



# North Pennines AONB Planning Guidelines



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## North Pennines Area of Outstanding Natural Beauty and European Geopark



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This document provides guidance on development in or affecting the North Pennines Area of Outstanding Natural Beauty (AONB). It is aimed primarily at planners, developers, builders and householders.

It is specifically designed to help implement the planning policies relating to the AONB that are contained within the Local Development Frameworks (LDF) of local authorities; the guidelines give greater expression to what are often quite broad-brush policies in local development documents.

The five planning authorities within the North Pennines (Cumbria County Council, Durham County Council, Northumberland County Council, Eden District Council and Carlisle City Council) have collaborated with the North Pennines AONB Partnership in developing these guidelines and intend to either adopt the document as a Supplementary Planning Document as part of their Local Development Framework or endorse it as Supplementary Guidance.

## 6 Introduction

### Scope and purpose

The main objectives of the Guidelines are to:

- help promote new development that conserves and enhances the natural beauty of the North Pennines while accommodating the needs of its communities;
- stimulate the highest standards of design, conservation and development;
- support the production and implementation of local planning policy; and
- secure a consistency of approach towards planning matters across the AONB.

One of the principal ways in which the natural beauty and special character of the North Pennines can be conserved is through the application of consistent and appropriate planning guidelines that complement the area's designation as a landscape of national importance and that support local authority policy. This does not mean placing restrictions on development, innovative design or new ideas, but actively promoting essential development that complements the character of the landscape and helps stimulate economic activity whilst increasing the sustainability of communities.

The Guidelines do not deal with the principle of major development proposals in the North Pennines AONB, as these are subject to planning guidance and policies at a national and local level, but should be used in considering the details of such proposals and the impact of major development in the vicinity of the AONB. Any proposals that are likely to have significant environmental effects may be subject also to an Environmental Impact Assessment. However, the principal threat to the character of the area comes less from major development than it does from the piecemeal erosion of distinctiveness that accompanies small-scale change.

This document was prepared using information from a range of background documents, including national and regional guidance and external technical documents. Much of the evidence base is taken from the North Pennines AONB Management Plan 2009-2014. The Planning Guidelines are accompanied by a more detailed Building Design Guide (a separate document) and therefore do not deal with design in any great in detail.

## **How to use this document**

This document should be read in conjunction with the relevant policies and Supplementary Planning Documents of Local Development Frameworks. It should be read in conjunction with the AONB Building Design Guide (2010), and the statutory AONB Management Plan.

Some of the guidance in this document relates to works which require planning permission. Some guidance also relates to works that will require building regulations consent or consents under the Planning (Listed Buildings and Conservation Areas) Act [as amended] 1990 etc. In all development there will be a need to consider protected species legislation and requirements. Before considering any development in the AONB you should contact your Local Planning Authority (LPA) to confirm whether planning permission or other consents are required. Contact details are given in Appendix 1. Works affecting public rights of way or public highways may require consents from the highway authority which are separate from the planning system.

Designers, developers and landowners should have regard to the guidelines when preparing their plans, proposals and strategies. Local authority planning officers should have regard to the extent to which development proposals reflect the guidelines when assessing planning applications.

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### **Adopting this guidance as a Supplementary Planning Document (SPD)**

As an SPD this document will relate to a policy within the LPA's Core Strategy Development Plan Document or saved policy from a Local Plan dealing with landscape protection regarding the AONB, its quality and character. It will be an expression in more detail of what this core policy really means and how it is implemented in practice. Also, before adoption, each authority has to demonstrate that they complied with the relevant procedures for the preparation of Local Development Documents. Any consultation carried out needs to be in conformity with their Statement of Community Involvement (SCI).

### **Adopting this guidance as Supplementary Planning Guidance (SPG)**

As an alternative to adoption as an SPD, local authorities can endorse this document as supplementary guidance produced by another body under the provisions of PPS 12 (6.3)

*Supplementary guidance to assist the delivery of development may be prepared by a government agency, Regional Planning Body or a County Council or other body (e.g. AONB committee) where this would provide economies in production and the avoidance of duplication e.g. where the information in it would apply to areas greater than single districts. Such guidance would not be a supplementary planning document. However, if the same disciplines of consultation and sustainability appraisal (where necessary) are applied, such information might, subject to the circumstances of a particular case, be afforded a weight commensurate with that of SPDs in decision making.*

## AONBs and their statutory framework

The North Pennines AONB is one of a family of AONBs established in England and Wales under the National Parks and Access to the Countryside Act 1949. Along with National Parks, AONBs are 'protected landscapes' formally recognised in statute as representing the finest countryside in England and Wales, where special policies should apply to safeguard, conserve and manage the countryside for the benefit of this and future generations.

There are 38 AONBs covering 16% of England and Wales (33 wholly in England, 4 wholly in Wales and 1 which straddles the border). The North Pennines AONB is in both the North East and the North West of England. Other AONBs in the regions are Northumberland Coast, Solway Coast, Forest of Bowland and Arnside and Silverdale. The purposes of AONB designation were reaffirmed by the Countryside and Rights of Way Act 2000 and are as follows:

- *The primary purpose of designation is to conserve and enhance natural beauty;*
- *In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry, 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; and*
- *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."*

**The statutory definition of natural beauty includes** "flora, fauna, geological and physiographic features." This has been interpreted by the Countryside Agency and successor body as follows. "'Natural Beauty' is not just an aesthetic concept, and 'Landscape' means more than just scenery. The natural beauty of AONBs is partly due to nature, and is partly the product of many centuries of human modification of 'natural' features. Landscape encompasses everything – 'natural' and human – that makes an area distinctive: geology, climate, soils, plants, animals, communities, archaeology, buildings, the people who live in it, past and present, and the perceptions of those who visit it."

**Category V Protected Landscape/ Seascape:** a protected area managed mainly for landscape/ seascape conservation and recreation

An area of land, with coast and sea as appropriate, where the interaction of people and nature over time has produced an area of distinct character with significant aesthetic, ecological and/or cultural value, and often with high biological diversity.

Safeguarding the integrity of this traditional interaction is vital to the protection, maintenance and evolution of such an area.

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### **Principles for the management of Category V Protected Landscapes**

As part of the family of Category V Protected Landscapes, the principles that should guide the management of AONBs include:

- Conserving landscape, biodiversity and cultural values as the central focus of the Category V protected area approach;
- Focussing management at the point of interaction between people and nature;
- Seeing people as stewards of the landscape;
- Undertaking management with and through local people;
- Management based on co-operative approaches;
- A political and economic environment that supports effective management;
- Management of the highest professional standard that is flexible and adaptive;
- Measurement of the success of management in environmental and social terms.

### **Management Guidelines for IUCN Category V Protected Landscapes/Seascapes, IUCN, 2002**

AONBs are therefore lived in, working landscapes whose character has been created and maintained by human activity over the generations and where sustaining their quality will continue to depend on careful stewardship of the land.

The approach of 'protected landscapes' has been adopted internationally. AONBs in England and Wales are defined within Category V protected landscapes by the World Conservation Union (IUCN).

Part IV of the Countryside and Rights of Way (CRoW) Act 2000 confirmed the significance of AONBs, and made it a statutory responsibility for local authorities (or Conservation Boards) to act jointly to produce a Management Plan for any AONB in their area and to review it at intervals not exceeding five years (Section 89 of the Act). This duty has been carried out in all AONBs through the AONB Partnerships, which oversee the designation. The Act also placed a duty on all public bodies and statutory undertakers to have regard for the purpose of designation when carrying out their own functions (Section 85).

The importance of management plans and partnerships to guide action in protected landscapes has been recognised by IUCN in a set of principles recommended in 2002 by the IUCN Commission on National Parks and Protected Areas (CNPPA).

## Policy context

### Legislation and national policies

National planning policy states that AONBs, along with National Parks, have the highest standard of protection in relation to landscape and natural beauty. The conservation of the natural beauty of the landscape and countryside, therefore, should be given great weight in planning policies and development control decisions. National planning policy also makes it clear that major developments should not take place in these designated areas, except in exceptional circumstances which are in the national public interest.

No distinction should be made between AONBs and National Parks on grounds of landscape quality and they receive the same level of protection. This was confirmed in June 2000 by Nicholas Raynsford MP, the then Minister for Housing, Planning and Construction who announced that:

*'In relation to major projects, it is the Government's view that, henceforth, the assessment required in paragraph 4.5 of PPG7 in National Parks should also apply to proposals for major development in AONBs'.*

Raynsford's position, subsequently incorporated in PPS7 (which replaced PPG7), was reiterated in a policy statement by Defra released in 2005:

*'National Parks, the Broads and Areas of Outstanding Natural Beauty(AONBs) have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection'.*

Planning Policy Statements (PPS) and Minerals Policy Statements (MPS) set out the Government's national policies on different aspects of spatial planning. Policies in PPSs must be taken into account in the formulation of planning policies and are a material consideration in

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development management decisions where relevant. They also explain the relationship between planning policies and other policies, which have an important bearing on issues of development and land use. The most relevant to development in the North Pennines AONB at the time of publication are:

PPS1: Delivering Sustainable Development (2005);  
Planning Policy Statement: Planning and Climate Change – Supplement to PPS1;  
PPS4: Planning for sustainable economic growth (2009);  
PPS5: Planning for the Historic Environment (2010);  
PPS7: Sustainable Development in Rural Areas (2004);  
PPG8: Telecommunications (2001);  
PPS9: Biodiversity and Geological Conservation (2005);  
PPS10: Planning for Sustainable Waste Management (2005);  
PPS22: Renewable Energy (2004);  
PPS25: Development and Flood Risk (2010); and  
MPS1: Planning and Minerals (2006).

New PPS are published from time to time which may replace existing PPG and PPS in whole or in part. Up-to-date information is available from the Government website or from local authority planning services. At the time of publication the Government were consulting on two new PPS:

**Planning for a low carbon future in a changing climate** supplements PPS1 by setting out how planning should contribute to mitigating climate change and adapting to its impacts. The PPS will replace the earlier supplement to PPS1 'Planning and Climate Change' and PPS22 'Renewable Energy'.

**Planning for a natural and healthy environment** will replace *Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9)*; *Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation (PPG17)*; *Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7)* – in so far as it relates to landscape protection (paragraphs 21 to 23), soil and agricultural land quality (paragraphs 28 and 29) and forestry (paragraph 33).

This guidance may be updated to reflect any changes to Government policy arising from these documents.

## Local Development Frameworks

The Planning and Compulsory Purchase Act 2004 introduced a new system of development plans that abolished Structure Plans and replaced District Local Plans with Local Development Frameworks (LDF). Local planning authorities are currently engaged in the process of replacing their local plans with LDFs. These can be either Development Plan Documents (DPD), such as core strategies, site allocations and generic development control policies, or Supplementary Planning Documents (SPD) that elaborate upon policies in these documents (or 'saved' policies in existing local plans). The documents being prepared (other than SPDs) are identified in each council's Local Development Scheme.

During the period in which LDFs are being prepared, policies saved from Local Plans constitute the development plan. There are effectively six District Local Plans covering the AONB together with three Minerals and Waste Development Frameworks. As LDFs progressively emerge, the situation with regard to saved policies will change. The

definitive source of information on the planning policy environment for any individual development will be the Local Planning Authority. Details of saved, emerging and adopted policies are published on their websites. Local Planning Officers can give advice as to which policies will be relevant to a proposal at the time of application.

## Supplementary Planning Documents

As SPDs form part of an LDF they are a material consideration in the determination of planning applications and are subject to a statutory process including community involvement. They amplify existing policy and should be in conformity with, and clearly cross-referenced to, the relevant DPD (or 'saved' local plan) policies they support.

There are a number of existing and emerging SPDs in LDFs covering the AONB and dealing in some degree with issues covered in this document. Local planning officers and local authority websites are the best source of up-to-date information on the publication and scope of SPDs. The AONB Partnership is also preparing a Building Design Guidance document which will be adopted by authorities as an SPD or endorsed as Supplementary Guidance (see How To Use This Document above) which should be read in conjunction with this document.

### The North Pennines AONB

*“This country, though politically distributed among three counties, is one and the same in all its characteristic features. From it flow the Tyne, the Wear and the Tees and many branches which fall into these rivers. Along the banks of these and several other smaller streams which fall into them are dales or valleys, cultivated near the banks and for a short distance up the sides of the hills, but soon cultivation and enclosure cease, and beyond them the dark fells, covered with peat and moss and heath; and between one vale and another is a wide extent of high moorland, extending sometimes for a dozen miles. In these upland tracts are no inhabited homes but thousands of blackfaced sheep are scattered over them; and there breed the grouse which attract the sportsmen at the proper season of the year to this country.”*

(Royal Commission into Children's Employment in the Mines. W.R. Mitchell, 1842)

This description of the North Pennines from 1842 might equally have been written today, but it would be misleading to consider the North Pennines landscape as timeless and unchanging. From prehistoric times (when the clearance of the natural North Pennines forest began) to today, when pressures ranging from changes in agricultural policy to reservoir building and wind farm development have affected the landscape, change has been continuous. Today one of the main challenges for those who love and care for the North Pennines is making sure that the pace of change, and the nature of that change, don't damage the essential character of the area as, in part, the last wild place in England.

### Remote and wild

Much of the North Pennines is truly remote, wild countryside and it is precisely this sense of wildness and remoteness which gives much of the area its character. There are few places in England where you can walk all day without crossing a road, but it is still possible here. In spring and summer, high heather moors and blanket bogs are alive with the evocative calls of wading birds, black grouse dance on their leks and merlin and peregrine falcon race through the air.

**People and place**

The rise and fall of the lead mining industry has shaped much of today's landscape, not only in the physical remains that can be seen, but also in the pattern of local settlements. Weardale, Teesdale, and the South Tyne, Nent and Allen Valleys in particular, are some of the best places to see the remains of the industry and to see the 'miner-farmer landscapes' which grew out of it. In 1861, 27,000 people lived in the North Pennines orefield, but today the population is estimated to be around 12,000 people, less than half of what it was during the lead mining heyday.

The majority of the AONB population lives in the North Pennine dales, where settlements include small towns such as Alston and Allendale, together with relatively compact villages, isolated hamlets and a wide scatter of individual farmhouses. This landscape became enclosed by the miner-farmers from the 16th century, but beneath the surface of today's pattern of fields, villages and moorland there is a history of settlement and landscape change from mediaeval to prehistoric times. Norse, Roman, Iron Age, Bronze Age and possibly Neolithic settlers began shaping this land, perhaps as far back as 7,000 years ago.

**Landscape pattern**

In the dales, drystone walls impose strong pattern on the landscape, where buildings on the valley sides are picked out by clumps of trees. Buildings and settlements are an integral part of the landscape, with most being built of local stone, reflecting the underlying geology, complimenting the stone field walls and reflecting the surrounding countryside. Wading birds feed in the in-bye grassland, rushy pastures and hay meadows. These hay meadows are of international importance and are awash with wildflowers.

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### **Tyne, Tees and Wear**

The world famous rivers, Tyne, Tees and Wear have their birthplace high up in the fells. They tumble, rock strewn, along the dales, clothed in woodland in their middle and lower reaches. Where the rivers cross the erosion-resistant dolerite of the Whin Sill, dramatic waterfalls are formed, such as those at High Force, Low Force and Cauldron Snout, in Upper Teesdale. In these rivers can be found the elusive otter, the water vole (Britain's fastest declining mammal) and Atlantic salmon.

### **Northern rocks**

The world renowned geology of the area has given rise to dramatic landform features, most famously High Force and the sweeping valley of High Cup Gill, on the Pennine Way above Duffton, and our geodiversity also includes a world famous mineral wealth. The North Pennines AONB is Britain's first UNESCO European Geopark and a founding member of the UNESCO Global Geoparks Network.

### **Woods and wildlife**

Though not extensive, the native woods of the North Pennines are themselves important examples of woodland types. They are distinctive features of the landscape, following the course of rivers or clinging to narrow gills. The North Pennine woodlands are also one of the last places in England where you can find red squirrels.

The North Pennines has a remarkably high concentration of nationally and internationally important conservation sites and areas. 50% of the AONB is designated as Sites of Special Scientific Interest (SSSI). There are also two National Nature Reserves (NNR), five Special Areas of Conservation (SAC) under the EU Habitats Directive, and a Special Protection Area (SPA) under the EU Birds Directive. Moor House-Upper Teesdale NNR, Britain's largest terrestrial NNR, supports more than 20 species of Europe-wide conservation importance and in this context it is the most important reserve in the country.

### **Land and livelihood**

Farming and forestry play an important role in the lives of local communities and in managing the landscape. The management of our moors for shooting and our rivers for fishing can be of benefit to wildlife and supports the livelihood of local people. Many farmers are diversifying into new activities and many more are taking advantage of schemes which support environmentally friendly practices. Sustainable tourism is becoming an increasingly important aspect of the local economy, and the area offers a warm welcome for those who would come to see its wildlife and wild places, to uncover its history and visit its many attractions.

### Explore

You can read in this publication about the many important habitats and species of the North Pennines – the blanket bog, hay meadows and the oak/ash woodlands, the Teesdale Flora, the wading birds and the black grouse. But better still you can go out and explore them for yourself. This is perfect country for walking, cycling, horse-riding, wildlife-watching and following in the footsteps of artists and writers who have been inspired by this wild land. There are many footpaths and bridleways to explore, including the Pennine Way and Pennine Bridleway National Trails, the C2C National Cycle Route, the Pennine Cycleway and the National Byway. Derwent and other reservoirs offer opportunities for sailing, fishing, canoeing and even water ski-ing. The North Pennines is also the only AONB with its own ski slopes, though the trend towards warmer winters means they are little used now.

