

Environment Topic Paper

Planning is a technical process, driven by legislation and government policy and advice. This topic paper uses a number of acronyms and technical terms, so the glossary below has been prepared to assist the reader.

Acronym	Term	Description
	Ancient Woodland	An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland (PAWS).
	Brownfield Land	See Previously Developed Land
	Development Plan	Is defined in section 38 of the Planning and Compulsory Purchase Act 2004, and includes adopted local plans, neighbourhood plans that have been made and published spatial development strategies, together with any regional strategy policies that remain in force. Neighbourhood plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.
DPD	Development Plan Document	A DPD is a spatial planning document that is subject to independent examination. Under new regulations, DPDs are now known as local plans.
EIA	Environmental Impact Assessment	A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.
GBI	Green and Blue Infrastructure	The term is used in Maidstone borough to refer collectively to the active planning, creation, management and protection of multifunctional green spaces and water bodies (the blue element) in built and urban environments. The term includes but is not limited to parks and gardens, natural and semi natural open spaces, green corridors, outdoor sports facilities, allotments and river corridors. The primary functions of GBI are to conserve and enhance biodiversity, create a sense of space and place, and support healthy living by increasing outdoor recreational opportunities for people.
	Geodiversity	The rang of rocks, minerals, fossils, soils and landforms.
HRA	Habitat Regulations Assessment	HRA tests the impacts of a proposal on nature conservation sites of European importance – Special Areas of Conservation and Special Protection Areas –

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		and is also a requirement under EU legislation for certain plans and projects.
	Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).
	Local Green Space	Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities.
LNR	Local Nature Reserves	Local nature reserves are formally designated areas. They are places with wildlife or geological features that are of special interest locally. They offer people special opportunities to study or learn about nature or simply to enjoy it. (www.naturalengland.org.uk)
LP17	Maidstone Borough Local Plan	The Maidstone Borough Local Plan is the key document that sets the framework to guide the future development of the borough. It plans for homes, jobs, shopping, leisure and the environment, as well as the associated infrastructure to support new development. It explains the 'why, what, where, when and how' development will be delivered through a strategy that plans for growth and regeneration whilst at the same time protects and enhances the borough's natural and built assets. The plan covers the period from 2011 and 2031.
MSA	Minerals Safeguarding Area	An area designated by minerals planning authorities which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development.
NPPF	National Planning Policy Framework	The NPPF was published in February 2019 and it sets out the government's planning policies for England and how these must be applied. Local plan policies must be in conformity with the NPPF.
	Neighbourhood Plan	A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.
	Previously Developed Land	Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

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PPG	Planning Practice Guidance	The PPG provides additional guidance on how the national policies in the National Planning Policy Framework should be interpreted and applied.
SA	Sustainability Appraisal	The SA is a tool for appraising policies to ensure they reflect sustainable development objectives, including social, economic and environmental objectives.
SAC	Special Areas of Conservation	Areas defined by regulation 3 of the Conservation of Habitats and Species Regulations 2017 which have been given special protection as important conservation sites.
SEA	Strategic Environmental Assessment	The European SEA Directive requires a formal environmental assessment of certain plans and programmes, including those in the field of planning and land use.
SPD	Supplementary planning documents	An SPD provides further detail to a policy or a group of policies set out in a local plan. A SPD can provide additional detail about how a policy should be applied in practice. SPDs are a material consideration in planning decisions but are not part of the development plan.
SSSI	Site of Special Scientific Interest	Sites designated by Natural England under the Wildlife and Countryside Act 1981

Background/Context

This topic paper considers broad environmental matters that include the variety of landscape and environmental designations as well as climate change **from a spatial perspective only**. It also includes the historic environment, including designations from that spatial perspective and the associated impact of the spatial strategy. Non-spatial matters are dealt with separately. Air quality – whilst an obvious environmental matter – is considered within the Transport and Air Quality Topic Paper, for the specific reason that designated areas of poor air quality in the borough are as a direct result of vehicle emissions. Therefore, key to addressing the issue will be the production of a suitably devised transport strategy.

Legislative Requirements

Climate Change Act 2008 and (2050 Target Amendment) Order 2019

- Establishes a legally binding target to reduce the UK's greenhouse gas emissions by at least 100% by 2050 from 1990 levels.
- To drive progress and set the UK on a pathway towards this target, the Act introduced a system of carbon budgets including a target that the annual equivalent of the carbon budget for the period including 2020 is at least 34% lower than 1990. Local plans need to demonstrate how the policy contributes to the Climate Change Act target regime.

Planning (Listed Buildings and Conservation Areas) Act 1990 - Provides specific protection for buildings and areas of special architectural or historic interest

Natural Environment and Rural Communities Act 2006

- Requires the Council to have regard, in the exercise of their functions, to the purpose of conserving biodiversity.
- A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making throughout the public sector, which should be seeking to make a significant contribution to the achievement of the commitments made by government in its 25 Year Environment Plan.

Countryside and Rights of Way Act 2000 - Requires that that 'in exercising or performing any functions in relation to, or so as to affect, land' in ... Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes for which these areas are designated.

Flood and Water Management Plan 2010 - The lead local flood authority must develop a strategy which must specify:

- Objectives for managing local flood risk and the measures proposed to achieve those objectives.
- How and when the measures are expected to be implemented.

Wildlife and Countryside Act 1981

- Covers the protection of wildlife, including birds, their nests and eggs; and wild animals, mammals and wild plants.
- Extends to the countryside and national parks, and the designation of protected areas including Sites of Special Scientific Interest (SSSIs), Limestone pavements, National Nature Reserves, and grants by the Nature Conservancy Council (Now restructured into English Nature, and the Countryside Council for Wales).
- Covers public rights of way, including footpaths and bridleways.
- Deals with miscellaneous provisions, i.e. areas of application, offences, interpretation, amendments, repeals.

Environment Bill 2020

- Will implement a new statutory cycle of target setting, monitoring, planning, and reporting to help deliver significant, long-term environmental improvement.
- Provide a framework for setting legally binding targets in four priority areas: air quality, waste and resource efficiency, water, and nature.
- Will ensure responsibility is shared across local government structures and public bodies.
- Will introduce additional requirements for water company planning for future water supply and wastewater and drainage networks, enabling more resilient solutions to drought and flooding.
- Introduce mandatory biodiversity net gain, to ensure that new developments enhance biodiversity and help deliver thriving natural spaces for communities.
- This will also support certainty in the planning system and therefore the delivery of new housing, while retaining and providing habitats that can enhance biodiversity. Provisions requiring the development of Local Nature Recovery Strategies across England will support better spatial planning for nature recovery, by setting out priorities and opportunities for protecting and investing in nature within a local area.

The Conservation of Habitats and Species Regulations 2017 - This translates the European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora into domestic law. The HRA sets out the requirements that Planning Authorities must meet in order to ensure that a plan or project does not have a significant effect on European sites, either alone or in combination with other plans or projects. There are a number of nationally and internationally important wildlife sites within or influenced by actions in the borough. These sites will be considered by the Habitat Regulations Assessment which is being undertaken by LUC.

Stour Nutrient Neutrality - Stodmarsh is a nationally and internationally important wildlife site and is located along the Stour river to the south of Canterbury. Recent condition assessments have established that parts of this site are being adversely impacted by high levels of nitrates and phosphates which are deteriorating habitats. In July 2020 Natural England issued an advice note to Local Authorities informing them that all new development proposals within the Stour catchment, or that connect to a Waste

Water Treatment Works linked to the Stour catchment, will need to consider the impact that they would have on the nitrate and phosphate nutrient levels of the Stour via an appropriate assessment. The advice note was accompanied by a methodology which sets out how applicants and local planning authorities will need to undertake an Appropriate Assessment. The local plan will be assessed to take into account its impact on nutrient levels in the Stour, and any potential mitigation will be included in the plan viability assessment.

