

# Strategic Planning, Sustainability and Transport Committee

8 September 2015

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

## Landscapes of Local Value

<b>Final Decision-Maker</b>	Strategic Planning, Sustainability and Transport Committee
<b>Lead Director or Head of Service</b>	Rob Jarman, Head of Planning and Development
<b>Lead Officer and Report Author</b>	Chris Berry
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All wards

### This report makes the following recommendations to the final decision-maker:

1. That the amendments to draft policy SP5(6) and the supporting text for Landscapes of Local Value, as set out under Section 4 “Preferred Option” of the report, be approved for further public consultation (Regulation 18 consultation).
2. That the draft map identifying five areas of Landscapes of Local Value, attached at Appendix A, be approved for further public consultation (Regulation 18 consultation).

### This report relates to the following corporate priorities:

While the Local Plan will make a significant contribution to the delivery of the corporate priorities this report focuses on Landscapes of Local Value and relates most directly to respecting the character of the borough under the priority of:

Keeping Maidstone Borough an attractive place for all.

### Timetable

<b>Meeting</b>	<b>Date</b>
Strategic Planning, Sustainability and Transport Committee	8 September 2015

# Landscapes of Local Value

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report follows the consideration by this committee of landscapes of local value (LLV) on 18<sup>th</sup> August 2015 and the approval of three areas to be designated; namely the Greensand Ridge, the Len Valley and the Medway Valley. Members required further work to be done on two further areas; the Loose Valley, and the Setting of the Kent Downs Area of Outstanding Natural Beauty.
  - 1.2 This further work is described and the results are presented in terms of recommended additions to the designated areas following from the application of criteria relating to landscape character and sensitivities. Reference should be made to the previous report for a description of the methodology used to identify landscapes of local value (LLV).
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## 2. INTRODUCTION AND BACKGROUND

- 2.1 On 18<sup>th</sup> August 2015 this committee received a report regarding the designation of areas for additional protection to that already offered by Policy SP5 The Countryside in the draft Maidstone Borough Local Plan. The previous report noted that Maidstone Borough is predominantly rural in nature and much of the rural landscape is of high quality with valuable agricultural and ecological resources and has an intrinsic value that should be conserved and protected for its own sake.
- 2.2 It further noted that a significant amount of work has been undertaken over the years at both county and district levels previously culminating in the identification of Special Landscape Areas (SLA) in former structure and local plans. The most significant landscape area in the borough, which formed part of an SLA, is the nationally designated Kent Downs Area of Outstanding Natural Beauty (AONB) which covers a large area (over 27% of the borough) to the north.
- 2.3 Legislative support for locally designated SLAs has however been gradually withdrawn, and the responsibility for the identification of locally significant landscape areas for protection has become a local responsibility. The NPPF makes distinctions between the hierarchy of international, national and locally designated sites, whereby protection is commensurate with their status, and permits the protection of locally valued landscapes through the application of criteria and the local analysis of landscape character and sensitivities.
- 2.4 The previous report described the process and analysis undertaken by the council which led to the identification of five areas for designation as landscapes of local value (LLV), and three areas were approved for public consultation, namely:
  - Greensand Ridge

- Len Valley
- Medway Valley.

- 2.5 Members required further work to be done on the two remaining areas identified; the Loose Valley and Setting of the Kent Downs Area of Outstanding Natural Beauty, to investigate whether additions could be made to reflect local representations, while being supported by the technical work on landscape sensitivities undertaken by the council's consultants, Jacobs.
- 2.6 Members also requested further investigation of the Low Weald to determine whether this significant proportion of the land area of the borough could be designated as a LLV on the basis of local representation and evidence provided by the technical studies undertaken by the consultants.

#### Additions to LLV – Loose Valley

- 2.7 Two fields adjacent to Cripple Street and the edge of the Loose Valley LLV were identified as being originally omitted from analysis by the consultants due to anticipated development. However, they are clearly part of the Borough Wide Farleigh Greensand Fruit Belt landscape character area, reference 27 in the Jacobs study (Landscape Capacity Study 2015) which demonstrates the high rating in both landscape character and visual sensitivities, thus providing the evidence for their inclusion in the Loose Valley LLV.

#### Additions to LLV – Setting of the AONB

- 2.8 Significant representations have been made with regard to the inclusion of further areas in the Harrietsham and Lenham area into the Setting of the AONB LLV and the landscape character areas affected are Harrietsham to Lenham Vale (reference 16 in the Jacobs study, op cit.) and East Lenham Vale (17). Harrietsham to Lenham Vale does not score as highly as other parts of the Setting of the AONB LLV, but East Lenham Vale rates highly in both landscape character and visual sensitivities, providing the technical evidence for its inclusion in the Setting of the AONB LLV.

