Shropshire Council: Shropshire Local Plan

Representation Form

*Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s).***

*We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.*

Part B: Representation

Name and Organisation:	Jim Bunce

Q1. To which document does this representation relate?

- [x] Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- [ ] Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- [ ] Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan

(Please tick one box)

Q2. To which part of the document does this representation relate?

Paragraph:		Policy:	DP24	Site:		Policies Map:	

Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

	Yes:	No:
A. Legally compliant	☐	☑
B. Sound	☐	☑
C. Compliant with the Duty to Co-operate	☑	☐

(Please tick as appropriate).

Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Draft Policy DP24 (Shropshire Hills Area of Outstanding Natural Beauty) is neither Legally compliant nor Sound, as it -

Does not adequately reflect or apply the AONB protections within the National Planning Policy Framework.
Does not reflect the Court of Appeal Judgment in Monkhill v Secretary of State for Housing, Communities and Local Government and Waverley Borough Council.
Ignores relevant legislation re Permitted Development Rights in AONBs.
Is contradicted (and thus negated) by other Shropshire Council Policies and established Shropshire Council planning practices.

Further explanation of the above is contained in the attached document, written by Jim Bunce and representing a joint submission from the Save Snatchfield Group, All Stretton Village Society and Clive Avenue Residents Association. The joint submission is endorsed by Shropshire CPRE.

(Please continue on a separate sheet if necessary)

Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

A revised version of DP24 - Shropshire Hills Area of Outstanding Natural Beauty is included as Appendix 1 in the attached document, and represents wording that will resolve the issues in Paragraphs 6-12 of the attached document. In the short term, we consider these changes would make draft policy DP24 sound.

However, an even better option (medium to long term) would be for Shropshire Council, the Shropshire Hills AONB Partnership and interested groups to begin work on a separate Development Plan Document (DPD) to cover the Shropshire Hills AONB. Shropshire Council have, to date, shown no interest in this option.

The attached document is written by Jim Bunce and is a joint submission from the Save Snatchfield Group, All Stretton Village Society and Clive Avenue Residents Association. The submission is endosed by Shropshire CPRE.

(Please continue on a separate sheet if necessary)

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

☐ No, I do not wish to participate in hearing session(s)

☑ Yes, I wish to participate in hearing session(s)

(Please tick one box)

Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DP24 is the only Shropshire Council Policy Document that is aimed at managing development in the Shropshire Hills AONB. As such, it is a critical document. In its current draft, we do not consider DP24 a 'fit for purpose' document.

(Please continue on a separate sheet if necessary)

Please note: *The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

Signature: Jim Bunce

Date: 24/02/2021

Office Use Only	Part A Reference:
	Part B Reference:

REGULATION 19 REPRESENTATION

Policy DP24, Shropshire Hills Area of Outstanding Natural Beauty

Joint Submission –

Save Snatchfield Group (SSG), All Stretton Village Society (ASVS) and Clive Avenue Residents Association (CARA)

Endorsed by Shropshire CPRE

Regulation 19 Questions –

Q4 – Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Q5 – Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound in respect of any legally compliant or soundness matters you have identified at 4, above.

Introduction

1. This is a joint submission, written by Jim Bunce, submitted on behalf of the Save Snatchfield Group (SSG), All Stretton Village Society (ASVS) and Clive Avenue Residents Association (CARA). The submission is fully endorsed by Shropshire CPRE.

2. Details of SSG, ASVS and CARA and how we have engaged with our memberships regarding this submission is outlined below –

- SSG is an informal grouping of approximately 200 Church Stretton households, established following the publication of Shropshire Council's Preferred Sites documentation in November 2018 and has engaged extensively with communities within the Church Stretton Place Plan Area during the Local Plan process to date - through a dedicated website (https://www.savesnatchfield.org), door to door leaflet drops and one-to-one dialogue. While SSG have a wide range of skills and expertise within the informal grouping, specialist Planning and Legal expertise has been obtained following a successful fundraising exercise. A 'fighting fund' is in place should further specialist advice be needed. SSG have published a previous draft of this document on our website and incorporated feedback from our website subscribers.

- ASVS is a membership organisation concerned with all aspects of village life in All Stretton. A Chair and Committee is elected annually at the Society AGM. ASVS is mandated by polls and surveys amongst All Stretton villagers. The most recent poll (71% response rate) identified that local planning (90% of respondents) was considered the most critical issue. ASVS are currently in ongoing discussions with Shropshire Council officers regarding both Local Plan and village planning issues. This Regulation 19 submission has been discussed and agreed by the ASVS Committee.