*If you want to know more about looking after the North Pennines into the future, read the AONB Management Plan, available at [www.northpennines.org.uk](http://www.northpennines.org.uk)*

### Forces for change

There are many forces for change at work in the North Pennines landscape. These come in many forms, including more obvious features like wind energy development, communications masts, new housing development, increasing traffic, changes in agriculture, mineral developments and military use of the area. There is also the gradual erosion of rural character that accompanies unsympathetic management of roads, out-of-keeping conversion of traditional buildings and the gradual loss of historic features. The communities of the North Pennines are also under pressure from economic forces including rising house and fuel prices, changing patterns of employment and a decline in key services. Climate change is likely to bring many new pressures to bear on the landscape, some of which are difficult to quantify at this stage.

The main forces for change in the varied landscape of the AONB are summarised in the table below. The list does not include issues arising, for example, from changing land management practices, but focuses on those related to development which are the subject of these guidelines.

These forces for change do not always exert a negative influence on the landscape. Sensitively located and well-designed development can strengthen the character and 'sense of place' of the landscape, and can often contribute to meeting other environmental objectives such as enhancing biodiversity and reducing energy use.

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Landscape type  Forces for change	Lower Dale	Middle Dale	Upper Dale	Moorland Ridges	Moorland Summits	Moorland Plateaux	Moorland Scarp	Moorland fringe	Moorland fringe pikes	Upland Fringe	Upland Fringe Valleys	Upland Fringe Foothills	Coalfield Upland Fringe	Lowland Vale
Housing	●	●								●	●	●	●	●
Industry														
Minerals / waste		●					●	●		●		●	●	
Agricultural	●	●	●					●	●	●	●	●	●	●
Leisure / recreation	●	●						●	●	●	●	●	●	●
Equestrian	●	●								●	●	●	●	●
Wind energy	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Telecoms	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Overhead services	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Tracks				●	●	●	●	●						
Building conversion	●	●	●							●	●	●	●	●
Building renovation	●	●	●							●	●	●	●	●
Highway works	●	●	●			●		●		●	●	●	●	●
Traffic	●	●	●	●		●	●	●		●	●	●	●	●
Signage	●	●	●							●	●	●	●	●
Light pollution	●	●	●			●				●	●	●	●	●
Noise pollution	●	●	●			●				●	●	●	●	●
Loss of traditional buildings	●	●	●							●	●	●	●	●
Loss of traditional features	●	●	●					●	●	●	●	●	●	●

This section gives general guidance for planners and developers on the conservation and enhancement of environmental resources – landscape character, biodiversity, geodiversity, cultural heritage, tranquility, soil, air and water.

## Landscape Character

The character of the landscape is one of the North Pennines' most valued assets. New development can make a positive contribution to the landscape but can also damage it in a number of ways. Mature landscape features like hedges, walls and mature trees may be damaged or removed; new features that are uncharacteristic of the landscape may be introduced; important views or vistas may be obstructed. In a landscape of such unique character, the introduction of standard elements that are commonplace and widely accepted elsewhere may erode its local distinctiveness.

When considering any development it is essential to gain as much understanding of the local landscape as possible, using published landscape character assessments, personal observation and analysis of the site, and the guidance of qualified and experienced advisors.

Information on the landscape of the North Pennines as a whole can be found in two Countryside Commission publications that can be viewed on the Natural England Website:

- Countryside Character. Volume 1: North East (CCP 535) and Volume 2: North West (CCP536); and
- The North Pennines Landscape (Countryside Commission 1991. CCP 318).

Local authorities in the area have carried out more detailed landscape character assessments. These include:

- The County Durham Landscape Character Assessment, Strategy and Guidelines;
- The Cumbria Landscape Classification;
- The Northumberland Landscape Character Assessment (which will supersede the Tynedale District LCA); and

- Landscape Character Assessment of Tynedale District and Northumberland National Park.

At the time of publication additional work was being undertaken to produce a North West Integrated landscape Framework which includes the landscapes of those parts of the AONB lying in Cumbria, and a Northumberland Landscape Character Assessment which includes those parts of the AONB lying in Northumberland. The AONB Partnership is currently working on an integrated landscape character assessment and landscape guidelines for the North Pennines.

Landscape character assessments include detailed descriptions of landscape types and character areas that can provide useful information on the site and its surroundings and help identify key features or characteristics of the landscape that might

be affected by the development. They will also generally explain the trends and pressures operating on the landscape, identify priorities for conserving and enhancing landscape character, and provide guidelines for development and land management. Priorities for landscape enhancement are also found in the AONB Management Plan.

For larger developments or development in particularly sensitive locations the LPA may determine that it is necessary to carry out a Landscape and Visual Impact Assessment (LVIA) as part of an Environmental Statement (ES). This should also be used to inform the design process. LVIA is a specialized process best undertaken by suitably qualified and experienced Landscape Architects. Where an LVIA is required it should be carried out in accordance with the latest published guidance, and its scope, methodology, and the selection of viewpoints and visualizations like photomontages should be agreed with the LPA at an early stage.

### Further information

Countryside Character: Volume 1: North East. [naturalengland.org.uk](http://naturalengland.org.uk)

Countryside Character: Volume 2: North West. [naturalengland.org.uk](http://naturalengland.org.uk)

*The North Pennines Landscape* (Countryside Commission 1991. CCP 318)

County Durham Landscape Character Assessment. [www.durham.org.uk](http://www.durham.org.uk)

Cumbria Landscape Classification. [www.cumbria.gov.uk](http://www.cumbria.gov.uk)

Northumberland Landscape Character Assessment. [www.northumberland.gov.uk](http://www.northumberland.gov.uk)

Guidelines for Landscape and Visual Impact Assessment (2nd Edition 2002): Landscape Institute and Institute of Environmental Management and Assessment. ISBN 0 419 20380 X



### Landscape character

- LC1** Find out as much as you can about the landscape of the site and its surroundings. Refer to published landscape character assessments for information.
- LC2** Investigate and record the character of the site – produce a photographic record of the site, and important views of it, together with accurate survey drawings of its topography and surface features.
- LC3** Where significant landscape impacts are anticipated, or landscaping works are required, consult a professional Landscape Architect (see contacts). Where necessary, have them carry out a Landscape and Visual Impact Assessment and use it to inform the design process.

*continued*



## Landscape character *(continued)*

- LC4** Avoid prominent locations and novelty in design or materials - respecting and conserving the character of the landscape should be the main principle informing site selection and design in the AONB.
- LC5** Exploit the potential of topography and existing vegetation to screen or assimilate the development into the landscape.
- LC6** Retain and protect mature traditional features like hedges, walls and field trees where possible (see Protecting Features on Development Sites).
- LC7** Where mature features can't be retained, consider translocation or the salvage and the re-use of materials like walling stone and stone gateposts.
- LC8** Where trees are likely to be affected find out if they are protected by Tree Preservation Orders or by being located within a Conservation Area.
- LC9** Look to the local landscape for design inspiration. Pay particular attention to the scale, mass, form and detailing of local buildings, local vegetation patterns and local styles of walls, hedges, fencing, gates and paving materials.
- LC10** Use natural materials in construction where possible and particularly local stone and timber.
- LC11** Consider what your development can do to enhance the landscape, and particularly to meet objectives set out in the AONB Management Plan and local authority landscape or countryside strategies or guidelines.
- LC12** Look both inside and beyond the site for opportunities to enhance the local landscape or integrate the development within it - for example through the repair or renovation of features like walls and hedges.
- LC13** Plant new trees and woodlands to help screen and assimilate the development where these are characteristic of the local landscape. Avoid planting on sites of existing nature conservation or heritage interest, or those where planting would obscure important views or vistas.
- LC14** Use native species or species characteristic of the locality (see Tree and shrub planting) in landscaping works and particularly when planting trees, woodlands or hedgerows.
- LC15** Maintain newly planted trees and hedges to a high standard to ensure that their potential is realised.

### **Biodiversity and geodiversity**

Biodiversity means the biological diversity of life. It includes a wide range of living things from flowering plants to mammals, birds, insects and bacteria. It includes common species, those that are under threat, and the habitats that humans, plants and animals depend on.

Geodiversity means the variety of rocks and minerals, landforms, soils and geological process that are a key component of our natural heritage.

The North Pennines AONB has a particularly rich biodiversity and geodiversity. It contains one of the highest densities of international, national and locally designated sites in England and is home to many protected species. Not only do we have an international and national responsibility to conserve this diversity but it is fundamental to the natural beauty of the landscape on which much of our quality of life and economy depends. Despite the richness of these resources in the AONB they continue to be under pressure from forces such as development, climate change, changes in land management and a legacy of fragmentation and isolation.

New development can bring threats and benefits to biodiversity and geodiversity. Important habitats or features can be destroyed or damaged and protected species disturbed or displaced. Development can also bring opportunities to create new habitats or improve the management of existing features. It is important for the future of the natural environment of the North Pennines that all development results in positive outcomes for biodiversity or geodiversity rather than simply 'limited harm'.

The AONB's most important sites have statutory protection as Sites of Special Scientific Interest (SSSI). Some of these are also designated as National Nature Reserves or as Special Areas for Conservation (SAC) or Special Protection Areas (SPA) under European legislation. The AONB also contains a number of Regionally Important Geological Sites (RIGS) and non-statutory Local Sites (formerly known as Sites of Nature Conservation Importance or County Wildlife Sites and sometimes now named Local Wildlife Sites and Local Geological Sites). Policies for the protection

of these sites are contained in local plans and emerging local development frameworks. The North Pennines Geodiversity Action Plan (see below) identifies a number of North Pennines Geodiversity Sites. These include sites identified by local authorities as Local Sites and additional candidate Local Sites. The location and boundaries of nationally and internationally designated sites can be found on the Multi Agency GIS for the Countryside (MAGIC) website ([www.magic.gov.uk](http://www.magic.gov.uk)). More information on these designations can be found on the Natural England website ([naturalengland.org.uk](http://naturalengland.org.uk)). The location and boundaries of local sites are shown on local plans: up-to date and detailed information can be obtained from your LPA. Information on species protection and survey and licence requirement for protected species can be found on the Natural England website ([naturalengland.org.uk](http://naturalengland.org.uk)). The European protected species most commonly affected by development in the North Pennines are Bats and Otter. Other species protected by national legislation (the Wildlife and Countryside Act 1981 {as amended} and Badgers Act 1992) include Badgers, Red Squirrels, Water Voles, and a large number of birds. It is also an offence under the Countryside and Rights of Way Act 2000 (CROW) to 'intentionally or recklessly' disturb nesting birds. Additional information can be gained from local wildlife trusts and other local and national specialist groups such as bat or badger groups, bird clubs and butterfly conservation groups.

National and Local Biodiversity Action Plans (BAP) contain action plans for a wide range of species and habitats, delivered through Local BAP Partnerships. Local BAPs covering the AONB include:

- Durham BAP ([www.durhambiodiversity.org.uk](http://www.durhambiodiversity.org.uk));
- Northumberland BAP ([www.northumberlandbiodiversity.org.uk](http://www.northumberlandbiodiversity.org.uk)); and
- Cumbria BAP ([www.wildlifeincumbria.org.uk](http://www.wildlifeincumbria.org.uk)).

A list of BAP priority species and habitats in the north Pennines is given in Appendix 5. The North Pennines AONB is a UNESCO-endorsed European and Global Geopark and the AONB Partnership has produced a Geodiversity Audit and a Geodiversity Action Plan (North Pennines AONB Partnership, March 2010) which give background information on the resource and set out priorities for action.



## Biodiversity and geodiversity

- BG1** Find out as much as possible about the biodiversity and geodiversity of your site and its surroundings.
- BG2** Avoid development in, or adversely affecting, sites designated for their biodiversity or geodiversity value: check with your LPA about designated areas and take specialist advice where necessary.
- BG3** Find out if your proposals would have any impact on protected species. Take specialist advice or contact your local or wildlife trust or specialist groups for advice (See Appendix 1). Avoid adverse effects (direct or indirect) on protected species.
- BG4** Undertake surveys at an appropriate time of year and over more than one season where necessary.
- BG5** Avoid development in, or adversely affecting BAP priority habitats, or affecting BAP priority species (see Appendix 5).
- BG6** Avoid polluting watercourses - either from discharges or run-off from the development or during construction.
- BG7** Retain mature features or wildlife habitats within the development site – trees, hedges, species-rich grassland, wetlands. Protect them from damage during the development phase and integrate them fully into the design of the development.
- BG8** In exceptional circumstances, where retention of wildlife habitats isn't possible, consider translocation or the salvage and re-use of seed, hay crops or other plant material.
- BG9** Retain and maintain access to important geological exposures.
- BG10** Consider the timing of operations carefully: some impacts can be avoided if works are carried out at the right time of year.
- BG11** Look for opportunities to create (or improve the management of) BAP priority habitats or habitats for BAP priority species either within the development site or off-site on adjacent land. Incorporate these into the submitted proposals.
- BG12** Look for opportunities to meet the objectives of the North Pennines Geodiversity Action Plan.
- BG13** Incorporate wildlife-friendly features into the layout and design of the development – ponds, green roofs, flowering and fruiting plants, nesting and hibernation structures. Don't neglect common species.
- BG14** Plant species native to the locality (see Tree and shrub planting). Use plants of local or regional provenance where possible.
- BG15** Avoid introducing invasive species either intentionally as ornamental plants or unintentionally through poor quality control on imported soils or plants (see Appendix 6).
- BG16** For larger sites, talk to your local Wildlife Trust or other conservation organisation about developing a Biodiversity Action plan for your development.
- BG17** Adopt careful working practices detailed in a method statement, including a code of conduct for your workforce and subcontractors, to ensure that they don't inadvertently damage habitats or disturb important species.

## Cultural heritage

The landscape we see today has been shaped over thousands of years by the activities of people. Many of the things they made, like hedges and walls, buildings, roads and paths, are still in use today. Others, like barrows and stone circles or abandoned mines and quarries, survive as relics in the modern countryside or lie buried beneath its surface. This 'time-depth' is for visitors and residents alike an important point of connection with the landscape and an important component of local distinctiveness and a sense of 'place'.

The North Pennines AONB has a rich and complex cultural heritage with features surviving from many periods from the Neolithic to the modern. There is a strong sense of cultural continuity here in which each generation has contributed something to the unique character of the area. New development is part of that process but can bring challenges to the historic fabric of the AONB. Archaeological features are particularly vulnerable as only a fraction of these are known and recorded. Old buildings and structures can be restored and given

new life, but can equally be damaged by insensitive development. New development which doesn't respect the character of its surroundings can erode the special harmony and unity of the landscape or townscape in which it sits.

Nationally important archaeological sites in the AONB – which includes both standing and buried structures – are given statutory protection as Scheduled Ancient Monuments (SAM). Many other archaeological sites are recorded on Historic Environment Records (HER) maintained by local authorities. Important buildings and structures are designated as Listed Buildings, and wider areas of architectural or historic interest are designated as Conservation Areas by local authorities.

Policies for the protection of these sites and their settings are contained in local plans and emerging local development frameworks. The location and boundaries of nationally designated SAMs and Listed Buildings can be found on the Multi Agency GIS for the Countryside (MAGIC) website ([www.magic.gov.uk](http://www.magic.gov.uk)). More information on these designations can be found in Appendix

3 and on the English Heritage website ([www.english-heritage.org.uk](http://www.english-heritage.org.uk)). The location and boundaries of conservation areas are shown on local plans: up-to date and detailed information can be obtained from your LPA.

Local Authorities covering the AONB have prepared, or are preparing, historic Landscape Character Assessments which provide useful information on the historic environment.

Early pre-application discussions with the County Archaeologist are essential, as where assessment and evaluation work is required this will need to be completed at a pre-application stage, in line with the provisions made in policies HE6 and HE8 of PPS5. Planning applications will be assessed in terms of both their direct (physical) and indirect (visual) impacts on standing and below-ground archaeological remains. Planning conditions may be used to ensure that mitigation works such as excavation, watching briefs or building recording are carried out as necessary.



### Cultural heritage

- CH1** Find out as much as possible about the history and cultural heritage of your site and its surroundings.
- CH2** Consult the County Archaeologist (see Appendix 1) at an early stage to find out what assessment and evaluation work is required.
- CH3** Involve the local community or local history societies – find out what they know or value about the history of the site.
- CH4** Consider potential impacts on the settings of Scheduled Ancient Monuments, Listed Buildings or Conservation Areas: understand their visual environment and whether, or how, setting is important to them.
- CH5** If your proposals involve activities that could disturb buried archaeology – even if you don't know if any is present – discuss them with the County Archaeologist who will advise on the way forward.
- CH6** Preserve features of archaeological interest in situ wherever possible and protect them from site operations.
- CH7** Preserve mature landscape features – walls, hedges, trees - and incorporate them into the design.
- CH8** Where disturbance is unavoidable use qualified specialists to record features prior to their removal: consider salvage, re-use or relocation where appropriate.
- CH9** Look out for unexpected finds and report them to the County Archaeologist.
- CH10** Be respectful of the historical context of the development. Ensure that development doesn't detract from the appreciation and understanding of its wider setting.
- CH11** Look for opportunities to enhance the historic environment – for example by restoring or renovating features like hedges walls and other structures, or by introducing more favourable management to archaeological sites.
- CH12** Look for opportunities to sympathetically re-use or adapt redundant historic structures to give them a use that will sustain their management in the future. Discuss your ideas early with the local authority.