National Policy and Guidance Requirements

The National Planning Policy Framework outlines three objectives for achieving sustainable development. The key one for this topic paper is the environmental objective: 'to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

National Planning Policy Framework (NPPF)

Climate Change and Biodiversity

There is a new requirement of safeguarding and improving the environment. Plans should 'take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures...'. New development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change and can help to reduce greenhouse gas emissions.

Plans should apply a sequential, risk-based approach to the location of development and take into account the current and future impacts of climate change. They should also allocate land with the least environmental or amenity value, as well as identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks and identify and pursue opportunities for securing measurable net gains for biodiversity.'

Plans should also take into account the likely effects (including cumulative effects) on the natural environment

Landscape and Heritage Conservation

Isolated homes in the countryside should be avoided, unless certain conditions are met. Emphasis should be placed the use of brownfield land in developing land to meeting the need for homes and other uses.

Policies should be sympathetic to local character and history, including the surrounding built environment and landscape setting. The NPPF outlines that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

In order to serve its purpose, there is effectively a presumption that existing Green Belt should remain and new Green Belt is allowed in exceptional circumstances. Also, development in the Green Belt should only take place under exceptional circumstances (paragraph 146 includes a list of specific developments that are not inappropriate).

Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

Great weight should be given to conserving and enhancing landscape and scenic beauty "in...Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas...".

Known locations of specific minerals resources of local and national importance should not be sterilised by non-mineral development.

Flood Risk

Development can help with habitat creation, and the benefit of undeveloped land for wildlife and flood mitigation should be acknowledged.

Inappropriate development in areas at risk of flooding should be avoided and strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources.

National Planning Practice Guidance (PPG)

Climate Change and Biodiversity

The PPG provides examples of climate change mitigation and adaptation, including providing opportunities for renewable and low carbon energy technologies, opportunities for decentralised energy and heating, considering future climate risks when allocating development sites and promoting design responses to flood risk. The PPG provides further detail on how adaptation and mitigation can be considered in the plan making process.

The biodiversity or geodiversity value of the land and its environmental sensitivity will need to be taken into account so that any harm can be avoided, mitigated or compensated for in a way which is appropriate given the site's identified value.

Landscape and Heritage Conservation

In developing their strategy, plan-making bodies should identify specific opportunities within their area for the conservation and enhancement of heritage assets, including their setting.

Plans should recognise the intrinsic character and beauty of the countryside, and that strategic policies should provide for the conservation and enhancement of landscapes.

With regard to development within designated Areas of Outstanding Natural Beauty (**AONBs**), development should be limited, in view of the importance of conserving and enhancing their landscapes and scenic beauty. Its policies for protecting these areas may mean that it is not possible to meet objectively assessed needs for development in full through the plan-making process, and they are unlikely to be suitable areas for accommodating unmet needs from adjoining (non-designated) areas. Also land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary.

Flood Risk

The PPG on flood risk and coastal change states that in plan-making, local planning authorities apply a sequential approach to site selection so that development is, as far as reasonably possible, located where the risk of flooding (from all sources) is lowest, taking account of climate change and the vulnerability of future uses to flood risk.

Also, local authorities and developers should seek opportunities to reduce the overall level of flood risk in the area and beyond. This can be achieved, for instance, through the layout and form of development, through safeguarding land for flood risk management, or where appropriate, through designing off-site works required to protect and support development in ways that benefit the area more generally.

Ministerial statements

There are no Ministerial Statements that significantly change the overall approaches set out in this paper. Many statements refer to emerging legislation or delivery of strategies.

Maidstone Borough Local Plan 2017 (LP17) Policies: Strategic vs Non-strategic

The topic itself is a strategic matter per the NPPF paragraph 20d, which states 'Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for 'conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.'

Key Strategic Policies

SS1 (9) (Maidstone Borough Spatial Strategy) seeks to protect rural character avoiding coalescence. (10) seeks to conserve and enhance the green and blue infrastructure network, including LLVs, Kent Downs AONB and its setting, and the setting of the High Weald AONB).

SP1 (Maidstone Urban Area) seeks to retain the town's green spaces and ensure that development positively contributes to the setting, accessibility, biodiversity and amenity value of these areas as well as the River Medway and River Len.

SP3 (Maidstone Urban Area – SE Strategic Development Location) refers to tackling air quality issues in para 4.41.

(**Maidstone Town Centre Vision** refers to tackling air quality issues).

SP4 (Maidstone Town Centre) paragraph 4.72 refers to improving linkages and also enhancement of existing green spaces, to green the town centre and help to adapt to and mitigate against climate change.

SP5-SP16 (Strategic Policies for RSCs and LVs) resist the loss of green spaces whilst supporting new green spaces to meet local need.

SP17 (The Countryside) seeks to refuse development that would harm the character and appearance of the countryside. It refers to the conservation and enhancement of the AONBs developments not having an adverse impact on their setting too. Landscapes of Local Value are conserved and enhanced and separation of settlements should be maintained. It refers to the Metropolitan Green Belt being shown on the policies map and development there managed in accordance with national policy in the green belt. This policy also refers to considerations of soil and agricultural land quality.

SP18 (The Historic Environment) seeks to protect and enhance the characteristics, distinctiveness, diversity and quality of heritage assets.

SP23 (Sustainable Transport) seeks to address the air quality impact of transport.

H1 (Housing site allocations) states that where sites coincide with identified flood zones 2 and 3 appropriate surface water and robust flood mitigation measures will be implemented.

H2 (Broad locations for housing growth) states that where sites coincide with identified flood zones 2 and 3 appropriate surface water and robust flood mitigation measures will be implemented.

Site Allocations Policies (Various) – many of these policies seek to ensure that appropriate air quality mitigation measures are brought forward as part of new developments. Where relevant, they also refer to mitigating ecological impacts of new developments. Also, many of these policies seek to ensure that development only occur outside flood zones, unless appropriate mitigation can be provided. Many policies include a requirement to protect the setting of

conservation areas. There are also many policies which seek to protect and enhance the setting of the Kent Downs AONB. Site allocations also include requirements for landscape buffers to protect ancient woodland.

Non-strategic Policies

DM1 (Principles of good design) states that consideration should be given to other documents such as Conservation Area Appraisals and the Kent Downs AONB Management Plan.

DM3 (Natural Environment) sets out how to protect and enhance the natural environment including green and blue infrastructure by incorporating measures such as protecting ancient woodlands, controlling pollution and creating new links between green and blue infrastructure. Requires new development to protect and enhance the natural environment by having consideration for the effects on internationally, nationally and local sites of importance for biodiversity.

DM4 (Development affecting designated and non-designated heritage assets) sets out how to conserve and enhance of heritage assets.

DM5 (Development on Brownfield Land) sets out criteria for proposals to be permitted on brownfield land including environmental impact and character and appearance of the locality.

DM6 (Air Quality) sets out the criteria for proposals to be permitted where it does not have an impact on the air quality of the locality.

DM8 (External Lighting) seeks to ensure that such proposals are only permitted in exceptional circumstances where they significantly affect areas of nature conservation importance.

DM19 (Publicly accessible open space and recreation) sets out quantity standards that the council seek to deliver in accessible open space including outdoor sports, amenity green space, play areas for children, allotments and natural/semi-natural areas.

DM30 (Design principles in the countryside) outlines that account should be taken to the Kent Downs AONB Management Plan.

DM34 (Accommodation for agricultural and forestry workers) outlines that account should be taken to the Kent Downs AONB Farmstead Guidance.

DM39 (Caravan storage in the countryside) outlines that development will be permitted where the site lies outside the Kent Downs AONB and its setting.

LPR1 (Review of the Local Plan) requires the review to consider the need for further sustainable transport measures aimed at encouraging modal shift to reduce congestion and air pollution.

Relevant Supplementary Planning Documents (SPD) and Planning Policy Advice Notes

Kent Downs AONB Management Plan - The goal of the Management Plan is to ensure that the natural beauty and special character of the landscape and vitality of the communities are recognised, maintained, and strengthened well into the future.