- CARA is a membership organisation representing 56 households in Clive Avenue, an unadopted road in Church Stretton. CARA elects a Chair and Committee and has kept its membership up to date with Local Plan issues and this submission through regular newsletters.

3. SSG, ASVS and CARA (henceforth referred to as 'we') stress -

- We welcome and support the decision to withdraw site CST021 (Snatchfield Farm) from the Draft Local Plan. Snatchfield Farm was as untenable in 2020 as it was in 2014 when it was previously withdrawn as a preferred site from the then Local Plan process by Shropshire Council.

- We also welcome and support Shropshire Council's direct recognition (albeit belatedly) that major housing development in Church Stretton (which lies in the Shropshire Hills AONB) cannot be justified.

- We note that Shropshire Council do not wish to develop a separate Development Plan (DPD) for the Shropshire Hills AONB. This is disappointing and we will continue to pursue this option. However, we acknowledge that policy DP24 (should the current draft be significantly strengthened) would be a positive step forward in the short term. Only 9 respondents specifically commented on DP24 (previously DP26) during the Regulation 18 process.

4. Through our Regulation 19 representations, we aim to assist Shropshire Council to develop draft policy DP24 further. As such, the representations in this submission are made with the following in mind -

- Shropshire Council's statutory duty to have regard to the purpose of the AONB designation.

- The requirements of the National Planning Policy Framework.

- The opportunity for Shropshire Council to adopt elements of exemplar best practice.

- The recent Court of Appeal Judgment (Published 28 January 2021) - Monkhill v Secretary of State for Housing, Communities and Local Government and Waverley Borough Council. This is widely considered to be a landmark judgment for planning in Areas of Outstanding Natural Beauty.

5. Before directly answering Question 4 and Question 5 of the Regulation 19 Consultation process, we consider it appropriate to provide some background and context to the Monkhill judgment.

- Paragraph 172 of the NPPF outlines "Great weight should be given to conserving and enhancing the landscape in ….. Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues".

- The Court of Appeal decided that the issue in the Monkhill case was whether NPPF 172 was "a policy whose application is capable of providing a clear reason for refusing planning permission" and whether in effect it could overturn the presumption in favour of sustainable development.

- The importance of *applying* 'great weight' was reaffirmed but it was also made clear that the obligation to 'conserve and enhance' the AONB landscape is a sufficiently material consideration to reject planning permission, solely on that basis.

- The Court of Appeal also held that these considerations apply not only to 'major developments' but also to the very small. "…. it makes no sense to read paragraph 172 as confining the possible disapplication of [presumed development] to 'major development'. The range in scale of development that might be proposed in an AONB runs from the very small to the very large. The interpretation of the policy in paragraph 172 that I believe is correct allows for the policy to be applied to the whole range of proposals…."

- As such, the exceptional circumstances tests for development proposals in an AONB must be applied to any prospective development, large or small.

Q4 – Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

6. To be fully effective, DP24 must be clear that the framework of Legislation, Policies and Guidance (eg CROW Section 85, NPPF, PPG, Shropshire Hills AONB Management Plan etc) that impact development in the Shropshire Hills AONB will be proactively and fully considered and applied by Shropshire Council at every stage of the plan-making and decision-taking process, including the earliest stages of plan-making, such as sustainability appraisal and preferred site options and selection criteria. This intent is not present in draft policy DP24. **In its current form, draft policy DP24 is neither legally compliant nor sound.**

7. The current Shropshire Council draft policy DP24 does not accurately reflect the meaning or intent of Paragraph 172 of the NPPF (from Chapter 15 of the NPPF – 'Conserving and enhancing the natural environment'). The current draft policy DP24 applies an incorrect mechanistic, rather than landscape-led test to the determination of Major and Non-Major development. Paragraph 172 is perhaps the single most important policy consideration regarding potential development in an AONB and the recent Court of Appeal Judgement in 'Monkhill v Secretary of State for Housing' (2021 ewca civ 74) makes clear how Paragraph 172 should be both interpreted and applied by Local Authorities. **In its current form, draft policy DP24 is neither legally compliant nor sound.**

8. The omission of any reference to Paragraph 11 of the NPPF or the associated Planning Practice Guidance (Natural Environment) Paragraph 041 is significant. The application of NPPF policies that protect AONBs and a consideration of the adverse impacts of development (when assessed against NPPF policies) provide reason for restricting or refusing development in an AONB. This includes circumstances where Objectively Assessed Need (OAN) is not required to be met in full. **In its current form, draft policy DP24 is neither legally compliant nor sound.**

9. There needs to be clarity on the application on Permitted Development Rights within the AONB, and either:

An acknowledgement that as Art 2(3) such Permitted Development Rights are not applicable, *or*
The establishment by Shropshire Council of a determination under Art 4 that such Permitted Development Rights as deemed incompatible with the protection of the AONB are withdrawn.