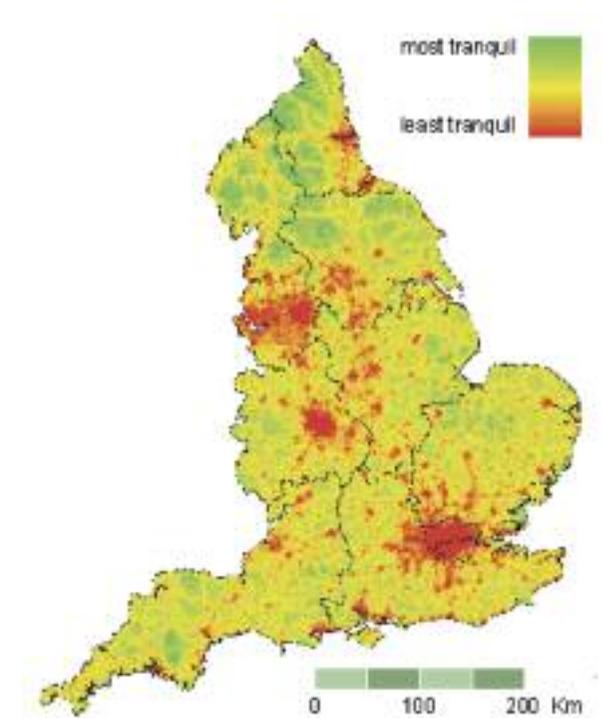
## Tranquillity

Seeking tranquillity is an important reason why many people visit the countryside and the presence of tranquil areas helps boost rural tourism and is an important aspect of the quality of life of local people. Tranquillity is not the absence of all noise, activity, buildings and night-time light. Research has found that many rural activities, such as farming and hiking, and natural noises such as birdsong and flowing water, enhance people's experience of tranquillity.

The tranquillity of the English countryside is being constantly eroded by increasing urbanisation, the growth in air and road traffic, new road building and the expansion of energy infrastructure.

The Campaign to Protect Rural England (CPRE) has mapped the factors contributing to or detracting from tranquillity to show the relative tranquillity of different areas. This shows the North Pennines to be one of the few really large areas of tranquillity left in England. The tranquillity of the North Pennines is therefore not only of immense importance to its own communities but is an asset of national importance. While the AONB is relatively free of some of the development pressures affecting other areas, its tranquillity is still under threat from piecemeal erosion. Two of the most significant causes are increased light and noise pollution.

Additional information on tranquillity and tranquillity mapping can be found on the CPRE website: [www.cpre.org.uk](http://www.cpre.org.uk).



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### Light

Artificial lighting, if not properly controlled, can be both wasteful of energy and have a serious impact on the quality of life of neighbours, the tranquillity of the countryside, the darkness of the night sky and the ecology of the surrounding area. Issues include:

- **Sky glow** – the cumulative effect of lighting on the night sky which loses its darkness and with it our ability to see stars and planets;
- **Glare** – the brightness of intense light that is uncomfortable to look at and creates excessive contrast that can reduce both safety and security; and
- **Light trespass** – the spilling of light beyond the site boundary which may make it difficult for neighbours to sleep.

Introducing lighting into unlit areas can be detrimental to nocturnal species such as bats, and disturbance-sensitive species such as otters. These impacts can often be avoided through good lighting design, which will also very often save money.

The North Pennines has some of the darkest skies in England but even here the influence of light pollution is increasing. Sources include street lighting, domestic and commercial security lighting and illumination to advertise commercial premises. For small-scale developments there are a number of simple principles that can be followed to minimise or reduce unnecessary light pollution. For more complex development such as mineral workings a detailed assessment of the lighting impacts may be necessary, and a detailed lighting strategy formulated.

Some of the things that can be done to reduce light pollution are physical design solutions, others require active management. As with other environmental effects it is always best to 'design out' the potential for harm and only use active management when that is not possible. Managing impacts requires vigilance and consistency and is therefore more prone to failure and difficult to enforce.

All light pollution however small contributes to the general erosion of darkness and tranquillity in the North Pennines and so it should be carefully considered as an issue for all new development in the AONB.

### Further information

Further advice on reducing light pollution can be found in *Lighting in the Countryside: Towards Good Practice (DETR)* and *Guidance Notes for the Reduction of Light Pollution*, published by the Institution of Lighting Engineers. The Chartered Institution of Building Services Engineers (CIBSE) produce lighting guides that give recommended illumination levels for a variety of applications and guidance on good practice. The AONB Partnership's *Guidance for the Management and Maintenance of Roads* offers further advice on street lighting.



## Light

- L1** Consider whether lighting is necessary at all, and if it is, where it is needed and why.
- L2** Look for opportunities to reduce the need for lighting by, for example, separating vehicles and pedestrians, introducing traffic calming measures, or using CCTV instead of security lighting.
- L3** Adopt limits for the level of illumination appropriate to the wider setting of the development – refer to the Institution of Lighting Engineers Environmental Zones.
- L4** Don't exceed the level of illumination required for any given application – refer to published standards.
- L5** Use low intensity lights to reduce glare and dark spots – softer and more uniform light is often better for security and safety. Use low pressure sodium lamps where colour resolution isn't an issue.
- L6** Direct light downwards rather than upwards – where up-lighting is essential use shields and baffles to reduce spillage.
- L7** Choose efficient and well-designed luminaries which direct light to where it is needed and reduce spillage and glare. Install luminaries carefully to reduce glare – keep the angle of the main beam below 70°.
- L8** Only switch lighting on when it is needed – consider a curfew on lighting between certain hours when some can be switched off or overall levels reduced.
- L9** Keep decorative architectural up-lighting to a minimum – consider only using it on special occasions and keep it understated.
- L10** Think about views from the wider countryside and make the best use of the screening effects of topography, buildings and vegetation.
- L11** Use motion sensors to switch lighting on – these should be set to the minimum time period and adjusted to avoid tripping by cars, passers-by or animals.
- L12** Avoid introducing external lighting into important foraging areas for bats. Avoid wildlife corridors and particularly watercourses.

## Noise

Noise can have a significant effect on the quality of life of a development's immediate neighbours and on the tranquillity of the wider countryside. Noise pollution can arise from both the construction and operational phases of a development, and can include the noise of machinery, site operations, road traffic and reversing alarms. Noise levels may be the subject of planning conditions, and local authorities have additional powers to control it under The Environmental Protection Act 1990 (Part III) and the Control of Pollution Act 1974 (Part III).

The background noise levels in most parts of the AONB are low, as there is little industry and few main roads. This means that the introduction of new noisy activities, such as quad biking or clay pigeon shooting, is particularly noticeable and can be disruptive to local residents and visitors alike. Noisy uses should be located away from sensitive areas, particularly residential and tourist accommodation, leisure facilities and well-used recreational routes.

If noisy activities are being considered for an area, a detailed assessment of their effect is essential. Practical steps can be taken to reduce both the level and impact of noise, but there also needs to be an ongoing commitment to monitoring and management. Where possible noise should be brought within acceptable levels by passive means – for example by placing noise sources away from sensitive receptors – rather than by relying on active management and intervention which can easily lapse and be hard to enforce.

As with light, all noise contributes in some degree to the erosion of tranquillity in the AONB and these principles should apply to all development and not just conspicuously noisy activities.

### Further information

Further advice can be found in the *Code of Practice on Noise Control on Construction and Open Sites (BS5228)* HMSO (1984 and 1986) and from the Environmental Health departments of local planning authorities. In assessing potential noise impacts, guidance is provided in *PPS22 Renewable Energy*, *PPG24 Planning and Noise*, and in other specific best practice guidance such as *Clay Target Shooting Guidance on the Control of Noise* and *Code of Practice on Noise from Model Aircraft*.



## Noise

- N1** Maintain adequate distances between noisy operations and noise sensitive areas.
- N2** Make best use of the acoustic screening properties of the natural topography or existing buildings.
- N3** Use the quietest machinery or quietest methods of working available. Make sure plant and machinery are well-maintained.
- N4** Contain noise by sound-proofing buildings or using acoustic barriers.
- N5** For unavoidably noisy activities, specify, monitor and enforce acceptable noise limits.
- N6** Control the time when noisy operations take place.
- N7** Use low noise technologies like low noise surfaces on new roads. Look for opportunities to slow the speed of vehicles using traffic management.

## **Soil, air and water**

The quality of our air, water and soils is fundamental to the environmental quality of the North Pennines AONB. All development has the potential to damage these resources in varying degrees and while many individual impacts may be small they can all contribute to a reduction in the quality of the environment.

### **Soil**

Soils are the basis of our food supply, and much of our biodiversity, as well as helping to regulate the flow of surface and ground waters. Soils often take centuries to develop and are therefore an effectively finite resource. Although the conservation of soil resources is generally handled well by industries like the minerals industry where good practices are well understood and carefully controlled by planning conditions, soils are often an afterthought in other forms of development which can result in unnecessary damage.

The North Pennines contains many heavy clay soils, which are particularly susceptible to poor handling, and highly sensitive peat soils which are important for their carbon storage, their biodiversity, and their water holding characteristics, and which can be irreparably damaged by disturbance, poor handling and storage.

Safeguarding our Soils: A Strategy for England (Defra 2009) sets out the Government's approach to conserving soils in England, and Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (Defra 2009) gives further guidance. Development Plans and LDFs contain policies on the protection of agricultural land. The conservation of soils is often dealt with through planning conditions on individual developments. Adverse impacts on soils can be avoided by adopting some simple principles.



### Soil

- S1** Follow the Construction Code of Practice for the Sustainable Use of Soils (see below).
- S2** Have a soil resources survey carried out by a suitably qualified person at an early stage and use it to develop a strategy for stripping, storage and replacement of soils.
- S3** Avoid the disturbance of deep peat soils where possible. Where disturbance is unavoidable take specialist advice on their handling and care.
- S4** Prepare a Soil Resource Plan showing the areas and type of topsoil and subsoil to be stripped, haul routes, the methods to be used, and the location, type and management of each soil stockpile.
- S5** When stripping, stockpiling or placing soil, do so in the driest condition possible and use tracked equipment where possible to reduce compaction.
- S6** Confine traffic movement to designated routes.
- S7** Keep soil storage periods as short as possible.
- S8** Clearly define stockpiles of different soil materials.
- S9** Where soils need to be stored, use low mounds to prevent anaerobic conditions from developing.
- S10** Where soils are stored for any length of time, seed them with native grasses to reduce deterioration. Control invasive weeds and avoid contamination and tracking by vehicles.
- S11** Use loose tipping methods of soil replacement to reduce damage and compaction.
- S12** Ensure that the entire soil profile replaced is in a condition to promote sufficient aeration, drainage and root growth.
- S13** Tailor the use of soils to the proposed after-use. Low fertility subsoils are better suited to creating wildlife habitats than higher fertility topsoils.

## Further information

The *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites* (Defra 2009) gives guidance on protecting and conserving soils and can be obtained from the Defra website: [www.defra.gov.uk](http://www.defra.gov.uk)

The *Good practice guide for handling soils* (MAFF, 2000) provides comprehensive advice on soil handling to operators, soil moving contractors, consultants and planning authorities.

Standards for soils and their uses can be found in:

- *British Standard code of practice for general landscape operations* (BS4428: 1989);
- *National Building Specification Landscape* (updated 2007); and
- *British Standard specification for topsoil and requirements for use* (BS3882: 2007).

The *Guidance for successful reclamation of mineral and waste sites* (Defra, 2004) provides guidance for LPAs considering the adequacy of planning applications, restoration proposals and aftercare provisions for quarries and landfills.

The *Manual of contract documents for highway works: Volume 1 Specification for highway works* (Highways Agency, 1998 plus a series of amendments 1998-2007) gives advice on the use and management of soil on highway schemes.

## 34 Guidelines: Environmental Resources

### Air

As a remote rural landscape the North Pennines enjoys very high air quality. Airborne pollutants, and particularly dust, can be produced by activities such as mineral extraction and processing, or by the construction phases of other forms of development. Emissions from the site can have localised impacts on the quality of life of nearby residents or on biodiversity, but can often be significantly reduced by following a few simple principles.



### Air

- A1** Assess the potential impacts of the proposals on air quality and use it to inform the design process.
- A2** Locate operations likely to create dust carefully – in sheltered positions and away from dust-sensitive areas.
- A3** Maintain plant regularly to minimise exhaust emissions. Install and maintain dust suppression equipment where necessary.
- A4** Suppress dust on construction tracks and haul roads through the use of water bowsers, or use hard surfacing where appropriate.
- A5** Provide facilities for cleaning vehicles leaving the site to reduce dirt on roads and sheet vehicles carrying dusty loads.
- A6** Keep the site green – seed bare ground and soil storage mounds with native grasses where possible.
- A7** Reduce or suspend potentially dust-creating operations in windy conditions.
- A8** Don't burn waste.

## **Water**

Water plays a very important role in the landscape of the North Pennines, which is a major catchment area for the water supply of both its own communities and those further afield in the lowlands. Our moorlands and farmlands also provide a role in regulating the flow of water through the catchment, helping to both replenish ground waters and reduce the impact of flooding downstream. Water quality throughout the North Pennines is generally very high, although with some localised problems associated with old mineral workings.

Development can have adverse impacts on the water environment in a number of ways. It can damage or impair the function of natural hydrological features – rivers and streams, ponds, springs, blanket bog, flood plains. It can reduce the permeability of the land which increases the volume and rate of water flowing from the site. The site may produce sources of pollution or sediment either during its operational or construction phases. Development also brings opportunities to create new wetland or green infrastructure features that improve the water environment.

The Environment Agency is the principal regulatory body for water and has prepared River Basin Management Plans for each River Basin District. The North Pennines falls within the Northumbria and Solway Tweed River Basin Districts. The Agency also has statutory responsibility for flood management and defence. Regional Planning Bodies produce Regional Flood Risk Assessments (RFRA). LPAs produce Strategic Flood Risk Assessments (SFRA) of their areas and set out policies in LDDs for the allocation of sites and the control of development which avoid or manage flood risk reflecting the approach set out in Planning Policy Statement 25: Development and Flood Risk. LPAs may also require site-specific Flood Risk Assessments (FRAs) to be carried out by developers and submitted with planning applications in areas of flood risk identified in the plan.

The impacts of development on the water environment can be reduced by following some simple principles.



### Water

- W1** Assess the potential impacts of the proposals on hydrology and water quality and use it to inform the design process.
- W2** Avoid activities that will interfere with local watercourses, wetlands, blanket bog, springs and aquifers.
- W3** Avoid inappropriate development in flood risk areas.
- W4** Have regard to the topography of the site and use it to develop layouts that reduce run-off.
- W5** Minimise the amount of water leaving the site by using sustainable urban drainage schemes (SUDS) – porous surfaces, infiltration strips, swales and balancing ponds. Try to mimic the surface water flows that existed before the site was developed.
- W6** On engineering or construction sites, minimise the amount of water entering the site using interceptor ditches where necessary.
- W7** Identify opportunities for biodiversity through the creation of new permanent or seasonal wetlands.
- W8** Keep an inventory of all potentially hazardous materials on site and have an action plan in place to deal with spillages.
- W9** Locate storage areas for fuels, lubricants and chemicals well away from watercourses, wetlands, lagoons and drainage ditches. Provide bunded enclosures around tanks and storage areas – inspect and maintain regularly.
- W10** Use settlement lagoons, silt and oil interceptors to remove suspended solids and pollutants. Use reed beds where appropriate to condition water leaving the site.
- W11** Monitor the quality of water discharges regularly and suspend any that fail to comply with conditions.

### Further information

The *Building Regulations Approved Document H* provides guidance on the use of sustainable urban drainage systems (SUDS). Detailed guidance on SUDS design, construction, operation and maintenance can be found in CIRIA publications C609 (Sustainable drainage systems – hydraulic, structural and water quality advice), C697 (The SUDS manual) and C698 (Site handbook for the construction of SUDS).

This section gives guidance for planners and developers on mitigating the impacts characteristic of specific types of development and should be read in conjunction with the more general guidance on protecting environmental resources given in the preceding chapter.

## **Minerals and waste**

The landscape of the North Pennines AONB has been heavily shaped in places by the extraction of its rich mineral resources. Old abandoned lead and fluorspar workings, limestone, sandstone and whinstone quarries are intrinsic to its character and part of its heritage. The continued exploitation of its mineral resources can nevertheless have adverse impacts on its environmental resources, as well as affecting its scenic quality and recreational value.

LDFs and development plans dealing with minerals contain policies on minerals development and LPAs will determine applications based on those policies, and the principles set out in MPS1 in relation to development in nationally designated landscapes.

MPS1 advises that LPAs should not permit major mineral developments in AONBs other than in exceptional circumstances when they have been demonstrated to be in the public interest and subject to rigorous examination. Applications for non-major development need to be carefully assessed, "with great weight being given in decisions to the conservation of the natural beauty of the landscape and countryside, the conservation of wildlife and the cultural heritage and the need to avoid adverse impacts on recreational opportunities". (MPS1.14)

The AONB contains a number of active mineral sites and dormant minerals permissions which are controlled by existing planning conditions or have their planning conditions periodically reviewed.

LDFs and development plans dealing with waste contain policies on waste development and LPAs will determine applications based on those policies. The majority of new waste

## 38 Guidelines: Development

management facilities such as landfill sites and large transfer stations and materials recycling facilities would be likely to constitute major development and would therefore be subject to national planning policies on AONBs set out in PPS7. They would also need to be rigorously examined and only permitted in exceptional circumstances. Smaller scale development such as new or extended sewage treatment works, household waste recovery centres and recycling facilities will need to be carefully assessed in terms of their impacts on the special qualities of the AONB. The restoration of some mineral sites can involve the importation of waste materials provided for under existing permissions and licences.

### Impacts

Mineral extraction and waste operations can affect the AONB in a number of ways:

- Natural topography or important geological exposures can be damaged temporarily or permanently;
- Mature landscape features – hedges, walls, trees – can be lost;
- Important wildlife habitats can be damaged directly or indirectly;
- Protected species can be disturbed;
- Historic features, including archaeological remains, can be lost;
- Access routes can be closed or diverted;
- The rural character of the landscape can be eroded by the presence of industrial features - extraction faces, stockpiles and screening mounds, buildings and processing plant;
- The tranquillity of the countryside can be weakened by noise and light pollution and by increased levels of lorry traffic on local roads;
- Local distinctiveness can be weakened by insensitive restoration;
- New wildlife habitats can be created, or the management of existing habitats improved;
- New features of geological interest can be created;
- The appearance of old or existing mineral workings can be improved or their restoration secured; and
- New access routes, and new features of public interest can be created.

