



LENHAM NEIGHBOURHOOD PLAN
REGULATION 16 CONSULTATION DRAFT
March 2020

Thank you for consulting the Kent Downs AONB Unit on the above document. The following comments are from the Kent Downs AONB Unit and as such are at an officer level and do not necessarily represent the comments of the whole AONB partnership.

Background and context:

National and Local planning policies are very clear that highest priority should be given to the conservation and enhancement of Areas of Outstanding Natural Beauty.

The NPPF confirms that AONBs are equivalent to National Parks in terms of their landscape quality, scenic beauty and their planning status (Paragraphs 11 footnote 6 and 172).

The status of AONBs has been enhanced through measures introduced in the Countryside and Rights of Way (CROW) Act 2000, which gave greater support to their planning and management. The statutory duties state that in exercising or performing any functions in relation to, or so as to affect, land' in these areas, relevant authorities "shall have regard" to their purposes (Page 3 of DEFRA guidance). The Act requires a management plan to be produced, and accordingly the first Kent Downs AONB Management Plan was published in April 2004. The second revision management plan (20014- 2019) has been formally adopted by all the local authorities of the Kent Downs. The management plan may be viewed on our web site:

<http://www.kentdowns.org.uk/guidance-management-and-advice/management-plan>

Enhancing landscapes and life in the Kent Downs

The Kent Downs AONB Joint Advisory Committee (JAC) promotes and co-ordinates the conservation and enhancement of the Kent Downs AONB. Funding is provided by DEFRA, Kent County Council and the local authorities of Ashford, Bromley, Canterbury, Dover, Gravesham, Medway, Maidstone, Sevenoaks, Shepway, Swale and Tonbridge & Malling. Other organisations represented on the JAC include Natural England, the Environment Agency, Country Land and Business Association, National Farmers Union, Kent Association of Parish Councils and Action with Communities in Rural Kent.

Relationship of the Management Plan with production of Local Authority Local and Neighbourhood Plans.

Under the CROW Act, the AONB Management Plan must 'formulate the (Local Authority) policies for the management of the AONB and for carrying out their functions in relation to it'. The policies of the Kent Downs AONB Management Plan are therefore the adopted policies of all the Local Authorities in the Kent Downs. Whilst these policies should not be repeated in the Local Authority Local Plans and Neighbourhood Plans, this relationship should be clear. Any Kent Downs AONB responses on consultations on local plans and neighbourhood plans will reflect the policies of the Kent Downs AONB Management Plan and other Kent Downs AONB guidance as set out below.

Other Kent Downs AONB Guidance:

- Kent Downs Landscape Design Handbook - Design guidance based on the 13 landscape character areas in the Kent Downs. Guidance on fencing, hedges, planting, gateways etc. to help in the conservation and enhancement of all corners of the AONB.
- Kent Downs Renewable Energy Position Statement - The purpose of this statement is to provide a clearly articulated position for the Kent Downs AONB partnership with regards to renewable energy technologies. It recognises that each Local Planning Authority must balance the impact of proposals for renewables on the AONB with all the other material planning considerations.
- Kent Rural Advice Service Farm Diversification Toolkit - Guidance on taking an integrated whole farm approach to farm developments leading to sound diversification projects that benefit the Kent Downs.
- Kent Downs Land Manager's Pack - Detailed guidance on practical land management from how to plant a hedge to creating ponds and enhancing chalk grassland.
- Rural Streets and Lanes A Design Handbook - Guidance on the management and design of rural lanes and streets that takes the unique character of the Kent Downs into account. This document discusses the principle of shared space and uses examples from around the UK and Europe. The Rural Streets and Lanes Design Handbook has been adopted as policy by Kent County Council.
- Good Practice Horse Pasture Management - National guidance providing information on equine development covering grassland management, fencing, trees and hedges, waste management and basic planning information.
- Kent Farmstead Guidance and Kent Downs Farmstead Guidance - Guidance on the conservation, enhancement and development change of heritage farmsteads in the Kent Downs based on English Heritage's Kent and National Character Area Farmstead Statements. Includes an Assessment method and Design Guidance.

