaps not fit with the intention of the reforms.

2.16 In respect of affordable homes the Government recognises that this can be an issue in protected landscapes, but also all rural areas. The response does not agree with Proposal 18 which suggests the establishment of a new publically funded housing association, it considers it would not be effective and may undermine existing housing associations. The alternative means it proposes are;

- Rural Exception Sites deliver affordable housing in perpetuity to meet local needs in rural areas.
- Homes England's funding prospectus for the new 2021-26 Affordable Homes Programme continues to support the delivery of rural housing

Officer Comment

It is considered that the issue of affordable housing supply in the National Park is not about the need for another housing provider, such body would be subject to the same processes that the current providers have to work through. In this respect the government response to the Glover Report is considered correct. However, what is needed is more opportunities, and more support through planning policy and decision making to facilitate the delivery of more affordable homes and a recognition by government that homes in protected landscapes cost more to build.

Chapter 4: Supporting Local Delivery

2.17 Chapter 4 of the Government's response is concerned with governance arrangements, in particular the diversity of the National Park Boards. Proposal 26 to appoint Board members nationally is dismissed in the Government response and the importance of local representation is recognised. The Government is proposing that the legislative requirements for a specific ratio between appointment types is removed. Boards would still need national, parish, and local authority members but they would have more flexibility to balance diversity and expertise with strong democratic oversight in accordance with the needs of their specific area. The Government are also considering a merit based approach. Proposal 26 recommended capping boards at 12 members this is not considered appropriate by the Government in the response the reduction in size is being considered on a case by case basis.

Officer Comment

The current Peak District National Park Board has 30 members, 14 of which are Local Authority Members, with two representatives from DDDC. This is the largest National Park Board and in part this is due to the fact that each Local Authority that has land within the PDNP has representation regardless of the size of the population. The risk with any changes to the make-up of the Board is that DDDC no longer has adequate representation. If changes were made that link representation with geographical area or population that would

still enable representation from Derbyshire Dales. In terms of appointment on merit, the benefits or disadvantages of this approach cannot be determined without knowledge of the criteria that would be applied to determine merit.

- 2.18** Regarding Management Plans, it is proposed that the National Landscapes Strategy will set the national ambition for the expected contribution of protected landscapes towards nature recovery and climate mitigation and adaptation, along with other key goals such as access and community engagement. Natural England will produce an outcomes framework, provide annual reporting to track progress against the outcomes, and advise on where further action is needed. This will be aligned with Local Nature Recovery Strategies, to facilitate delivery of priority nature recovery actions without duplication.

Officer Comment

No direct implications as Management Plans are not material considerations in the determination of a planning application. However, there may be indirect implications as the Management Plan will establish the tone and approach to development and planning policy in the National Park and therefore ultimately the decision making process. Members will have the opportunity to comment on any future National Park Management Plan.

- 2.19** The duties of Public Bodies in ensuring that the statutory purposes are fulfilled is considered in Proposal 3. The Government agrees with the Glover Report and is intending to strengthen the wording of the duties so they are given greater weight when carrying out public functions, contributing to the preparation and implementation of management plans. The Government has indicated that it will publish more guidance on this in the future..

Officer Comment

Without the detailed guidance it is difficult to establish what the impacts of this will be for the District Council, however it may be worth noting that additional duties should attract additional resources in order to prevent resources being diverted from elsewhere.

- 2.20** Proposal 27 considers the financial arrangements and that a new funding model is required. This is supported in the Government response, the target is to raise at least £500 million in private finance to support nature's recovery every year by 2027 in England, rising to more than £1 billion by 2030. It is envisaged that this is achieved through the sale or trade via environmental markets of the various benefits nature provides – from carbon sequestration to improved water quality. It is intended that the national landscapes partnership builds capacity to generate additional income through green finance initiatives and joint funding bids. The Response notes the disconnect and missed opportunity between the number of visitors and the amount of income generated for chargeable activities such as planning, parking and navigation.

Officer Comment

Whilst this approach is broadly supported there may be an unintentional impact on the Park's residents in terms of access to affordable parking. In addition the National Park needs to ensure that it maintains access for all income levels and

complements the broadening participation agenda, and not price out those with lower incomes in neighbouring settlements.