Maidstone Strategic Plan Requirements

The Maidstone Strategic Plan 2019-2045 has a vision of '*Maidstone: a vibrant, prosperous, urban and rural community at the heart of Kent where everyone can realise their potential*'. The relevant priority based on the vision is:

Safe, Clean and Green

Particular importance is placed on implementing the 'Go Green Go Wild' project to embrace and encourage biodiversity and protect and enhance the Council's green spaces.

The relevant Strategic Plan cross-cutting objectives for this topic are:

- Biodiversity and environmental sustainability are respected.
- Heritage is respected.

The requirements in meeting this priority include:

- Ensuring that the borough's environmental assets such as the Area of Outstanding Natural Beauty, Landscapes of Local Value, the countryside and Green Belt are suitably protected and enhanced.
- Ensuring that the borough's biodiversity and wildlife habitats are suitably protected and enhanced.
- Ensuring that the borough's historic assets are conserved and enhanced
- Managing the risk of flooding from all sources.
- Taking a proactive approach to mitigating and adapting to climate change.

Kent County Council (KCC) Policy Framework

Kent Minerals and Waste Local Plan 2013-30 - Outlines Mineral safeguarding areas (MSAs). MSAs are areas of known mineral sources that 'are, or may in the future be, of sufficient value to warrant protection for future generations'. The intention is to ensure these resources are adequately and effectively considered in land use planning decisions. The plan is part of the Development Plan for Maidstone and so will be used in planning decisions. MSAs are required to be included on the Maidstone Borough Local Plan policies map. The reason is to 'alert prospective promoters of development and the local authority, to the existence of mineral resources and shows where local mineral safeguarding policies may apply'. The Minerals and Waste Local Plan 2013-30 was adopted in July 2016 and is subject to an early review. The plan has been through the independent examination process in October 2019 and was subject to a consultation on the main modification between November 2019 and January

2020. There have been no changes to the MSAs. The protection of MSAs will have environmental benefits as well.

Other Key Plans and Strategies (incl. Neighbourhood Plans)

Neighbourhood Plans - Form part of the Maidstone Development Plan. There are four made plans:

- North Loose Neighbourhood Plan 2015 – 2031 (2016)
- Staplehurst Neighbourhood Plan 2016 – 2031 (2016)
- Loose Neighbourhood Plan 2018 – 2031 (2019)
- Marden Neighbourhood Plan 2017 – 2031 (2020).

The neighbourhood plans have consideration for the environment needs of the neighbourhood plan area.

Maidstone Borough Council Draft climate change strategy/action plan (TBC) - Maidstone is currently producing a draft climate change strategy, which may help steer the future direction in terms of Maidstone Borough Council's response to the climate emergency.

Draft Kent Biodiversity Strategy (2020-2045) - Has a vision for Kent and Medway that '*by 2050...biodiversity will be conserved, restored, managed sustainably and be more resilient and able to adapt to change...*'.

Kent Environment Strategy (2016) sets out a number of targets and indicators for the County, including reducing the number of properties at risk from flooding. A minimum of 65% of local wildlife sites will be in positive management, and 95% of SSSIs will be in favourable recovery by 2020.

Maidstone Green and Blue Infrastructure Strategy (2016) - Sets out a vision for the borough's green and blue infrastructure for the next 20 years. The vision is for greener, healthier, attractive towns and villages sustainably connected to the rich tapestry of distinctive landscapes, wildlife habitats and waterways – valued, enjoyed and cared for by local people. The Action Plan for the Green and Blue Infrastructure Strategy outlines a series of strategic objectives to achieve the seven key themes set out in the strategy, including mitigating and adapting to climate change and maintaining and enhancing biodiversity, water and air quality.

Maidstone Green and Blue Infrastructure Strategy: Action Plan (2017) - This plan builds on the adopted Green and Blue Infrastructure Strategy from 2016 (mentioned above). The plan aims to deliver multiple projects centred on the same themes set out in the Green and Blue Infrastructure Strategy.

Kent Downs Area of Outstanding Natural Beauty: Management Plan (2014-2019) - Sets out measures to ensure that the natural beauty and special character of the landscape and vitality of the communities are recognised, maintained, and strengthened well into the future. The need to conserve and enhance the natural beauty of the Kent Downs AONB is recognised as the

primary purpose of the designation, and it is given the highest level of protection within the statutory and other appropriate planning and development strategies and development control decisions. The Management Plan states that new development or changes to land use will be opposed where they disregard or run counter to the primary purpose of the Kent Downs AONB.

Draft South East Marine Management Plan (2020) - Introduces a strategic approach to planning within the inshore waters between Felixstowe, in Suffolk and near Dover, including a small part of Maidstone Borough the River Medway near Allington. Among other matters, the plan will help identify areas suitable for investment.

There are also a number of other strategies that may be relevant to this matter, including:

- A Green Future: Our 25 Year Plan to Improve the Environment (2018)
- Medway Valley Strategic Landscape Enhancement Plan (2015).

Democratic Resolutions (Full Council/Committees)

Conservation area work programme (SPI 10.09.2019) – The work programme priorities for the period 2019 to 2021 were agreed and consisted of:

- The implementation of boundary revisions to Boughton Monchelsea's Conservation Areas
- Conservation Area appraisal and management plans for Maidstone Town Centre and Yalding
- Conservation Area appraisal and Management Plans for Maidstone Chillington House, Maidstone Ashford Road and Lenham Elmstone Hole.

Climate emergency (Council 10.04.2019) – Resolved to declare the Council's recognition of global climate and biodiversity emergencies, and requested Policy and Resources Committee to undertake a review of the Council's governance policies and progress and to report on the findings. In addition, to consider a target date of 2030 for the whole of the borough to be carbon neutral.

Greensand Ridge becoming AONB (SPI 19.11.2019) – A resolution was made to make a submission to government around the Greensand Ridge becoming AONB. This submission was not successful but it was resolved that, should the Government adopt the review findings, the Council will continue to lobby for the Greensand Ridge to be designated as an AONB, or latterly, "National Landscape".

Meeting Objectively Assessed Need

The driver for the spatial strategy is need regarding housing, employment and retail. This topic paper considers how environmental considerations may influence the spatial strategy.

Supporting Evidence (Current and Future)

Landscape character documents (2012/2013/2015):

- **The Maidstone Landscape Character Assessment** - Identifies the features that give an area its 'sense of place' and pinpoints what makes it different from neighbouring areas. It provides technical information on landscape character which can be used for landscape design and management purposes. It also enables Maidstone's environment to be protected and enhanced by ensuring that any changes take place in a way that is sympathetic to the character of the landscape and make the most of opportunities to enhance it.
- **The Landscape Character Guidelines** - Give advice on landscape schemes and plant species in an area.
- **The Maidstone Landscape Capacity Study** - Assesses the comparative sensitivity of the borough's landscapes to development. The study excludes the general urban area of Maidstone and the nationally designated Kent Downs Area of Outstanding Natural Beauty (AONB) as these have protection through other policies, but includes the fringe landscapes of both areas. There are two parts to this report: a general sensitivity assessment and more specific site assessments.
- **The Medway Valley Strategic Landscape Enhancement Plan** – Published by Kent County Council. This helps make sure any work done to an area is appropriate for its character and where possible helps to improve it.

Landscapes of local value (LLV) - These designations are within the adopted LP17 and are based on the criteria set out in the reasoned justification to policy SP17. The extent of the LLVs in Maidstone are set out in the policies map accompanying LP17.

Boundaries of existing key landscape and environmental designations - The boundaries of existing key landscape and environmental designations e.g. Green Belt, AONB, SSI, Local Nature Reserves, etc. are set out in the policies map accompanying LP17. Each of the main environmental designations has its own discrete evidence from specialist sources.