#### The Low Weald

- 2.9 The Low Weald as a whole, made up of twelve landscape character areas, dissected by two river valley areas, meets three of the landscape value criteria identified in the analysis undertaken for the previous report, one of which is a landscape identified through community engagement (which all areas satisfy). It comprises approximately a third of the land area of the borough and whilst the landscape is undeniably valued by local communities, no previous statutory plans have identified more than very limited areas of the Low Weald for special protection.
- 2.10 Detailed boundaries for Special Landscape Areas (SLAs) were first defined in the 1983 Kent Countryside Local Plan and a limited area of the Low Weald was added in the 1996 Kent Structure Plan (Policy ENV4) with the instruction that the detailed boundaries of the area be defined through Local Plans. The 2000 adopted Maidstone Borough-wide Local Plan accordingly designated very

limited areas for the SLA west of Staplehurst and around Headcorn which also stretched into the neighbouring boroughs of Tonbridge & Malling and Ashford. As already noted in paragraph 2.3 above however, non-criteria based designations are no longer supported by government policy, and at present neither of the neighbouring boroughs are considering criteria based policies for landscape protection.

- 2.11 Tonbridge and Malling Borough Council are “unlikely to pursue a specific policy on protection of local landscapes” (email from TMBC: 12.08.15) as they do not believe that the NPPF provides sufficient support for local designations. Similarly, Ashford Borough Council has indicated that they are not considering such a policy and regard their existing policies on landscape character to be sufficient.
- 2.12 Accordingly, it is necessary to take full account of the comprehensive assessment of the borough’s landscapes undertaken for the council by Jacobs which rated all areas in terms of landscape character and visual sensitivities. Eleven of the Low Weald character areas and the two river valley areas do not demonstrate high ratings in both categories thus not providing sufficient evidence for this area to be included in the designation.
- 2.13 Following Members’ concerns, Low Weald landscape character areas have been investigated and the Ulcombe Mixed Farmlands (ref 43 in the Jacobs study, op cit) rate highly in both landscape character and visual sensitivities and lie immediately south, and contiguous with, the Greensand Ridge LLV. The Ulcombe Mixed Farmlands (ref 43 in the Jacobs study op cit.), however, rate highly in both categories and lie immediately south of, and contiguous with, the Greensand Ridge LLV. Accordingly, this area may be added to the already approved LLV, maintaining a coherent area for protection.

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### **3. AVAILABLE OPTIONS**

- 3.1 The further analysis outlined in this report leads to the consideration of policy amendments to protect landscapes of local value (LLV) as identified in policy SP5(6) of the draft Maidstone Borough Local Plan 2014.
- 3.2 Option 1: Do nothing and retain draft local plan policy SP5 which identifies four areas as LLV. It is clear that at least one new landscape area scores highly in the assessment so this option is not recommended.
- 3.3 Option 2: Designate the Setting of the Kent Downs AONB as an additional LLV under policy SP5(6). This option scored highly as a contiguous area of high quality landscape with significant long distance public views and skylines. The landscape is locally distinctive in its field patterns, geology and other features and the Setting of the Kent Downs AONB is recommended as a fifth landscape of local value, to be subject to further public consultation.
- 3.4 Option 3: Designate additional areas in the Loose Valley, the Setting of the AONB and the Greensand Ridge to reflect the evidence provided by the Jacobs study for highly rated landscape character areas, including part of the Low

Weald to be included in the Greensand Ridge LLV, to be renamed Greensand Ridge and Low Weald LLV.

- 3.5 Option 4: Designate the whole of the Low Weald character areas as a landscape of local value. Neither during the preparation of the Maidstone Borough Wide Local Plan 2000 nor previously, has the whole of the Low Weald been identified for special protection beyond that afforded to the countryside generally. Technical studies forming the evidence base for the emerging Local Plan do not provide the justification for its designation.
- 3.6 Option 5: Do not designate additional areas as identified in Option 3 above. This would not take account of the significant representations made by Members and other stakeholders, or the results of the consultant's analysis of landscape character and visual sensitivities.
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#### 4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The Committee is recommended to approve the following amendments to policy SP5 of the draft Maidstone Borough Local Plan 2014 in respect of landscapes of local value, and to approve the revised policy for further public consultation (Regulation 18). The recommended amendments reflect Options 2 and 3 set out in Section 3 above of the report. Additions to the policy are in **bold text** and deletions are in ~~strike through text~~.

Landscapes of local value

- 4.2 The council will protect its most valued landscapes which are in good condition. In addition to the Kent Downs AONB and sites of European and national importance, the borough includes significant tracts of landscape which are in good condition and are highly sensitive to significant change. **Landscapes of local value have been identified according to criteria relating to the character and sensitivity of the areas:**

- i. **Part of a contiguous area of high quality landscape;**
- ii. **Significant in long distance public views and skylines;**
- iii. **Locally distinctive in their field patterns, geological and other landscape features;**
- iv. **Ecologically diverse and significant;**
- v. **Preventing the coalescence of settlements which would undermine their character;**
- vi. **Identified through community engagement;**
- vii. **Providing a valued transition from town to countryside.**

- 4.3 **Development proposals within landscapes of local value should, through their siting, scale, mass, materials and design, seek to contribute positively to the conservation and enhancement of the protected landscape. Designated areas include the setting of the Kent Downs AONB, including parts of the Greensand Ridge, the Low Weald together with and the Medway, Loose and Len river valleys. These landscapes were highlighted as areas of local value by the public through previous consultations.**

- 4.4 The setting of the Kent Downs AONB comprises the land to the south of the North Downs escarpment which is to some extent compromised by the presence of the M20 motorway and railway lines but still provides relatively uninterrupted views of the nationally designated landscape area. It is characterised by open grassland which is generally used for livestock grazing or arable cultivation.
- 4.5 The Greensand Ridge lies to the south of Maidstone and is defined by the scarp face of the Ridge with extensive views across the Low Weald to the south. It is characterised by frequent small blocks of coppice and deciduous woodland, extensive orchards and frequent oast houses, with ragstone being a predominant material in walls and buildings. **Immediately south of the ridge is an area of the Low Weald with long views and distinctive buildings and landscape.**
- 4.6 The Medway Valley is characterised by the wide River Medway and steep valley sides where the valley incises the Greensand and is crossed by distinctive ragstone bridges. The area lends itself to much recreational land use including the Medway Valley Walk, although some sections are more wooded and remote in character. The Loose Valley lies to the south of Maidstone and is characterised by the Loose stream, mill ponds and springs with steep wooded valley sides, mature native woodland and traditional mill buildings and cottages. The Len Valley lies to the east of Maidstone and is bordered by Bearsted to the west. It is characterised by the River Len, historic mills and a network of pools with remnant orchards.

Policy SP5 Countryside

6. The **Setting of the Kent Downs AONB**, Greensand Ridge and **Low Weald**, Medway Valley, Len Valley and Loose Valley, as defined on the policies map, will be protected and maintained as landscapes of local value.

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## 7. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- a. Previously, parts of the draft Maidstone Borough Local Plan have been subject to public consultation in accordance with Regulation 18. The representations submitted in respect of landscapes of local value are set out in Appendix A of the report, together with officer responses.

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## 8. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- a. The draft policy for landscapes of local value will be subject to further public consultation (Regulation 18) before being included in the Publication version of the local plan (Regulation 19).
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## 9. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The adoption of the local plan will assist in the delivery of the council's corporate priorities.</p> <p>This policy has specific implications for respecting the character of our borough.</p>	Head of Planning & Development
<b>Risk Management</b>	A sound evidence base and further public consultation on policy amendments will minimise the risk of policy SP5 being found unsound at examination into the local plan.	Head of Planning & Development
<b>Financial</b>	There are no financial implications arising from this report.	Head of Finance & Resources
<b>Staffing</b>	The Regulation 18 consultation will require staff resources but, given this will be a focused consultation on key policy changes only, the consultation can be managed within existing staff resources.	Head of Planning & Development
<b>Legal</b>	There are no legal implications directly arising from this report, although the Legal Team continues to provide advice and guidance on local plan matters, and to review any legal implications of reports.	Legal Team
<b>Equality Impact Needs Assessment</b>	There are no specific implications arising from this report	Policy & Information Manager
<b>Environmental/Sustainable Development</b>	There are no specific implications arising from this report	Head of Planning & Development
<b>Community Safety</b>	There are no specific implications arising from this report	Head of Planning & Development
<b>Human Rights Act</b>	There are no specific implications arising from this report	Rob Jarman, Head of Planning & Development
<b>Procurement</b>	There are no specific implications arising from this report	Head of Finance & Resources
<b>Asset Management</b>	There are no specific implications arising from this report	Head of Finance & Resources

## **10. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- Appendix A: Landscapes of Local Value Map
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## **11. BACKGROUND PAPERS**

None