- 2.21** The Government is seeking views on the broadening of the legal competence of the National Park to make it similar to Local Authorities. It is considered that this would enable a more innovative and proactive role for the protected landscapes and reduce legal risks associated with a wider range of activities such as affordable housing, public health, and sustainable transport, or working beyond their boundaries.

Officer Comment

The broadening of legal competence is seen as a measure that will bring the National Parks in line with Local Authorities and will enable a more innovative and commercially aware approach. They are currently restricted to delivering the park purposes and delivering the management plan. It is anticipated that in the long term this will enable increased income generation. Additional detail would allow the implications for DDDC to be considered more fully.

3. Key Implications for Derbyshire Dales

- 3.1** As members will be aware the District Council is currently undertaking a review of its Local Plan, this includes a consideration of housing delivery in support of economic growth. The housing element of the Local Plan includes an assumption of the number of completions in the Derbyshire Dales area of the Peak District National Park. As such any changes to the response of the National Park Authority to housing or economic development in line with the Landscapes Review may have implications for the delivery of the Local Plan.
- 3.2** In addition, the Peak District National Park Authority is currently undertaking a review of the Local Plan. They are currently undertaking evidence gathering with the intention of holding a formal consultation on the preferred issues and options at the end of 2022. The consultation on the Draft plan is anticipated for the end of 2023. It is anticipated that the tone of the Landscapes Review will influence the strategic direction of the Peak District National Park Local Plan. It is therefore imperative that the District Council continues to engage, and challenge the National Park Authority to ensure that their approach to the delivery of housing is not diluted by the emphasis being given by the Government in their response to the Glover Report
- 3.3** The Glover Report presented an opportunity to rethink how National Parks function and what their strategic role should be going forward. The role of nature recovery is recognised by Government as key in order to achieve Climate Change targets and the management of protected landscapes is therefore critical part of this strategy. However, it is considered that the Government response has not given enough emphasis to the importance of creating and maintaining economic and socially sustainable communities within National Parks.
- 3.4** The proposed changes to the governance of National Parks may also have implications for Derbyshire Dales. The Government Response proposes changes to the National Park Board such as; reduced numbers, positions on

merit, but without the detail of how this would be implemented. Depending on the detail this is a potential area of concern.

- 3.5 In terms of affordable housing the Director of Housing is in accordance with the Government response that an additional Housing Association would not benefit communities or aid the delivery of affordable homes.
- 3.6 The proposals to broaden access and participation in the National Park are welcomed. However, this may be at odds with the proposals to manage visitor traffic through increased parking fees. The proposals for visitor management need to be considered in the context of broadening access and participation and measures put in place to ensure that an unintended consequence of the traffic management isn't that the park becomes more exclusive. This is particularly important for communities in the DDDC, near to the Peak District National Park but not necessarily within.

NEXT STEPS

- 3.1 Responses to the consultation are required by DEFRA by the 9th April 2022.
- 3.2 In order to enable the District Council to send responses to this consultation it is recommended that comments set out in Appendix Two will be forwarded to DEFRA.

4 RISK ASSESSMENT

4.1 Legal

This is a Government consultation, the legal risk at this time has been categorised as low.

4.2 Financial

Input into the Government response to the Glover Report involves officer time. Financial risk is, therefore, assessed as low.

5 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

6 CLIMATE CHANGE

- 6.1 Recommendation Two is for approval of the suggested responses to the questionnaire commenting on the Government's position and recommendations for future reform following the Landscapes Review. A full climate change impact assessment is not appropriate at this time, as the outcomes of the review have not been determined. Clearly there will be climate change and environmental impacts associated with the agreed long-term approach to protecting and enhancing landscapes, including those within the Derbyshire Dales.

- 6.2 Chapter 2: Nature and Climate of the full Landscape Review report concluded that ‘despite the efforts of lead partners there has been a long term decline in nature and protected landscapes are not contributing as they could to restore nature or respond to climate change’. Proposal 1 states that the current statutory purpose to ‘conserve and enhance’ is not strong enough and proposes to strengthen this purpose, clearly stating the need to actively recover nature in these areas, rather than simply conserve what remains.
- 6.3 As per Paragraph 2.6 above, this may have implications for the District Council in terms of the ability to achieve a level of affordable housing provision for people living and working in the Dales and making it harder to achieve economic development in these communities. The Council’s position here is that whilst the principles of nature recovery are understood and supported this should not come at the expense of the vitality of rural communities with access to affordable homes and employment opportunities.
- 6.4 In the response to Proposal 19 which relates to transport the Council has requested that any additional powers ‘need to be taken in the context of a visitor traffic management strategy’. There is no opportunity to comment on the other key transport issues of concern - access to services, including education and health for people who live in rural areas. All of which have climate change implications for the Dales. As per the Officer comment in Paragraph 2.11 ‘the Government response merges the two issues and by doing so the impact on landscapes by visitors is in danger of dominating’.