Strategic Flood Risk Assessment - This ongoing piece of evidence is split into 2 components. SFRA level 1 will confirm the location of the main flood zones with regard to developments within the borough. SFRA level 2 will seek to assess the flood risk factors that are relevant to developments proposed within the borough. The assessment should include robust flood maps for each site/assessment area (based on new modelling where required) showing risks from all sources, and consider the flood risk to the sites from all sources (i.e. fluvial, tidal, pluvial, groundwater).

Current policy framework e.g. LP17 and associated guidance - Given the nature of this topic, the existing policy framework is important and is set out elsewhere in this document.

Heritage assessments e.g. Conservation Area Appraisals and Management Plans - The overall information in this regard is contained in the LP17 Heritage Topic Paper, which is available on the Council's website. Updated information regarding the conservation character areas and management plans is also available on the website. An update of the Heritage Topic Paper will be produced, and the Council intends to produce a Heritage Strategy to inform the Local Plan Review.

Climate Change - Although there is increasing evidence at national level, Maidstone is also producing a Biodiversity and Climate Change Strategy and Action Plan, that will help inform the Local Plan Review.

Agricultural land assessment - An agricultural land classification study was undertaken in 2014. It involved a detailed assessment of the proposed development sites. Further work will need to be considered once the potential list of sites that may contribute to the spatial strategy has been formulated.

Duty to Cooperate

The cross-boundary issues relate to all designations that go beyond Maidstone's boundary. This includes the Kent Downs AONB in the north as well as the setting of the High Weald AONB in the south, the Metropolitan Green Belt, SAC, SSSI, flood zones, Ancient Woodland, etc.

In addition, the Greensand Ridge extends beyond Maidstone's boundaries.

Local Nature Reserves and Local Wildlife Sites – some sites extend to the borough boundary with Tonbridge and Malling.

All of these matters will need to be considered as part of statements of common ground.

Development Management (DM) Input

There are no comments that seek to change the overall direction of relevant strategic policies.

Regulation 18a (Scoping Themes and Issues) References

The document makes reference to environmental matters under sections dealing with the duty to cooperate and setting the strategic themes. The individual matters are dealt within the specific 'issues' sections of this document. Particular issues of note are:

- Issue 8 Managing the risk of flooding from all sources.

- Issue 9 Ensuring that the borough's environmental assets such as the Area of Outstanding Natural Beauty, Landscapes of Local Value, the countryside and Green Belt are suitably protected and enhanced.
- Issue 10 Ensuring that the borough's historic assets are conserved and enhanced.
- Issue 11 Ensuring that the borough's biodiversity and wildlife habitats are suitably protected and enhanced.
- Issue 13 Taking a proactive approach to mitigating and adapting to climate change.

It appears that all relevant matters have been addressed as part of this consultation, in relation to the environment topic area.

Public Consultation Regulation 18a

Kent Downs AONB Unit – development must not potentially impact on the AONB and its setting so avoid allocating sites in the AONB, and care will be required around development affecting the setting of AONB. Also, consider cumulative effects on the AONB of individual sites.

Historic England – The evidence base should go beyond simple data gathering. Local Plan Policies should be founded on robust evidence. A number of nearby authorities have undertaken heritage strategies in support of their plan preparation, and Historic England recommends that Maidstone considers undertaking such an exercise as part of its evidence gathering.

Marine Management Organisation (MMO) – although only a small extent of the tidal River Medway is within Maidstone boundary, the MMO recommends the Marine Policy Statement and South East Marine Plan are referenced in the Local Plan Review.

Kent County Council – The County Council recommends that the Local Plan Review should ensure optimal environmental and community resilience in terms of location, design and materials. Incremental climate change and associated severe weather impacts should inform new development at the earliest stage. The Local Plan Review is aimed at accommodating increased growth. Therefore, the Review should encompass both minerals and waste safeguarding as set out in the adopted Kent Minerals and Waste Local Plan.

OQ1: What can the Local Plan Review do to make the growth we need 'good growth'?

- Highest level of response to this question proposed the use of brownfield and for new development. Residents (283)
- Infrastructure was also a key matter – delivery before/at time of development (residents, parishes, agencies and developers) and making sure current and future needs are met. Residents (14); Parish Council (6); (plus Q2, Q3)
- Optimise sustainability (renewable energy, water usage, open spaces, low/zero carbon). Residents (18); Parish Council (3)

- The Council should revise its housing projections. Residents (13); Parish Council (4); (& Q4)

OQ3: How can the Local Plan Review ensure community facilities and services are brought forward in the right place and at the right time to support communities?

- Liaise with parish councils, organisations, and local communities to produce a strategy for moving forward in new developments (e.g. Sport England). Residents (280); Developers (7); Expert agency (4); County Council (1); Parish Council (10)

OQ4: What overall benefits would you want to see as a result of growth?

- Create more local facilities in local areas to reduce the amount of people having to travel to larger towns. Residents (124); Expert agency (1); Councillor (1); Parish Council (11) including public transport/highway infrastructure
- There would be no overall benefits as a result of growth in villages. Residents (199)

OQ7: How can the Local Plan Review ensure we have an environmentally attractive and sustainable borough that takes a pro-active approach to climate change?

- Protect farmland and green spaces to help cope with heavy pollution levels. Residents (256); Parish Council (1)
- To incorporate renewables into new developments and phase out fossil fuels to make Maidstone environmentally attractive. Residents (29); Developer (2); County Council (1); Expert agency (5); Councillor (1); Parish Council (9)
- Open space and tree planting need to take place to reduce carbon and flooding in existing and new developments (tree preservation orders). Residents (28); Developers (4); Expert agency (5); Councillor (1); County Council (1); Parish Council (5)
- Wildlife audit of the whole borough. Residents (180)
- Ensure the most environmentally sensitive areas of the borough are protected (AONB, Greenbelt, Landscapes of Local Value). Residents (180); Developers (2); Parish Council (1)

TQ23: How can the Local Plan Review best manage flood risk whilst still achieving the growth that is needed?

- Ensure sustainable design of new developments. Residents (16); Developers (2); Councillor (2); County Council (1); Parish Council (2)
- Do not build in areas susceptible to flooding. Developers (8); Expert Agency (1); Councillor (1); Parish Council (6)
- Work with flooding experts regarding risks. Residents (18); Developers (4); Expert Agency (3); Resident Association (1); County Council (1); Parish Council (9)

TQ24: How can the Local Plan Review best plan for the protection and enhancement of the borough's environmental assets whilst still achieving the growth that is needed?

- Environmentally sensitive areas should be protected and taken into consideration when choosing the location of new developments (e.g. nature reserves, AONB, SSIs, LLVs). Residents (121); Developers (5); Expert agency (1); Parish Council (7)
- Developments need to be located in sustainable areas (good public transport, footpaths/cycle paths). Residents (185); Developers (1); Expert Agency (1)
- Brownfield before greenfield
- The landscapes of local value policies should be strengthened. Residents (1); Developers (3); Parish Council (1)
- The Council should not seek to extend environmental policy constraints over swathes of the borough. Developers (1); Expert agency (7)

TQ25: How can the Local Plan Review best plan for the conservation and enhancement of the borough's heritage assets whilst still achieving the growth that is needed?

- Developments should be limited around heritage assets and AONB. Residents (82); Developers (1); Resident Association (1); Councillor (1); County Council (1); Parish Council (5)
- All heritage assets should be assessed to see any potential damage that development may have. Residents (12); Parish Council (6)
- All heritage assets and their condition should be listed and mapped. Residents (260); Resident Association (1); Councillor (1); Parish Council (1)

TQ26: How can the Local Plan Review best plans for the protection and enhancement of the borough's biodiversity whilst still achieving the growth that is needed?

- Areas of open space should accompany new developments along with green infrastructure. Residents (6); Expert Agency (6); Resident Association (1); Councillor (5); Parish Council (5)
- Broaden to not only statutory protected species but those recognised by RSPB as endangered species. Residents (159); Resident Association (1); Parish Council (1)
- Discussions between the Council, developers, local communities and key stakeholders are important Residents (265); Developers (1); County Council (1); Parish Council (2)

TQ28: How can the Local Plan Review best reduce the generation of carbon emissions and mitigate for the effects of climate change whilst still achieving the growth that is needed?

