



Kent Downs National Landscape

LIDSING GARDEN SETTLEMENT

Draft Supplementary Planning Document

Response from the Kent Downs National Landscape team

Emailed to : ldf@maidstone.gov.uk

Thank you for your consultation on the draft Supplementary Planning Document (SPD) for the Lidsing Garden Settlement. The following comments are from the Kent Downs National Landscape team and as such are at an officer level and do not necessarily represent the comments of the whole Kent Downs National Landscape partnership.

The requirement for an SPD for the garden settlement is set out in the Maidstone Local Plan Review, where the site is allocated under policy LPRSP4(B). It is considered that it would be beneficial for the SPD to include a master plan for the proposed new settlement along with Design Codes at this stage. We are concerned that the absence of these results in insufficient certainty over how the development should come forward and while we note that it is identified by MBC that design codes will be required after the outline planning application stage, we consider it would be more appropriate for these to be led by the Borough Council at this stage, rather than future developers, and to inform the outline application.

We have concerns that the SPD fails to include any reference to lighting. The site's position immediately adjacent to the Kent Downs, the scale of the development and current lack of any significant lighting source with thin the site means that lighting could result in significant effects on the dark night skies of the adjacent KDNL, one of its recognised special qualities. It is therefore considered that expectations for lighting that seeks to minimise such impacts is set out in the SPD, along with requirements for any lighting to comply with the standards set out in IPL Guidance Note 01/21¹ for environmental zones E2 and E3.

Since the site was allocated in the Local Plan, there has been a change in legislation introduced through the Levelling Up and Regeneration Act 2023 relating to Areas of Outstanding Natural Beauty. The Act amends the Countryside and Rights of Way Act, which is the primary legislation relating to AONBs and replaces the previous Duty of Regard to AONBs set out at S85 with a new, strengthened requirement that:

'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of

¹ ILP Guidance Note 01/21 THE REDUCTION OF OBTRUSIVE LIGHT [\[link\]](#)

the area of outstanding natural beauty'. (Part 12 - Miscellaneous; Section 245. Protected Landscapes; paras (5) - (10).

This clearly places a much stronger duty on relevant authorities, which includes local authorities, to ensure that their actions and decisions seek to conserve and enhance AONBs, marking a significant change to the legal context of AONB policy. Maidstone Borough Council, as a relevant authority, will need to ensure adherence to this statutory duty in the drafting of the SPD as well as in consideration of future planning applications.

Please find below more detailed comments on specific content of the SPD:

4.3 Objectives

There is no reference within the Objectives to the site's relationship with the KDNL, both within the KDNL and partially within its setting, and the need to ensure that development proposals respect this.

5.3. Green & Blue Infrastructure Framework

5.3.5 This refers to 'open space buffers to the south of the site should be created that conserve and enhance the Kent Downs National Landscape and reflect that the site sits within the setting of it as per the site policy'. We think it should be clarified that this is to comprise structural planting, rather than 'open space' per se, which will be a key part of the mitigation strategy in relation to mitigating impacts to the adjacent Kent Downs National Landscape.

Figure 23 – Again, the requirement for structural planting along the boundary with the motorway would benefit from being made clearer on Figure 23, (rather than a generic reference to open space) with a specified required minimum 15 metre width of structural planting.

Criterion iii of policy LPRSP4(B) requires that "A landscaped setting for the development and roads will be created alongside a strong internal landscaping framework within the employment development zones adjacent to the M2." This again, indicates a requirement for structural planting within the employment zone adjacent to the KDNL and the need for this should also be referenced within Figure 23, through a requirement for planting rather than generic open space.

6.4. Landscape

Key Principles/Guidance:

We consider these should be amended to provide greater clarity on future requirements, to include/address the following points:

- The requirement for a 15 metre minimum width of structural tree planting along the northern boundary of the M2.
- That the 'Opportunities for community access' referenced is in respect of the land to the south of the motorway.
- We would query whether this is the right place within the SPD to include requirements on building design. However whether it is provided here or elsewhere, the key principles/guidelines as currently worded falls far short of the expectation set out in criterion v and vi of policy LPRSP4(B) and should be expanded to incorporate these requirements.

6.5 Open Space

Key Principles/Guidance:

In respect of (k), land to the south of the M2 junction 4, in line with discussions with the Applicant, we would wish to see the inclusion of requirements for an informal parking area and information/interpretation board relating to the Kent Downs National Landscape. Such provisions might be one way of helping demonstrate compliance with the new Protected Landscapes duty.

In respect of (o) – while reference to the requirement for a green bridge is welcomed, it is disappointing that the location of this has yet to be determined and specified within the SPD. It is also disappointing that further details such as minimum widths of planting zones on the bridge are not specified here. The main purpose of the green bridge at Lidsing proposal is to serve as mitigation for impacts to the landscape; this should be the main focus of the design and location, rather than to provide a wildlife function, which may or may not be achievable, depending on the location. Including a requirement for it to serve a wildlife connectivity purpose must not result in any compromise to its primary function of connecting the landscape.

6.8 Character Areas

Key Principles/Guidance:

LCZ 3 – Southern Edge M2

The requirements set out in respect of noise attenuation measures are of concern as these could be visually intrusive in views from the KDNL; reference to appropriate mitigations to ensure this does not impact on the KDNL needs to be included. We would wish to see further detail of the required landscape planting included here (i.e. 15 metre minimum width of tree planting) as per the policy requirement.

In respect of LCZ4 – Southern Edge Employment, we are very concerned that the requirements set out in criterion 3 (iv), (v) and (vi) are not incorporated here; this is considered an essential requirement of the SPD. Furthermore, proposed principle (m) for a continuous diverse building frontage would appear to be in direct conflict with the requirements of LPRSP4(B) 3 (v).

Employment

Key Principles/Guidance:

We consider the requirement set out in LPRSP4(B) that no individual building exceeds 600m² should be included here. This is considered all the more important in view of the intention that 50 per cent of the proposed 14ha of employment is specified as being for storage/warehousing (at 6.13.3).

Pre-Application working

7.6.6. Although not a statutory consultee, we would like to be included here as an organisation the applicant is encouraged to engage with.

I hope you find these comments useful and would welcome the opportunity to explore the issues raised further with you.



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