

**MAIDSTONE BOROUGH COUNCIL**

**CABINET MEMBER FOR PLANNING, TRANSPORT AND DEVELOPMENT**

**REPORT OF DIRECTOR OF CHANGE, PLANNING AND THE ENVIRONMENT**

**Report prepared by Deanne Cunningham & Fiona Fraser Boulton**

**Date Issued: \_\_\_\_\_**

**1. MAIDSTONE LANDSCAPE CHARACTER ASSESSMENT 2012**

**1.1 Key Issue for Decision**

1.1.1 To agree the adoption of the Maidstone Landscape Character Assessment 2012 (attached as Appendix A), together with the Maidstone Landscape Character Assessment Supplement 2012 (attached as Appendix B) which encompasses the saved parts of the adopted Maidstone Borough Council Landscape Character Assessment and Landscape Guidelines 2000.

1.1.2 To endorse the proposed methodology for the Landscape Value Pilot Study (attached as Appendix C) and agree the Medway Valley as the Pilot Study Area (refer to plan attached as Appendix D).

**1.2 Recommendation of Director of Change, Planning and the Environment**

1.2.1 That the Cabinet Member for Planning, Transport and Development

- i. Adopts the Maidstone Landscape Character Assessment 2012 (attached as Appendix A) as a material consideration in development management planning decisions; and
- ii. Saves parts of the adopted Maidstone Borough Council Landscape Character Assessment and Landscape Guidelines 2000 and publishes them as the Maidstone Landscape Character Assessment Supplement 2012 (attached as Appendix B) as a material consideration in development management planning decisions; and
- iii. Endorses the methodology of the Landscape Value Pilot Study (attached as Appendix C); and
- iv. Agrees the Medway Valley as the proposed Pilot Study Area (refer to plan attached as Appendix D).

**1.3 Reasons for Recommendation**

- 1.3.1 Landscape Character Assessment: At its broadest level, landscape character assessment identifies the features that give a locality its 'sense of place' within the borough and pinpoints what makes it different from neighbouring areas. The Landscape Character Assessment 2012 (referred to after this as the 2012 LCA) will provide key technical information on landscape character which can be used for landscape design purposes. This will help to protect and enhance Maidstone's environment by ensuring that change essential to the prosperity of the borough will take place in a way that is sympathetic to the character of the landscape and makes the most of opportunities to enhance it.
- 1.3.2 Adopting Best Practice: The Maidstone Borough Council Landscape Character Assessment and Landscape Guidelines 2000 (referred to after this as the 2000 LCA) was undertaken following the best practice available at the time, namely the 1993 Countryside Commission guidance and the 1999 Countryside Agency interim guidance. This earlier guidance was open to fairly wide interpretation and was ultimately replaced by the Landscape Character Assessment Guidance for England and Scotland 2002. The 2002 guidance provides a more comprehensive and consistent written approach to landscape character assessment and led to the need for a review of the 2000 LCA.
- 1.3.3 Preparation of the LCA: The LCA 2012 was prepared by independent consultants in accordance with the 2002 guidance. The process was divided into two stages and began in 2008:
- **Feb 2008**: Work began on the first stage, concentrating on the vicinity immediately surrounding the Maidstone urban area and undertaken at a greater level of detail than the rest of the borough. This was in response to the development pressures around the urban periphery being exerted at the time.
  - **July 2008**: In line with best practice, a technical stakeholder consultation was undertaken with organisations such as Natural England, the Environment Agency and Kent Wildlife Trust, as well as relevant neighbouring local authorities, to establish views on the methodology used and the proposed landscape character area boundaries. As an evidence document to the Core Strategy, the landscape character assessment was not subject to a prescribed process of public consultation.
  - **June 2010**: The first stage was completed and the results compiled into an interim report. Members were presented with the findings of the interim report and an in-depth discussion of the methodology involved. One of the resulting actions agreed at the presentation was for Members to take part in a 'Hidden Gems'

exercise whereby information regarding areas felt to be of particular sensitivity, importance or local relevance could be submitted as part of the 2-week feedback period. This information was fed into the final borough-wide assessment. Copies of the interim report were uploaded onto the Members website and left in the Members' Library, together with a number of A0 maps for the 'Hidden Gems' exercise, for the duration of this period of comment.