- Brownfield sites should be built on first. Residents (233); Developers (1); Expert agency (1)

- Encourage the use of electric vehicles in both public transport and private car use (green transport). Residents (14); Developers (3); Parish Council (6)
- Promote sustainable modes of transport (walking/cycling/public transport). Residents (15); Developers (3); Expert agency (2); Parish Council (9); County Council (1)

TQ31: (Appendix B) Have we identified that extent of potential changes to the adopted Local Plan correctly? What alternative or additional ones do you suggest and why?

- Too much focus on growth instead of enhancement. Residents (7); Developers (2); Parish Council (3); Councillor (1)
- A single pattern of growth will not be a sustainable approach to development. A combination needs to be used to ensure growth is spread across communities. Residents (25)

Public Consultation Regulation 18b

To be completed following Regulation 18b consultation.

Public Consultation Regulation 19

To be completed following Regulation 19 consultation.

Deliverability

It is important that the spatial strategies for the various spatial matters e.g. housing and employment) are deliverable. The Council must, however, have reasonable expectations, based on the information submitted to the Council so far, that sites will come forward. If sites are located so as to impact on key environmental designations, this will need to be fully considered. Not all designations are equal and development may be prohibited in some designations whilst mitigation is appropriate in others.

Potential Objective(s)

The following objectives in the current Local Plan are pertinent:

3: To transform the offer, vitality and viability of Maidstone town centre including its office, retail, residential, leisure, cultural and tourism functions together with significant enhancement of its public realm and natural environment including the riverside.
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This objective remains appropriate.

6: To safeguard and maintain the character of the borough's landscapes including the Kent Downs Area of Outstanding Natural Beauty and its setting, the setting of the High Weald Area of Outstanding Natural Beauty and other distinctive landscapes of local value whilst facilitating the
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economic and social well-being of these areas including the diversification of the rural economy.

This objective could be modified to protect and enhance, or conserve and enhance, rather than safeguard and maintain.

7: To retain and enhance the character of the existing green and blue infrastructure and to promote linkages between areas of environmental value.

This objective could be modified to protect and enhance, or conserve and enhance, rather than retain and enhance.

8: To ensure that new development takes account of the need to mitigate the impacts of climate change, implementing sustainable design and construction standards for both residential and non-residential schemes.

This objective needs to be stronger on climate change, including adaptation and mitigation, and flood risk is also something that should be included.

9: To ensure that new development is of high quality design, making a positive contribution to the area including protection of built and natural heritage and biodiversity.

To consider whether 'protection' should be replaced with 'conservation'.

Reasonable Alternative Approaches

There is an Alternative Approach Section and Matrix for each of the following matters:

- Climate Change & Biodiversity
- Landscape & Heritage Conservation
- Flood Risk.

Climate Change and Biodiversity

Approach A: LP17 continued

On the basis that the LP17 baseline does not comply fully with current requirements and is an unreasonable alternative (see below), comply with current requirements to include checking current designations remain extant. This would see the continuation of the LP17 general approach to environmental matters; but would involve ensuring all elements are compliant with the current requirements/standards.

This would involve, for example, referencing latest legislation and ensuring any new designations are reflected in the plan. Development would continue to be directed towards the most sustainable locations in the borough (Maidstone urban area, the RSCs and LVs), and would be minimal in the countryside.

This also means referencing latest requirements and guidance such as net biodiversity gain and the Council's climate change emergency declaration/Action Plan. Continued protection of species and habitats in accordance with any international/national/local designations or legal protections will also need to be reflected in this spatial approach.

Approach B: Introduce Garden Settlement(s)

This approach sees development occur in one or more Garden Settlement locations – all would primarily be on greenfield sites in the borough. This would reduce the need for development in/around some of the existing settlements.

As per Approach A. In addition, for biodiversity – on the one hand there is the potential negative impact of the loss of flora and fauna, but new development offers significant opportunity for biodiversity gain through diversification of planting/species/habitats on what may previously have been grassland or agricultural fields with low biodiversity offering. It would also mean potentially designating new areas of importance in this regard.

Developing new communities offers significant opportunity to create 'walkable' places, integrate different and complementary land uses to reduce emissions from transport and integrate sustainable features such as SuDS into development, as well as designing development to adapt to and mitigate the impact on climate change from the outset, e.g. not installing gas powered boilers.

Approach C: Go above and beyond LP17 measures

This approach would continue the spatial pattern of growth as per LP17; although it would require the production of an additional level of localised evidence in order to support and justify measures that go beyond the current requirements. This would have significant resource implications but would align with the resolution by Full Council in respect of the climate change and biodiversity emergency. In principle, this would appear to be an advantageous option. However, the approach goes above and beyond what is required by most influencing factors. Going beyond requirements would, however, still mean that the Council would have to meet the needs of all sectors, i.e. provide for housing, employment, retail and infrastructure.

There would be significant benefits for climate change and biodiversity as this approach would seek to maximise standards. As an example, requiring developments to be designed above national standard levels in terms of water efficiency or renewable energy supply. In terms of spatial impacts, the cost of the additional measures may render many sites unviable and thereby focus development into 'easier' sites to develop – often greenfield. Higher build standards may also impact on other plan requirements, such as affordable housing or other contributions.

Approach D: Relax the current LP17 measures

This approach would continue the spatial pattern of growth as per LP17 but would relax the current LP17 measures in relation to environmental matters. This does not immediately align with the resolution by Full Council in respect of the climate change and biodiversity emergency. There is even theoretical potential for this approach to relax current requirements or designations to allow certain developments to occur with less regard to environmental matters.

Minimum build standards may increase the ability of development to provide other contributions.

Landscape and Heritage Conservation

Approach A: LP17 continued

On the basis that the LP17 baseline does not comply fully with current requirements, comply with current requirements to include checking current designations remain extant. This would see the continuation of LP17 general approach to environmental matters; but would involve ensuring all elements are compliant with the current requirements/standards.

This would involve, for example, referencing latest legislation and ensuring any new designations such as Conservation Areas are reflected in the plan. Development would continue to be directed towards Maidstone urban area, the RSCs and LVs, and would be minimal in the countryside.

A continuation of the LP17 approach would mean ensuring Conservation Areas and other such designations are reviewed/up to date and maintaining current landscape designations and heritage assets e.g. AONBs, LLVs. Policies would continue to protect them as part of the sustainable development balance.

Approach B: Introduce Garden Settlement(s)

This approach sees development occur in one or more Garden Settlement locations – all would primarily be on greenfield sites in the borough. This would reduce the need for development in/around some of the existing settlements.

As per Approach A but, in addition, the introduction of Garden Settlements will inevitably prioritise development over the existing landscapes. But this approach focuses development to fewer, larger areas thereby reducing the amount of development required elsewhere in the borough and reducing potential impact on landscape and conservation elsewhere. To be a reasonable alternative, this approach would need to ensure that the existing planning framework, including national designations, are adhered to.

Approach C: Go above and beyond LP17 measures

This approach would in theory continue the spatial pattern of growth as per LP17, albeit in a more restricted way; although it would require the production of an additional level of localised evidence in order to support and justify measures

that go beyond the minimum required. In principle, this would appear to be an advantageous option. However, the approach goes above and beyond what is required by most influencing factors. Going beyond requirements would, however, still mean that the Council would have to meet the needs of all sectors i.e. provide for housing, employment, retail and infrastructure.

This would see a strengthening of existing landscape designations and Conservation Areas, lobbying for a Greensand Ridge AONB designation, and might involve returning landscapes to their original state e.g. agricultural land to woodland. This offers significant benefits for the environment. In terms of development, it would funnel built form into the existing urban area and settlements (RSCs/LVs) and reduce the number of windfall sites coming forward outside of these areas i.e. the countryside. Development densities may need to be subject to a significant review in order to achieve objectively assessed needs.