7 CONTACT INFORMATION

Mike Hase, Policy Manager

Tel: 01629 761251 E-Mail mike.hase@derbyshiredales.gov.uk

8 BACKGROUND PAPERS

Description	Date	File
Landscapes Review National Parks and AONB Government Response		https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response/landscapes-review-national-parks-and-aonbs-government-response
Landscapes Review 2019		https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833726/landscapes-review-final-report.pdf
Peak District Local Plan Review		https://www.peakdistrict.gov.uk/planning/policies-and-guides/the-local-plan

9 ATTACHMENTS

Appendix One: Glover Report Key Proposals

Appendix Two: Consultation Response

Appendix Three: Correspondence between Cllr G Purdy and Rt Hon Christopher Pincher MP

APPENDIX ONE GLOVER REPORT KEY 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 coordinating 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

APPENDIX TWO: REPONSE TO DEFRA

Annex A – Consultation

Implementing some aspects of our response to the review will require changes to legislation, subject to securing parliamentary time. We are seeking public views on support for these proposed legislative changes, and their potential effects on different groups and interests. We are also interested to hear any wider views on other aspects of our response to the review.

How to respond

Please respond to this consultation using the Citizen Space consultation hub at Defra <https://www.gov.uk/government/consultations/landscapes-review-national-parks-and-aonbs-implementing-the-review>

For ease of analysis, responses via the Citizen Space platform would be preferred, but alternative options are provided below if required:

By email to: Landscapesconsultation@defra.gov.uk

In writing to:

Consultation Coordinator, Defra
2nd Floor, Foss House, Kings Pool
1-2 Peasholme Green
York
YO1 7PX

Questions

1. Do you want your responses to be confidential? **No**.
2. What is your name? **Derbyshire Dales District Council**
3. What is your email address? **localplan@derbyshiredales.gov.uk**
4. Where are you located? **East Midlands**
5. Which of the following do you identify yourself as? **Local Authority**

A stronger mission for nature recovery (p10)

6. Should a strengthened first purpose of protected landscapes follow the proposals set out in Chapter 2? **The importance of nature recovery and the role that the protected landscapes play in this is recognised however DDDC would not like to see that this takes absolute precedence at the expense of maintaining sustainable communities with access to affordable homes and employment opportunities.**

7. Which other priorities should be reflected in a strengthened first purpose e.g. climate, cultural heritage? **The importance of long term environmental, social and**

economic sustainability of communities in the National Park should be recognised in the first purpose.

Agricultural transition (p12)

8. Do you support any of the following options as we develop the role of protected landscapes in the new environmental land management schemes? Tick all that apply. [No comments.](#)

- Designing the environmental land management schemes in a way that works for all farmers and land managers, including the specific circumstances for those in protected landscapes, recognising that farmers in these areas are well-placed to deliver on our environmental priorities.

- Using Local Nature Recovery Strategies to identify projects or habitats within protected landscapes.
- Monitoring the effectiveness and uptake of the new environmental land management schemes in protected landscapes. Using this to inform whether further interventions are needed to ensure we are on track for wider nature recovery ambitions.
- Creating a clear role for protected landscape organisations in the preparation of Local Nature Recovery Strategies. Our recent LNRS consultation specifically asks for views on the role of different organisations in the preparation of LNRSs, including protected landscapes.
- Building on FiPL, empowering protected landscapes to support decision-making and delivery against agreed priorities, including through dedicated project coordinators and advisers.