ASVS has written (28 January 2021) to Shropshire Council's Chief Executive seeking clarity on the application of Permitted Development Rights within the Shropshire Hills AONB. However, for the purposes of this submission, we suggest that the appropriate action is for Shropshire Council to effect an order under Art 4 to restrict PDRs within the AONB. Restricting PDRs by Art 4 does not prevent any development but ensures that Shropshire Council and the community are able to reflect on the desirability of proposals, through the planning process. **In its current form, draft policy DP24 is neither legally compliant nor sound.**

10. Draft policy DP24 references other Local Plan policies. While such policies will have relevance to the AONB, specific AONB details and guidance are not included. There is the risk that what may be suitable outside the Shropshire Hills AONB may be harmful within it.

DP24 must clearly note its inter-relationship with other policies. However, where there is conflict or ambiguity between DP24 and other policies referred to in DP24, the primacy of DP24 must be clear. **In its current form, draft policy DP24 is not sound.**

11. In a similar vein, clear and major contradictions exist between other Shropshire Council policies (policies not mentioned in the current Shropshire Council draft of DP24) and draft policy DP24. For example,

- SP2 (5) – "Key Centres [Church Stretton] will accommodate *significant* well-designed new housing"

- SP10 (1) – The management of development in the countryside will reflect the Plan's urban focused development strategy which seeks to direct the majority of new development to the Strategic, Principal and *Key Centres*"

- While Shropshire Council uses the phrases Residential *'Guideline'* and Windfall *'Allowance'* to describe settlement housing numbers, it is clear that the Council consider that (even in the AONB) these numbers must be met (even if there is no *quantified* evidence of local need). SP7 outlines that the settlement numbers should be achieved but may be exceeded. SP7 (3) confirms that the guideline number is "a *significant* policy consideration" and SP7 (4) ascribes weight to a failure to meet the guideline number.

Lest these fears seem groundless, it is worth quoting two examples of current Shropshire Council practice.

- The Shropshire Hills AONB Partnership has noted - "The overall concern is that the AONB designation is not being given adequate weight. Worryingly, every single known case of proposed 'major development' in our AONB since 2012 (11 cases) has been recommended by planning officers for approval."[1]

- At the Southern Planning Committee Meeting[2], 16 February 2021, it was argued that the proposed future (Regulation 19) windfall allowance (121 homes) for Church Stretton was a clear reason to grant Outline Planning Permission for application 18/01258/OUT. It should be noted that 18/01258/OUT is outside the Church Stretton development boundary (open countryside in the Shropshire Hills AONB) and that the application was for 5 open market homes (not affordable homes). The decision in 18/01258/OUT was made in the clear and recorded knowledge that granting planning permission runs counter to numerous existing Shropshire Council policies and AONB protections (CS3, CS5, CS6, CS17, S5, MD2, MD12, NPPF 170 and 172). The above planning decision is even more worrying given that the Southern Planning Committee includes 3 members of the Shropshire Hills AONB Partnership.

Draft policy DP24, in current form, is 'window dressing'. It is a 'Cinderella' policy that will not effectively protect the Shropshire Hills AONB from future inappropriate development. DP24 must be clear that it has primacy over all other Shropshire Council policies. Otherwise, other Shropshire Council policies, particularly target driven ones will continue to completely

[1] Shropshire Hills AONB Partnership, Evidence to the Glover Review, Reply to Question 14, 4 December 2018
[2] Publicly available recording of Shropshire Southern Planning Committee Meeting, 16 February 2021, Item 5

outweigh effective protection of the AONB. **In its current form, draft policy DP24 is not sound.**

12. There are a number of wording issues with draft policy DP24. For example,

- The **opening sentence** of the Policy section does not reflect the appropriate strength or meaning of NPPF Paragraph 172 (either before or after the Monkhill Judgement) and should be replaced. Any opening sentence is key in setting the appropriate tone and intent of a policy document.

- **4.217 states**. "The AONB Management Plan may be used as a material consideration". We believe It should say 'The AONB Management Plan will be used as a material consideration'.

- **4.222 states.** "Developments which, by virtue of their nature, size, scale, siting, materials or design are likely to have a significant adverse effect". We believe it should say 'Developments which, by virtue of their nature, size, scale, siting, materials or design have the potential to have a significant adverse effect'.

