

MAIDSTONE BOROUGH COUNCIL

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

REPORT OF THE CHIEF EXECUTIVE

Report prepared by Deanne Cunningham

Date Issued: 11 July 2013

1. MAIDSTONE LANDSCAPE CHARACTER ASSESSMENT 2012

1.1 Key Issue for Decision

- 1.1.1 To consider the amendments to the Maidstone Landscape Character Assessment 2012 attached as **Appendix A**.
- 1.1.2 To approve the Maidstone Landscape Character Assessment 2012 (2013 amended version), attached as **Appendix B**, together with the Maidstone Landscape Character Assessment Supplement 2012, attached as **Appendix C**, which encompasses the saved parts of the adopted Maidstone Borough Council Landscape Character Assessment and Landscape Guidelines 2000.
- 1.1.3 To endorse the proposed methodology for the Landscape Value Pilot Study and agree the Medway Valley as the Pilot Study Area (attached as **Appendix D**).

1.2 Recommendation of the Chief Executive

- 1.2.1 That the Cabinet Member for Planning, Transport and Development
 - i. Agrees to the list of changes made to the Maidstone Landscape Character Assessment 2012 following the Proofing Workshop held in March 2013 (attached as **Appendix A**); and
 - ii. Approves the amended Maidstone Landscape Character Assessment 2012 (2013 amended version) (attached as **Appendix B**); and
 - iii. Saves parts of the adopted Maidstone Borough Council Landscape Character Assessment and Landscape Guidelines 2000 as the Maidstone Landscape Character Assessment Supplement 2012 (attached as **Appendix C**); and
 - iv. Endorses the methodology of the Landscape Value Pilot Study including the identification of the Medway Valley as the proposed Pilot Study Area (attached as **Appendix D**).

1.3 Considerations

1.3.1

The Spatial Planning Strategy Advisory Group (SPSAG) considered the Maidstone Landscape Character Assessment 2012 at its meeting on 22 January 2013 and also considered three further matters associated with the Maidstone LCA. As a result the Group resolved to recommend to the Cabinet Member for Planning, Transport and Development:-

- i. That the Maidstone Landscape Character Assessment 2012 be deferred so that a cross party discussion with Officers can take place to identify the inconsistencies and proof read the document and then the amended version be brought to a future meeting of this Group.
- ii. That parts of the adopted Maidstone Borough Council Landscape Character Assessment and Landscape Guidelines 2000 be saved and published as the Maidstone Landscape Character Assessment Supplement 2012 (as set out in Appendix B to the report of the Director of Change, Planning and the Environment) as a material consideration in development management planning decisions.
- iii. That the methodology of the Landscape Value Pilot Study, as set out in Amended Appendix C to the report of the Director of Change, Planning and the Environment be endorsed.
- iv. That the whole of the Medway Valley from Laddingford to Allington Lock be the proposed Pilot Study Area.

1.3.2 The proofreading workshop was held on Monday 11 March with Members from the Group (Councillors Fran Wilson, Tony Harwood, Richard Lusty, Fay Gooch and Brian Moss) and Councillor Stephen Paine in attendance with Officers. A Principal Landscape Planner from Jacobs consultancy also attended in their capacity as the lead consultant responsible for undertaking the landscape character assessment exercise.

1.3.3 The workshop resulted in two actions being undertaken:

- i. Comments suggesting a number of changes to the text were forwarded by Members for consideration; and
- ii. The redrafting of the document's preamble to emphasise the purpose of the document and how the document would be used.

1.3.4 Members' comments were considered by Officers with input from the consultants. The resulting responses were circulated back to Members

in May 2013. The redrafted preamble was also circulated to Members for their feedback and comment in May.

- 1.3.5 The majority of changes made are minor in nature and largely 'fine tune' the landscape character descriptions. It also includes the redrafting of the preamble.
- 1.3.6 The proposed amendments to the Maidstone Landscape Character Assessment document were presented to the Planning, Transport and Development Overview and Scrutiny Committee on 18 June 2013 in lieu of the fact that SPSAG is no longer in existence.
- 1.3.7 This Committee agreed the list of changes to the Landscape Character Assessment 2012 (attached as **Appendix A**) and resolved that the Cabinet Member for Planning, Transport and Development approves the Landscape Character Assessment 2012 (2013 amended version).

1.4 Reasons for Recommendation

- 1.4.1 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.
- 1.4.2 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. It was replaced in 2002 by the Landscape Character Assessment Guidance for England and Scotland. The 2002 guidance provides a more comprehensive and consistent written approach to landscape character assessment and marked a significant step forward in the undertaking of landscape character assessment. The differences between the two sets of guidance were deemed significant enough to warrant a review of the 2000 LCA.
- 1.4.3 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, which took in the rest of the borough outside of the urban area. It started 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 localities.
- **November 2011:** The amended LCA report was the subject of a Member presentation and workshop. The results of the whole LCA

were presented together with details of the proposed Local Plan criteria-based policy approach to landscape character and the Landscape Character Guidelines 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 was published alongside with an explanation of 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.
- 1.4.4 Use of LCA: The LCA 2012 is an evidence base document to the Local Plan. It sets out information on landscape character, condition and sensitivity in an objective way, following a logical and consistent assessment process. It also provides the foundation to the borough's new landscape character policy approach which will replace local landscape designations. To date it has inputted into the search for strategic site allocations. In the future it will be expected to inform land management schemes implementing Local Biodiversity Action Plan projects.
- 1.4.5 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 would be completed in full consultation with local ward Members and Political Group Spokespersons. The results will feed into development briefs for those sites.
- 1.4.6 A second layer of landscape information will be provided through the preparation of a proposed Landscape Character Guidelines Supplementary Planning Document (SPD) which will replace the saved supplement. This will 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 Local Plan policy providing more detail on issues regarding landscape character and

settlement characteristics than would be appropriate for a local plan policy to contain.

- 1.4.7 Together, Local Plan policy, the LCA 2012 and the proposed Landscape Character 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.
- 1.4.8 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 their usefulness the planting lists have been assimilated into the new landscape character areas. They 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.
- 1.4.9 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.
- 1.4.10 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.
- 1.4.11 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.

- 1.4.12 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;
- 1.4.13 This exercise identified the Medway Valley 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.
- 1.4.14 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.

1.5 Alternative Action and why not Recommended

- 1.5.1 The rejection of the Maidstone Landscape Character Assessment 2012 (2013 amended version) is not recommended as it would result in the co-existence of two landscape character assessments covering the borough which would lead to confusion.
- 1.5.2 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.

1.6 Impact on Corporate Objectives

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

1.7 Risk Management

1.8 There are no risks arising from this report

1.9 Other Implications

1.9.1

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

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

1.9.3 Environmental/Sustainable Development: The provision of area-specific landscape character information will enable the Council to appropriately manage the borough's landscapes and where opportunities arise enhance their distinctive character.

1.10 Relevant Documents

None

1.10.1 Appendices

Appendix A: List of changes made to the Maidstone Landscape Character Assessment 2012 following the Proofing Workshop held in

March 2013

Appendix B: Maidstone Landscape Character Assessment 2012 (2013 amended version)

Appendix C: the Maidstone Landscape Character Assessment Supplement 2012

Appendix D: Landscape Value Pilot Study: Proposed methodology and map of Medway Valley Pilot Study Area

1.10.2 Background Documents

None

IS THIS A KEY DECISION REPORT?

Yes

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No

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

November 2012.....

This is a Key Decision because:

It involves more than one ward

Wards/Parishes affected:

All

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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