9. Do you have any views or supporting evidence you would like to input as we develop the role of protected landscapes in the new environmental land management schemes? [No comments.](#)

A stronger mission for connecting people and places (p14)

10. Should AONBs have a second purpose relating to connecting people and places, equivalent to that of National Parks? [No comments.](#)

11. Should a strengthened second purpose of protected landscapes follow the proposals set out in Chapter 3 to improve connections to all parts of society with our protected landscapes? [Yes, in particular the reference to health and well-being outcomes are welcomed.](#) There is also a need to recognise that the aim to include all parts of society cannot be achieved in isolation. Connections with relevant transport strategies will need to be made to ensure that they are not exclusive in terms of pricing out those with limited income in neighbouring areas.

12. Are there any other priorities that should be reflected in a strengthened second purpose? [DDDC would support the inclusion of a priority to secure social and economic wellbeing of communities in the National Park, reflect the](#)

importance of controlled development to provide employment, social or housing opportunities.

Managing visitor pressures (p16)

13. Do you support any of the following options to grant National Park Authorities and the Broads Authority greater enforcement powers to manage visitor pressures? Tick all that apply.

- Issue Fixed Penalty Notices for byelaw infringements
- Make Public Space Protection Orders (PSPOs)
- Issue Traffic Regulation Orders (TROs) to control the amount and type of traffic on roads

Any additional powers will need to be taken in the context of a visitor traffic management strategy and not on an adhoc basis, also in the context of broadening access under the proposed second purpose.

14. Should we give National Park Authorities and the Broads Authority and local highway authorities additional powers to restrict recreational motor vehicle use on unsealed routes? The District Council supports the introduction of wider powers to restrict the damage caused by recreational vehicles. However in doing so the District Council recognises that many users of Green Lanes do so lawfully and without causing any damage. As such the needs of lawful users needs to be balanced with the desire to restrict the impact on these facilities by recreational vehicles.

15. For which reasons should National Park Authorities, the Broads Authority and local authorities exercise this power? No comments.

- Environmental protection
- Prevention of damage
- Nuisance
- Amenity
- Other [PLEASE STATE]

16. Should we legislate to restrict the use of motor vehicles on unsealed unclassified roads for recreational use, subject to appropriate exemptions? No comments.

- Yes – everywhere/
- Yes – in National Parks and Areas of Outstanding Natural Beauty only
- Yes – in National Parks only
- No/Unsure

17. What exemptions do you think would be required to protect the rights and enjoyment of other users e.g., residents, businesses etc? No comments.

The role of AONB teams in planning (p18) No comments.

18. What roles should AONBs teams play in the plan-making process to achieve better outcomes? OPEN
19. Should AONB teams be made statutory consultees for development management? YES/NO/UNSURE
20. If yes, what type of planning applications should AONB teams be consulted on?
 - AONB teams should formally agree with local planning authorities which planning applications should be consulted on.
 - AONB teams should be consulted on all planning applications that require an Environmental Impact Assessment and are categorised as 'major development' as well as Nationally Significant Infrastructure Projects.
 - Other [Please state]

Local governance (p20)

- 21 Which of the following measures would you support to improve local governance?

Tick all that apply.

- Improved training and materials **yes**
- Streamlined process for removing underperforming members **yes**
- Greater use of advisory panels **yes**
- Greater flexibility over the proportion of national, parish and local appointments **yes, however not at the expense of removing representation from constituent local authorities.**
- Merit-based criteria for local authority appointments **The criteria used to determine merit would need to be open and transparent. This would not be supported where it would decrease the representation of constituent Local Authority Members**
- Reduced board size **This would not be supported where it would decrease the representation of Derbyshire Dales Members.**
- Secretary of State appointed chair **No comment**
- Other [Please state]

Approximately one third of Derbyshire Dales District Council's area lies within the Peak District National Park. Therefore it is considered that proportionate representation on the National Park Board is essential in order to provide the DDDC communities democratic representation and a voice.

A clearer role for public bodies (p22) No comments

22. Should statutory duties be strengthened so that they are given greater weight when exercising public functions?

23.Should statutory duties be made clearer with regards to the role of public bodies in preparing and implementing management plans?

General power of competence (p24)

24.Should National Parks Authorities and the Broads Authority have a general power of competence? YES/NO/UNSURE

It is considered that this would more closely align the National Park Authority with the power of competence in Local Authorities and in turn will enable a more innovation approach to income generation. DDDC would like further clarification to ensure that there is no duplication of roles with the District Council or erosion of roles with the introduction of these measures.

Overall

25.If you have any further comments on any of the proposals in this document, please include them here.