Taken in isolation, these (and other) examples may seem minor. However, collectively, they are significant. **In its current form, draft policy DP24 is neither legally compliant nor sound.**

Q5 – Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound in respect of any legally compliant or soundness matters you have identified at 4, above.

13. A revised version of DP24 – Shropshire Hills Area of Outstanding Natural Beauty, incorporating the suggested changes outlined in **Paragraphs 6-12** of these representations is included as Appendix 1 of this document. In the short term, we consider these changes would make draft policy DP24 sound.

However, an even better option (medium to long term) would be for Shropshire Council, the Shropshire Hills AONB Partnership and interested groups to begin work on a separate Development Plan Document (DPD) to cover the Shropshire Hills AONB. Shropshire Council have, to date, shown no interest in this option.

DP24. Shropshire Hills Area of Outstanding Natural Beauty

The primary purpose of the Area of Outstanding Natural Beauty designation is to conserve and enhance natural beauty. All planning proposals affecting the Shropshire Hills AONB must conserve and, where possible, enhance its natural beauty.

1. The framework of Legislation, Policies and Guidance (eg CROW Section 85, NPPF, PPG, Shropshire Hills AONB Management Plan etc) that impact all development proposals in the Shropshire Hills AONB will be proactively and fully considered by Shropshire Council at every stage of the plan-making and decision-taking process, including the earliest stages of plan-making, such as sustainability appraisal and preferred site options and selection criteria.

2. Shropshire Council acknowledge the pivotal role of NPPF Paragraph 172 in planning matters. In particular -

   Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

   The obligation to 'conserve and enhance' the AONB landscape is a sufficiently material consideration to reject planning permission, solely on that basis. This applies to any size of prospective development in the AONB.

   As such, the exceptional circumstances tests for development proposals in an AONB will also be applied to any prospective development, large or small.

3. In considering all planning proposals concerning the Shropshire Hills AONB, Shropshire Council will have due regard to NPPF Paragraph 11 and PPG (Natural Environment) Paragraph 041, which explain that there are clear circumstances in which there should not be a presumption in favour of permitting development and/or in which objectively assessed needs (OAN) do not need to be met in full. Given that the requirement to meet objectively assessed needs (OAN) in full does not apply in AONBs, OAN will not be considered to equate to exceptional circumstances or being in the public interest. The Shropshire Hills AONB is unlikely to be a suitable area for accommodating unmet needs from adjoining (non-designated) areas.

4. Where major development is permitted in the Shropshire Hills AONB, mitigation and compensation measures to offset any residual environmental, landscape or recreational impacts will be required in line with policies DP12, DP14, DP15, DP16, DP17, DP18, DP19 and DP22. These measures should be compatible with the conservation of the designated area and the priorities set out in Shropshire Hills AONB Management Plan and must be demonstrably capable of being implemented to ensure that harm is minimised.

5. Planning proposals for minor development in the Shropshire Hills AONB and all development proposals outside the designated area which have the potential to have an adverse effect on the special qualities of the AONB (as set out in the AONB Management Plan) will be resisted in the interests of conserving the area's natural beauty. NPPF Paragraph 172 is clear that, even for minor development, detriment to the AONB environment is sufficient grounds to refuse planning permission per se, and evidence of such detriment is sufficient to displace the principle of sustainable development.

6. Permitted Development Rights (PDR) are restricted in the Shropshire Hills AONB through the application of an order under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015. It should be noted that this does not prevent any development of the type specified; it merely prevents it being carried out without an express grant of planning permission, allowing scrutiny of developments potentially damaging to the landscape and environment of the AONB.

7. Policy DP24 is specific to the Shropshire Hills AONB but has an inter-relationship with the Shropshire wide Strategic (SP) and Development (DP) Policies. Shropshire wide policies cannot be expected to cover every AONB context or every AONB situation. As such, and for the avoidance of doubt, where there is a policy conflict between DP24 and any other Shropshire Council Policy, DP24 has primacy.

Explanation

4.211. Areas of Outstanding Natural Beauty (AONB) represent areas of the highest scenic quality, and, in landscape terms, are deemed in government policy to have equal landscape quality and protection to National Parks. The primary purpose of the Area of Outstanding Natural Beauty designation is to conserve and enhance natural beauty.

4.212. 'Natural beauty' encompasses the natural and human elements that make the AONB distinctive – geology and landform, climate and soils, wildlife and ecology, the history of human settlement and land use, archaeology and buildings, cultural associations and people. In line with national policy, great weight will be given in planning decisions to the purpose of AONB Regulation and account taken of the policies and guidance within the AONB Management Plan as a material consideration.