- **July 2010:** Work began on the second phase, starting with two areas highlighted by Members as being of priority concern, namely the setting of the North Downs east of Maidstone, and the Medway Valley between the urban fringe of Maidstone and Watlingbury.
- **February 2011:** The borough-wide assessment was completed and the results of it and the earlier interim stage were combined to form the first draft LCA report. This was subject to a 4-week consultation with technical stakeholders, neighbouring local authorities, Members and Officers. Copies of the draft LCA report were placed on the Members' web page and in the Members' Library. As a result of the comments received a number of changes were made to the report including amendments to and additional text for landscape descriptions, analyses and guidelines. In addition a small number of landscape character area names were changed to better reflect local circumstances.
- **November 2011:** The amended LCA report was the subject of a Member presentation and workshop at which the results of the whole LCA were presented together with criteria-based policy approach to landscape character and details regarding the proposed Landscape Character Guidance SPD. Members were given a 2-week period within which to comment. Copies of the amended LCA were left in the Members' Library and uploaded onto the Members' web page on the council's website. The 2000 LCA published alongside explains which parts of the document had been saved.
- **March 2012:** Final amendments were made to the report (relating mainly to landscape character area names and map legibility) prior to its publication.
- **April 2012:** A series of training sessions for using the on-line version of the LCA 2012 report were held with Officers and Members.
- **September 2012:** The Maidstone LCA Supplement 2012 was compiled, including the assimilation of the planting lists found in the adopted 2000 LCA into the new landscape character areas.

- 1.3.4 Use of LCA: As a Core Strategy evidence base document, the LCA 2012 sets out objective information on landscape character, condition and sensitivity, and is the foundation to the borough's new landscape character policy approach which replaces local landscape designations. To date it has provided input into the search for strategic site allocations. In the future it will be expected to inform development briefs for allocated sites as well as land management schemes implementing Local Biodiversity Action Plan biodiversity projects.
- 1.3.5 By its nature the LCA 2012 is a broadbrush assessment undertaken at a high level. In cases where development is proposed on sensitive sites, such as those associated with site allocation, more in depth landscape and visual assessments may be required. This work can be undertaken in-house and will be completed in full consultation with local ward Members and Political Group Spokespersons, the results feeding into development briefs for those sites.
- 1.3.6 A second layer of landscape information will be provided through the preparation of a proposed Landscape Guidelines Supplementary Planning Document (SPD) which will replace the saved supplement and help developers make successful applications (in line with the requirements of NPPF s.153) and provide assistance in development management issues (ensuring designs optimise the natural environment and identified local characteristics). The SPD is necessary to expand on concisely worded core strategy policy providing more detail on issues regarding landscape character and settlement characteristics than would be appropriate for a core strategy policy to contain.
- 1.3.7 Together, Core Strategy policy, the LCA 2012 and the proposed Landscape Guidelines SPD will provide enough information to ensure that change essential to the prosperity of the borough will take place in a way that is sympathetic to the character of the landscape and makes the most of opportunities to enhance it. Development briefs for specific sites will be expected to be drawn up in light of such guidance, indicating how key landscape characteristics would be maintained and how schemes would ensure the best possible fit with their landscape setting.
- 1.3.8 Whilst the character areas of the LCA 2012 supersede those of the LCA 2000, the general landscape guidance and planting lists contained in the latter document will not be reviewed until the Landscape Character Guidelines SPD is published. The landscape guidance and planting lists in the 2000 LCA remain relevant and are still well used by officers and Members. To assist in the usefulness of the planting lists they have been assimilated into the new landscape character areas and are proposed to be published in the Maidstone Landscape Character Assessment Supplement 2012 alongside the

saved general landscape guidelines. This supplement should continue to be regarded as a material consideration when determining planning applications and drafting planning conditions, until such time as it is replaced by adopted SPD.

- 1.3.9 Landscape Value Pilot Study: The public consultation exercises undertaken on the Core Strategy 2011 and the Core Strategy Strategic Site Allocations 2012 highlighted a number of issues related to the value of landscape within the Borough including the importance of strategic gateways and approaches to the Maidstone urban area, which requires further study.
- 1.3.10 Landscape value is not considered to be a constraint to development. Information pertaining to landscape value will be used to inform the planning and management of local landscapes, as well as feed into development briefs to ensure that any future proposals are designed to fit well within, and enhance, the distinctive character of the area.
- 1.3.11 A methodology has been developed (attached as Appendix C) and will involve, amongst other things, a desk-top analysis using existing data; comprehensive site surveys; and the pro-active engagement of local stakeholders by means of a range of methods. The aim of the pilot study will be to produce a written assessment which encompasses both objective assessments and more subjective views to what is valuable in a particular landscape.
- 1.3.12 It is proposed to test the robustness and appropriateness of this methodology in a pilot study. A number of potential pilot areas were identified and their suitability assessed using the following criteria:
- the geographical spread of the study area;
  - the level and diversity of development pressure;
  - the presence of one or more strategic approaches and gateways;
  - the range and diversity of landscape character issues identified in study area;
- 1.3.13 This exercise identified the Medway Valley between Laddingford and Tovil as being the most suitable as a pilot study area (refer to plan attached as Appendix D). Whilst other areas met at least one of the above criteria, none except the Medway Valley area met all the criteria so definitively. The spread of the area is large enough to cover a range of landscape character areas, encompassing both rural and urban fringe locations, as well as a broad level of diversity of issues facing those areas.
- 1.3.14 Significant proportions of the study valley have been and continue to be subject to development pressure from a range of development types. The Medway Valley encompasses a number of strategic routes and approaches to south west Maidstone which are varied in nature

and includes the A26, the Maidstone-Tonbridge railway, the Medway Valley long distance path, and navigable stretches of the River Medway.

#### 1.4 Alternative Action and why not Recommended

- 1.4.1 The main risk is for the Maidstone Landscape Character Assessment 2012 not to be adopted as a material planning consideration. This is not recommended as it would result in the co-existence of two landscape character assessments covering the borough (the 2012 LCA as a Core Strategy evidence document and the 2000 LCA as adopted guidance) which would lead to confusion.
- 1.4.2 A further consequence would be the continued reliance on landscape character data obtained in 2000 which followed old guidance since replaced in 2002. Planning decisions based on such information could be open to challenge. This latter point is strengthened by the fact that retention of the 2000 LCA would put Maidstone Borough Council out of kilter with the general approaches to landscape management and landscape character methodologies adopted by surrounding local planning authorities. Landscape character assessments undertaken by Kent County Council (2004), Swale Borough Council (2005), Ashford Borough Council (2009), Medway Council (2011) and Tunbridge Wells District Council (2008) all follow the guidelines published in 2002. The exception is Tonbridge and Malling Borough Council which has yet to undertake a landscape character assessment.
- 1.4.3 The NPPF does not explicitly support the use of local landscape designations as a means of protecting landscapes. However, Section 109 of the NPPF clearly sets out the need for valued landscapes to be protected and enhanced. The criteria-led policy approach is considered to be the most expedient way in which to fulfill this need. At a strategic level, such policies are of necessity concisely worded. The level of detail required for the Core Strategy to display an understanding of the value these landscape in local terms is not appropriate for this level of policy. However, it is required if the consideration of sites as part of the Local Plan process is to be undertaken in an informed manner.
- 1.4.4 Non-endorsement of the proposed pilot study methodology would potentially result in a delay in the provision of information regarding the value of landscapes to sites being considered as part of the Local Plan process.

#### 1.5 Impact on Corporate Objectives

- 1.5.1 The 2012 LCA will help contribute to the protection and enhancement of Maidstone's environment, and maintain Maidstone as a decent place to live.

1.6 Risk Management

1.7 There are no risks arising from this report

1.8 Other Implications

1.8.1

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment
5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement
9. Asset Management

X
X

1.8.2 Staffing: The Landscape Value Pilot Study will be undertaken in-house using existing staff resources.

1.8.3 Environmental/Sustainable Development: The provision of area-specific landscape character information will enable the Council to sustain the borough's landscapes and enhance their distinctive character.

1.9 Relevant Documents

None

1.9.1 Appendices

- Appendix A: Maidstone Landscape Character Assessment 2012
- Appendix B: Maidstone Landscape Character Assessment Supplement 2012
- Appendix C: Landscape Value Pilot Study: Proposed Methodology
- Appendix D: Map of Medway Valley Pilot Study Area

1.9.2 Background Documents

None

**IS THIS A KEY DECISION REPORT?**

Yes

No

If yes, when did it first appear in the Forward Plan?

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This is a Key Decision because: ...It involves more than one ward.

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Wards/Parishes affected: .....All. ....

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**How to Comment**

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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