Appendix Three: Correspondence Cllr G Purdy and Rt Hon Christopher Pincher MP Minister of State for Housing



Department for Levelling Up,
Housing & Communities

Rt Hon Christopher Pincher MP
Minister of State for Housing

**Department for Levelling up, Housing and
Communities**
Fry Building
2 Marsham Street
London
SW1P 4DF

Cllr Garry Purdy
Derbyshire Dales District Council
Town Hall
Bank Road
Matlock
Derbyshire
DE4 3NN

Tel: 0303 444 3430
Email: christopher.pincher@communities.gov.uk
www.gov.uk/dluhc

11/12 January 2022

Dear Cllr. Purdy,

Thank you for your letter dated 18 November 2021 and your questions about why 90% of new residential development may be provided in just 50% of Derbyshire Dales and only 8% of future housing development may be required in the Peak District National Park area.

I regret that, due to my quasi-judicial role in the planning system, I am unable to comment on the specific details of Derbyshire Dales District Council's emerging housing requirements and how it is distributed. I can however offer the following general comments which I hope are helpful in setting out the Government's current planning policy position.

Background

I am aware that your Council has an up-to-date Local Plan and is clearly working on updating this. I also note that your authority has passed its Housing Delivery Test requirements every year we have published results despite the fact that the District Council has significant planning constraints (61% of its area is constrained in planning terms). In these circumstances, it would be remiss of me not to congratulate you on the progress you are clearly making in meeting housing need in Derbyshire Dales.

Planning Policy Position

This Government is clear that Councils and their communities are best placed to take decisions on planning issues affecting their local area, within the context of national planning policy. Furthermore, local decisions remain at the heart of the planning system.

We have a need for more housing in this country. Consequently, it is right that it is treated as an important planning consideration. But it is not the sole focus of national planning policy. The National Planning Policy Framework (NPPF) continues to emphasise the need to plan for a full range of local needs, as well as to protect and enhance the natural and built environment.

Currently, the standard method for assessing local housing need is the starting point within the current system. It is expected to be used by Councils as a guide when they develop their local plans, but they can use an alternative if there's a strong justification for doing so. Moreover, the housing need figure it produces is not a target because it is for Councils to decide their own housing target once they have taken account of local opportunities and constraints that might

prevent them from allocating enough sites to meet their areas housing needs. Nor does it dictate where homes should go - again it is for Councils to decide what sort of homes can be built and where.

The Government is also firmly committed to protecting and enhancing the Green Belt and National Parks, as set out in our manifesto. We have ensured strong protections for this type of land through national planning policy in order to safeguard it for future generations, and these protections remain in place as part of our commitment to restrict urban sprawl and encroachment on valued open countryside.


The NPPF also strongly encourages the reuse of suitable brownfield land - especially for development to meet housing need and regenerate our town centres. The Government is committed to making the most of brownfield land and it is putting significant investment into brownfield redevelopment.

Housing Need

It has been suggested by some that housing need trumps any protected land or vice-versa. This is not the case. Specifically, Paragraph 11 of the NPPF sets out the importance of areas providing for housing and other needs, unless the national policy protections for areas or assets of particular importance provide a strong reason for restricting development. These protections are listed in footnote 7 of the NPPF and relate to habitat sites (including those listed in para 181 and Sites of Special Scientific Interest); Green Belt; Local Green Space; Areas of Outstanding Natural Beauty; National Parks or the Broads Authority; Heritage Coast; irreplaceable habitats; designated heritage assets (including those of archaeological interest in footnote 68); and areas at risk of flooding or coastal change.

Authorities are expected to address local housing and other needs wherever possible, taking into account these constraints. Where a local authority proposes to alter national policy protections in order to accommodate development, it is expected to show at a Local Plan examination that all other reasonable options have been explored (e.g., making use of brownfield land, optimising density, and discussing whether neighbouring authorities could take some of the development necessary). However, this process does not stop your authority building homes in the National Park. It remains the case that Councils decide their own housing target, what type of housing is required, and where it might be located, once they have taken account of local opportunities and constraints that might prevent them from allocating enough sites to meet their areas housing needs. These choices are then considered at your Local Plan inquiry before being agreed or amended in an adopted Local Plan.

I hope this information is helpful, but please let me know if I can be of any further assistance.

Yours Sincerely

RT HON CHRISTOPHER PINCHER MP