4.213. The legal framework for Areas of Outstanding Natural Beauty is set out in Part IV of the Countryside and Rights of Way Act 2000 (CROW). Section 85 of the CROW Act places a legal duty on the Council: "In exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty."

4.214. The National Planning Policy Framework (NPPF) advises that "great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty". Case Law is regularly established regarding interpretation and application of the NPPF. In the November 2020 Court of Appeal Judgment in Monkhill v Secretary of State for Housing, Communities and Local Government and Waverley Borough Council the importance of applying "great weight" was reaffirmed but it was also made clear that the obligation to 'conserve and enhance' is a sufficiently material consideration to reject planning permission, solely on that basis. These consideration apply to all proposals, regardless of size and as such, the exceptional circumstances tests for development proposals will be applied to any prospective development.

4.215. This policy reflects the strategic objectives of the above legal framework, giving priority to the natural beauty of the Area of Outstanding Natural Beauty.

4.216. The Shropshire Hills Area of Outstanding Natural Beauty is a living landscape encompassing a variety of character areas and a range of settlements. The key components of the AONB landscape are the hills, farmed countryside, woodlands, rivers and river valleys. Other special qualities are found across the whole designated area and include, geology, wildlife, heritage assets, environmental and scenic quality, tranquillity, culture and opportunities for enjoyment.

4.217. The Shropshire Hills AONB covers two local authority areas: Shropshire and Telford and Wrekin. The Councils work together to safeguard the future of this shared nationally protected area through the Shropshire Hills AONB Partnership. The AONB Partnership prepares the statutory 5-year AONB Management Plan and this is then formally approved by both local authorities. The AONB Management Plan will be used to as a material consideration in the determination of planning applications.

4.218. All development in the AONB should be sustainable, consistent with the primary purpose of the designation and support the special qualities of the AONB as set out in the AONB Management Plan.

4.219. All development in the AONB should be Landscape Led. This reflects the requirements of exemplar, best practice Local Plans and Local Plan documents such as the Arnside & Silverdale AONB Development Plan Document (DPD) and South Downs National Park Local Plan. It is based on the principle of development being adapted to the local landscape character rather than vice versa. It is also based on the principle of not allowing development to exceed landscape capacity (ie the capacity of the landscape to accommodate development without causing significant adverse landscape and visual impacts).

In applying this policy, the Council will require developers to provide an assessment proportionate to the scale of the proposal and its effect, for all major development within the AONB. Reference should be made to the relevant sections of the AONB Management Plan in preparing this assessment and to other policies in this plan

which cover natural and historic assets, landscape and visual amenity, design of development and green infrastructure (SP5, DP12, DP14, DP15, DP16, DP17, DP18, DP19, DP22 and DP23).

4.220 Guidance regarding what may be considered major development is included in NPPF Annex 2. However, in an AONB, whether a proposed development is considered major development will be a matter for the relevant decision maker. Shropshire Council will adopt a Landscape Led approach. In an AONB landscape, even smaller-scale proposals may be considered major development, depending on the local context. In determining whether a proposed development constitutes major development Shropshire Council will consider whether by reason of its location, scale or massing, form, character or nature, the proposed development has the potential to have significant adverse impact on the natural beauty of the AONB. Criteria set out in the AONB Management Plan will be used as a guide.

4.221. In any case where major development proposals meet the exceptional circumstances tests, any harm remaining after the detrimental effects on the environment, the landscape and recreational opportunities have been moderated, will require mitigation measures in the first instance and compensation measures in the second. The AONB Management Plan contains information on such measures. Applicants should also be able to demonstrate that all mitigation and compensation measures do not cause harm in themselves and are capable of being implemented, preferably before work commences, but in any event, during the lifetime of the permission.

4.222. Section 85 of the CROW Act requires the Council to have regard to Area of Outstanding Natural Beauty purposes in the exercise of their functions not only in relation to land within the AONB itself but also any type of development outside the designated area which have the potential to have a significant adverse effect on the AONB's special qualities. For example, views into and out of the Area of Outstanding Natural Beauty from key visitor viewpoints can be very significant. Developments which, by virtue of their nature, size, scale, siting, materials or design have the potential to have a significant adverse impact, on the natural beauty and special qualities of the Shropshire Hills AONB will be resisted. Where less than significant adverse effects are identified, it must be remembered that these still erode natural beauty and moreover, they may accumulate over time to create a significant effect in combination. All such lesser adverse effects should be minimised wherever possible.