

KEY ISSUE FIVE: COUNTRYSIDE PROTECTION POLICY CP1

Policy CP1 is superfluous because it reiterates the policies of the Maidstone Borough Local Plan (MBLP)

Maidstone Borough Local Plan Strategic Policy SP17 contains general guidance in relation to countryside issues. Lenham Parish Council wishes the Plan to contain more Lenham specific policy guidance if at all possible. The Parish Council is aware of more specific countryside protection policies contained within the Staplehurst and Loose Neighbourhood Plans, both of which are 'made' plans. The Parish Council would, therefore, wish for Policy CP1 to remain in the Plan preferably without the textual revisions suggested by Maidstone Borough Council. The Parish Council believe it is possible to assess the potential impacts of a development proposal upon the visual setting and landscape feature of a site and its surrounds and regards these issues as of key importance in making local decisions on development proposals.

The Regulation 14 Consultation Draft of Lenham Neighbourhood Plan (September 2018) contained two Countryside protection policies of note: Policy CP1 and Policy LLLA1.

The Maidstone Borough Council response on the Regulation 14 Plan is dated 6th November 2018. The countryside policies are considered at page 4 of that letter under the heading 'Lenham Local Landscape Area and Local Green Space'. The relevant text of the letter reads as follows:

"Lenham Local Landscape Area and Local Green Space

In addition to liaising with the landowners/agents/developers of allocated site in the plan, landowners of designated sites, such as Local Green Space and the Lenham Local Landscape Area should be contacted. This ensures support for the designations and also affords landowners the opportunity to comment on proposals.

The plan would benefit from a Landscape Assessment of the Lenham Local Landscape Area, to identify the reasons for safeguarding this area from current and future development growth. The Assessment should explain what makes this area particularly special in landscape terms.

It is not clear why parts of the Pilgrim's Way have been designated as Local Green Space (policy LGS1) nor, once boundaries have been clearly defined, why such boundaries apply. The areas are protected by their location within the AONB, designated public rights of way and the listing of Lenham Cross. The protection of views is not a Local Green Space criterion."

Certain suggested areas of Local Green space such as parts of the Pilgrims Way, received adverse comment. Those areas proposed for Local Green Space were deleted from the 2019 Regulation 16 Plan. Policy LLLA1 proposed a Lenham Local Landscape Area. A request was made to explain why the area was regarded as particularly special landscape terms.

Rather than seek to justify this Policy, Lenham Parish Council decided to delete the proposed LLLA designation entirely from the 2019 Regulation 16 Plan.

Countryside Protection Policy CP1 was contained within the 2018 Regulation 14 Consultation Draft Plan. The Policy received no adverse comment in the MBC response dated 6th November 2018. The Policy is continued virtually unaltered in the 2019 Regulation 16 Consultation Draft Plan. The Parish Council finds it hard to understand why Countryside Protection Policy CP1 is now regarded as superfluous when it was previously not the subject of any adverse comment.

The parish Council is aware of the Staplehurst Neighbourhood Plan which was made on 7th December 2016. Although this Plan pre-dates the adoption of MBLP in October 2017 it would have been made in the context of the emerging MBLP policies.

Policy PW2 in the made Staplehurst Neighbourhood Plan reads as follows:

Proposals for New Development in the Countryside beyond the extended village envelope will be assessed in terms of the potential impact of the development upon the visual setting and landscape features of the site and its surroundings, the potential impact upon the biodiversity of the area and other relevant planning considerations, such as the impact of traffic and noise. Proposals which fail to demonstrate these impacts can be satisfactorily addressed will not be supported.

Lenham Parish Council supports the objective of Policy PW2 and would wish Lenham Neighbourhood Plan to contain a similar policy but with the emphasis on more Lenham based criteria. Lenham Parish Council believes such a policy is welcome because it introduces more local considerations beyond those contained in MBLP. The Parish Council considers this element of local interpretation to be a key benefit of the Neighbourhood Plan.

Lenham Parish Council is also aware of the Loose Neighbourhood Plan which was made on 25th September 2019 and therefore fully reflects the policies of MBLP.

Loose Neighbourhood Plan contains policies:

LP1 'Views Across Village and Countryside
LP2 ' Loose Valley Landscape of Local Value' and
LP3 'Design of Development in the Countryside'.

Lenham Parish council supports the objectives of policies LP1-LP3 and would wish Lenham Neighbourhood Plan to contain a similar Lenham-based approach to important countryside criteria.

Lenham Parish Council is aware of a representation submitted on behalf of 'Save our Heath Land' (SOHL). This organisation is a Lenham-based local countryside amenity protection organisation.

The representation submitted on behalf of SOHL includes a new paragraph 6.9.3 suggested for inclusion in the Plan and a suggested rewording of Policy CP1: Countryside Protection.

The representation reads as follows:

One of the particular distinctive characteristics of Lenham Parish is the existence of relatively isolated rural settlements such as Sandway, Platts Heath, Lenham Forstal, Lenham Heath, West Street and Woodside Green. There is a strong relationship between the built elements of Lenham Parish, the village, the hamlets and the other settlements and their wider landscape setting. At various points across the Parish, there are clear lines of sight of the AONB, open countryside and back again from open countryside towards the built form. This experience is enhanced in several elevated locations in the Parish. This locally distinctive context provides a sense of identity and particular character. The particular landscape sensitivity of the Parish is objectively assessed in the 'Maidstone Landscape Capacity Study: Sensitivity Assessment' (January 2015) produced by Jacobs for Maidstone Borough Council.

Suggested replacement for Policy CP1: Countryside Protection

Protection for the Countryside and the Rural Settlements: Policy CP1

The Lenham Local Policies Map shows the settlement boundary for Lenham village which is extended to include the Strategic Housing Delivery Sites. Proposals for new development in the countryside beyond the extended settlement boundary will be assessed in terms of:

- 1) the potential visual impact of the development;***
- 2) the landscape character effects on the site and its surroundings;***
- 3) the potential impact on the biodiversity of the area;***
- 4) the capacity of infrastructure and services available to serve the proposal; and***
- 5) how the proposal relates to the setting of the isolated rural settlements.***

Development proposals should seek to protect and enhance the environment of the Parish with particular emphasis on avoiding harmful impacts on the hamlets and other rural settlements. Proposals which fail to demonstrate that these impacts can be satisfactorily addressed will not be supported.

Lenham Parish Council has noted this representation. The Parish Council would wish the Examiner to consider whether to recommend that Lenham Neighbourhood Plan should be revised to include this or similar wording. The Parish Council finds it hard to understand why such a Policy should be seen as superfluous in Lenham but acceptable in Staplehurst and Loose.