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## LOCAL PLAN PANEL

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 29 November 2018 from 7.00pm - 8.35pm.

**PRESENT:** Councillors Mike Baldock, Monique Bonney, Andy Booth, Bowles (Substitute for Councillor Gerry Lewin), Richard Darby, James Hunt, Bryan Mulhern (Vice-Chairman, in-the-Chair) and Ted Wilcox (Substitute for Councillor David Simmons).

**OFFICERS PRESENT:** James Freeman, Gill Harris, Kellie MacKenzie, Jill Peet, Anna Stonor and Aaron Wilkinson.

**APOLOGIES:** Councillors Gerry Lewin, Peter Marchington and David Simmons.

### 369 FIRE EVACUATION PROCEDURE

The Vice- Chairman in-the-Chair outlined the emergency evacuation procedure.

### 370 MINUTES

The Minutes of the Meeting held on 29 October 2018 (Minute Nos. 288 – 292) were taken as read, approved and signed by the Vice-Chairman in-the-Chair as a correct record.

### 371 DECLARATIONS OF INTEREST

No interests were declared.

### 372 LANDSCAPE DESIGNATION REVIEW

The Senior Planner introduced the report which updated the Panel on work connected with the preparation of the Local Landscape Designation Review. The Senior Planner drew attention to Appendix II of the report, which set out the review and recommendations document which presented the findings of the review of local landscape designations (LLDs), conducted by independent landscape consultants LUC.

The Senior Planner explained that the aim of the review was to prepare a robust and consistent approach to landscape designations across Swale. She stated that the nationally designated Areas of Outstanding Natural Beauty (AONB)s, were not included, and the review identified the most special local landscapes, and defined and identified the qualities of those landscape designations through a criteria-based approach, informed by local values.

The Senior Planner stated that the report had been prepared with stakeholder input including Members, Parish Councils, amenity groups and other interested parties who had been asked to map the landscapes they valued and explain the reasons for their choices. The landscape consultants appointed to carry out this study, LUC,

had used a matrix approach, and identified 13 separate areas based on the Council's existing Landscape Character and Biodiversity Appraisal Supplementary Planning document 2011 which they had carried forward for more detailed evaluation. These included landscapes from Medway Marshes in the west; to The Blean in the east; Eastchurch uplands in the north; to North Street Dip Slope in the south. The results of their evaluation and recommendations were outlined in Chapter six of their report (Appendix III).

The Senior Planner reported that across Swale there were areas of locally valued landscapes which were not designated. This was generally because they did not meet all of the five criteria, or they did not make up a coherent landscape entity, or were not of sufficient scale. The five criteria were: (1) Local distinctiveness and sense of place; (2) landscape quality; (3) scenic qualities; (4) landscape values (including stakeholder values); and (5) National and Cultural Associations.

The Senior Planner explained that all rural landscapes in Swale had been assessed as part of the comprehensive Landscape Character and Biodiversity Appraisal, which advocated an 'all-landscape' approach, recognising key characteristics for all areas of the borough and giving guidelines for their management.

The Senior Planner reported that as a result of feedback from the review, in the updating of the local plan's landscape policy, officers would be looking to more clearly define what was meant by the setting of the AONB, in consultation with the AONB unit. Officers considered that the areas which bordered the AONB, where the special qualities of the AONB could be appreciated and which impacted on the AONB itself, should be specifically mentioned and landscapes with shared features with the AONB should be identified.

The Vice-Chairman in-the-Chair proposed the recommendations in the report, which were seconded by Councillor James Hunt.

A Member considered that the review process had been predetermined by officer led designations. He considered that no real explanation had been given as to why some Landscape Character Areas did not get beyond the desk review.

The Senior Planner explained that commissioning of the report had started Summer 2017 and that the consultants were fundamental in defining the scope for the review and that local input had been a priority. All the justifications for the decisions were set-out in the consultants report. She offered assistance to any Member or stakeholder who was unclear about the findings of the report.