Approach D: Relax the current LP17 measures

This approach would continue the spatial pattern of growth as per LP17 but would relax the current LP17 measures in relation to landscape and heritage conservation matters.

This would see a relaxing of existing landscape designations, allowing development to occur in more areas of the borough, closer to or within designated landscapes. There would be no focus on returning landscapes to their original form. It would, therefore, increase the opportunities for new forms of development.

Flood Risk

Approach A: LP17 continued

On the basis that the LP17 baseline does not comply fully with current requirements, comply with current requirements to include checking current designations remain extant). This would see the continuation of LP17 general approach to environmental matters; but would involve ensuring all elements are compliant with the current requirements/standards.

This would involve, for example, referencing the latest legislation and ensuring any new designations, such as revisions to flood zones, are reflected in the plan. Development would generally continue to be directed towards Maidstone urban area, the RSCs and LVs, and would be minimal in the countryside.

There would be a need to carry out updated SFRA Levels 1 and 2 to support any new allocations in the plan, following the spatial pattern of growth in LP17 (town centre, RSCs and LVs). The Council would continue to apply national sequential tests to new development and exceptions tests where needed, for relevant developments and Flood Zones.

Approach B: Introduce Garden Settlement(s)

This approach sees development occur in one or more Garden Settlement locations – all would primarily be on greenfield sites in the borough. This would reduce the need for development in/around some of the existing settlements.

There would be a need to carry out updated SFRA Levels 1 and 2 to support any new allocations in the plan, including Garden Settlement(s). Although the development of greenfield sites would, on the face of it, suggest an increase in surface run off and potential increase in flood risk, new developments will be expected to achieve greenfield run off rates through good design and the inclusion of measures such as SuDS. Spatially, any areas of high flood risk would be less favourable locations for development. There may also be an opportunity for more comprehensive water management and drainage solutions for small development schemes.

Approach C: Go above and beyond LP17 measures

This approach would continue the spatial pattern of growth as per LP17; although it would require the production of an additional level of localised evidence in order to support and justify measures that go beyond the minimum required. This would have significant resource implications but would align with the resolution by Full Council in respect of the climate change and biodiversity emergency. In principle, this would appear to be an advantageous option. However, the approach goes above and beyond what is required by most influencing factors. Going beyond requirements would, however, still mean that the Council would have to meet the needs of all sectors i.e. provide for housing, employment, retail and infrastructure.

There would be a need to carry out updated SFRA Levels 1 and 2 to support any new allocations in the plan. There is potential to take a stronger stance than currently, by refusing any development that may cause even limited flooding and/or drainage issues.

Approach D: Relax the current LP17 measures

This approach would continue the spatial pattern of growth as per LP17 but would relax the current LP17 measures in relation to environmental matters. This does not immediately align with the resolution by Full Council in respect of the climate change and biodiversity emergency.

There would be a need to carry out updated SFRA Levels 1 and 2 to support any new allocations in the plan. There is potential to see more development in some areas that may be prone to flooding and/or drainage issues where a degree of appropriate adaptation and mitigation measures are in put place.

Tests of Soundness

1. **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

All of the Reasonable Alternatives set out in this topic paper would allow growth to take place in the borough to meet the assessed needs for the borough. No adjoining authorities have asked Maidstone Borough Council to consider their unmet needs.

2. **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

All of the Reasonable Alternatives set out in this topic paper would allow the authority to potentially meet objectively assessed needs without unnecessary impact on the environmental considerations. The reasonable alternatives are based on current evidence and will be modified where appropriate if new evidence is forthcoming.

3. **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.

No issues have been raised to date. Effective and ongoing engagement with relevant stakeholders and authorities should ensure that any issues of a strategic nature are identified and resolved as early as possible. All Reasonable Approaches in this topic paper will still allow needs to be met over the plan period. Thereby the Council is not reliant upon neighbouring local planning authorities to help deliver its needs.

4. **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.

The evidence was produced based on the current NPPF and NPPG guidance, and all Reasonable Alternatives put forward are based on that evidence and therefore compliant with the Framework.

Unreasonable Alternatives

LP17 ‘as is’ (no change at all, even new Conservation Area changes are not acknowledged)

This approach raises a number of areas of concern. Fundamentally, the current provisions represent a firm basis for taking forward the policies in the Local Plan Review and many policies will not need alteration or will only need minor alteration.

However, there are a number of concerns relating to new influencing factors that have been highlighted through this topic paper. This includes updates to national guidance, and the NPPF in particular, a new Strategic Plan and a Low Emissions Strategy. There will also be new evidence, in particular in the form of an SFRA and air quality assessment. The public has placed emphasis on air quality, and there has been a Full Council resolution regarding the climate change and biodiversity emergency. A new change to a Conservation Area has also occurred. Given the number of factors mentioned here, to assess the spatial proposals against a current policy position only is likely to cause issues at examination and is unlikely to be found sound.

Do not comply with new requirements or LP17 requirements – setting environmental standards below national and local requirements.

On one extreme, the LPR could consider not complying with new requirements or LP17 requirements. This would result in development being permitted in protected areas or having an adverse impact on assets. There could also be a negative impact on climate change caused by the location and/or nature of development.

This approach could manifest itself in development in the Metropolitan Green Belt or Area of Outstanding Natural Beauty without first having considered capacity outside of these designations. It could also mean allowing development to take place that would adversely impact the North Downs Woodlands SAC or SSSI, Ancient Woodlands etc

It is apparent that this option would fail the tests of soundness on face value and is not worthy of further consideration. This is therefore a dismissed alternative and will mean that the spatial strategy will need to have proper regard to environmental designations and assets (including climate change and air quality).

Sustainability Appraisal (SA)

The SA will provide input to help select a preferred approach.

What Mitigations Are Required including Infrastructure and Design

To be completed following publication of the SA.

Are the Preferred Approach and Alternatives Reasonable (Yes/No)

To be completed following publication of the SA.

