

**Protection of the Greensand Ridge**

<b>Final Decision-Maker</b>	Strategic Planning, Sustainability and Transportation Committee
<b>Lead Head of Service/Lead Director</b>	Rob Jarman, Head of Planning and Development
<b>Lead Officer and Report Author</b>	Deanne Cunningham, Team Leader (Heritage, Landscape and Design)
<b>Classification</b>	Public
<b>Wards affected</b>	All  This report affects Marden and Yalding, Coxheath and Hunton, Boughton Monchelsea and Chart Sutton, Sutton Valence and Langley and Headcorn wards more than others

**Executive Summary**

This report considers the current protection status of the Greensand Ridge in Maidstone and scopes the issues around the potential for increasing the level of protection to that of an Area of Outstanding Beauty (AONB).

**This report makes the following recommendations to this Committee:**

1. That the report is noted.
2. That a representation is made to the Review of National Parks and Areas of Outstanding Natural Beauty (AONBs) to seek to secure an additional tier of protection for the Greensand Ridge.

**Timetable**

<b>Meeting</b>	<b>Date</b>
SPS&T Committee	6 November 2018

# Protection of the Greensand Ridge

## 1. INTRODUCTION AND BACKGROUND

- 1.1 In January 2018 the Government published a 25 year plan for the environment, 'A Green Future: Our 25 Year Plan to Improve the Environment'. It sets out an approach to protect landscapes and habitats in England and commits to a review of national parks and Areas of Outstanding Natural Beauty (AONBs), known as 'Designated landscapes (national parks and AONBs): 2018 review'. The announcement of a review has raised the prospect of local bids for designation of new National Parks and Areas of Outstanding Natural Beauty.
- 1.2 At the meeting of SPS&T Committee on 10 July 2018 Members resolved that a report be put on the agenda for the October cycle of this Committee considering the issues relating to the proposal to promote the Greensand Ridge as a candidate for designation as an AONB.

### The Greensand Ridge

- 1.3 The Maidstone Landscape Character Assessment defines the Greensand Ridge landscape character type as comprising the scarp face of a long and curved belt of Wealden Greensand that runs across Kent parallel to the North Downs (refer to Appendix 1). Along this section of the Greensand Ridge, the steep landform is dramatic, affording spectacular panoramic views across the Low Weald landscape to the south. Narrow, winding and woodland enclosed lanes run against the contours, often sunken into the Greensand with tree roots binding the earth banks together. Loamy soils support much fruit production with associated poplar shelterbelts, and some traditional hop gardens with chestnut coppice for hop poles. Deer parks and more recent 18th century parklands form a distinctive feature of the Wealden Greensand, with large manor houses often raised above the parkland along the elevated ridge. The Greensand Way promoted Long Distance Path runs along the contours of the ridge and although this is not a historic route, it forms a distinctive path because of the raised topography and the long open views across the Low Weald landscape to the south. The scarp is incised by regular secluded Wealden Clay valleys, and a series of springs emerge across the slope.
- 1.4 There are 2 landscape character areas within this landscape type; the Linton and the Sutton Valence Greensand Ridge (**Appendix 1**). Both of these areas are described as being in good condition with a high sensitivity, with a guideline is 'conserve'.
- 1.5 Whilst this description details the Greensand Ridge within Maidstone it is merely a local part of a much wider landscape type, Wealden Greensand (National Character Area profile 120) which runs from the South Downs in West Sussex to the East coast around Folkestone (**Appendices 2 and 3**).

## **The Review**

- 1.6 In the context of meeting both local and national priorities and wider environmental governance, the Review of National Parks and Areas of Outstanding Natural Beauty (AONBs) will examine and make recommendations on:
- The existing statutory purposes for National Parks and AONBs and how effectively they are being met
  - The alignment of these purposes with the goals set out in the 25-Year Plan for the Environment
  - The case for extension or creation of new designated areas
  - How to improve individual and collective governance of National Parks and AONBs, and how that governance interacts with other national assets
  - The financing of National Parks and AONBs
  - How to enhance the environment and biodiversity in existing designations
  - How to build on the existing eight-point plan for National Parks and to connect more people with the natural environment from all sections of society and improve health and wellbeing
  - How well National Parks and AONBs support communities
- 1.7 Expanding on work already underway, the Review will also take advice from Natural England on the process of designating National Parks and AONBs and extending boundary areas, with a view to improving and expediting the process.
- 1.8 The Review will not propose reductions in either the geographic extent or the protections given to England's designated landscapes. Its aims are not to diminish the character or independence of designated landscapes, or to impose new burdens on them and the people who live and work in the areas they cover. It will draw on past evidence, as well as new submissions by interested groups and individuals, and is due to be completed in 2019.

## **AONB protection**

- 1.9 The objective of giving landscapes AONB designation is to ensure that the purpose of conserving and enhancing its natural beauty are pursued.
- 1.10 AONB status gives the highest level of protection in planning policy term as far as landscape and natural beauty is concerned and all decisions must have regard for the purpose of conserving and enhancing the natural beauty of the AONB, both in terms of the effect it will have within the AONB and land outside its boundary.
- 1.11 The natural beauty of the area could be a combination of factors, such as:
- landscape quality, where natural or man-made landscape is good quality
  - scenic quality, such as striking coastal landforms
  - relative wildness, such as distance from housing or having few roads

- relative tranquillity, where natural sounds, such as streams or birdsong are predominant
- natural heritage features, such as distinctive geology or species and habitat
- cultural heritage, which can include the built environment that makes the area unique, such as archaeological remains or historic parkland

1.12 The decision whether it is desirable to designate currently lies at the heart of the legislation. An area of land that satisfies the natural beauty criteria is capable of being included in an AONB. Designation depends on Natural England's judgment as to whether it is desirable to create an AONB (with an AONB Partnership or statutory conservation board, management plan and certain duties on public bodies) in order to conserve and enhance the area's natural beauty.

### **Existing protection status**

1.13 The Greensand Ridge is currently one of five areas designated in the Maidstone Borough Local Plan as a Landscapes of Local Value (LLV). The other areas are the Len Valley, Loose Valley, Medway Valley and Low Weald.

1.14 These areas are considered to be significant tracts of landscape which are highly sensitive to significant change. The criteria against which the designations have been judged relate to their character and sensitivity.

1.15 To increase the protection status of one of our landscape character areas comes with a risk that other areas are effectively devalued.

1.16 A further consideration is that, whilst the potential designation of a Greensand Ridge AONB would have no impact on sites allocated within the Local Plan, it would place a considerable restraint on any potential development windfall gains.

### **AONB designation process**

1.17 Before making an order to designate an AONB, Natural England must:

- decide if a proposal meets the natural beauty criterion
- decide if it's desirable to designate for the purpose of conserving and enhancing natural beauty
- define a detailed boundary
- consult each local authority affected by the proposed order
- publish the proposals in The Gazette and local newspapers of each affected local authority
- consider all representations made against the proposals and make any necessary modifications
- submit the order to the Secretary of State, including any unresolved representations or objections.

- 1.18 The Secretary of State for Environment, Food and Rural Affairs can confirm, refuse, modify or vary any order made by Natural England to designate or vary the boundary of an AONB.
- 1.19 A local authority can delegate authority to 'AONB partnerships' to both manage the AONB and create a management plan. This could either be through a joint advisory committee (as for the Kent Downs) or an AONB committee. There is also an option for the Secretary of State to establish a conservation board to manage the AONB instead. Within 3 years of their designation AONBs must have a management plan which must be reviewed within 5 years of the start of the plan.
- 1.20 The process for making an area subject to an AONB is currently very onerous and is likely to involve a Public Inquiry.
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## **2. AVAILABLE OPTIONS**

- 2.1 If no further action were taken to pursue AONB protection for the Greensand Ridge it would remain as an important landscape as characterised within the Maidstone Landscape Character Assessment and retain an enhanced level of protection through its designation as a Landscape of Local Value in the adopted Local Plan.
- 2.2 If Members wish to pursue the option of seeking to protect this landscape through the creation of an AONB there is currently likely to be potential for success so long as adjacent authorities and interest groups support the proposal and a possible boundary can be agreed. As a stand alone designation within Maidstone borough it is unlikely to be successful. The long term implications are as follows:

### Benefits

- The purpose of an AONB is to conserve and enhance its natural beauty (flora, fauna, geological and physiographical features)
- The status gives the highest level of protection in planning policy term as far as landscape and natural beauty is concerned
- All decisions must have regard for the purpose of conserving and enhancing the natural beauty of the AONB, both in terms of the effect it will have within the AONB and land outside its boundary
- The ability to lever in additional funding from external sources

### Disbenefits

- Places a considerable restraint on any potential development windfall gains
- Resources- set up costs and annual financial contributions
- The length of time it takes to make a new AONB
- The difficulty in obtaining a consensus of opinion and aligning the different ambitions of adjacent authorities, landowners and other interested parties

- The Borough will have no control over the final boundaries for the AONB

2.3 The third option is to make a representation to the Review on the basis of promoting an additional national tier of protection, such as along the lines of Heritage coasts, which should be less onerous to establish and achieve greater protection than LLV status achieves.

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### **3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

3.1 As the Review of National Parks and Areas of Outstanding Natural Beauty is currently in progress it is considered to be an appropriate time to promote the Council's ambition to add stronger protection to the Greensand Ridge landscape. It is therefore recommended that if this Council's aspiration is for an additional level of protection for its valued landscape, a representation to this effect is put forward to the Review for consideration. Once the outcome of the Review is published in 2019 the Council can then consider its options in light of any proposed changes to the hierarchy of landscape protection and the processes around the creation of new designations.

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### **4. RISK**

4.1 Risks relating to this matter have been considered elsewhere in this report.

### **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

5.1 None

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### **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

6.1 If this Committee endorses the recommendations of this report the Council will submit a representation to the Review as required.

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## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<ul style="list-style-type: none"> <li>• We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims of:               <ul style="list-style-type: none"> <li>- Keeping Maidstone an attractive place for all; and</li> <li>- Respecting the character and heritage of the Borough</li> </ul> </li> </ul>	Head of Planning and Development
<b>Risk Management</b>	<ul style="list-style-type: none"> <li>• No direct risk management implications arise from this report</li> </ul>	Head of Planning and Development
<b>Financial</b>	<ul style="list-style-type: none"> <li>• As noted in the report, the set up and ongoing management of the AONB would have cost implications for the Council, and there is no current budget allocation for this. If the recommendations are accepted, the potential costs will be detailed in a subsequent report to this Committee.</li> <li>• There are also indirect implications relating to staff time, estimated at 4-5 weeks for the provision of this report and proposed next steps.</li> </ul>	Head of Finance
<b>Staffing</b>	<ul style="list-style-type: none"> <li>• No direct staffing implications arise from this report</li> </ul>	Head of Planning and Development
<b>Legal</b>	<ul style="list-style-type: none"> <li>• No direct legal implications arise from</li> </ul>	Susan Mauger

	<p>this report</p> <ul style="list-style-type: none"> <li>• If report accepted further reports will provide detail of legal implications</li> </ul>	Senior Planning Lawyer (Locum)
<b>Privacy and Data Protection</b>	<ul style="list-style-type: none"> <li>• No implications have been identified</li> </ul>	Senior Planning Lawyer (Locum)
<b>Equalities</b>	<ul style="list-style-type: none"> <li>• The recommendations do not propose a change in service therefore will not require an equalities impact assessment</li> </ul>	Anna Collier Policy & Information Manager
<b>Crime and Disorder</b>	<ul style="list-style-type: none"> <li>• No implications have been identified</li> </ul>	Head of Planning and Development
<b>Procurement</b>	<ul style="list-style-type: none"> <li>• No implications have been identified</li> </ul>	Head of Service & Section 151 Officer

## 8. REPORT APPENDICES

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

- Appendix 1: Map of Greensand Ridge: Borough Greensand Landscape Character Areas and Designations
- Appendix 2: Map of Greensand Ridge, Greensand Belt extent: Kent Landscape Character Assessment
- Appendix 3: Map of Greensand Ridge, Wealden Greensand extent: Natural England Landscape Character Profile

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## 9. BACKGROUND PAPERS

A Green Future: Our 25 Year Plan to Improve the Environment

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/693158/25-year-environment-plan.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf)

Designated landscapes (national parks and AONBs): 2018 review

<https://www.gov.uk/government/publications/designated-landscapes-national-parks-and-aonbs-2018-review>