Many of these adverse impacts can be avoided or reduced, and positive benefits enhanced, by following the guidelines below.



## Minerals and waste

- MW1** Avoid damage to locally important topographic features like scarps, scars, stone bands, limestone pavements, spurs, ridgelines and natural watercourses.
- MW2** Avoid the loss of, or damage to, habitats of nature conservation value; retain them where possible and protect and manage them throughout the operation of the site.
- MW3** Avoid adverse impacts (direct or indirect) on protected species.
- MW4** Avoid secondary or indirect impacts on species and habitats of nature conservation value in neighbouring areas.
- MW5** Avoid the loss of, or damage to, mature landscape features – hedges, walls and veteran trees; retain them where possible, and protect them from site operations.
- MW6** Preserve features of archaeological value or historical interest in situ where possible and protect them from site operations.
- MW7** Where preservation of existing features in situ isn't possible, consider translocation to suitable receptor sites or salvage of material (walling stone, gateposts, seed, hay or other plant material) for use in restoration.
- MW8** Where preservation of archaeological features by record rather than in situ has been agreed, ensure that recording is carried out to a high standard and that results are published.
- MW9** Avoid pollution to watercourses and ground water and aerial pollution in the form of dust or plant emissions.
- MW10** Avoid visually prominent extraction areas and orientate working faces to minimise their visibility. Avoid breaching local skylines. Minimise the area disturbed at any one time through phased working and restoration.
- MW11** Construct screening and storage mounds with naturalistic profiles and blend them with the surrounding topography. Avoid intrusions into local skylines. Seed visible mounds with native grasses where possible and keep the sward green and short through regular cutting or grazing.
- MW12** Locate operational plant to minimise its visibility – where it is visible, choose colour carefully to minimise intrusion.

*continued...*



### Minerals and waste *(continued)*

- MW13** Look outside of the site for opportunities to mitigate its impacts through off-site planting where appropriate, field boundary restoration, or enhanced management of wildlife habitats and heritage sites.
- MW14** Develop a Biodiversity Action Plan for the site. Monitor its biodiversity systematically and look out for the development of new habitats of value, or new species exploiting the site, and manage accordingly.
- MW15** Restore the site progressively and look for opportunities to improve biodiversity, geodiversity and landscape throughout its working life.
- MW16** Restore the site in a manner which minimises its impacts on the local landscape. Restore to naturalistic landforms where possible; use restoration blasting to replicate natural rock exposures; re-instate smaller scale micro-relief.
- MW17** Restore the site in a manner which maximizes its biodiversity. Ensure that habitat creation proposals are deliverable and based on sound techniques.
- MW18** Create new Biodiversity Action Plan priority habitats and cater for Biodiversity Action Plan priority species. Focus on those most relevant to the area.
- MW19** Restore where possible through natural regeneration and particularly on bare rock and scree and low fertility substrates – avoid excessive tidiness and particularly within the less visible parts of the site.
- MW20** When planting or seeding is necessary use locally native species (see Tree and Shrub Planting) and make sure plant material is of appropriate local or regional genetic origins.
- MW21** Retain important geological exposures in the restoration of the site and provide for access to them.
- MW22** Provide for both a high quality of aftercare and the long-term management of habitats and features.

## Telecommunications

Modern telecommunications are important to the economic future of the AONB and particularly for home working, micro-businesses, tourism and marketing. They are also important to the quality of life of its rural communities. The character of the AONB landscape is, however, particularly vulnerable to the impacts of telecommunications masts and their associated infrastructure.

Planning permission is permitted by national legislation for certain types of telecommunications development, in some cases on the condition that the operator submits an application for 'prior approval' to the LPA. This allows the LPA to consider the siting and appearance of the proposed installation but does not allow it to consider the principle of the development. For masts over 15 metres in height, or where telecommunications equipment including antennas or equipment boxes are proposed in conservation areas and sites of special scientific interest, full planning permission is required.

LDFs and development plans contain policies

on telecommunications, and LPAs will determine applications based on those policies and the principles set out in PPG8 which advises that proposals within AONBs should be sensitively designed and sited and that the developer must demonstrate that there are no suitable alternative locations. Section 85 of the Countryside and Rights of Way Act 2000 (AONBs) requires that relevant authorities (which include telecommunications operators, OFCOM, the Ministry of Defence and broadcasters) have regard to the purposes of AONBs when exercising any functions that affect them. The Government's expectations of relevant authorities are set out in a Defra guidance note, *Duties on relevant authorities to have regard to the purposes of National Parks, Areas of Outstanding Natural Beauty (AONBs) and the Norfolk and Suffolk Broads (2005)* which is available on the Defra website: [www.defra.gov.uk](http://www.defra.gov.uk)

A Joint Accord exists between the Association of National Park Authorities (ANPA), The National Association of AONBs (NAAONB) and major mobile phone network operators. The purpose of this Accord is to

protect the special qualities of our finest landscapes while making the best possible provision for telecommunication services. In seeking to achieve their respective objectives.

The operators recognise their obligations to protect the special qualities of the national parks and AONBs.

The two associations recognise the obligations upon the operators to provide as consistent a service as possible in all parts of the countryside, including the protected areas.

The main principles of the accord are that:

- Operators will encourage local planning authorities to involve AONB Partnerships on roll out plans and individual planning applications;
- AONB Partnerships will be involved in pre-application discussions;
- AONB Partnerships and operators will share best practice on design and technological advancements that help to reduce the impact of masts on the natural landscape; and
- A national forum will be established to review progress at least annually.

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### Impacts

Telecommunications infrastructure can affect the AONB in a number of ways:

- The presence of masts and infrastructure can erode the wilderness experience of the AONB's moorland landscapes;
- Masts can detract from clean sweeping skylines that are otherwise free of vertical structures and focal points;
- Masts and infrastructure can have an 'industrial' character out of keeping with the rural landscape;
- Construction works can have adverse impacts on sensitive habitats, species or archaeology;
- Development can detract from the character or setting of listed buildings, conservations areas and scheduled monuments;
- Overhead cables and service poles can add visual clutter to the urban or rural environment; and
- Guyed structures can cause collision fatalities in some bird species, particularly if poorly designed or located.

Many of these adverse impacts can be avoided or reduced by sensitive siting and design.

### Further information

A Joint Accord between the ANPA, the NAAONB and major mobile phone network operators can be found on the NAAONB website. [www.aonb.org.uk](http://www.aonb.org.uk)



### Telecommunications

- T1** Consider the design of the network as a whole and choose options that have the lowest overall impact.
- T2** Consider using networks of smaller, lower impact, masts on enclosed low ground rather than single tall masts on open high ground.
- T3** Use advances in technology or developments in the network to rationalise equipment: remove redundant, prominent or intrusive elements.
- T4** Share masts unless this leads to unacceptable levels of clutter on an individual mast. Avoid bulky head frames.
- T5** Share low impact sites but avoid adding to the impact of prominent sites.
- T6** Avoid locations within the moorland ridges and summits, and moorland plateau.

*continued*

## Telecommunications *(continued)*

- T7** Use existing buildings and structures where possible to support or contain antennas and equipment: take care not to compromise their existing architectural character.
- T8** Choose locations within settlement boundaries where possible to help assimilate the mast and reduce the impact of ancillary development; access tracks, security fencing etc.
- T9** Avoid skyline locations and particularly high ridges.
- T10** Choose locations where topography, buildings or vegetation form a backdrop and particularly in views from sensitive or well-used viewpoints.
- T11** Locating masts within or adjacent to existing woodland or tree groups can help assimilate the mast and screen low-level clutter: avoid damage to ancient or semi-natural woodlands and avoid sites where sensitive bird species are present.
- T12** Avoid damage to sensitive habitats or archaeological features.
- T13** Avoid open locations. In open landscapes locate masts close to existing farm building clusters or tree groups.
- T14** Avoid locations that impact on the setting of sensitive buildings.
- T15** Choose locations close to existing roads or access tracks to reduce the need for new tracks. Detail any tracks appropriately to reduce their impact (see Roads and Tracks below).
- T16** Use monopoles where possible and modern slim-line lattice towers for taller structures. Replace older structures with these where possible.
- T17** Use reflectors on support wires to reduce bird strike where a specific risk has been identified.
- T18** Use non-reflective surface treatments. Colour for both masts and plant should be informed by the backdrop: light or mid-greys for features seen against the sky and recessive browns and olive greens for features seen against rising ground.
- T19** Where existing lighting columns are present – in urban or roadside locations – choose detailing and colour to match these.
- T20** Equipment at the base of the mast should be kept to a minimum, under-grounded where possible, or screened by existing features – trees, hedges, walls or buildings.
- T21** Security fencing should be avoided where possible or screened by existing features or new native tree planting. In open situations low gently profiled earth mounding seeded with native grasses, will be more appropriate.
- T22** Consider novel approaches such as disguising monopoles as standard timber service poles but avoid incongruity. An honest use of materials is generally more in keeping with the AONB than ornamental or ‘artificial’ design.
- T23** Underground services where possible and particularly in open locations. Reduce the visual clutter of existing cable services by undergrounding.

### Renewable energy

The development and deployment of renewable and low carbon energy technologies is an important component of the Government's approach to combating climate change as set out in the UK Renewable Energy Strategy 2009. The AONB has the potential to contribute to this process by utilising its renewable resources where this can be done in a manner which is compatible with the purposes of its designation.

LDFs and development plans contain policies on renewable energy development, and LPAs will determine applications based on those policies, the principles set out in PPG22, and SPDs like the Cumbria Wind Energy SPD.

PPS22 advises that planning permission for renewable energy projects in AONBs should only be granted where *"it can be demonstrated that the objectives of designation of the area will not be compromised by the development, and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits"*.

It requires that local planning authorities should set out the circumstances in which *"...particular types and sizes of renewable energy developments will be acceptable in nationally designated areas"* and goes on to state that *"...small-scale developments should be permitted ....provided that there is no significant environmental detriment to the area concerned"*.

The NAAONB's position statement on renewable energy also distinguishes between larger or commercial scale developments, which in respect of wind energy and hydro-electric development it considers would constitute 'major development' which would be incompatible with the purposes of designation, and smaller scale developments which may be acceptable where they would not be to the detriment of the natural beauty, character, amenity and/or nature conservation interest of the AONB.

England's AONBs vary in their character and therefore vary in their sensitivity to different forms of development. Conserving the relative 'wildness' and remoteness of the North Pennines

landscape is fundamental to the purposes of its designation. This wildness, coupled with the openness of the landscape and high degree of intervisibility across the high ground of the AONB where much of the wind resource lies, makes it highly vulnerable to the impacts of commercial scale wind energy development. The naturalness of its watercourses and the quality of its dale floor landscapes makes it equally vulnerable to large new hydro-electric development other than in association with existing reservoirs and water supply infrastructure. The rural character of the landscape, its visual openness, and the lack of large scale industrial buildings or features also makes it vulnerable to the impacts of larger scale biomass plant or photovoltaic arrays.

In the current policy environment it is unlikely that large commercial scale wind energy, hydro-electric, photovoltaic or biomass development within the AONB would be considered to be acceptable and consistent with PPS22. Smaller scale developments may be supported provided that their impacts on the special qualities of the AONB are not significant. In relation to wind energy, 'small-scale' in this context has been interpreted differently by different Local Planning Authorities. Saved Policy R45 of the Cumbria and Lake District Joint Structure Plan states that "wind energy schemes requiring more than one turbine or a turbine with a ground-to-hub height of 25 metres or more is unlikely to be acceptable"; former Tynedale District Council's Saved Policy CS17, which forms part of the Northumberland Consolidated Policy Framework, refers to individual turbines in this context, and these have tended in practice to be of a domestic scale, around 6-15m hub height. The issue in all cases is to ensure that the proposed development is incorporated successfully and unobtrusively into its setting.

These Planning Guidelines do not therefore deal with large commercial scale development other than in relation to the impacts on the AONB of development outside of its boundaries which are dealt with in the section *Development outside of the AONB*. Guidance on micro-renewable energy installations integral to, mounted on, or associated with buildings can be found in the North Pennines AONB Building Design Guide.

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### Impacts

Renewable energy development can affect the AONB in a number of ways:

- The presence of wind turbines and associated power lines can erode the wilderness experience of the AONB's moorland landscapes;
- Turbines and power lines can detract from clean sweeping skylines that are otherwise free of vertical structures and focal points;
- The movement of turbine rotors can be visually distracting and detract from the tranquility of the landscape, as can noise;
- Sensitive habitats or archaeology can be physically damaged by the development, or by construction works or associated infrastructure, as can protected species such as wading birds;
- Turbine and track construction can damage peatland, releasing carbon and impairing future carbon storage;
- The natural quality, and biodiversity, of watercourses can be eroded by the development of artificial river engineering, generating plant or associated infrastructure;
- Larger scale structures – wind turbines, biomass plant and chimneys – can be out of scale with their surroundings;
- Buildings and structures of an 'industrial' character can be out of keeping with the rural character of their surroundings;
- Development can detract visually from the character or setting of listed buildings, conservations areas, scheduled monuments and archaeological features;
- Photovoltaic panels or panel arrays can be out of keeping with their surroundings if insensitively sited;
- Increased traffic associated with biomass may affect the character, condition or recreational value of rural roads and affect air quality;
- The infrastructure required for energy projects – tracks, service areas, substations, fences, overhead cables and service poles – can add visual clutter to the landscape and detract from its rural character, as well as having an effect on biodiversity and archaeological features;
- Emissions from energy plant in the form of steam or pollutants may affect the visual environment or sensitive habitats;
- Demand for biomass may put pressures on existing sensitive woodland resources or bring pressure for land-use change;
- Demand for biomass may provide local markets for wood fuel and stimulate the management of neglected woods and the planting of new woods;
- Renewable energy development may provide opportunities to interpret the natural resources of the AONB; and
- Onsite renewables may assist in the re-use and renovation of redundant buildings, particularly those that are off-grid.

Some of the adverse impacts can be avoided or reduced by sensitive siting and design.



## Renewable energy

### Small-scale wind energy development

- RE1** Avoid locating turbines within the moorland ridges and summits, and moorland plateau landscapes generally.
- RE2** Avoid elevated sites where there are acceptable alternatives on lower ground.
- RE3** Avoid locating the turbine on prominent or locally significant landforms like ridgelines, hill tops and knolls.
- RE4** Avoid open locations for wind turbines. In open landscapes associate them visually with existing features – farm buildings or tree groups – while maintaining adequate stand-off distances for bats where necessary.
- RE5** In choosing a location for a turbine make the best use of local topography, buildings or woodlands to screen it from sensitive viewpoints – roads, settlements and public rights of way.
- RE6** Underground services where possible.
- RE7** Avoid locations for turbines which intrude into clean or locally important skylines. Choose locations where rising ground or vegetation forms a backdrop and particularly in views from sensitive or well-used viewpoints.
- RE8** Select the size of wind turbine based on the needs of the primary user and the capacity of the local landscape rather than seeking to maximize output.
- RE9** Where possible the height of towers should relate to the height of existing vertical elements in the landscape such as service poles, trees, buildings and other structures.
- RE10** Select turbine models of a simple form and graceful appearance: three bladed horizontal axis turbines and some vertical axis models usually have a more balanced appearance than twin bladed models.
- RE11** Avoid physical damage to sensitive habitats or archaeological features.
- RE12** Avoid locations for turbines that may pose a threat to bats or birds: take specialist advice.
- RE13** Avoid locations that impact on the setting of sensitive buildings and conservation areas.
- RE14** Choose locations close to existing roads or access tracks to reduce the need for new tracks. Detail any tracks appropriately to reduce their impact (see Roads and Tracks below).
- RE15** Colour should be informed by the backdrop: light or mid greys are generally best for features seen against the sky and recessive browns and olive greens for features seen primarily against rising ground.
- RE16** Use non-reflective surface treatments.
- RE17** Accommodate any ancillary plant in existing buildings where possible. Design any new buildings to look like traditional farm buildings.



## Renewable energy

### Small-scale hydro-electric development

- RE17** Consult the Environment Agency, Natural England and the County Archaeologist at a very early stage in the process.
- RE18** Follow the Environment Agency Good Practice Guidelines.
- RE19** Consider the re-use of sites where water-power has been harnessed in the past and particularly where this can help restore historic or redundant features.
- RE20** Use existing buildings where possible for the turbine house.
- RE21** Where a new building is required either follow the style and materials of local vernacular buildings or use innovative approaches like green roofs and natural materials to blend it into the landscape.
- RE22** Avoid sites that require significant modification to natural watercourses, or to natural gill or river bank topography.
- RE23** Avoid hillside sites like steep gills in open country.
- RE24** Avoid sites that would entail damage to sensitive habitats or archaeological features.
- RE25** Avoid sites or designs that would entail significant alterations to in-stream flow regimes, or reduce biological connectivity and particularly the passage of fish and invertebrates.
- RE26** Keep the footprint of engineering operations as small as possible. Restore any areas disturbed using native grasses and native trees and shrubs where appropriate.
- RE27** Design intakes and tailraces sensitively to minimize their physical and visual impacts: use natural materials in their construction where possible.
- RE28** Observe bio-security precautions to avoid any invasive species being introduced on plant or machinery.
- RE29** Time operations carefully to avoid impacts on sensitive species such as spawning fish and nesting birds.
- RE30** Bury pipelines taking care to avoid damage to important vegetation, protected species and archaeological features. Restore the route as quickly as possible using existing soil resources.
- RE31** Where pipelines bypass waterfalls ensure that abstraction rates don't adversely affect them: if necessary abstract only during hours when the effects are less apparent.
- RE32** Design-out the need for security fencing. Where fencing is unavoidable ensure that it is designed to have a low visual impact or is effectively screened by vegetation from public vantage points.
- RE33** Underground services where possible. Keep connections to the grid as short as possible using or sharing existing service lines where possible.