MATRICES

Climate Change and Biodiversity Matrix

	Criteria	Approach A: LP17	Approach B: Garden Settlements	Approach C: Above and beyond LP17 (stricter environmental measures)	Approach D: Relax current LP17 environmental measures
Policy	NPPF/ NPPG consistency	GREEN – NPPF/NPPG requirements for climate change and biodiversity would potentially be met.	GREEN – NPPF/NPPG requirements for climate change and biodiversity would potentially be met.	GREEN – NPPF/NPPG requirements for climate change and biodiversity would potentially be met.	AMBER – NPPF/NPPG requirements for climate change and biodiversity would not necessarily be met given the more relaxed approach.
	Legislative compliance	GREEN - Legislative requirements for climate change and biodiversity would potentially be met.	GREEN – Legislative requirements for climate change and biodiversity would potentially be met.	GREEN – Legislative requirements for climate change and biodiversity would potentially be met.	AMBER – Legislative requirements for climate change and biodiversity would not necessarily be met given the more relaxed approach.
	Strategic Plan alignment	GREEN - Would potentially allow for protection of biodiversity and allow protection and enhancement of green spaces.	GREEN - Would potentially allow for protection of biodiversity, including within garden communities themselves, and allow protection and enhancement of green spaces.	GREEN - Would potentially allow for enhanced protection of biodiversity and allow protection and enhancement of green spaces.	AMBER - This approach appears contradictory to the priority to be safe, clean & green.
	KCC Policy support	GREEN – Would allow for consideration of minerals and waste requirements.	GREEN – Would allow for consideration of minerals and waste requirements.	GREEN – Would allow for consideration of minerals and waste requirements.	GREEN – Would allow for consideration of minerals and waste requirements.
	Other Plans & Strategies	GREEN – this approach would allow for consideration of relevant key plans and strategies.	GREEN – this approach would allow for consideration of relevant key plans and strategies.	GREEN – this approach would allow for consideration of relevant key plans and strategies.	AMBER – the plans and strategies strongly support current approaches and further protection and enhancement.
Political & Public	SPI	GREEN – this approach has potential to gain support from SPI Committee.	GREEN – this approach has potential to gain support from SPI Committee.	GREEN - Increasing safeguards could have viability implications for infrastructure & affordable housing, for example. However, the Full Council resolution on biodiversity and climate change is important consideration.	AMBER - This approach appears contradictory to the priority to be safe, clean & green.
	Full Council	GREEN – this approach has potential to gain support from Full Council.	GREEN – this approach has potential to gain support from Full Council.		GREEN – Would allow for consideration of minerals and waste requirements.
	Public Consultation - Reg 18a	AMBER / GREEN - This approach would allow in principle for appropriate mitigations to take place in consultation with relevant stakeholders. Emphasis on alternative transport may be a challenge.	AMBER / GREEN - This approach would allow in principle for appropriate mitigations to take place in consultation with relevant stakeholders. Emphasis on alternative transport may be a challenge.	GREEN - This approach would allow in principle for appropriate mitigations to take place in consultation with relevant stakeholders.	AMBER – this approach may allow for lesser degree of mitigation and co-ordination in that regard. Greater scope just to focus on car use.
	Public Consultation - Reg 18b	N/A	N/A	N/A	N/A
	Public Consultation - Reg 19	N/A	N/A	N/A	N/A
Technical	Meeting Objectively Assessed Need	N/A	N/A	N/A	N/A
	Supported by evidence	GREEN - It is possible to continue to protect and enhance existing designations and achieve biodiversity net gain in principle with this approach. Climate change mitigations would be provided on a site by site basis, led by relevant policy framework.	GREEN - It is possible to continue to protect and enhance existing designations and achieve biodiversity net gain in principle with this approach. Climate change mitigations would be provided on a site by site basis with garden communities providing additional scope in this regard, led by relevant policy framework.	GREEN - It is possible to continue to protect and enhance existing designations and achieve biodiversity net gain in principle with this approach. Climate change mitigations would be provided on a site by site basis, led by relevant policy framework and further evidence would be necessary to co-ordinate additional measures.	RED – This would potentially need specific evidence in order to justify relaxing requirements

	Duty to Co-operate	GREEN - Would allow existing designations and also potential impacts that cross the borough boundary to be considered jointly.	GREEN - Would allow existing designations and also potential impacts that cross the borough boundary to be considered jointly.	GREEN - Would allow existing designations and also potential impacts that cross the borough boundary to be considered jointly.	AMBER - There could be adverse cross-boundary issues through minimising environmental benefit as relaxed approach may create lack of co-ordination and synergy in this regard.
	DM Input	GREEN - no comments that seek to change direction on each policy.	GREEN - no comments that seek to change direction on each policy.	AMBER - no comments that seek to change direction on each policy.	AMBER - no comments that seek to change direction on each policy.
	Deliverability	GREEN - would allow in principle for protection and enhancement and addressing climate change whilst delivering needs in matters such as housing and employment.	GREEN - would allow in principle for protection and enhancement and addressing climate change whilst delivering needs in matters such as housing and employment.	AMBER - would allow in principle for protection and enhancement and addressing climate change but unclear what impact would be on meeting needs and therefore whether this approach would be deliverable.	AMBER - whilst meeting needs in matters such as housing and employment, it is not clear if this would also allow adequate protection and enhancement of biodiversity and addressing of climate change.
	Plan Period Implications	GREEN - no implications identified.	GREEN - care will be required to ensure that garden community environmental and climate change matters that went beyond the plan period were addressed satisfactorily.	AMBER - unclear at this stage whether tightening designations would restrict growth in the short or long term.	GREEN - no implications identified.
	Tests of Soundness	GREEN - will allow tests to be met in principle.	GREEN - will allow tests to be met in principle.	GREEN - will allow tests to be met in principle.	AMBER - care will be needed to ensure tests are met if standards are reduced.
	Potential Objective for topic area	GREEN - Can be accommodated in new Objectives.	GREEN - Can be accommodated in new Objectives.	GREEN - Can be accommodated in new Objectives.	GREEN - Can be accommodated in new Objectives.
	SUSTAINABILITY APPRAISAL	N/A	N/A	N/A	N/A
	What Mitigations are required incl. infrastructure and design?	N/A	N/A	N/A	N/A
	Is the approach Reasonable?	N/A	N/A	N/A	N/A

Landscape and Heritage Conservation Matrix

	Criteria	Approach A: LP17	Approach B: Garden Settlements	Approach C: Above and beyond LP17 (stricter environmental measures)	Approach D: Relax current LP17 environmental measures
Policy	NPPF/ NPPG consistency	GREEN – NPPF/NPPG requirements for Landscape and heritage conservation would potentially be met.	GREEN – NPPF/NPPG requirements for Landscape and heritage conservation would potentially be met.	GREEN – NPPF/NPPG requirements for Landscape and heritage conservation would potentially be met.	AMBER – NPPF/NPPG requirements for Landscape and heritage conservation would not necessarily be met given the more relaxed approach.
	Legislative compliance	GREEN – legislative requirements for landscape and heritage would potentially be met.	GREEN – legislative requirements for landscape and heritage would potentially be met.	GREEN – legislative requirements for landscape and heritage would potentially be met.	AMBER – legislative requirements for landscape and heritage would not necessarily be met given the more relaxed approach.
	Strategic Plan alignment	GREEN - Would potentially allow for protection of landscape and historic environment.	GREEN - Would potentially allow for protection of landscape and historic environment including within garden communities themselves.	GREEN - Would potentially allow for enhanced protection of landscape and historic environment.	RED - This approach appears contradictory to the cross cutting objective that heritage is protected as well as initiatives such as go green go wild.
	KCC Policy support	GREEN – Would allow for consideration of minerals and waste requirements.	GREEN – Would allow for consideration of minerals and waste requirements.	GREEN – Would allow for consideration of minerals and waste requirements.	GREEN – Would allow for consideration of minerals and waste requirements.
	Other Plans & Strategies	GREEN – this approach would allow for consideration of relevant key plans and strategies.	GREEN – this approach would allow for consideration of relevant key plans and strategies.	GREEN – this approach would allow for consideration of relevant key plans and strategies.	AMBER – the plans and strategies strongly support current approaches and associated protection and enhancement.
Political & Public	SPI	GREEN – this approach has potential to gain support from SPI Committee.	GREEN – this approach has potential to gain support from SPI Committee.	GREEN - Increasing safeguards could have viability implications for infrastructure & affordable housing, for example. However, the SPI resolution around putting forward the Greensand Ridge as an AONB indicates that some degree of support is possible.	AMBER - Minimising landscape safeguards unlikely to gain support.
	Full Council	GREEN – this approach has potential to gain support from Full Council.	GREEN – this approach has potential to gain support from Full Council.	GREEN – this approach has potential to gain support from Full Council.	AMBER - This approach would be challenging for the Council’s resolution of addressing the climate emergency.
	Public Consultation - Reg 18a	GREEN /AMBER – protects environmentally sensitive areas and heritage assets overall but may not protect greenfield land.	GREEN /AMBER - protects environmentally sensitive areas and heritage assets overall but may not protect greenfield land.	GREEN - protects environmentally sensitive areas and heritage assets overall but may provide greater protection to designated land than other scenarios, including the LLV.	RED – responses indicate no support for relaxing environmental standards including around heritage assets in this regard.
	Public Consultation - Reg 18b	N/A	N/A	N/A	N/A
	Public Consultation - Reg 19	N/A	N/A	N/A	N/A
Technical	Meeting Objectively Assessed Need	N/A	N/A	N/A	N/A
	Supported by evidence	GREEN - It is possible to continue to protect existing assets and designations in principle with this approach.	GREEN / AMBER - It is possible to continue to protect existing designations and assets. However, care will be required from a garden community location impact on key designations.	GREEN - It is easily possible to continue to protect existing designations and assets with this approach.	RED – This would potentially need specific evidence in order to justify relaxing requirements.