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Specific comments on the draft Lenham Neighbourhood Plan

Design Quality – Policy D1

We welcome the importance assigned in this policy to protecting the setting of the AONB.

The AONB is erroneously referred to as the North Downs AONB and this should be amended to give it its proper title, the Kent Downs AONB (the Kent Downs is the eastern half of the North Downs, the western half is designated as the Surry Hills AONB).

Criterion 7 - We recommend that the sentence requiring new development 'to be mindful' of Lenham's location in the foreground of the AONB be amended to 'have regard to', which would make the requirement more robust. We would also like to see a requirement for site layout to mitigate impact on views from the AONB, for example orientation of streets and we would also like to see a requirement for the avoidance of large areas of pale colour (such as pale painted render and weatherboarding) on north facing elevations.

Criterion 12 (7) Shiplap cladding is a modern, not traditional material which is not prevalent in Lenham and reference to this should be replaced with 'feather edged weatherboarding' which is a locally found material.

Criterion 12 (8) We would suggest rewording criterion (viii) to "...Native trees appropriate to landscape character that have the capacity to establish large crowns shall be planted alongside roads...."

11.2.2

It is considered imperative that it is set out here that the SHDS sites will also be expected to comply with policy D1, to ensure that the setting of the AONB is appropriately protected.

Land south of Old Ashford Road – Policy SHDS1

The AONB Unit has concerns over this proposed allocation. While we understand the need to allocate sufficient land to meet the requirements of the Maidstone Local Plan, we would urge the Parish to consider alternative locations that would relate better to the existing settlement.

The site is visible from the AONB to the north, including from the North Downs Way, where it does not appear well related to the existing village settlement; notwithstanding the presence of the Business Park and the existing consent at Tanyard Farm, this site is separated from the rest of the village and would appear as an extensive extension of the village out to the east on currently rural, undeveloped land. The site lies in the immediate setting of the AONB due to its proximity to the AONB boundary and by virtue of views out from the scarp of the AONB over the site and it is not considered that impact of development could be satisfactorily mitigated.

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In the event of the allocation coming forward, while we welcome the requirement for structural planting on the north side of Ashford Road, which would help mitigate the impact of the existing business park on views from the AONB escarpment, it is unlikely to assist in mitigating the impact of the proposed housing development. Care will be needed to ensure the woodland has an irregular edge, particularly on its northern side, to ensure it appears as a natural feature in the landscape.

We are very concerned that the Masterplan seems to have paid insufficient regard to trying to mitigate impacts of development of this site on impacts from the AONB. This is despite an acknowledgement in the Landscape and Visual Assessment Study that the site will be visible from the AONB.

Given the views from the higher topography of the escarpment of the Kent Downs it will be important to ensure structural tree planting is provided on an east-west axis centrally within the site to help break up views of the built development in views from the AONB. The incorporation of street trees will also be important to help filter views of the development in views from the north. Limitations to two stories in height should also be included in the policy wording along with a requirement for materials on the northern elevation of buildings to be sensitive to views from the north (i.e. muted and non-reflective). Without such provisions, it is contended that the proposal fails to comply with Section 85 of the 2000 Countryside and Rights of Way Act as well as paragraph 172 of the NPPF and the Vision Statement set out at 3.1 of the Neighbourhood Plan.

Policies SHDS5,6 and 7

As with SHDS1 above, we are very concerned that the proposed Masterplan pays insufficient regard to trying to mitigate impacts of development of this site on impacts from the AONB. Given the views from the higher topography of the escarpment of the Kent Downs it will be important to ensure structural planting is provided on an east-west axis centrally within the site to help break up views of the built development. Instead, the vast majority of the green infrastructure is shown on a north-south axis which will do little to filter view of the mass of development in views from the AONB to the north. This is despite an acknowledgement in the Landscape and Visual Assessment Study that the site will be visible from the AONB and would be in conflict with the Vision Statement set out at 3.1 of the Neighbourhood Plan.

I hope you find these comments useful. I would be happy to discuss this further with you if this would be helpful.

Katie Miller

Planning Manager, Kent Downs AONB Unit

23 March 2020

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