## Renewable energy

### Small- to medium-scale biomass development

- RE34** Small-scale biomass installations should utilise existing buildings where possible. For new buildings or structures see the Building Design Guide.
- RE35** Medium scale biomass installations may require buildings analogous in scale to larger agricultural buildings: for advice on siting and design see the Building Design Guide.
- RE36** Choose locations that are within the fabric of settlements or on existing industrial or mineral sites.
- RE37** Greenfield locations should only be considered in exceptional circumstances. Choose locations that are naturally well screened from public vantage points by existing topography and woodland.
- RE38** Avoid locations where the chimney will be prominent and particularly where it will breach local skylines.
- RE39** Use colour to break up the mass of the building and the impact of the chimney: see the Building Design Guide for advice.
- RE40** Storage and service areas can be visually intrusive. Chose locations that are well screened from public vantage points. Consider undergrounding or partial undergrounding of storage pits.
- RE41** Follow the guidelines on noise, light, air and water in the Environmental Resources section.
- RE42** Underground services where possible. Keep connections to the grid as short as possible using or sharing existing service lines where possible.
- RE43** Manage traffic flows to the site to reduce impacts on local roads.
- RE44** Ensure that feedstocks are from sustainable sources. Look for opportunities to use or develop local wood fuel sources which also deliver biodiversity benefits.



### Renewable energy

#### Small-scale (domestic) photovoltaic installations

- RE45** Choose locations that are naturally well screened from public vantage points by existing buildings, topography and woodland;
- RE46** Avoid sites of ecological or archaeological sensitivity;
- RE47** Avoid locations that impact on the setting of sensitive buildings and Conservation Areas;
- RE48** Avoid sites requiring significant ground modelling or site levelling;
- RE49** Use low impact and reversible mountings such as pile driven or ground screw anchors;
- RE50** Use panels with low potential for glint or glare;
- RE51** Choose colour treatments for mounting frames that are non-reflective and recede against the background;
- RE52** On agricultural sites manage the vegetation between panels by low intensity grazing to encourage wildlife;
- RE53** Minimise the use of security fencing and lighting; and
- RE54** Underground services where possible.

#### Further information

Further advice on renewable energy in relation to buildings can be found in North Pennines AONB Building Design Guide.

The NAAONB's position statement on renewable energy can be found on the NAAONB website: [www.aonb.org.uk](http://www.aonb.org.uk)

Further advice on planning for renewable energy can be found in Planning for Renewable Energy: a Companion Guide to PPS22 which is available on the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)

Further information on wind turbines and bats can be found in Natural England Technical Information Notes TIN051 and TIN059, both available from the Natural England website: [www.naturalengland.org.uk](http://www.naturalengland.org.uk)

Further advice on hydro power schemes can be found on the Environment Agency website – [www.environmentagency.gov.uk](http://www.environmentagency.gov.uk) - including Good Practice Guidelines on assessing environmental impacts.

## Access roads and tracks

This guidance deals only with private access roads and tracks and not with public highways. Guidance on public highways can be found in the North Pennines AONB publication *Guidance for the Management and Maintenance of Roads*.

Access roads and tracks can have a substantial impact on the landscape of the AONB despite the often relatively small footprint of individual features. Moorland shooting tracks, access tracks to isolated properties, tracks associated with forestry or with telecommunications installations can be visually intrusive, and can damage features of biodiversity, geodiversity or cultural heritage value.

The construction of some tracks, and some works to existing tracks, are 'permitted development' under the Town and Country Planning (General Permitted Development) Order 1995. It should be noted that the creation of new made-up tracks across moorland to reach shooting butts is not for agricultural purposes. Local Planning Authorities should always ensure that

landowners seek planning permission

Part 6 of the GDPO allows for the formation or alteration of private ways on agricultural land where this is reasonably necessary for the purposes of agriculture. In these circumstances the developer must apply to the LPA for a determination as to whether prior approval is required of the siting and means of construction of the road or track. The definition of 'agriculture' is not inclusive of sporting activities such as shooting. Where more than one function is proposed the LPA must determine whether the works are 'reasonably necessary' for agricultural purposes. In agreeing matters relating to siting and construction the LPA should treat these in the same way as the approval of the reserved matters of an outline planning permission, and must have regard to landscape, historic environment and nature conservation issues.

Part 7 allows for the formation, alteration or maintenance of private ways for the purposes of forestry, including afforestation, but without the requirement for prior approval. Most woodland planting and

management is grant aided through the England Woodland Grant Scheme administered by the Forestry Commission who will consult LPAs on schemes with potentially significant impacts. Part 9 allows for maintenance or improvement of an un-adopted street or private way but only within its existing boundaries.

Other tracks generally require consent from the planning authority and therefore require a planning application. Local planning authorities will be able to provide advice relating to specific proposals. Borrow pits for the construction and maintenance of tracks required for forestry or agricultural operations have permitted development rights where they lie within the unit and are used for the purposes set out in Part 6 and 7. Other borrow pits will require planning permission.

Development plans and LDFs rarely contain specific policies on tracks. Planning applications will generally be assessed against policies on the conservation and enhancement of environmental resources including biodiversity, geodiversity, landscape and cultural heritage. In

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determining such applications LPAs must have regard to the requirement in PPS7 (21) that the conservation of the natural beauty of the landscape and countryside should be given great weight in development control decisions in the AONB.

Existing measures provide additional protection for nationally and internationally important nature conservation sites. Natura 2000 sites (Special Protection Areas and Special Areas of Conservation) are subject to protection under the Conservation of Habitats and Species Regulations 2010 to ensure compliance with the requirements of the Habitats Directive. If an operation which otherwise benefits from permitted development rights is likely to have a significant effect on a Natura 2000 site, and is not directly connected with agreed management arrangements, the person proposing the operation must apply to the planning authority for approval. In effect, permitted development rights are suspended. The regulations also provide that the opinion of Natural England should be sought as to whether development is likely to have a significant effect and that their

opinion will be conclusive.

Following receipt of an application for written approval, the planning authority will undertake an assessment of the implications of the proposal for the site in view of that site's conservation objectives (an 'appropriate assessment'). In making the assessment the planning authority must consult Natural England and take into account any advice received. The planning authority will approve the operation only if the assessment shows that the operation will not adversely affect the integrity of the site. For Sites of Special Scientific Interests a list of operations requiring consent forms part of the notification. If a land manager wishes to carry out any of the listed operations they must obtain consent from Natural England. If a public body proposes to carry out an operation likely to damage the protected natural features of an SSSI they must consult Natural England, whether or not the operation is listed as an operation requiring assent. This requirement on public bodies includes proposals outwith the boundary of an SSSI but which are likely to damage the protected natural features of an SSSI. In

effect, permitted development rights are removed, as with Natura 2000 sites.

Where a track which affects an SSSI is granted planning permission, then consent from NE is not required for that track. Many nationally and internationally important geodiversity sites are protected by SSSI status. Earth heritage SSSIs are subject to the same controls as those listed above in relation to sites designated for their biodiversity interest. Track construction may also affect species protected under domestic or international legislation (the Wildlife and Countryside Act 1981, as amended, the EU Habitats Directive, the Conservation Regulations, the EU Wild Birds Directive and the Protection of Badgers Act 1992) independent of planning legislation. Development can also have impacts on Scheduled Ancient Monuments which have statutory protection. Consents and licences may be required in addition to planning consent, although impacts on such features will also be a material planning consideration.

## Impacts

The construction, upgrading or repair of access roads and tracks can have a range of impacts on the environment of the AONB:

- Tracks can be conspicuously artificial elements in moorland landscapes that are otherwise generally lacking in man-made features. This can erode the sense of 'wildness' 'remoteness' and 'naturalness' which are fundamental to the purposes of the AONB designation;
- Tracks and associated cuttings, embankments and borrow-pits can damage natural topography and features of geodiversity interest;
- Tracks can be highly visible linear features in open landscapes that otherwise lack focal points, or contrast in colour and form with their surroundings, detracting from the character and appearance of the wider landscape;
- Sensitive and important habitats can be lost or damaged either directly through the physical impacts of construction or indirectly through changes to their hydrology or bio-chemistry;
- Sensitive and important species can be disturbed directly, or can be affected by habitat changes or increased disturbance by vehicular or pedestrian traffic;
- Deep peats can be severely damaged by vehicle tracking, the construction of the track itself and hydrological changes which can lead to erosion;
- Water quality can be affected by run-off from tracks or the erosion of peat;
- Features of cultural heritage value, including buried archaeology, can be physically damaged by the construction of tracks and borrow pits. The setting of important features – ancient monuments and listed buildings – can be impaired; and
- The provision of tracks can facilitate access by walkers on access land to remote locations. This can be a positive benefit in some respects but can increase disturbance to sensitive species or habitats.

The impact of access roads and tracks can be reduced by careful siting and design. Detailed guidance on upland tracks has been produced by Scottish Natural Heritage (SNH): *Constructed Tracks in the Scottish Uplands* (SNH 2006) which is too comprehensive to be repeated here but is highly recommended.

## Further Information

*Constructed Tracks in the Scottish Uplands* (SNH 2006) is available from the SNH website: [www.snh.org.uk](http://www.snh.org.uk)



### Access roads and tracks

- AR1** Avoid the construction of new tracks in moorland landscapes wherever possible and particularly in areas currently free from surfaced tracks.
- AR2** Consult with your LPA, Natural England and the AONB Partnership team at an early stage.
- AR3** Assess the environmental sensitivities of the site thoroughly: seek the advice of ecology, landscape, geodiversity and heritage specialists.
- AR4** Assess the need for any new track, or significant upgrading of an existing track, rigorously.
- AR5** Consider alternative means of access, or the use of smaller or lower-impact vehicles.
- AR6** Consider alternative routes involving shorter tracks, track sharing, or lower impact solutions.
- AR7** Consider alternatives that involve the removal, restoration or reduction in scale of existing higher impact tracks.
- AR8** Identify routes and borrow pit locations that avoid direct or indirect impacts on sensitive habitats or species.
- AR9** Avoid routes that cross deep peats, mires and flushes.
- AR10** Identify routes and borrow pit locations that avoid impacts on features important to geodiversity.
- AR11** Carry out a detailed topographical survey of the preferred route corridor.
- AR12** Identify routes that minimise impacts on topography, avoiding damage to locally important features and minimising the need for conspicuous cuttings, embankments and deep culverts.
- AR13** Identify alignments that fit the character of the landscape. Avoid straight lines in unenclosed landscapes. Exploit the potential of the landform or existing woodlands, hedges and walls to screen the track in important views.
- AR14** Choose specifications and construction methods with the lowest environmental impact.
- AR15** Minimise the impacts of the track on the natural hydrology of the site and design drainage systems to accommodate future climatic changes.
- AR16** Conserve and translocate existing vegetation where possible. Restore disturbed areas using natural regeneration or the use of native species of local provenance.
- AR17** Consider the potential recreational use of the track carefully including positive and negative attributes. Consider links to existing rights of way where appropriate.
- AR18** Refer to SNH guidance for detailed design advice.

## **Agriculture and farm diversification**

The appearance and character of the North Pennines landscape owes much to the way it has been managed by successive generations of farmers. The future of our farmed landscapes is likely to be influenced by the growing economic pressures coming from the liberalisation of global markets and increased global demand for both food and bio-fuels, balanced by an increasing emphasis on support for agri-environmental schemes and diversification of the rural economy. It is also likely to be affected in the medium to long term by climate change, which may bring changing patterns of cultivation and new crops. Farm businesses need to respond to these forces which can at times require new development in the countryside. It is important that such development conserves the special qualities of the AONB landscape.

The Town and Country Planning (General Permitted Development) Order 1995 as amended, grants planning permission for a wide range of development associated with agricultural uses of land, on units of 5 hectares or more. In some cases this permission cannot be exercised unless written notification is given to the Local Planning Authority, who will decide whether or not further details must be submitted for prior approval. In agreeing such matters as siting and construction of buildings the LPA will treat these in the same way as the approval of the reserved matters of an outline planning permission, and must have regard to landscape, historic environment and nature conservation issues.

Diversification of the rural economy is critical to the future of rural communities in the AONB but brings its own challenges in terms of the scale and types of development appropriate to its landscapes. Some diversification proposals will have an essentially agricultural function, particularly those associated with alternative crops or livestock. Others may include enterprises either directly related or unrelated to agriculture (see also Tourism and Recreation below) and involving a change of use of land or buildings which will generally require planning permission and which will be determined against policies in the LDF. In determining such applications LPAs must

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have regard to the requirement in PPS7 (21) that the conservation of the natural beauty of the landscape and countryside should be given great weight in development control decisions in the AONB.

PPS4: Planning for Sustainable Economic Growth sets out Government Policy for economic development. With regard to rural areas Policy EC6 states that the countryside should be protected for a range of reasons, and that economic development in the open countryside should be strictly controlled. However, Local Planning Authorities are encouraged to support diversification for business purposes that are consistent in their scale and environmental impact with their rural location.

### Impacts

Agricultural development and farm diversification proposals can have a range of impacts on the environment of the AONB:

- New buildings may be out of scale or out of character with their surroundings;
- Insensitive conversions of existing buildings can damage their architectural character and historic significance;
- Ancillary buildings and structures can create visual clutter that detracts from the setting and character of the farmstead;
- Mature landscape features – hedges, walls, trees – can be lost;
- Important wildlife habitats can be damaged directly or indirectly and protected species can be disturbed;
- Historic features, including archaeological remains, can be damaged or lost;
- The management of associated farmland may change to more intensive uses (pony paddocks) or extensive uses (ranching) leading to impacts on character and biodiversity;
- Farmland may pass into the control of new owners/managers who lack the knowledge and expertise of farmers;
- The rural character of the landscape can be eroded by the presence of signage and other 'urban' features;
- The tranquillity of the countryside can be weakened by noisy activities, light pollution or increased levels of traffic on local roads;
- New uses can be found for old buildings, prolonging their useful life and retaining their character;
- Development may secure resources for management or repair of traditional agricultural features like walls and hedges; and
- New wildlife habitats can be created, or the management of existing habitats improved.

Many of the potential impacts of new agricultural development or farm diversification proposals arise from new buildings and building conversions. Detailed guidance is contained in the North Pennines AONB Building Design Guide. Additional guidelines are given on the next page.



## Agriculture and farm diversification

- FD1** Retain the greater part of the farmland and buildings in agricultural use.
- FD2** Conserve the agricultural character of the farmstead and its immediate setting by siting new ancillary buildings and structures carefully, avoiding prominent locations in important public views.
- FD3** Use the vernacular language of existing buildings as a guide to design.
- FD4** Conserve traditional landscape features – walls, hedges and mature trees – and protect them throughout the development phase.
- FD5** Use the low-key design language of existing boundaries, openings and surface treatments: avoid the 'suburbanising' effect of elaborate fences, gateways, signage etc.
- FD6** Look for opportunities to restore or renovate existing features like hedges and walls around the steading.
- FD7** For any novel elements exploit the screening value of existing topography buildings or vegetation where possible. Augment this with the planting of new native hedges and trees.
- FD8** Be aware of the potential presence of protected species such as barn owls and bats, and understand the procedures required.
- FD9** Consider how changes in land management may affect character or biodiversity and mitigate potential impacts where possible.
- FD10** Identify opportunities to provide alternative nesting sites for birds that may be affected by renovations or demolitions and include them within submitted proposals.

### **Tourism and leisure**

Tourism is an increasingly important part of the economy of the AONB. The character and quality of its environment is fundamental to its attractiveness to visitors. Environmentally sustainable tourism can encourage the appreciation of the landscape, wildlife, culture and history of the AONB while providing new opportunities for diversification and employment. The most sustainable developments will be those that bolster local distinctiveness, help to showcase local products, crafts and traditions and contribute to the conservation of local character and enhancement of natural beauty. While new tourist accommodation and leisure development can improve the tourism offer, it is essential that they don't detract from the very qualities that make the countryside attractive to visitors and residents.

Tourism and leisure development is in its very nature diverse and encompasses a range of development types including visitor centres, major attractions, accommodation (catered and self-catering), chalets and caravan sites, equestrian development, cafés, restaurants and car parks. Most of these will involve a change of use of land or buildings which will generally require planning permission and which will be determined against policies in the LDF. In determining such applications Local Planning Authorities must have regard to the requirements in PPS4 (EC7) that they should support sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors, and PPS7 (21) that the conservation of the natural beauty of the landscape and countryside should be given great weight in development control decisions in the AONB.

## Impacts

New recreational or tourist development and associated activities can affect the environment in a number of ways:

- Development may have an 'urbanising' effect on the rural landscape through the introduction of new buildings and land uses;
- The tranquillity of the countryside may be affected by noisy activities, increased traffic levels and lighting, as well as by increased visitor numbers;
- Mature landscapes and landscape features may be damaged or lost;
- Land may be managed without the expertise or resources of farmers and foresters;
- The conversion of traditional buildings and the scale or design of new buildings may be out of keeping with the vernacular character of the locality;
- Pressures of visitor numbers can lead to damage to footpaths and fragile habitats, or disturbance to sensitive species;
- Recreational developments may bring opportunities to re-use and maintain traditional buildings, or to support traditional forms of land management; and
- The conversion of buildings can lead to disturbance of protected species such as barn owls and bats.

Many of the potential impacts of new tourism and recreational development arise from new buildings and building conversions. Detailed guidance is contained in the North Pennines AONB Building Design Guide. Additional guidelines are given on the next page.



### Tourism and leisure

- TL1** Consider re-using existing buildings where this is appropriate and can be done sensitively.
- TL2** Ensure that sites for chalets and caravans have substantial and effective existing year-round screening from public viewpoints in the form of topography or mature woodland.
- TL3** Avoid intensive activities or high levels of pedestrian access in sensitive habitats like native woodland, species rich grassland, wetland or moorland.
- TL4** Ensure that visitor facilities are located so as not to increase traffic levels substantially on quiet roads and lanes.
- TL5** Avoid locating noisy activities in the AONB generally. Reduce and manage noise levels where this is unavoidable (see Tranquillity).
- TL6** Avoid excessive lighting. Where lighting is required for evening activities design and manage it carefully (see Tranquillity: Light).
- TL7** Look for opportunities to restore or renovate existing features like hedges and walls, and opportunities to create new wildlife habitats.
- TL8** Locate facilities likely to attract significant visitor numbers where they can be accessed by public transport or sustainable modes of transport like walking and cycling.
- TL9** Assess the potential impacts of increased recreational activity on fragile habitats and sensitive species. Identify appropriate visitor management measures to minimise impacts.
- TL10** Use the low-key design language of existing boundaries, openings and surface treatments: avoid the 'suburbanising' effect of elaborate fences, gateways, signage etc.
- TL11** In equestrian development use existing buildings for stabling where possible. Keep field shelters simple in form, locate close to existing features such as hedges walls and woodlands and away from skylines.
- TL12** Locate outdoor equestrian exercising areas carefully to avoid significant earthworks. Use traditional boundary treatments – walls and native hedges – where possible instead of ranch fencing.

## Development outside of the AONB

In some circumstances development outside of a nationally designated area can have impacts on the special qualities that form the basis of its designation and underlie its purpose. In those cases the potential impact on the designated area will be a material consideration to be taken into account in determining planning applications.

This principle is enshrined within many existing development plan policies dealing with the AONB which consider both development within the AONB, informed by PPS7 21-23, and development 'affecting' the AONB as an additional criterion.

In respect of wind energy development PPS22 states that:

*“Regional planning bodies and local planning authorities should not create ‘buffer zones’ around international or nationally designated areas and apply policies to these zones that prevent the development of renewable energy projects. However, the potential impact on designated areas of renewable energy projects close to their boundaries will be a material consideration to be taken into account in determining planning applications”.* PPS22 14

It is beyond the scope of this document to deal exhaustively with all of the potential effects on the AONB of development outside of it, which could include a very wide range of direct, indirect and secondary impacts. The focus of this guidance is on direct impacts. The key issue for development is the extent to which its effects impact upon the special qualities of the AONB. While biodiversity and cultural heritage contribute to those special qualities, impacts on those resources are likely to be dealt with under other policies in development plans and LDFs, rather than be considered in terms of impacts on the special qualities of the AONB. The most significant category of impact likely to affect the AONB, where the special qualities of the AONB are likely to be central to the discourse, is landscape and visual impact.

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### **Landscape and visual impact**

The extent to which the landscape and visual impacts of development affect the special qualities of the AONB will depend on the visual characteristics of the development and the visual environment of the receptor. It is useful to distinguish between views which are effectively 'views out from' the AONB, 'views within' the AONB, and 'views of' the AONB.

**Views out from the AONB** are those which are across, or of, a different landscape. There are many vantage points either on elevated ground or on the edges of the AONB where there are commanding panoramic views across adjacent landscapes which are of a clearly different character, and where development would rarely be considered by a typical viewer to affect the landscape of the AONB itself. Exceptions might be views of acknowledged importance to other significant landmarks such as, for example, views from the western summits of the AONB towards the peaks of the Lake District National Park.

**Views within the AONB** are those which primarily take in the landscape of the AONB itself. In some cases other landscapes may be visible as part of that view, although a typical viewer might not be able to discern any differences in character of the distant landscape and it remains functionally 'part of' that interior view of the AONB. In some cases development in an adjoining area can detract from such interior views, for example wind turbines on a distant ridge may be visible from well within the AONB, affecting the character of interior views of the AONB landscape.

**Views of the AONB** are views from other landscapes in which the AONB features in the view. This type of view varies from those where the AONB is visible as a muted backdrop but has no special significance to a typical viewer, to those where the visible parts of the AONB are an important, even iconic, part of the view. An example of the former is views from parts of the Wear Lowlands where the eastern fringes of the AONB are empirically visible but generally indistinguishable in character from the high ridges of the intervening West Durham Coalfield. An example of the latter is views from the Vale of Eden of the great western escarpment of the North Pennines where it

could be argued that it is in views such as these that this part of the AONB landscape is best appreciated. Development can detract from exterior views at this end of the spectrum, and particularly if it affects individually important viewpoints.

In practice it can be difficult to draw a precise line between these different types of view. The AONB boundary is rarely reflected in a sharp change in landscape character or quality on the ground, or one which is readily apparent to the typical viewer. Some views across the AONB towards other parts of the AONB take in non-AONB landscapes in between, for example views across the lower parts of Weardale and Teesdale, and views across Hamsterley Forest. The distinction does remain, however, a useful way of structuring any assessment of landscape and visual impacts on the AONB.

The magnitude of any impact will depend in part on the visual characteristics of the development. The visual effects of mineral extraction and most forms of built development attenuate fairly quickly with distance. Both tend to present at distances of over 3 - 5km as relatively small, low and horizontal elements of muted colour which are rarely conspicuous in views out from, or within, the AONB beyond distances of that order.

Tall structures like telecommunications masts, and particularly wind turbines, can have more significant impacts in these views as they are discernible at considerable distances in favourable weather conditions, typically project above the skyline, and can stand out in their colour in the otherwise muted earth tones of the landscape. In the very simple, open horizontal landscapes of most of the Pennine moors, where man made features and vertical elements are rare, wind turbines can have greater impacts at further distance than in more visually complex lowland landscapes. This can have consequences for the perceptions of the landscape as wild and remote which are fundamental to the purposes of the AONB designation.

Coming to conclusions on the overall significance of a development's impacts on the special qualities of the AONB can be difficult. Ultimately this will be informed by the degree to which the

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development would have significant impacts on views within the AONB, and individually important views of, or from, the AONB. The extent of this impact in terms of the scale of the area or number of viewpoints affected will be a consideration, but care should be taken not to express this as a 'proportion' of the AONB - all of its landscapes are important.

The cumulative effect of otherwise individually acceptable development is a key issue for the AONB. Particular care must be taken to avoid a piecemeal erosion of its special qualities. Development around the AONB can lead to the establishment of demarcations in the landscape between the AONB and its surroundings that otherwise would not exist. Piecemeal erosion of the sense of remoteness and wildness in the margins of the AONB can reduce the extent of the area over which such qualities can be appreciated.

For development requiring an EIA outside of the AONB a Landscape and Visual Impact Assessment would be carried out in accordance with Guidelines for Landscape and Visual Impact Assessment produced by the Landscape Institute and the Institute of Environmental Management and Assessment. It would be normally expected that in assigning sensitivity values to the landscape as part of that process that all of the landscapes of the AONB would be treated as being of the highest level of sensitivity.

There are circumstances where proximity to the AONB may trigger the need for an EIA for development which in another location might not require one. A key consideration will be whether the development could give rise to significant impacts on the AONB. This is something that needs to be assessed on a case-by-case basis.



### Development outside of the AONB

- DO1** Avoid locations for development that would have significant impacts on views within the AONB, and important views from or of the AONB.
- DO2** Assess the landscape and visual impacts of development on the AONB thoroughly.
- DO3** For wind development assess impacts from important and representative viewpoints in the AONB up to the limits of visibility— typically around 25 to 30km.
- DO4** Assess cumulative impacts on the experience of the AONB as a whole and not just in terms of individual and sequential views along linear routes.

## Mitigation and enhancement

Most development, however well located and designed, has adverse impacts on the environment in some degree. Much of the guidance in this document deals with how those impacts can be mitigated to bring them to more acceptable levels.

The key to successful mitigation is to:

- **identify** all potential impacts both direct and indirect;
- **avoid** harmful impacts where possible;
- **reduce** the level of impact where avoidance isn't possible; and
- **compensate** for any residual impacts.

All of these stages are necessary if the development is to have no 'net harm' on the environment. It is often the case that development is permitted where its residual impacts are considered to be sufficiently small not to warrant refusal, or to be outweighed by the benefits of the development in other respects. One consequence of this is that the overall effect of development 'in the round' is a piecemeal erosion and progressive decline of environmental quality.

Residual impacts can often be removed by creative approaches to mitigation. For example the loss of some field boundaries within a development may be unavoidable however carefully it is designed, but can be compensated for by the creation or renovation of boundaries elsewhere on the site, or outside of the site. The net effect of the development on that particular resource can be neutral or benign.

Even in situations where there are no opportunities within the site, and the developer has no control over adjacent land, it may be possible to make a financial contribution through a Planning Obligation to the work of another agency which is in a position to deliver mitigation of that kind in the vicinity of the site, or in the wider landscape, to ensure no net harm to the

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resource. In the North Pennines AONB there are a large number of agencies working to improve the environment through a diverse range of projects. Working in partnership with these agencies can provide new opportunities to mitigate a development's impacts.

Compensation or 'off-setting' can also be used in relation to carbon. The peatlands of the North Pennines are a strategically important carbon sink. Many are in poor condition due largely to moorland drainage or 'gripping which compromises their ability to store carbon. The residual 'carbon footprint' of a development can be offset by contributing resources to moorland restoration in the form of grip-blocking.

In seeking to compensate for impacts in this way it is important to compensate 'like for like' where possible and to understand the true value of the assets being lost and compensate accordingly. It remains essential that important assets are protected and not 'traded' for lower value features. In some cases it may be impossible to compensate 'like for like'. A development may have residual impacts on landscape character that can't be mitigated in any practical way, at the same time as having greater potential to enhance biodiversity. If care is taken in every development to minimise adverse impacts and maximise environmental benefits the overall balance of impacts of development 'in the round' on the environment of the AONB can be more positive.

It is essential therefore for all developers to not only mitigate adverse impacts, but to look for opportunities to enhance the environment wherever they can. It is also a requirement of the NERC ACT and PPS9 that local authorities seek opportunities to improve and enhance biodiversity. Development does not have to be a threat to the environment of the AONB. If truly sustainable, development can be a mechanism for delivering an improved and healthier environment for us all. The AONB Management Plan, Geodiversity Action Plan, Biodiversity Action Plans, River Basin Management Plans and local landscape and countryside strategies and access plans contain a wide range of objectives for the environment of the AONB. These can be a useful source of information on environmental priorities to which your development can contribute.

Mitigation and enhancement proposals are often built in to the design of the proposals, others may involve works covered by Planning Conditions or by Section 106 Planning Obligations or other legal agreements. Legal agreements under Section 39 of the Wildlife and Countryside Act can be of use in dealing with longer-term land management proposals that may benefit from the support of agri-environment schemes in the future. Eligibility for such schemes can be precluded if the works are required by a planning permission, as they would be under a Section 106 agreement.

Some LPAs within the AONB are producing SPDs on Planning Obligations which will set out the authority's approach and give guidance on their use. Speak to your Local Planning Officer about what the best mechanisms are for dealing with mitigation works.



## Mitigation and enhancement

- ME1** Follow the guidelines in this document to identify, avoid, reduce and compensate for the impacts of the development.
- ME2** Take ownership of your impacts. Ensure you have 'no net harm' on the environment and aspire to enhance it.
- ME3** Be creative in looking for opportunities to mitigate impacts. Think 'outside of the box' of the site and the limitations it imposes.
- ME4** Consider working in partnership with others where this could best achieve your goals.
- ME5** Always look for opportunities to enhance the environment. Use the AONB Management Plan and other environmental plans and strategies to identify priorities.



### Protecting features on development sites

Mature trees and shrubs are always an environmental asset, but particularly so in the North Pennines where growth rates are low and shelter from the elements is at a premium. Rather than being ignored or treated as obstacles on a development site they should be conserved where possible and integrated into the design.

Trees are protected by law in many circumstances. They may be covered by a Tree Preservation Order, a planning condition or a restrictive covenant. In Conservation Areas certain works to trees, including felling, require notification to, and consent from, the Local Planning Authority. Before planning any work that involves a tree you should consult your Local Planning Officer. Further information on trees and the law is given in Appendix 4.

Protecting trees on a development site takes careful surveying, planning and management. The procedures for doing this are set out in the British Standard BS5837:2005 Trees in Relation to Construction. This sets out the need for detailed survey, the development of a Tree Constraints Plan (TCP) and a Tree Protection Plan (TPP). You may need to engage a landscape architect or arborist to assist in this process. Local Authority Planning teams can also offer advice. A detailed survey, TCP and TPP are normally required to accompany a Planning Application.

It is an offence under the hedgerow Regulations (1997) to remove most types of rural hedgerow without first notifying the relevant local authority. The regulations do not apply to works covered by a planning consent. When in doubt, seek the advice of your Local Planning Officer.

Mature trees and shrubs that are to be retained as part of the development will need to be fully protected in the development phase from such factors as physical damage or soil compaction by vehicles or storage of materials. This usually entails protective fencing around a root protection area. Advice on where to go for further information on protecting mature trees and shrubs is given at the end of this section.

### Tree and shrub planting

#### New planting

Trees and shrubs can make an enormous contribution to both the quality of new development and the extent to which it is assimilated into its setting. The need or potential for new planting will vary between developments.

Where there is a need to screen large buildings or unsightly operational areas perimeter screening belts may be required. It is important that these are designed appropriately so as not to become alien features in their own right. There is little point trying to hide an ugly building with an ugly or conspicuous shelterbelt. Try to design these as 'small woodlands' that fit into their surroundings. Avoid creating narrow linear features that run against the grain of the topography or geometric blocks that stand out from their surroundings. Pick up any nuances of the landform in drawing the woodland boundary and, where space allows, scallop the woodland edge to break up its outline and create areas of complementary habitat like rough grassland.

Always take advice on the existing biodiversity or archaeological value of potential planting sites and avoid planting on sensitive areas. Consult your local authority ecologist and archaeologist at an early stage.

New trees should be planted with careful thought to their mature height and spread including a respect for the vigour of the root systems which can cause disturbance to the foundations of boundary walls, to path surfaces and drains if adequate space is not allowed. Well-constructed modern foundations and drains should not be



*Robust shelter planting in Weardale*

affected but older features may be more vulnerable. Taking specialist advice from a landscape architect, arboriculturalist or forester will help you avoid these pitfalls and deliver a well designed and cost-effective scheme.

In exposed upland landscapes like the North Pennines trees grow slower than in the lowlands. Robust planting areas give more shelter to the young trees in the short term and to the building in the longer term. Narrow shelter belts that grow into rows of wind-sculpted 'lollipop' trees have little value as screening or shelter.

Whether planting for shelter or screening it is important to plant species native to, or characteristic of, the locality. Native species already have a strong presence in the landscape – from ancient woodlands to abandoned quarries – and are well adapted to the conditions found here. In addition to simply 'looking right' in the landscape they have a much higher biodiversity value than most imported species.

Woodland types characteristic of the North Pennines include oak and oak-birch

woodlands on acidic soils and ash and alder-ash woodlands on limestones. Many woodlands contain a mixture of these different types due to the rapidly alternating rock strata typical of the North Pennines. Species should be chosen to reflect the composition of native woodland types best suited to the underlying geology, soils and drainage of the site.

On exposed sites a high proportion of hardy 'nurse' species like downy birch or common alder (on wet ground) can be used and thinned out in later years. On more sheltered or fertile sites planting mixtures should have a high proportion of under-storey shrubs to make them both more visually dense and increase their shelter value. The woodland edge can be particularly rich in smaller native trees and shrubs which can be chosen for the decorative (and wildlife) value of their flowers and berries.

**Native woodland types suitable for larger planting schemes**

***Upland oak and oak-birch woodlands***

Suitable for planting on acidic soils.

Planting mixtures should be dominated by downy birch and sessile oak with smaller numbers of rowan, holly and hazel. On poorer soils and exposed sites the proportions of hazel and holly should be reduced and birch increased.

***Upland ash and alder-ash woodlands***

Suitable for planting on base-rich soils over limestone or flushed fertile slopes in the valley bottom.

Planting mixtures should be dominated by ash and hazel with smaller numbers of downy birch, sessile oak, rowan, holly, bird cherry, hawthorn, elder, goat willow and grey willow. On wetter sites common alder should be the dominant species.

**Smaller native trees and larger shrubs suitable for planting in urban situations**

**Downy birch**

**Hazel**

**Blackthorn**

**Silver birch**

**Holly**

**Hawthorn**

**Rowan**

**Crab apple**

**Juniper**

**Bird cherry**

**Guelder rose**

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In addition to native species there are a number of imported species with a long association with the area and a strong presence in the landscape. These include:

- non-UK natives (sycamore, larch);
- UK natives not native of the North Pennines (beech);
- former natives that have long disappeared from the area and have since been re-introduced (scots pine); and
- ornamental species often planted in parks and village greens (common lime, horse chestnut).

All of these species have their place in the landscape but some should be used with caution in shelter planting. Beech and sycamore are very wind-hardy but both cast a dense shade which suppresses the shrub layer and ground flora leading in later years to tree belts with little low-level shelter and little biodiversity. A group of wind-swept sycamores beside an isolated farm may be an iconic image of the North Pennines, but they could also represent a mistake our grandfathers made that they never got a



*An edge mix including fast growing Rowan complements larger, longer lived species in the woodland core*

chance to learn from and which we are doomed to repeat. Scots pine and larch can also behave in the same way in narrow belts although both can be a useful nurse crop in a mixed plantation on a poor site.

When planting belts or blocks of trees it is always advisable to use small plants – 2 year old transplants, ‘undercuts’ or whips – rather than larger standard trees which will often be slow to establish, particularly in exposed situations. Small plants are much cheaper and will usually overtake larger stock in a very

few years. Shelter from the elements and protection from livestock and rabbits are often critical to success in the North Pennines as is weed control in the early years. Information on sources of detailed advice on tree planting techniques can be found at the end of this section.

When planting individual trees close to buildings or in gardens and public spaces there are many smaller native trees and shrubs that are suitable for the task. Planting local natives can help link the development



*Use of larger trees such as staked standards is expensive but can give instant effect in sheltered locations. Planting smaller stock is more cost effective for larger areas*

visually with the wider landscape and express the distinctive upland character of the area.

Selecting the correct site for planting is critical and the following considerations should be taken into account:

- The ultimate size of the tree;
- The proximity of buildings, other structures and any underground or over ground services such as telephone and electricity supply cables;
- The potential to obscure any road sightlines or road signs. This can prove hazardous to road users and pedestrians;
- Some species, such as horse chestnuts, can produce heavy leaf fall. This should be a consideration when planting close to roads and paths or drainage gullies; and
- Trees such as limes and sycamores are affected by sugar secreting aphids which can cause mildew below them. This should be a consideration when planting close to car parks or seating areas.

Trees grow and obstruct daylight. Choose species carefully and do not plant in close

proximity to windows. Trees can cause structural damage to buildings if they are blown over, most structural damage being caused by the heavier lower limbs and trunks. As a rule of thumb, larger species should be planted no nearer to a dwelling than two thirds of their expected mature height. This will depend on soil and situation: on many sites in the North Pennines trees will never attain the potential heights quoted for them in national data. Take advice from your local Tree Officer who will have local knowledge.

Most tree roots grow in the top 60cm (2ft) of the ground. The pattern of root development varies greatly between species. As a general rule, roots will spread considerably further than the canopy will extend. Tree root growth is only capable of exerting a comparably small force, however this may cause small structures with no foundations – drives, paths, patios and garden walls – to be moved or distorted. This is unavoidable in some situations and usually best dealt with through minor repairs to the structures. For many people this is a small price to pay for the

pleasure of living with a tree and shouldn't lead to overly conservative planting practices.

Roots are opportunistic and will grow to exploit moisture and nutrients. Fine roots can penetrate minute cracks and joints in drains. This is not an issue for new buildings where well-designed and properly constructed modern drains and foundations should be impervious to the effects of tree roots, but may be a consideration when planting close to older buildings and structures.

Selecting the right species for planting takes some care and will depend on the physical conditions of the site (soil type, drainage, exposure) and the space available for the trees' eventual height, crown size and root spread. Some species are intrinsically unsuitable for planting close to typical domestic buildings because of the invasive, shallow, or long-reaching characteristics of their root systems. Larger varieties of willow, poplar and coniferous species should be used with caution. As a simple rule, they should be planted no nearer than one and a half times their potential height from drains or

walls. Information on sources of detailed advice on tree planting techniques can be found at the end of this section.

Guidance on ornamental planting in gardens and public open space is beyond the scope of this document. It should be noted, however, that the design of ornamental planting can help reinforce the 'natural' and 'upland' character of the North Pennines if it takes its inspiration from the natural vegetation of the area. Schemes using native heathers, junipers and hardy ferns for example rarely look out of place.

### **Grassland, heathland and wetland**

Development can affect species and habitats other than trees and shrubs and these are often overlooked. The open habitats of the North Pennines – heathland, grassland, wetland– are often rich in species. Conserving, restoring or creating these can add to both the character and biodiversity of a development.

Open habitats can be damaged directly through physical disturbance or indirectly through changes in hydrology or changes in

management. Sensitive sites should be generally avoided. On some sites a Phase 1 habitat survey carried out by a suitably qualified and experienced ecologist may be required to identify areas or features of value. These should be afforded similar protection to mature trees and shrubs by the use of protective fencing to prevent physical disturbance, and integrated into the final design.

Where preservation in situ isn't feasible it is often possible to trans-locate individual plants or turves to retain their botanical interest, to harvest seed or seed-rich hay, or to strip and re-lay areas of topsoil to retain their seed burden. With open habitats future management is an important consideration as their species composition can rapidly change in response to changes. Re-instating grazing may be an option in some circumstances; in others it may be possible to develop appropriate cutting regimes as part of the landscape design and management scheme for the site.

### **Habitat creation**

The creation of open habitats such as species-rich grassland, heathland and wetland is a specialist exercise and you should consult your local planning authority ecologists for advice. On larger sites, talk to your local Wildlife Trust about developing a Biodiversity Action Plan.

The creation of features such as ponds, green roofs, nesting and hibernation structures for a wide range of species and the planting of climbing, flowering and fruiting plants can all contribute to the biodiversity of the site.

Ponds and wetlands of different shapes and sizes can provide valuable habitat.

Traditional garden ponds, marshy or boggy areas, and temporary swales that flood seasonally or after rain, can provide a range of complimentary habitats and particularly where planted with native species. Avoid stocking ponds with fish as this will reduce their value for invertebrates and amphibians.

Green roofs can be developed on a range of buildings and structures. Planted with, or colonised by, native species which thrive in the extreme conditions found there, green

roofs also reduce water run-off and add thermal insulation. An alternative is the 'brown' or rubble roof covered in locally sourced aggregate. These are a cheap to build and maintain, and provide opportunities for mosses and lichens, flowering plants, invertebrates and birds associated with naturally occurring rocky habitats and screes.

Modern or renovated buildings often have few potential nesting or roosting sites for birds or bats. There are a number of ways in which artificial sites can be provided including built-in nesting boxes and ledges, special roof tiles or bricks that allow access by bats or swifts, and nesting boxes for a variety of species. They should generally be located on north or east-facing elevations with some protection from the elements.

Climbing plants create habitats for birds, insects and small mammals as well as enhancing the visual appearance of the building and providing cooling and insulation. Flowering plants provide nectar for invertebrates and seeds or fruit for birds and small mammals in the autumn and winter. Many ornamental species will provide these functions, but native species can be

particularly valuable for some specialist species. Planting locally native species can also bring a distinctive 'sense of place' to a private garden or public space and help bring the wildlife of the wider landscape into the urban realm

Avoid introducing invasive species either intentionally as ornamental plants or unintentionally through poor quality control on imported soils or plants (see Appendix 6).

Only locally native species and disease free plants should be planted near watercourses to avoid the spread of invasive species (see Appendix 6) or water-borne pathogens. Care should be taken in buying plants to select stock which is free from diseases such as phytopthera: using local growers can reduce the risk of introducing such diseases into the area.

## **Boundaries and openings**

### **Walls**

Stone walls are a key feature of the North Pennines landscape. Often the stone used in their construction comes from the same quarries as the finer dressed stone of the buildings, sometimes coming from the thinner

or more weathered strata.

The craft of stonewalling is still very much in evidence in the North Pennines and though it is a slow and relatively expensive form of construction, the stone wall proves a durable investment. Many of our gardens today shelter within walls built in the 18th and early 19th centuries which have required or received almost no subsequent repair.

Conserving and repairing existing dry-stone walls in and around the development site, and building new walls of an appropriate character, can help assimilate new development into its surroundings and make a positive contribution to the character of the area. In doing so it is important to use local walling styles and materials where possible.

There is considerable variety in the character of walls in the North Pennines, which may reflect their age, local walling styles, or the different types of stone available for their construction. Older walls, or those built near rivers or in areas of boulder clay, may be built with irregular rounded stone from the river bed or stone clearance in the adjacent fields. Later walls, or those built in areas with thinly bedded and readily worked stone, may be

constructed of more regular material.

Coarse Carboniferous sandstone is widely used in the North Pennines, as is Carboniferous limestone and red Triassic sandstone where it outcrops along the western scarp. Walls may include other material such as whinstone found in river cobbles or boulders in the glacial clays. In some areas different materials may be combined. For example in the Eden valley earthenware coping stones may be found complimenting red sandstone walls. Closer to Penrith, red sandstone through stones or 'thruffs' can be found reinforcing walls of smaller limestone rubble.

The dimensions of walls vary with the locality as do coping styles which include rough, angular or rounded cope stones stacked vertically, or flat flagstones laid horizontally. Variations of 'buck and doe' coping with alternating larger and smaller or vertical and horizontal stones are common. Coping with turves or sods is found occasionally.

Although it can be difficult today to obtain newly quarried stone from very local sources, there are a number of quarries in the AONB supplying material of an appropriate general

type. There is also often a ready supply of salvaged material available through builders or stone-wallers in the area. Stone already present on site should be preserved and set aside for re-use. Stone gateposts in particular are expensive to replace and should always be salvaged.

Boundary walls made in pre-cast concrete blocks are not appropriate in the AONB. Artificial stone is rarely successful and is usually out of character with local stonework. These and many other obviously engineered or artificial products should be excluded from the designer's palette.

Stone walls, particularly dry-stone walls, can be valuable refuges for wildlife and present opportunities for enhancing the biodiversity of a site. The dry conditions provide an ideal habitat for invertebrates, birds, reptiles and small mammals, and also for a wide variety of plants. If local stone (and lime mortar) is used, the plants, lichens and mosses that grow on the wall will reflect local geology and flora and reinforce the sense of local distinctiveness. Walls can also provide shelter for hedges and more fragile planting and assist in initial establishment.

### Hedges

Hedges are characteristic boundary features in the more sheltered parts of the North Pennines and particularly the upland fringes and lower dales. Well-maintained hedges can provide screening, shelter and privacy to buildings and gardens as well as valuable wildlife habitat.

Hedges in the North Pennines date from many periods of enclosure including parliamentary enclosures of the 18th century and earlier piecemeal enclosures of village fields and wastes from the medieval period onwards. Some of these hedges, and particularly those on ancient parish and township boundaries, may be the oldest continuously used man-made artefacts in the landscape. Protecting hedges on a development site requires the same amount of care as with other forms of vegetation (see above).

Conserving and renovating existing hedges in and around the development site, and planting new hedges of an appropriate character, can help assimilate new buildings into their surroundings and make a positive

contribution to the character of the area. In some circumstances hedges can provide a more effective screen than narrow belts of tree planting. It may be much easier to screen a development in views from a road or footpath by planting a hedge alongside the road or track, or allowing an existing hedge to grow taller, than by planting closer to the building itself.

Hedges are living features that need to be managed. In the absence of management they will grow out into a line of leggy bushes and ultimately disappear. Established hedges may need remedial works to bring them back into good condition. This may involve laying, coppicing, or gapping up. This is generally a specialist exercise and advice should be sought from a suitably qualified contractor. Further information on where to get advice on hedgerow management can be found at the end of this section.

In most rural situations, including larger gardens and development plots, new hedgerows should be made up of species which are native to the area and characteristic of its hedgerows. The way hedges are planted can vary according to

the locality. Sometimes they are planted directly into the ground, at other times they are planted on raised hedge 'cams' or larger 'hedge-banks'. In some cases hedge banks may be faced with dry-stone walling on one or two sides. Further information on where to get advice on hedgerow planting can be found at the end of this section.

#### **Fences, Gates and Barriers**

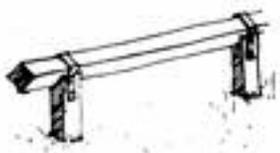
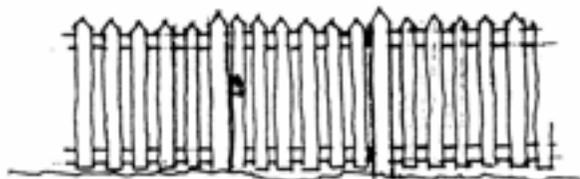
Fences are much cheaper to erect than stone walls or hedges. They do not achieve the same visual effect, and are not as durable, but may be particularly appropriate in some situations. Visually light fencing like high tensile wire may be preferred in situations where it is undesirable to draw attention to the line of a new boundary. The use of fencing on new boundaries may allow older boundaries to continue to read as the dominant pattern – for example when subdividing an existing walled field into smaller paddocks. In some sensitive locations wire fences may need to be marked to reduce the incidence of bird strike, particularly for black grouse and waders. The least visually intrusive method is to use

reflective metal plates between the top wires, one between each post.

Various types of fence are common in and around the settlements of the AONB ranging from timber post and rail with vertical palings, to timber posts with wire and netting. Fencing associated with gardens tends to be 'restrained' in character rather than being highly ornamental, and decorative detailing tends to be subtle and low-key. Materials normally associated with urban areas such as metal paling, chain link and close-boarded timber fencing should generally be avoided and particularly in prominent 'frontage' locations.

Elaborate, ornate or high railings and gateways have a suburban quality and should be avoided. Openings and driveways should be in scale with their surroundings. Gates in fences should reflect the style of fence. For gates in stone walls there is more freedom, but timber gates are rarely out of place.

For pedestrian gates, there are some well-tried local types – for example timber gates over a close fitting stone thresh, and with a



solid or dense lower panel, which are good for excluding rabbits.

The design and treatment of timber fencing is often an afterthought, but poorly considered timber fences can have a considerable impact and particularly when treated with conspicuous finishes. Highly pigmented, and particularly the more orange dominated, wood stains are a contrast to the dark and subdued finishes used in the past. They should generally be avoided, and particularly for larger scale elements such as fencing.

Sometimes when the need is only to prevent vehicles being driven onto grass a single rail with intermediate posts is sufficient deterrent, or a simple row of stubby posts. Fencing in rural situations fits better with its surroundings if it is functional rather than ornamental. Post and rail fences with horizontal rails are more suitably 'agricultural' in appearance than diamond 'ranch-style' patterns. Plain galvanised netting is preferred over coloured netting which rarely blends with its surroundings even in greens and browns.

Where new fences or gates would affect a public highway or public right of way the

Highway Authority (the County Council or unitary authority) should be contacted for advice. Public highways and rights of way are subject to regulatory systems that are independent of the planning system.

### Further Information

Further information on landscape detailing — plot edges, trims, borders, paving, wearing surfaces and drainage details — can be found in the Building Design Guide.

The County Durham Hedgerow Partnership publishes guidance documents on hedge planting, renovation and management. These can be downloaded from the Durham County Council website:

[www.durham.gov.uk](http://www.durham.gov.uk)

Durham County Council publishes landscape guidelines on a range of subjects including: Trees; Hedges; Woodlands and Forestry; and Grasslands. These can be downloaded from the Durham County Council website:

[www.durham.gov.uk](http://www.durham.gov.uk)

Guidance on marking fences to avoid bird strike can be found on the Black Grouse Recovery Project website:

[www.blackgrouse.info](http://www.blackgrouse.info)

## **Area of Outstanding Natural Beauty**

Designated by the Countryside Commission under the National Parks and Access to the Countryside Acts, the primary purpose of which is to conserve and enhance natural beauty.

## **Cumulative Effects**

This is the result of more than one scheme being constructed and is the combined effect of all the developments, taken together. This may be in terms of their effect on landscape and visual amenity, bird populations, other wildlife, the local economy, tourism etc.

## **Development Plan Document (DPD)**

Spatial planning documents which form the development plan for a local authority area are subject to independent examination. They can include a Core Strategy, Site Specific Allocations of Land, and Area Action Plans (where needed). Individual Development Plan Documents or parts of a document can be reviewed independently from other Development Plan Documents. Each authority must set out the programme for preparing its Development Plan Documents in the Local Development Scheme.

## **Environmental Impact Assessment**

The process used for describing, analysing and evaluating the range of environmental effects that are caused by a wind energy proposal.

## **Landscape Value**

The relative importance that stakeholders attach to a landscape for a variety of reasons including scenic quality, perceptual aspects such as wildness, remoteness or tranquility that contribute to a sense of place, rarity, presence and influence of other conservation interests and special cultural associations.

## **Local Development Framework (LDF)**

The name for the portfolio of Local Development Documents. The LDF includes Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme and Annual Monitoring Reports. Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area.

## **Local Development Document (LDD)**

The collective term for Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.

## **Local Development Scheme (LDS)**

Sets out the programme for preparing Local Development Documents. All authorities must submit a Scheme to the Secretary of State.

## **Micro-generation**

Very small-scale power generation schemes, typically providing energy to a single household/office.

## **Planning Policy Guidance (PPG)**

Government guidance on national planning policy (being superseded by National Policy Statements and PPSs).

## **Planning Policy Statement (PPS)**

Government statements of national planning policy (being phased in to supersede PPGs).

**Renewable Energy**

Collective term for energy flows that occur naturally and repeatedly in the environment. It includes energy derived by the sun, such as wind, solar hot water, solar electric (photovoltaics), hydro power, wave, tidal, biomass, biofuels, and from geothermal sources, such as ground source heat pumps. Energy from waste is not regarded as a renewable energy as it is not capable of being renewed by the natural ecological cycle.

**Saved Policy**

Many existing District Local Plan policies have been saved and are being used for the determination of planning applications until replaced in later Development Plan Documents.

**Section 106 Agreement**

Section 106 of the Town and Country Planning Act 1990 makes provision for a legal agreement between the planning authority and the applicant/developer, and any others that might have an interest in the land. A planning obligation either requires the developer to do something, or restricts what

can be done with land following the grant of planning permission. Obligations must be:

- relevant to planning and directly related to the proposed development;
- make the proposed development acceptable in planning terms;
- fairly and reasonably related in scale and kind to the proposed development; and
- reasonable in all other respects.

**Statement of Community Involvement (SCI)**

Sets out the standards that authorities will achieve with regard to involving local communities in the preparation of Local Development Documents and development control decisions. The Statement of Community Involvement is not a Development Plan Document but is subject to independent examination.

**Strategic Environmental Assessment (SEA)**

A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.

**Supplementary Planning Documents (SPD)**

Provide supplementary information in respect of the policies in Development Plan Documents. They are included with LDFs but do not form part of the Development Plan and are not subject to independent examination.

**Supplementary Planning Guidance (SPG)**

Provides supplementary guidance in respect of the policies in Local Plans. These are being replaced by SPDs.

**Sustainability Appraisal (SA)**

Tool for appraising policies to ensure they reflect sustainable development objectives. (i.e. social, environmental and economic factors) and required in the Act to be undertaken for Development Plan Documents and Supplementary Planning Documents.