In response to a query regarding land around Borden, the Senior Planner stated that Borden Parish Council had not commented or disagreed with the criteria themselves, but their comments about areas that they valued and the reasons set-out had been taken on-board.

The Senior Planner responded to a query about Cleve Hill, Graveney and advised that the comments in the report referred to the existing sub-station (not the pending proposal for the large solar farm).

The Vice-Chairman in-the-Chair drew attention to Appendix I (Officer summary of evaluation recommendations from the Swale Local Landscape Designation Review and Recommendations) to the report. The panel considered the appendix page-by-page and made the following comments:

- Concern that the areas put forward by the consultants, had been chosen because of how many “votes” they had received, which was often the most heavily populated areas, but these were not necessarily the areas of high significance.
- Ancient hedgerows should be included for consideration. The Council should carry out an audit of hedgerows in Swale as they were often adjacent to ancient woodlands and an incredibly important part of the rural landscape.
- There had been a deliberate degradation of land at Tonge LLD by the landowner and that was not a reason for it to lose its landscape designation status.
- Areas should not be excluded just because landowners had deliberately degraded the land.
- Recommended that the whole of Tonge be retained as a landscape designation.
- Consultation process had been ‘skimpy’.
- Ward Members would have been able to have given a better in-sight into local areas, if they had been given the opportunity.
- The consultation was flawed, as there was no feedback check.
- Concern that a hedgerow and orchard land had been cleared recently in Rodmersham/Dully valley.
- Pleased that Highsted wood and quarries were included.
- Why not have small area designations?
- How can areas be conserved and enhanced if not designated?
- Did not support inclusion of Minster Marshes, (area 09 of the map on page 56 of the report).
- Spelling error on page 89 of the report - Rodmersham spelt incorrectly.
- Map on page 93 of the report – boundary line needs to be moved slightly to include hedgerow between Highsted and Cromer’s Wood, as this acts as a “wildlife bridge”.
- How would the landscape designation at North Street affect the proposal for a new settlement in this area?

The Spatial Planning Manager explained that Policy DM29 of the Swale Borough Local Plan ensured that there was the means to protect hedgerows should they be deemed at risk.

In response to queries, the Senior Planner stated that:

- The landscape consultants were independent and experienced consultants. They used a matrix-approach to refine which Landscape Character Areas to evaluate in detail. Local values were an element of the review, but only an element of one of the five criteria used at the detailed evaluation stage.
- Landscape condition was one of the criteria used in the review and degradation may effect the evaluation outcome.

- Land in the Dully area which had been subject to orchard grubbing was looked at and was the subject of considerable discussion during this study. However it was not previously designated as an LLD, so nothing had been 'lost' by not including it at this point.
- The area at Tonge had been discussed at length with the landscape consultants and by planning officers who had conducted site visits.
- Consultation had been an important input into this study, which was ultimately a piece of evidence to inform the local plan, not a local plan consultation document in itself.
- Ward Members had the opportunity to give stakeholder views in the winter of 2017/18 and attend the workshop in September 2018.
- Small areas were not suitable as landscape designations which needed to be of a sufficient scale, to be a recognised landscape entity and meet the criteria.
- The Landscape Character and Biodiversity Appraisal covered all of the rural landscapes in Swale and provided a description of characteristics and guidelines for management for all areas, whether designated or not.
- The boundary line to the LLD proposal in the Highsted and Cromer's Wood area would be checked in relation to the hedgerow.
- The landscape designation at North Street would be a material consideration to be considered in an assessment of the new settlement. With regard to planning applications, areas would be protected by local plan policies.
- Officers had asked the consultants to look at AONB boundaries and feedback if necessary.

A Member referred to page 13 of the report, and the response from Historic England. She asked what the application of values published in 'Conservation Principles' were, and how would they be included? The Senior Planner agreed to forward this information to the Member.

Councillor Mike Baldock asked that his vote against the recommendations be recorded in the Minutes.