	Duty to Co-operate	GREEN - Would allow existing designations and also potential impacts that cross the borough boundary to be considered jointly.	GREEN - Would allow existing designations and also potential impacts that cross the borough boundary to be considered jointly.	GREEN - Would allow existing designations and also potential impacts that cross the borough boundary to be considered jointly.	AMBER - There could be adverse cross-boundary issues through minimising landscape and heritage benefit as relaxed approach may create lack of co-ordination and synergy in this regard.
	DM Input	GREEN - no comments that seek to change direction on each policy.	GREEN - no comments that seek to change direction on each policy.	AMBER - no comments that seek to change direction on each policy.	AMBER - no comments that seek to change direction on each policy.
	Deliverability	GREEN - would allow in principle for protection whilst delivering needs in matters such as housing and employment.	GREEN - would allow in principle for protection whilst delivering needs in matters such as housing and employment.	AMBER - would allow in principle for protection but unclear what impact would be on meeting needs and therefore whether this approach would be deliverable.	AMBER - whilst meeting needs in matters such as housing and employment, it is not clear if this would also allow adequate protection to the landscape and heritage.
	Plan Period Implications	GREEN - no implications identified.	GREEN - Care will be required to ensure that garden community landscape and heritage matters that went beyond the plan period were addressed satisfactorily.	AMBER - unclear at this stage whether tightening designations would restrict growth in the short or long term.	GREEN - no implications identified.
	Tests of Soundness	GREEN - will allow tests to be met in principle.	GREEN - will allow tests to be met in principle.	GREEN - will allow tests to be met in principle.	GREEN - Care will be needed to ensure tests are met if standards are reduced.
	Potential Objective for topic area	GREEN - Can be accommodated in new Objectives.	GREEN - Can be accommodated in new Objectives.	GREEN - Can be accommodated in new Objectives.	GREEN - Can be accommodated in new Objectives.
	SUSTAINABILTY APPRAISAL	N/A	N/A	N/A	N/A
	What Mitigations are required incl. infrastructure and design?	N/A	N/A	N/A	N/A
	Is the approach Reasonable?	N/A	N/A	N/A	N/A

Flood Risk Matrix

	Criteria	Approach A: LP17	Approach B: Garden Settlements	Approach C: Above and beyond LP17 (stricter environmental measures)	Approach D: Relax current LP17 environmental measures
Policy	NPPF/ NPPG consistency	GREEN – NPPF/NPPG requirements for flood risk would potentially be met.	GREEN – NPPF/NPPG requirements for flood risk would potentially be met.	GREEN – NPPF/NPPG requirements for flood risk would potentially be met.	AMBER – NPPF/NPPG requirements for flood risk would not necessarily be met given the more relaxed approach.
	Legislative compliance	GREEN – legislative requirements for flood risk would potentially be met.	GREEN – legislative requirements for flood risk would potentially be met.	GREEN – legislative requirements for flood risk would potentially be met.	AMBER – legislative requirements for flood risk would not necessarily be met given the more relaxed approach.
	Strategic Plan alignment	GREEN - Would potentially allow for full consideration of environmental sustainability.	GREEN - Would potentially allow for full consideration of environmental sustainability including within garden communities themselves.	GREEN - Would potentially allow for greater consideration of environmental sustainability but care would be needed in terms of meeting other objectives and outcomes.	AMBER – Care would be needed to ensure the cross cutting objective that environmental sustainability is respected.
	KCC Policy support	GREEN – Would allow for consideration of minerals and waste requirements.	GREEN – Would allow for consideration of minerals and waste requirements.	GREEN – Would allow for consideration of minerals and waste requirements.	GREEN – Would allow for consideration of minerals and waste requirements.
	Other Plans & Strategies	GREEN – this approach would allow for consideration of relevant key plans and strategies.	GREEN – this approach would allow for consideration of relevant key plans and strategies.	GREEN – this approach would allow for consideration of relevant key plans and strategies.	AMBER – care would be needed to ensure the plans and strategies are given appropriate consideration in respect to flood risk matters.
Political & Public	SPI	GREEN – this approach has potential to gain support from SPI Committee.	GREEN – this approach has potential to gain support from SPI Committee.	GREEN - Increasing safeguards would mean care would be needed regarding viability implications, but still has potential to gain support from SPI Committee.	AMBER - Minimising flood risk safeguards is unlikely to gain support from SPI Committee.
	Full Council	GREEN – this approach has potential to gain support from Full Council.	GREEN – this approach has potential to gain support from Full Council.	GREEN – Increasing safeguards would mean care would be needed regarding viability implications, but still has potential to gain support from Full Council.	AMBER - This approach would be challenging for the Council’s resolution of addressing the climate emergency.
	Public Consultation - Reg 18a	GREEN – allows for consideration to be given to flood risk matters, inclusion of sustainable design and working with experts.	GREEN - allows for consideration to be given to flood risk matters, inclusion of sustainable design and working with experts.	GREEN - allows for consideration to be given to flood risk matters, inclusion of sustainable design and working with experts.	RED – relaxing requirements around flood risk is at odds with the consultation responses.
	Public Consultation - Reg 18b	N/A	N/A	N/A	N/A
	Public Consultation - Reg 19	N/A	N/A	N/A	N/A
Technical	Meeting Objectively Assessed Need	N/A	N/A	N/A	N/A
	Supported by evidence	GREEN - It is possible to comply with evidence such as the SFRA in this scenario.	GREEN - It is possible to comply with evidence such as the SFRA in this scenario.	GREEN - It is easily possible to comply with evidence such as the SFRA in this scenario.	RED – It is very unlikely that the evidence could be used to justify relaxing requirements.
	Duty to Co-operate	GREEN - Would allow existing designations and also potential impacts that cross the borough boundary to be considered jointly.	GREEN - Would allow existing designations and also potential impacts that cross the borough boundary to be considered jointly.	GREEN - Would allow existing designations and also potential impacts that cross the borough boundary to be considered jointly.	AMBER - There could be adverse cross-boundary issues through addressing flood risk as relaxed approach may create lack of co-ordination and synergy in this regard.
	DM Input	GREEN – no comments that seek to change direction on each policy.	GREEN – no comments that seek to change direction on each policy.	AMBER – no comments that seek to change direction on each policy.	AMBER – no comments that seek to change direction on each policy.

	Deliverability	GREEN – would allow in principle for consideration of flood risk whilst delivering needs in matters such as housing and employment.	GREEN – would allow in principle for consideration of flood risk whilst delivering needs in matters such as housing and employment.	AMBER - would allow in principle for consideration of flood risk but unclear what impact would be on meeting needs and therefore whether this approach would be deliverable.	AMBER – whilst meeting needs in matters such as housing and employment, it is not clear if this would also allow adequate consideration of flood risk.
	Plan Period Implications	GREEN – no implications identified.	GREEN – Care will be required to ensure that garden community flood risk related matters that went beyond the plan period were addressed satisfactorily.	AMBER – unclear at this stage whether further tightening flood risk requirements would restrict growth in the short or long term.	GREEN – no implications identified.
	Tests of Soundness	GREEN – will allow tests to be met in principle.	GREEN – will allow tests to be met in principle.	GREEN – will allow tests to be met in principle.	AMBER – Care will be needed to ensure tests are met if standards are reduced.
	Potential Objective for topic area	GREEN – Can be accommodated in new Objectives.	GREEN – Can be accommodated in new Objectives.	GREEN – Can be accommodated in new Objectives.	GREEN – Can be accommodated in new Objectives.
	SUSTAINABILTY APPRAISAL	N/A	N/A	N/A	N/A
	What Mitigations are required incl. infrastructure and design?	N/A	N/A	N/A	N/A
	Is the approach Reasonable?	N/A	N/A	N/A	N/A