## Local Planning Authorities

**Northumberland County Council.** County Hall, Morpeth, Northumberland, NE61 2EF

Tel: 0845 600 6400

Fax: 01670 511413

Email: [ask@northumberland.gov.uk](mailto:ask@northumberland.gov.uk)

Website [www.northumberland.gov.uk](http://www.northumberland.gov.uk)

**Durham County Council.** County Hall, Durham, DH1 5UL

Tel: 0300 1237070

Fax: 0191 383 4500

Email: [help@durham.gov.uk](mailto:help@durham.gov.uk)

Website [www.durham.gov.uk](http://www.durham.gov.uk)

**Cumbria County Council. The Courts,** Carlisle, Cumbria, CA3 8NA

Tel: 01288 606 060

Email: [information@cumbriacc.gov.uk](mailto:information@cumbriacc.gov.uk)

Website: [www.cumbria.gov.uk](http://www.cumbria.gov.uk)

**Carlisle City Council.** Civic Centre, Carlisle, CA3 8QG

Tel: 01288 817000

Email: [customerservices@carlisle.gov.uk](mailto:customerservices@carlisle.gov.uk)

Website [www.carlisle.gov.uk](http://www.carlisle.gov.uk)

**Eden District Council.** Town Hall, Penrith, Cumbria, CA11 7QF

Tel: 01768 817817

Fax: 01768 890470

Email: [customerservices@eden.gov.uk](mailto:customerservices@eden.gov.uk)

Website: [www.eden.gov.uk](http://www.eden.gov.uk)

### Archaeology / Historic Environment

**English Heritage Northwest:** 3rd floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW  
Tel: 0161 242 1400 email: northwest@english-heritage.org.uk

**English Heritage Northeast:** Bessie Surtees House, 41 - 44 Sandhill, Newcastle upon Tyne, NE1 3JF  
Tel: 0191 269 1200 email: northeast@english-heritage.org.uk

**Durham County Council:** Archaeology Section, Regeneration and Economic Development,  
Durham County Council, The Rivergreen Centre, Aykley Heads, Durham, County Durham,  
DH1 5TS Tel: 0191 370 8712 email: archaeology@durham.gov.uk

**Northumberland County Council:** Archaeology Service, County Hall, Morpeth, Northumberland,  
NE61 2EF Tel: 0845 600 6400 email: conservation@northumberland.gov.uk

**Cumbria County Council:** Historic Environment Service, Cumbria County Council, County Offices,  
Kendal, Cumbria, LA9 4RQ Tel 01539 713066 email: mark.brennand@cumbriacc.gov.uk

**North Pennines AONB Partnership:** Weardale Business Centre, the Old Co-Op Building,  
1 Martin Street, Stanhope, County Durham, DL13 2UY Tel: 01388 528801  
email: info@northpenninesaonb.org.uk

### Biodiversity and Geodiversity

**Natural England North East,** The Quadrant, Newburn Riverside, Newcastle upon Tyne, NE15 8NZ  
Tel: 0300 060 2219 email: northeast@naturalengland.org.uk

**Natural England North West,** Juniper House, Murley Moss, Oxenholme Rd, Kendal, Cumbria,  
LA9 7RL Tel: 0300 060 2122 email: northwest@naturalengland.org.uk

**Durham County Council:** Natural Environment, Regeneration and Economic Development,  
Durham County Council, County Hall, Durham, DH1 5UQ Tel: 0191 3834085  
email [terry.coult@durham.gov.uk](mailto:terry.coult@durham.gov.uk)

**Northumberland County Council:** Ecology, County Hall, Morpeth, Northumberland. NE61 2EF  
Tel: 0845 600 6400 email: [conservation@northumberland.gov.uk](mailto:conservation@northumberland.gov.uk)

**Cumbria County Council:** County Ecologist, Cumbria County Council, County Offices, Kendal,  
Cumbria, LA9 4RQ Tel: 01539 713444 email: [judy.palmer@cumbriacc.gov.uk](mailto:judy.palmer@cumbriacc.gov.uk)

**North Pennines AONB Partnership:** Weardale Business Centre, the Old Co-Op Building,  
1 Martin Street, Stanhope, County Durham. DL13 2UY Tel: 01388 528801  
email: [info@northpenninesaonb.org.uk](mailto:info@northpenninesaonb.org.uk) [www.northpennines.org.uk](http://www.northpennines.org.uk)

**Durham BAP Partnership:** [www.durhambiodiversity.org.uk](http://www.durhambiodiversity.org.uk)

**Northumberland BAP Partnership:** [www.northumberlandbiodiversity.org.uk](http://www.northumberlandbiodiversity.org.uk)

**Cumbria BAP Partnership:** [www.wildlifeincumbria.org](http://www.wildlifeincumbria.org)

### Landscape

**Cumbria County Council:** Landscape, Cumbria County Council, County Offices, Kendal,  
Cumbria, LA9 4RQ Tel: 01539 713444 email: [jenny.wain@cumbriacc.gov.uk](mailto:jenny.wain@cumbriacc.gov.uk)

**Durham County Council:** Natural Environment, Regeneration and Economic Development,  
Durham County Council, County Hall, Durham, DH1 5UQ Tel: 0191 3834365  
email: [landscape@durham.gov.uk](mailto:landscape@durham.gov.uk)

**Northumberland County Council:** County Hall, Morpeth, Northumberland, NE61 2EF  
Tel: 0845 600 6400 email: [ask@northumberland.gov.uk](mailto:ask@northumberland.gov.uk)

## 84 Appendix 1: Useful Contacts

**North Pennines AONB Partnership:** Weardale Business Centre, the Old Co-Op Building,  
1 Martin Street, Stanhope, County Durham. DL13 2UY Tel: 01388 528801  
email:info@northpenninesaonb.org.uk

**Natural England North East,** the Quadrant, Newburn riverside, Newcastle upon Tyne, NE15 8NZ  
Tel: 0300 060 2219 email: northeast@naturalengland.org.uk

**Natural England North West,** Juniper House, Murley Moss, Oxenholme Rd, Kendal, Cumbria,  
LA9 7RL Tel: 0300 060 2122 email: northwest@naturalengland.org.uk

### Environment

**Environment Agency** [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

### Access

**Cumbria County Council:** Rights of Way, Cumbria County Council, The Courts, Carlisle, Cumbria,  
CA3 8NA Tel: 01288 226558 email: david.gibson@cumbriacc.gov.uk

**Durham County Council:** Access and Rights of Way, Regeneration and Economic Development,  
Durham County Council, County Hall, Durham, DH1 5UQ Tel: 0191 383 3239  
email:prow@durham.gov.uk

**Northumberland County Council:** County Hall, Morpeth, Northumberland, NE61 2EF  
Tel:0845 600 6400 email: DBrooks@northumberland.gov.uk

The list below details Supplementary Planning Documents (SPD) that are adopted, under preparation, or proposed by local planning authorities in the AONB area. Those that are dated are adopted at the time of this publication. Those without dates are proposed. For up-to-date information check the relevant local authority website.

### **Cumbria County Council**

Cumbria Landscape Character SPD Cumbria Wind Energy SPD (2008)

### **Durham County Council**

Sustainable Design SPD

### **Carlisle City Council**

Trees and Development SPD 2009. Countryside Design SPD 2010. Designing Out Crime SPD 2009. NP AONB Agricultural Buildings Design Guide (currently under review), NP AONB Design, Maintenance and Adaptation of Rural Buildings (currently under review).

### **Eden District Council**

Shop front and Advertisement Design SPD (2006), An Accessible and Inclusive Environment SPD (2007)



## Listed Buildings

Listed Buildings are buildings recommended by English Heritage for inclusion on statutory lists of buildings 'of special architectural or historic interest' compiled by the Secretary of State for Culture, Media and Sport.

Buildings can be listed because of age, rarity, architectural merit, and method of construction. Occasionally English Heritage selects a building because the building has played a part in the life of a famous person, or as the scene for an important event. An interesting group of buildings - such as a model village or a square - may also be listed.

The older a building is, the more likely it is to be listed. All buildings built before 1700 which survive in anything like their original condition are listed, as are most built between 1700 and 1840. After that date, the criteria become tighter with time, so that post-1945 buildings have to be exceptionally important to be listed.

Listed buildings vary considerably and not all are habitable. The category also includes a wide range of monuments and other structures from milestones to lamp posts.

The buildings are graded to show their relative architectural or historic interest:

- Grade I buildings are of exceptional interest
- Grade II\* are particularly important buildings of more than special interest
- Grade II are of special interest, warranting every effort to preserve them

Grade I and II\* buildings may be eligible for English Heritage grants for urgent major repairs.

The demolition of a listed building or any alterations affecting its character requires a listed building consent application to be submitted to the Local Planning Authority (LPA). Listed building consent is required for many works that do not require planning permission. If the works do require planning

permission listed building consent is still required. Repairs on a 'like for like' basis do not normally require consent.

In considering whether to grant consent for development which affects a listed building or its setting, the local authority will have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Works carried out without consent can result in prosecution. To find out whether a building is listed you should contact your LPA. For more information on listed buildings generally visit the English Heritage website at [www.english-heritage.org.uk](http://www.english-heritage.org.uk)

### Conservation Areas

Local authorities have the power to designate as Conservation Areas any area of 'special architectural or historic interest' whose character or appearance is worth protecting or enhancing. This is judged against local and regional criteria, rather than national importance as is the case with listing. Many of the historic towns and villages of the AONB are designated in whole or in part as Conservation Areas.

In a Conservation Area permission from the local LPA is required before undertaking some works that would not normally require permission elsewhere. As a general guide, the following works require permission and you are advised to contact your LPA for specific guidance relating to your proposals:

- Works to extend buildings, clad external walls, alter a roof, insert dormer windows or put up satellite dishes;
- The demolition of almost any building;
- Work to trees including felling, topping and lopping; and
- The display of advertisements which may have a significant visual impact.

In some conservation areas, there are further limits as to the type of development that can be carried out without the need to apply for permission. In these areas, Article 4 Directions apply. This means extra provisions are in place to protect special features such as windows and doors. If your property is in a Conservation Area you should contact the LPA to find out if it is affected by an Article 4 Direction. Grants for carrying out improvements in conservation areas are available through a number of schemes run in association with English Heritage. These usually focus on specific towns and villages and run for a fixed period. Contact the LPA for more information.

## Tree Preservation Orders

In order to protect individual trees or groups of trees that are of value to the community, the Local Planning Authority (LPA) may create a Tree Preservation Order (TPO).

A TPO makes it a criminal offence to fell, lop, top, uproot or otherwise wilfully damage a protected tree without the permission of the LPA. There is a fine of up to £20,000 per tree if convicted in a Magistrates Court. For other offences there is a fine of up to £2500. If convicted, a replacement tree will also normally need to be planted on or near the place where the tree was destroyed. You are advised when considering carrying out work on any trees to check with the Council as to whether the trees are protected.

If a tree is protected by a TPO, consent will normally be required for pruning or felling. An application must be made by completing the standard application form, stating the reasons for the application and giving details of the proposed work. Supporting technical information may also be required if the reason for the application relates to the

condition of the tree - for example due to the presence of pests, diseases, fungi or structural defects affecting the safety of the tree. Written evidence from an appropriate arboricultural professional may be required in support of the application.

If the reason for the application relates to suspected structural damage caused by the tree, a report from a structural engineer/surveyor together with technical advice should normally be submitted in support of the application.

## Trees in Conservation Areas

Trees in Conservation areas are also protected by planning legislation. You will need to notify the LPA in writing six weeks in advance of any works if you wish to fell or prune any tree in a Conservation Area. This gives the Council an opportunity to consider protecting the tree by imposing a Tree Preservation Order.

## Trees covered by planning conditions

Trees on Development Sites may be protected by a planning condition that is usually in force both during the construction phase and afterwards. The planning condition may bind future occupiers not to remove or damage trees and give the local authority the power to enforce replanting should any loss or damage occur.

## Felling licences

The felling of over a certain volume of timber requires a Felling Licence which can be obtained from the Forestry Commission.

### Hedgerows

To get permission to remove a countryside hedgerow, you must write to your LPA. Under the Hedgerow Regulations 1997, it is against the law to remove most countryside hedgerows without the permission of the LPA. These Regulations do not apply to garden hedges.

The way in which the Regulations apply to individual hedges can be quite complex. It is therefore advisable to speak to your LPA before you formally seek permission to remove a hedge. On receipt of a notice to remove a hedge the local authority will assess it against criteria set out in the Regulations to discover whether it qualifies as an 'important' hedge. To qualify as 'important', the hedgerow must be at least 30 years old and at least 20m long (although shorter hedges can be included if linked to other hedgerows) and meet at least one of eight criteria relating to the hedgerow's archaeological, historical, wildlife or landscape value.

If the authority decides to prohibit the

removal of an 'important' hedgerow, it must let you know within 6 weeks. If you remove a hedgerow without permission, irrespective of whether it would be considered to be an important hedge, you may face an unlimited fine. You may also have to replace the hedgerow. More detailed guidance can be found in *The Hedgerows Regulations 1997: a Guide to the Law and Good Practice* and *Hedgerow Regulations - Your Questions Answered* available from Defra.

# Appendix 5: BAP Priority Habitats and Species 91

## Priority Habitats in the North Pennines

Ancient semi natural woodland  
 Other Broadleaved Woodland  
 Native Hedgerows  
 Parkland  
 Scrub  
 Veteran trees  
 Wet Woodland  
 Wood Pasture  
 Exposed Riverine Sediments  
 Ponds  
 Rivers & Streams  
 Blanket Bog and Upland wet Heath  
 Calaminarian Grassland  
 Species-rich upland acid grassland  
 Upland calcareous grassland  
 Upland Dry Heath  
 Upland hay Meadows  
 Upland Scree & Rock Habitats  
 Early successional Brownfield land  
 Road verges of conservation importance  
 Waxcap grasslands

## BAP Priority Species in the North Pennines

Badger	Nightjar	Trout
Bats	Redshank	Dark green fritillary
Brown Hare	Reed Bunting	Dingy Skipper
Hedgehog	Ring Ouzel	Glow Worm
Otter	Skylark	Grayling
Red Squirrel	Snipe	Green Hairstreak
Water Vole	Song thrush	Northern Dart (moth)
Barn owl	Spotted Fly-catcher	Round-mouthed Whorl Snail -vertigo genesii
Black Grouse	Starling	White-clawed Crayfish
Curlew	Tree Sparrow	Juniper
Hen harrier	Adder	Ladies Mantles
House Sparrow	Common Lizard	Pale Bristle Moss
Lapwing	Slow Worm	Yellow Marsh Saxifrage
Linnet	Eel	
Merlin	Salmon	

*\* Note: terminology for habitats may vary between local BAPs*



Invasive species are non-native species which can pose a threat to our native species and habitats because of their competitive nature. Most of these were introduced into the wild from gardens and horticultural collections.

It is illegal to plant or cause to grow in the wild species which are listed under Schedule 9 of the Wildlife and Countryside Act 1981. The species currently causing most concern amongst conservation organisations include:

- Spanish Bluebell (*Hyacanthoides hispanica*);
- Parrot's feather (*Myriophyllum aquaticum*);
- New Zealand Pigmyweed (*Crassula helmsii*);
- Himalayan (Indian) Balsam (*Impatiens glandulifera*);
- Floating Pennywort (*Hydrocotyle ranunculoides*);
- *Cotoneaster* spp;
- *Rhododendron ponticum*;
- Japanese Knotweed (*Fallopia japonica*); and
- Giant Hogweed (*Heracleum mantegazzianum*).

More information on can be found on the Natural England and Environment Agency websites. The charity Plantlife campaigns on this issue and has useful guidance on its website: [www.plantlife.org](http://www.plantlife.org)

## 94 Appendix 7: Protected Species

A wide range of species are protected under international, European and national legislation because of their rarity or vulnerability. In the North Pennines the protected species most commonly encountered are bats, otter, white clawed crayfish, badgers, great crested newts, water vole and nesting and migratory birds.

The planning authority has a duty to consider the conservation of biodiversity when determining a planning application and can refuse an application if there is likely to be unmitigated loss of biodiversity. This includes having regard to the safeguarding of species protected under the Wildlife and Countryside Act 1981 (amended), The Conservation (Natural Habitats, etc) Regulations 2010 or the Badgers Act 1992. The local planning authority cannot grant permission for development without being satisfied that protected species are being protected and that mitigating measures are in place.

Your local planning authority *Planning Applications Validation Checklist* (available from their website) will set out the circumstances in which protected species

surveys, assessments and mitigation reports will need to be carried out. Surveys should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available.

More information about protected species can be found on Natural England's website ([www.naturalengland.org.uk](http://www.naturalengland.org.uk)) and on the websites of the following organisations:

- Bat Conservation Trust – [www.bats.org.uk](http://www.bats.org.uk)
- The Badger Trust – [www.badger.org.uk](http://www.badger.org.uk)
- The Herpetological Conservation Trust – [www.herpconstrust.org.uk](http://www.herpconstrust.org.uk)
- Froglife – [www.froglife.org](http://www.froglife.org)
- Joint Nature Conservation Committee – [jncc.gov.uk](http://jncc.gov.uk)
- Royal Society for the Protection of Birds – [www.rspb.org.uk](http://www.rspb.org.uk)

Additional information can be gained from local Wildlife Trusts, Regional/Local Record

Centres and local and national specialist groups such as bat or badger groups, bird clubs and butterfly conservation groups. These groups may charge for information.

Further information on appropriate survey methods and standards can be found in *Guidance on Survey Methodology* published by the Institute of Ecology and Environmental Management (IEEM) available from their website: [www.ieem.org.uk](http://www.ieem.org.uk).

Licences from Natural England are required for works affecting species such as bats, great crested newts and badgers. Guidance and application forms can be found on the Natural England website under 'Wildlife Management and Licensing Service'.

The North Pennines AONB Partnership holds a Gold GTBS Award for its corporate office and tourism activities.



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