***Recommended:***

- (1) That the recommendations set out in the Swale Local Landscape Designation Review and Recommendations 2018 be agreed.***
- (2) That the emerging local plan include the 'settings' element of Policy DM 24 Conserving and enhancing valued landscapes and be updated in response to this review.***

**373 GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT**

**Gypsy and Traveller and Travelling Showperson Accommodation Assessment**

The Planner introduced the report which highlighted the key findings from the new Gypsy and Traveller and Travelling Showperson Accommodation Assessment (GTAA), outlined the options, and sought agreement on how to meet the identified need.

The Planner explained that the Council was required to prepare and maintain, an up-to-date understanding of the likely accommodation needs of the travelling community over the lifespan of the development plan. As such, and to fall in-line with the emerging Local Plan period to 2037/38, consultants arc<sup>4</sup> had been appointed in September 2017, to complete a new Gypsy and Traveller Accommodation Assessment for the Council.

The Planner reported that the study had identified a need for 30 pitches for the first five years to 2022, with a longer-term need amounting to a further 29 pitches from 2022 to 2038, for a total need of 59 pitches. However when taking into account natural turnover, the total need reduced to 51 pitches. The study identified potential for the intensification and expansion of existing sites to provide a supply of 54 pitches. The Planner drew attention to the recommendations in the report.

The Planner also drew attention to the issues faced at The Brotherhood Woodyard site. He explained that whilst the household surveys were being carried out, the consultants had not been able to obtain any information on, or interviews with, any gypsies or travellers at that site, therefore, the figures they had for the site had not been included in any met need or supply calculations in this GTAA. The Planner stated that officers in Development Management had been carrying out visits to the site and remained of the view that the site would be able to function as an authorised site. The Planner considered it right to argue that the Council should not rely on Brotherhood Woodyard to contribute to its supply, and officers were not proposing to do so.

The Vice-Chairman in-the-Chair proposed the recommendations in the report, which were seconded by Councillor James Hunt.

Members considered the GTAA and made the following comments:

- A well written extensive report.
- The Council needed to be clear that it did not support any imbalance towards settled communities.
- Important to ensure that Policy DM10 referred to the necessary infrastructure being provided so that the Council did not lose applications for sites in inappropriate areas at the appeal stage.
- Needed to be careful that Brotherhood Woodyard was not used as evidence of availability, as it would not accord with human rights guidelines.
- Considered one large public site would be the wrong approach.
- Important to consider the Irish Traveller community which was growing in Swale.
- Major concerns about the numbers of traveller sites appearing across Swale.
- In Newnham the settled community were now in the minority.
- Currently traveller sites dominated the Syndale Valley area of Swale.
- Considered that Swale was the “destination of choice” for the travelling community, due to weaknesses in the Council’s policy.
- There was previously a committee at Swale which spent a lot of time and public money looking for public sites to no avail.
- Frustrated at the inequalities in terms of planning applications, which it seemed, favoured the travelling community over the settled community.

- How would the call for sites be carried out, and the travelling community engaged?
- Agreed needed to continue with criteria based policy.
- Considered that use of a public site should be explored.
- The PPTS 2015 definition for travellers was confusing.

The Principal Planning Officer advised that with regard to the call for sites, there were national and local organisations who would be able to assist officers on how to engage with the travelling community. With regard to a public site, she considered it important to explore the possibility of this so that at the plan making stage, officers could make a more informed decision about whether it was possible.

Members discussed the potential size of the public site, and the Head of Planning Services stated that best practice could include small sites. Members agreed that recommendation (3) of the report, be amended to read “Explore the possibility of creating new public sites”.

***Recommended:***

- (1) That the findings of the Gypsy and Traveller and Travelling Showperson Accommodation Assessment be noted.***
- (2) That a ‘call for sites’ be carried out.***
- (3) That a criterion-based policy be progressed.***
- (4) That the possibility of creating new public sites be explored.***

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel