



**PINS REF : APP/U2235/W/23/3329481**

**MAIDSTONE BOROUGH COUNCIL REF: 23/500899/OUT**

**APPEAL AT: Land North Of The A20 Ashford Road Hollingbourne**

**Appeal against the refusal of permission for : Outline application for the erection a building for storage and distribution (Class B8 use) with a floorspace up to 10,788sqm (Gross External Area), ancillary offices, associated car parking, HGV parking, landscaping and infrastructure (All matters reserved except for access).**

**Enhancing landscapes and life in the Kent Downs**

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

The Kent Downs AONB Unit is an advisory body that has no statutory planning powers and is not a statutory consultee on planning matters. However, the Unit employs a Planning Manager and provides advice on Development Plan consultations and planning applications based on the statutory Kent Downs AONB Management Plan, which has been adopted by all partner authorities, including Maidstone Borough Council as 'their policy for the management of the area and for the carrying out of their functions in relation to it'.

The AONB Unit provided a response to Maidstone Borough Council following consultation on the planning application in a letter dated 31<sup>st</sup> March 2023. A further response was sent from the AONB Unit dated 30/05/2023, responding to additional/amended submissions from the Applicant. This supplementary statement seeks to provide further explanation of the importance of setting to the Kent Downs AONB and the potential harm to the setting that would result from the proposed development.

### **The Kent Downs AONB**

The Kent Downs was designated in 1968 and covers approximately 878 square kilometres, which is 23% of the total land area of Kent. The designated area is mainly based on the eastern half of the North Downs, the ridge of chalk that stretches from Farnham in Surrey to the English Channel at Dover (the western half of the chalk ridge lies within the Surrey Hills AONB, which adjoins the Kent Downs), but also includes part of the Greensand Ridge and Lympne Escarpment. In designating the Kent Downs AONB, the overall remarks of the designation committee were summarised as:

*“The scarp slope and dry valleys of the Kent Downs are the main target for designation, particularly where they retain a downland character, that woodlands are highly valued throughout the designated area and particularly on the scarp slope and dry valley sides, and that other qualities of note are views from the escarpment, pastoral scenery, parklands, villages, churches and castles.”*

### **The special characteristics and qualities of the Kent Downs AONB**

The rich landscape of the Kent Downs AONB is made up of diverse [special characteristics and qualities](#) which together distinguish it as a landscape of national and international importance and which are consistently identified and valued by the public, individuals, institutions, organisations and experts alike. They are also the key attributes on which the priorities for the AONB's conservation, enhancement and management should be based. The special characteristics and qualities of the Kent Downs natural beauty have been identified as:

Dramatic landform and views

Biodiversity-rich habitats

Farmed landscape

Woodland and trees

Historic and cultural heritage

Geology and Natural resources

Tranquillity and remoteness

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Water and wetlands

Heritage Coasts

### **Legislation and Planning Policy context for AONBs:**

The statutory framework for protected landscapes in England was first established in the National Parks and Access to the Countryside Act 1949 (NPAC 1949). Today, relevant legislation is provided within the Countryside and Rights of Way Act 2000. Section 82(1) of the Countryside and Rights of Way Act 2000 (CROW) defines an AONB in England as an area that is not in a National Park but which appears to Natural England to be of such outstanding natural beauty that it is desirable that the protective provisions of Part IV of CROW should apply to it, for the purpose of conserving and enhancing the area's natural beauty. The legislation confirms, amongst other matters, that reference to conservation of natural beauty includes conservation of its flora, fauna and geological and physiographical features (s.92(2) of Act). It is also advised that land is not prevented from being treated as of natural beauty by the fact that it is used for agriculture, or woodlands, or as a park, or that its physiographical features are partly the product of human intervention in the landscape (s.99 NERC).

At Section 89, the Countryside and Rights of Way Act sets out a requirement for a Management Plan to be prepared and published by the local authorities within an AONB that *'formulates their policy for the management of the area of outstanding natural beauty and for the carrying out of their functions in relation to it'*. The Kent Down AONB Unit carries out the preparation and review of the Management Plan on behalf of the local authorities within it.

Section 85, Part IV of the CRoW Act requires that "In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty." This is known as the 'Duty of Regard'.

In 2005 Defra produced a Guidance Note on the Duty of Regard <sup>1</sup>, which was supplemented in 2010 by guidance produced by Natural England which provides further detail on the nature and purpose of the 'Duty of Regard' and provides case studies of good examples.<sup>2</sup> The Guidance confirms that *'The duty requires that this process should include consideration of potential impacts on AONB/National Park purposes – with the expectation that adverse impacts will be avoided or mitigated where possible.'*

However, on 26<sup>th</sup> October 2023, the Levelling-Up and Regeneration Bill received Royal Assent and is now the Levelling-Up and Regeneration Act 2023.<sup>3</sup> The Act amends the Countryside and Rights of Way Act, replacing the current Duty of Regard in AONBs set out above with a new, strengthened requirement that :

*'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a*

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<sup>1</sup> [Defra \(2005\) Duties on relevant authorities to have regard to the purposes of National Parks, Areas of Outstanding Natural Beauty \(AONBs\) and the Norfolk and Suffolk Broads Guidance Note](#)

<sup>2</sup> [Natural England \(2010\) England's Statutory Landscape Designations: A Practical Guide to Your Duty of Regard](#)

<sup>3</sup> [https://www.legislation.gov.uk/ukpga/2023/55/enacted#section-245-6\[\(6\)\]%20to%20\[https://www.legislation.gov.uk/ukpga/2023/55/enacted#section-245-10\]\(10\)](https://www.legislation.gov.uk/ukpga/2023/55/enacted#section-245-6[(6)]%20to%20[https://www.legislation.gov.uk/ukpga/2023/55/enacted#section-245-10](10)) Section 245

#### **Protected Landscapes**

##### **Enhancing landscapes and life in the Kent Downs**

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*devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty*. (Part 12 - Miscellaneous; Section 245. Protected Landscapes; paras (5) - (10).

This new duty will come into legal effect on 26<sup>th</sup> December 2023 and clearly places a much stronger duty on relevant authorities (including local authorities, the Planning Inspectorate and other Government Departments, Statutory Undertakers etc) to ensure that their actions and decisions seek to conserve and enhance AONBs, marking a significant change to the legal context of AONB policy. This important change is supported by various provisions in the Act which enable secondary legislation for compliance with the new duty.

### **National Planning Policy Framework**

National planning policy in respect of AONBs is set out in paragraphs 176 and 177, within Chapter 15 of the NPPF - the Natural Environment. Paragraph 174 sets out the intent of the Chapter, advising that :

‘Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)’.

Paragraph 176 of the NPPF states:

*‘Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and 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, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.’*

This paragraph suggests that it is the statutory purpose of AONBs designation – ‘conserving and enhancing natural beauty’ that should be at the forefront of the decision makers mind in applying paragraph 176 of the NPPF, including the assessment of any detrimental effect. This is confirmed in a recent Court of Appeal case<sup>4</sup>, where Sir Keith Lindblom states (paragraph 33) :

‘The central aim of the policies in [Chapter 15: Conserving and enhancing the natural environment], stated in paragraph 170, is “protecting and enhancing valued landscapes”, including those in AONBs. This is consistent with the statutory obligation in section 85(1) of the Countryside 11 and Rights of Way Act to “have regard to the purpose of conserving and enhancing the natural beauty of the [AONB]”. Paragraph 172 itself is in terms that stress the imperative of protection. Emphasis is placed on “conserving”, as well as “enhancing”, an AONB’s landscape and scenic beauty. AONBs are described there as having “the highest

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<sup>4</sup>[Kind](#)

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status of protection in relation to these issues”, and the “scale and extent of development” within them and the other designated areas, the policy says, “should be limited”.’

This comment was prefaced with the suggestion that the intent is ‘plain from the policy’s context and purpose’, suggesting that this principle should have already been clear to decision-makers.

A High Court judgement in February 2015 (*Stroud District Council v Secretary of State for Communities and Local Government*, February 2015)<sup>5</sup> has confirmed that the landscape and scenic beauty of an AONB can be affected by views out from the designated area. The judgement concludes that paragraph 115 of the NPPF (paragraph 176 of the current version) can cover the impact of land viewed in conjunction with the AONB from the AONB. The effect of this judgement is to extend the meaning of the word ‘in’ to include land outside of designated areas but which can be seen in views from within it.

### **Planning Practice Guidance (Natural Environment)**

The national PPG (revised in 2019) provides additional guidance on new development in National Parks and AONBs and their settings.

Paragraph 39 relates to the Duty of Regard and confirms that this is particularly important to the delivery of the statutory purposes of protected areas.

Paragraph 40 refers to Management Plans, advising that

*‘Management plans for National Parks, the Broads and Areas of Outstanding Natural Beauty do not form part of the statutory development plan, but they help to set out the strategic context for development. They provide evidence of the value and special qualities of these areas, provide a basis for cross-organisational work to support the purposes of their designation and show how management activities contribute to their protection, enhancement and enjoyment. They may contain information which is relevant when preparing plan policies, or which is a material consideration when assessing planning applications.’*

Paragraph 42 provides guidance on how development in the setting of protected landscapes should be considered, advising:

*“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. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.”*

### **The Kent Downs AONB Management Plan**

The Countryside and Rights of Way Act 2000 sets out a requirement for a Management Plan to be prepared and published for AONBs. The [Kent Downs AONB Management Plan 2021 - 2026](#) sets out the aims, policies and actions for the conservation, enhancement and management of the AONB in a series of Principles.

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<sup>5</sup> EWHC 488 *Stroud District Council v Secretary of State for Communities and Local Government*, February 2015 (CO/4082/2014)

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The Management Plan is prepared by the AONB Unit and the Joint Advisory Committee for and on behalf of the twelve local authorities within the Kent Downs and has been adopted by all local planning authorities in the Kent Downs, including Maidstone Borough Council. The national Planning Practice Guidance confirms at [paragraph 040 Reference ID: 8-040-20190721](#) that Management Plans can be a material consideration in planning decisions and this view is confirmed in previous appeal decisions, including APP/U2235/W/19/3232201, Cossington Fields Farm North, Bell Lane, Boxley, Maidstone where at paragraph 5 of the Inspectorate's decision letter it is stated that "I am mindful of the policies contained within the Kent Downs AONB Management Plan (2014-2019) requiring development to conserve and enhance natural beauty of AONB to which I attach substantial weight." The decision can be downloaded at:

<https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3232201>

The following principles from the Kent Downs AONB Management Plan are considered to be of particular relevance to the appeal:

**MMP2** The Kent Downs AONB is a material consideration in plan making and decision taking, and so local authorities will give a high priority to the AONB Management Plan vision, aims, principles and actions in Local Plans, development management decisions, planning enforcement cases and in taking forward their other relevant functions.

**SD1** Ensure that policies, plans, projects and net gain investments affecting the Kent Downs AONB take a landscape led approach are long term, framed by the Sustainable Development Goals appropriate to the Kent Downs, cross cutting and recurrent themes, the vision, aims and principles of the AONB Management Plan.

**SD2** The local character, qualities, distinctiveness and natural resources of the Kent Downs AONB will be conserved and enhanced in the design, scale, siting, landscaping and materials of new development, redevelopment and infrastructure and will be pursued through the application of appropriate design guidance and position statements.

**SD3** Ensure that development and changes to land use and land management cumulatively conserve and enhance the character and qualities of the Kent Downs AONB rather than detracting from it.

**SD8** Ensure proposals, projects and programmes do not negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the Kent Downs AONB.

The Kent Downs AONB Unit has also produced a range of guidance documents which help support the delivery of the principles of the Management Plan. Of particular relevance to this appeal is the [Kent Downs AONB Unit's Position Statement on Setting](#) (attached as Appendix B to this Statement). This document identifies, on page 6, that locations where development and changes to the landscape where the setting of the Kent Downs AONB may be more keenly felt include views to and from the scarp of the Kent Downs to the Vale of Holmesdale - the valley that lies at the foot of the North Downs and incorporates the A20/M20, M26 and M25 corridors - the location of the appeal site.

## **Maidstone Local Plan**

Policy SP17 of Maidstone's Local Plan includes the following criteria:

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3. *Great weight should be given to the conservation and enhancement of the Kent Downs Area of Outstanding Natural Beauty.*

4. *Proposals should not have a significant adverse impact on the settings of the Kent Downs Area of Outstanding Natural Beauty or the High Weald Area of Outstanding Natural Beauty.*

The policy also includes a requirement that *'Account should be taken of the Kent Downs Area of Outstanding Natural Beauty Management Plan and the Maidstone Borough Landscape Character Guidelines Supplementary Planning Document'*.

This policy is proposed to be retained in the emerging Local Plan Review.

In the background text to the policy, at paragraphs 4.106 to 4.110, further guidance on the AONB and its setting is provided. At paragraph 4.106 it states *'Open countryside to the immediate south of the AONB forms a large extent of the setting for this designation. In Maidstone this is a sensitive landscape that is coming under threat from inappropriate development and is viewed as a resource that requires conservation and enhancement where this supports the purposes of the AONB'*. At paragraph 4.110 it is further advised that *'The foreground of the AONB and the wider setting is taken to include the land which sits at and beyond the foot of the scarp slope of the North Downs and the wider views thereof. It is countryside sensitive to change, with a range of diverse habitats and landscape features, but through which major transport corridors pass'*. The policy and relevant background text is included at Appendix A to this Statement.

### **Local context**

While not lying within the AONB, the site lies in the setting of the Kent Downs AONB, by virtue of its proximity to the AONB (less than 600m to the north) and the fact that the site is visible in views from the Kent Downs escarpment. Here, the AONB landscape comprises the actual escarpment of the Kent (North) Downs, the main target of the AONB designation and as result, the site is visible from the higher topography of the adjacent AONB which includes a number of well used Public Rights of Way, including the North Downs Way, one of just 15 National Trails designated in England.

Views out from the AONB over its setting was one of the reasons for the designation of the Kent Downs AONB. When the Kent Downs were confirmed as an AONB, the overall remarks of the designation committee were summarised as: *"The scarp slope and dry valleys of the Kent Downs are the main target for designation, particularly where they retain a downland character, that woodlands are highly valued throughout the designated area and particularly on the scarp slope and dry valley sides, and that other qualities of note are views from the escarpment, pastoral scenery, parklands, villages, churches and castles."* Accordingly, views are also one of the Kent Downs ONB's recognised special qualities and characteristics, with the Management Plan identifying *'Breath-taking, long-distance panoramas are offered, often across open countryside, estuaries and the sea from the scarp, cliffs and plateaux'*.

Both the Maidstone Local Plan (background text to policy SP17) and the AONB Unit's Position Statement on Setting also specifically identify the sensitivities of the land in the foreground to the escarpment of the Kent Downs and its importance in forming the setting to the AONB. At paragraph 4.106 of the Local Plan, it is advised that *'Open countryside to the immediate south of the AONB forms a large extent of the setting for this designation. In Maidstone this is a sensitive landscape that is coming under threat from inappropriate development and is viewed as a resource that requires conservation and enhancement where this supports the purposes*

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of the AONB'. The AONB Unit's Position Statement identifies, on page 6, that locations where development and changes to the landscape where the setting of the Kent Downs AONB may be more keenly felt include views to and from the scarp of the Kent Downs to the Vale of Holmesdale - the valley that lies at the foot of the North Downs and incorporates the A20/M20, M26 and M25 corridors - the location of the appeal site.

The sensitivities of land in the immediate vicinity of the appeal site have also been recognised in several appeal decisions as well as by the Inspector when examining the proposed employment allocation at Woodcut Farm:

*Kent International Gateway Inquiry:*

The Kent International Gateway (KIG) was a proposed road/rail interchange on the land occupied by the Woodcut Farm employment site/allocation and further land extending west. The proposal was refused planning permission and dismissed at appeal (APP/U2235/A/09/2096565). Kent International Gateway Inquiry:

The Kent International Gateway (KIG) was a proposed road/rail interchange and included the site the subject of the current appeal. The proposal was refused planning permission and dismissed at appeal (APP/U2235/A/09/2096565)<sup>6</sup>. In dismissing the appeal the Inspector stated (paragraph 18.31): "...the majority of the appeal site is, to my mind, attractive open countryside. Despite the presence of the M20 motorway/High Speed Railway Line (HS1) there are expansive views across most parts of the site into the Area of Outstanding Natural Beauty (AONB), to the north, and to the North Downs scarp. The site's undulating landform and watercourses are a visible continuation of the topography of the AONB [7.103]. The woodlands and smaller groups of trees on the site can be seen from some distance and are attractive in their own right. The site is a 'buffer' between the built-up area of Bearsted and the M20/HS1 and also gives a strong sense of passing through open countryside for users of the motorway. Whilst the noise of the M20/HS1 is a negative feature of the area [6.45] the appeal site nonetheless has a strongly rural character and atmosphere."

The appeal decision was subsequently upheld by the Secretary of State who also recognised the importance of the setting of the AONB in this location<sup>7</sup>:

*'The Secretary of State agrees with the Inspector's conclusion that the appearance and scale of the development would be alien and out of character with the countryside and the existing built form of neighbouring settlements, and that it would cause substantial harm to the setting of the AONB (IR18.45). Given the importance and value of the open countryside which currently forms the appeal site and of the AONB which adjoins it, and given the harm the proposal would cause to them, the Secretary of State agrees that substantial weight should be given to these matters in the determination of the appeal (IR18.52).'*

*Waterside Park Inquiries:*

Two hybrid applications on land also adjacent to Junction 8 of the M20, on the south side of the A20, immediately south of the site the subject of this appeal, for an employment

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<sup>6</sup> [http://www.maidstone.gov.uk/\\_data/assets/pdf\\_file/0020/125741/ORD-029-Kent-International-Gateway-Appeal-and-Decision-Letter-to-the-Applicant-31-March-2010.pdf](http://www.maidstone.gov.uk/_data/assets/pdf_file/0020/125741/ORD-029-Kent-International-Gateway-Appeal-and-Decision-Letter-to-the-Applicant-31-March-2010.pdf)

<sup>7</sup> [http://www.maidstone.gov.uk/\\_data/assets/pdf\\_file/0004/139072/ORD-029-B-Secretary-of-State-Decision-Letter.pdf](http://www.maidstone.gov.uk/_data/assets/pdf_file/0004/139072/ORD-029-B-Secretary-of-State-Decision-Letter.pdf)

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development. Both applications were refused by Maidstone Borough Council and dismissed on appeal following a Public Inquiry<sup>8</sup>. Here, the Inspector concluded that the proposals would result in considerable environmental harm and that the development would fail to protect the setting of the Kent Downs AONB. Notwithstanding an identified need for more employment land it was concluded that the environmental harm would be greater than the economic benefits. It should be noted that this site is further from the AONB boundary than the current appeal site.

#### Woodcut Farm Employment Allocation:

The land immediately adjacent to the appeal site is an employment allocation in the adopted Maidstone Local Plan. In allocating the site, the Council recognised the harm to the landscape and the draft policy wording required proposals to meet certain criteria including the need for any development to create a spacious parkland setting with substantial internal landscaping and building to cover no more than 40 per cent of the developed area, landscape buffers to be provided, a maximum building size of 10,000m<sup>2</sup>, height of buildings to be restricted to no greater than 12 metres, orientation to respect views to and from the AONB and a requirement for proposals to be informed by an LVIA.

The Local Plan Inspector accepted the need for the site, as the Strategic Economic Development Land Availability Assessment (SEDLAA) had identified the site as being the only suitable available land to meet the District's employment needs, however concluded that additional design and layout measures were needed in the Policy wording EMP1(5) to further mitigate the landscape and visual impacts of the development. The following extracts are taken from the [Inspectors Final Report on the Examination of the Local Plan](#):

*282. I conclude that additional design and layout measures are needed in Policy EMP1(5) to further mitigate the landscape and visual impacts of the development. The modifications recommended below would include such measures.*

*283. As mitigation would be unlikely to negate all of the adverse impact the development would still have adverse landscape impacts. That residual impact needs to be accorded substantial weight when weighed with the economic benefits of the scheme.*

*296. I conclude that the public economic benefits merit considerable weight and that they outweigh the residual harm after mitigation to the landscape (including the setting of the Kent Downs AONB) and visual amenity...*

*297. However the recommended main modifications to EMP1(5) Woodcut Farm in MM39 are needed to: ensure that sufficient office floorspace is effectively delivered; to minimise the landscape and visual amenity impacts of development on this green field site in accordance with national policy to protect the character and landscape of the countryside and the AONB; and to reduce the potential for harm to the setting of the listed Woodcut Farmhouse, also in accordance with national policy for the protection of heritage assets. MM39 also includes the minerals assessment criterion requested by the Minerals Planning Authority as a safeguarding measure for consistency with national policy.*

*298. Those modifications are necessary for the Woodcut Farm employment allocation to be justified and consistent with national policy and to be effective in terms of deliverability.*

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<sup>8</sup> APP/U2235/A/14/2224036 & APP/U2235/A/14/2229271 [link](#)  
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The policy was subsequently amended to include more stringent requirements including:

- Tracts of structural landscaping will extend into development areas of at least 15m in width.
- Larger footprint buildings will be accommodated in the field to the east of the stream up to a maximum unit size of 5,000m<sup>2</sup> with building ridge heights not to exceed 12m. Units should be orientated end-on to predominant views to and from the AONB.
- Development on the field to the west of the stream comprises smaller units of up to 2,500m<sup>2</sup> footprint. Graded building heights will take account of the site's topography with building ridge heights not to exceed 8m. On the highest part of the site at and above the 55m contour line as shown on the policies map, building footprints will be limited to 500m<sup>2</sup>.

Taking the above into account, it is clear that the sensitivities of development on land immediately adjacent to the Appeal site on the setting of the AONB and in particular in views from the escarpment to the north, has previously been accepted by both Planning Inspectors and Maidstone Borough Council themselves. The appeal site lies on higher ground than the adjacent Woodcut Farm site, and the proposal is for a much larger individual building than is permitted under the criterion set out in policy EMP (4). While the AONB Unit agrees with the Borough Council that the proposal would have a significant adverse impact on the setting of the Kent Downs AONB, it is our considered opinion that this goes beyond the stated 'views towards the scarp slope from Old Mill Road to the south' set out in the Reasons for Refusal and the development would also impact views out from the AONB escarpment.

### **Impacts on the Kent Downs AONB**

As already noted, the site is visible from the Kent Downs AONB, in particular from the scarp of the North Downs. This includes views from open access land above Hollingbourne and from various points between Hollingbourne and Thurnham Castle along the North Downs Way, a National Trail, one of just sixteen in England. The AONB Unit contends that both the Planning Statement and LVIA supporting the application downplay the visibility of the site from the AONB to the north, with the Planning Statement advising for example '*The AONB itself is a heavily wooded environment, limiting viewing opportunities outward to the surrounding countryside. Any views of the proposed building would be very limited and would be seen in the context of other surrounding built infrastructure located across the area.*' (Paragraph 6.9).

However, such an assertion is not supported by the Zone of Theoretical Visibility included in the LVIA at Figure 7 supporting the application, that indicates that the site will in fact be visible from large tracts of the Kent Downs AONB to the north, and in particular from the escarpment of the Kent Downs, the main target of the AONB designation and from which panoramic views are available southward over the site. It is also not borne out on the ground. While it is agreed that the Kent Downs AONB is a generally well wooded landscape, the higher topography of views from the escarpment provides many opportunities to view the site over the top of existing woodland cover. It should be noted that the LVIA accompanying the application incorrectly identifies both the application site and existing employment development on some of the figures illustrating views from the Kent Downs (such as Context Baseline Viewpoint 12), as well as incorrectly plotting the site and proposed building (by some considerable distance) on the photomontages originally submitted supporting the application. While the photomontages are corrected in an LVIA Addendum, the baseline photos remain uncorrected.

#### **Enhancing landscapes and life in the Kent Downs**

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The application is for a significant scale of building, of upto 10,788sqm with a corresponding large footprint and potential maximum height of 15 metres. The site lies on a ridge of land that falls away to both the east and west making it more prominent in views than surrounding land, including that at Woodcut Farm to the immediate west. The nature of the proposed use, storage and distribution, would almost inevitably necessitate a large functional 'box' type building, as indicated on the illustrative photo montages.

The AONB Unit considers that such a development would have a detrimental impact on views from the AONB. Notwithstanding the presence of the motorway, A20 and two railway lines close to the application site, none of these features are prominent, lying on generally lower ground than the appeal site, and the view currently comprises a predominantly undeveloped, rural landscape. While we acknowledge that development at Woodcut Farm is partially visible in views from the AONB, this comprises smaller footprint and height buildings and the impacts of the development will be mitigated by establishing vegetative planting to a degree. The height and single large scale footprint of the proposed development by contrast, and location on a higher ridge of ground, would make the building much more prominent in views and largely incapable of being mitigated by landscaping.

Our position is supported by the AONB Unit's Position Statement on Setting, where examples of adverse impacts on the setting of the Kent Downs AONB includes development which would have a significant impact on views in or out of the AONB (page 7). It is also noted that in most cases, the further away a development is from the AONB boundary, the more the impact is likely to be reduced, however a very large or high development (as is the case with the Appeal proposals) may have an impact even if some considerable distance from the AONB boundary (page 6).

While muted coloured and non-reflective cladding and roof materials are also put forward as mitigation, the changing colours of the vegetation surrounding the site would make it difficult to camouflage the buildings within the landscape however. Furthermore, this is an outline planning application however with design reserved for future consideration. There can be no certainty that such materials would be carried through to the detailed design stage.

The AONB Unit therefore strongly disagrees with the assertion in the Planning Statement set out at 6.71 *'It is considered that the special qualities that define the Kent Downs AONB would remain materially unaffected with the Development in place. The special components, characteristics and qualities of the Kent Downs AONB would also remain and prevail with the Development operational...'* 'Breath taking, long-distance panoramas are offered, often across open countryside, estuaries and the sea from the scarp, cliffs and plateaux' are specifically noted as one of the components of the 'dramatic land form and views' [special characteristics of the Kent Downs AONB](#). It is considered that a development of the proposed scale and form and in the largely rural context would inevitably impact on the views, introducing a detracting, urbanising feature in to the scene.

## Conclusion

The Kent Downs AONB is a nationally important landscape that contributes significantly to Maidstone Borough's high quality of life. It is an important amenity and recreation resource for both Maidstone residents and visitors and forms an attractive backdrop to settlements along the base of the Kent Downs scarp. Designation as an AONB confers the highest level of landscape protection and one which relevant authorities have a statutory duty to conserve and enhance.

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The open countryside to the immediate south of the AONB in which the appeal site sits, forms the setting for the designated Kent Downs AONB and the appeal site is apparent in views from the AONB, in particular the scarp of the Kent Downs. We consider, for the reasons set out above, that the proposed development would introduce a large scale and intrusive form of development that would result in significant harm to the landscape and setting of the AONB, with a deterioration of views out from the AONB, one of the AONB's recognised special qualities, as well as adversely impacting on views towards the escarpment of the Kent Downs, looking north, that would neither conserve nor enhance this part of the setting of the AONB.

As such, the proposal is considered contrary to principle SD8 of the AONB Management Plan (2021-2026) which states that proposals which negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the AONB will be opposed unless they can be satisfactorily mitigated. It would also be in conflict with adopted Local Plan policy SP17 and in particular criterion 4 that requires proposals to not have a significant adverse impact on the setting of the Kent Downs AONB.

It would be contrary to the NPPF, and in particular paragraphs 174 and 176, impacting on a valued landscape and failing to be sensitively located. Furthermore, the AONB Unit does not consider that proposal would comply with the newly amended primary legislation for AONBs requiring relevant authorities to seek to further the purposes of conserving and enhancing AONBs.

**Accordingly, the Inspector is respectfully requested to dismiss this appeal.**



Katie Miller MRTPI

Planning Manager

Kent Downs AONB Unit

14 November 2023

#### Enhancing landscapes and life in the Kent Downs

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## APPENDIX A –

### MAIDSTONE LOCAL PLAN RELEVANT EXTRACTS

#### Design

**4.105** The countryside is a sensitive location within which to integrate new development and the council will expect proposals to respect the high quality and distinctive landscapes of the borough in accordance with policy DM30. In order to assist in the successful integration of new development into the countryside the council will ensure Landscape and Visual Impact Assessments are carried out as appropriate to assess suitability and to aid and facilitate the design process.

#### Kent Downs Area of Outstanding Natural Beauty and its setting

**4.106** A large part of the northern part of the borough lies within the Kent Downs Area of Outstanding Natural Beauty (AONB). This is a visually prominent landscape that contributes significantly to the borough's high quality of life. It is an important amenity and recreation resource for both Maidstone residents and visitors and forms an attractive backdrop to settlements along the base of the Kent Downs scarp. It also contains a wide range of natural habitats and biodiversity. Designation as an AONB confers the highest level of landscape protection. The council has a statutory duty to have regard to the purposes of the designation, including the great weight afforded in national policy to its conservation and enhancement<sup>(9)</sup>. Within the AONB, the Kent Downs AONB Management Plan 2014-2019 provides a framework for conserving and enhancing the natural beauty of the area. The council has adopted the Management Plan and will support its implementation. Open countryside to the immediate south of the AONB forms a large extent of the setting for this designation. In Maidstone this is a sensitive landscape that is coming under threat from inappropriate development and is viewed as a resource that requires conservation and enhancement where this supports the purposes of the AONB.

**4.107** The council will ensure proposals conserve and enhance the natural beauty, distinctive character, biodiversity and setting of the AONB, taking into account the economic and social well-being of the area. Rural diversification and land-based businesses in the Kent Downs AONB will only be acceptable where they help improve the special character of the AONB and are in accordance with the Kent Downs AONB Management Plan, supporting guidance and position statements. Economic development within the AONB should be located in existing traditional buildings of historic or vernacular merit in smaller settlements, farmsteads or within groups of buildings in sustainable locations.

**4.108** New development in the AONB should demonstrate that it meets the requirements of national policy. This will require high quality designs as set out in policy DM30. To help developers produce designs of a suitably high quality, the council will continue to encourage the use of the Kent Downs AONB Unit's design guidance and publications.

**4.109** The above considerations apply to the setting of the Kent Downs AONB. The Management Plan states that the setting of the Kent Downs AONB is 'broadly speaking the land outside the designated area which is visible from the AONB

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and from which the AONB can be seen, but may be wider when affected by intrusive features beyond that.' It makes it clear that it is not formally defined or indicated on a map.

**4.110** The foreground of the AONB and the wider setting is taken to include the land which sits at and beyond the foot of the scarp slope of the North Downs and the wider views thereof. It is countryside sensitive to change, with a range of diverse habitats and landscape features, but through which major transport corridors pass. Having due regard to the purposes of the designation is part of the council's statutory duty under the Countryside and Rights of Way Act 2000. National policy (NPPF and NPPG) directs that great weight should be given to conserving landscape and scenic beauty in the AONB. The duty is relevant to proposals outside the boundary of the AONB which may have an impact on the statutory purposes of the AONB. Matters such as the size of proposals, their distance, incompatibility with their surroundings, movement, reflectivity and colour are likely to affect impact. The Kent Downs AONB Management Plan advises that 'where the qualities of the AONB which were instrumental in reasons for its designation are affected, then the impacts should be given considerable weight in decisions. This particularly applies to views to and from the scarp of the North Downs.' It is considered therefore that it is not necessary to formally define the setting of the Kent Downs AONB and that the impact of development can be appropriately assessed through the criteria of the policy.

#### **High Weald Area of Outstanding Natural Beauty and its setting**

**4.111** The High Weald AONB lies beyond the southern boundary of the borough adjacent to the parishes of Marden and Staplehurst, within the administrative area of Tunbridge Wells Borough Council. Its closest point to the borough is at Winchet Hill in the southern part of Marden parish. The council has exactly the same statutory duty to conserve and enhance the setting of this AONB as it does with the Kent Downs AONB and will apply the same policy considerations for any proposals that may affect its setting.

#### **Metropolitan Green Belt**

**4.112** Green Belts afford protection to the countryside from inappropriate development, and policies for their protection are set out in the NPPF. A small area (5.3km<sup>2</sup>) on the western edge of the borough is included within the Metropolitan Green Belt. The designation extends up to the borough boundary, contiguous with the Green Belt boundary in Tonbridge and Malling Borough Council's administrative area; and lies between Teston and Wateringbury and west of the River Medway, which includes the settlements of Nettlestead and Nettlestead Green. The council has undertaken a review of its Green Belt boundary (Maidstone Borough Council Metropolitan Green Belt Review, January 2016), which concluded there were no exceptional circumstances for revising the Green Belt boundaries within the borough.

#### **Landscapes of local value**

**4.113** The council will seek to conserve or enhance its valued landscapes. The Kent Downs AONB and High Weald AONB and their settings and other sites of European and national importance are considered to be covered by appropriate existing policy protection in the NPPF, NPPG and other legislation. As well as

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## Policy SP 17

### The Countryside

The countryside is defined as all those parts of the plan area outside the settlement boundaries of the Maidstone urban area, rural service centres and larger villages defined on the policies map.

1. Development proposals in the countryside will not be permitted unless they accord with other policies in this plan and they will not result in harm to the character and appearance of the area.
2. Agricultural proposals will be supported which facilitate the efficient use of the borough's significant agricultural land and soil resource provided any adverse impacts on the appearance and character of the landscape can be appropriately mitigated.
3. Great weight should be given to the conservation and enhancement of the Kent Downs Area of Outstanding Natural Beauty.
4. Proposals should not have a significant adverse impact on the settings of the Kent Downs Area of Outstanding Natural Beauty or the High Weald Area of Outstanding Natural Beauty.
5. The Metropolitan Green Belt is shown on the policies map and development there will be managed in accordance with national policy for the Green Belt.
6. The distinctive landscape character of the Greensand Ridge, the Medway Valley, the Len Valley, the Loose Valley, and the Low Weald, as defined on the policies map, will be conserved and enhanced as landscapes of local value.
7. Development in the countryside will retain the separation of individual settlements.

Account should be taken of the Kent Downs Area of Outstanding Natural Beauty Management Plan and the Maidstone Borough Landscape Character Guidelines Supplementary Planning Document.

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## APPENDIX B – KENT DOWNS AONB UNIT POSITION STATEMENT

### Enhancing landscapes and life in the Kent Downs

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## **Kent Downs Area of Outstanding Natural Beauty**

# **Setting Position Statement**



**An advice note produced by the Kent Downs AONB Joint Advisory Committee**

**First published January 2018**

**Updated February 2022**

#### **Enhancing landscapes and life in the Kent Downs**

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## Enhancing landscapes and life in the Kent Downs

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- **Introduction**

In certain locations, the setting of the Kent Downs Area of Outstanding Natural Beauty (AONB) has great value and was a principle reason for the Kent Downs AONB designation. Legislation and guidance as well as appeal decisions confirm that it is appropriate to consider setting in respect of AONBs.

The importance of the Kent Downs AONB setting has been recognised in the Kent Downs AONB Management Plan and its subsequent revisions. This position statement is produced as an advisory document, intended to provide further guidance on issues of setting for local planning authorities, land owners and other interested parties. It has been prepared in consultation with and approved by the Joint Advisory Committee for the Kent Downs AONB. The statement focuses on ensuring avoidance of harm and the conservation and enhancement of the setting of the AONB, through good design and the incorporation of appropriate mitigation measures.

- **The legislative/policy basis for considering questions of setting**

### **National policy**

AONBs are designated by the Government to ensure that the special qualities of our finest landscapes are conserved and enhanced. Section 82 of The Countryside and Rights of Way Act (CROW) 2000 confirms that the primary purpose of AONB designation is to conserve and enhance the natural beauty of the area.

Section 85 of the CROW Act places a statutory duty on all relevant authorities requiring them to have regard to the purpose of AONBs when coming to decisions or carrying out their activities relating to, or affecting land within these areas. This is known as the 'duty of regard'.

The National Planning Policy Framework (NPPF) paragraph 176 requires great weight to 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 landscape and scenic beauty. A recent Appeal decision has confirmed that where a proposal is outside of an AONB, the effect on views outside of the AONB, but gained from within the AONB would result in NPPF paragraph 176 being relevant.<sup>1</sup>

Amendments to the NPPF in July 2021 included reference to setting now being incorporated into the NPPF for the first time:

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<sup>1</sup> Appeal Ref: APP/G1630/W/20/3256319 Land off Ashmead Drive, Gotherington

### **Enhancing landscapes and life in the Kent Downs**

*'...while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'*

Advice on how to approach development within an AONB setting is expanded on in the Planning Practice Guidance (PPG). This confirms that the Duty of Regard is relevant in considering proposals located outside of AONB boundaries, but which might have an impact on their setting or protection<sup>1</sup>. The PPG also refers to guidance produced by Defra on the 'Duty of Regard'. Defra's guidance confirms that this can be relevant outside of the AONB boundary<sup>2</sup> :

*"Additionally, it may sometimes be the case that the activities of certain authorities operating outside the boundaries of these areas may have an impact within them. In such cases, relevant authorities will also be expected to have regard to the purposes of these areas".*

The PPG goes on to state that:

*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. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.*<sup>3</sup>

The views out from the chalk scarp of the Kent Downs over its setting was a key reason for the designation of the Kent Downs AONB back in 1968. This feature has remained critical to its value and to public enjoyment ever since and today is recognised as one of its special characteristics and qualities. Section 1.2. of the AONB Management Plan, on 'The special components, characteristics and qualities of the Kent Downs AONB' states:

*"The Kent Downs dramatic and diverse topography is based on underlying geology. Key features comprise impressive south-facing steep slopes (scarps) of chalk and greensand....Breath-taking, long-distance panoramas are offered often across open countryside, estuaries and the sea from the scarp, cliffs and plateaux..."*

By virtue of the tightly drawn boundaries of the AONB, these views are clearly to land beyond the designated area and views from the AONB over land lying outside of it are critical to the value of the AONB and are central to the reasons why people appreciate the AONB so much.

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<sup>1</sup> [Planning Practice Guidance Paragraph 039 Reference ID 8-039-20190721, revised 21/07/2019](#)

<sup>2</sup> [Duties on relevant authorities to have regard to the purposes of National Parks, Areas of Outstanding Natural Beauty \(AONBs\) and the Norfolk and Suffolk Broads. Defra \(2005\)](#)

<sup>3</sup> [Planning Practice Guidance Paragraph: 042 Reference ID: 8-042-20190721, revised 21 07 2019](#)

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Further detail on the legislative basis in respect of setting is provided in Appendix A, including specific reference to proposals for renewable energy.

## **The Kent Downs AONB Management Plan**

The Countryside and Rights of Way Act 2000 also sets out a requirement for a Management Plan to be prepared and published for AONBs. The Kent Downs AONB Management Plan, third revision 2021 – 2026 sets out the policy for the conservation, enhancement and management of the AONB in a series of aims, actions and Principles. Compliance with the Management Plan assists in helping to demonstrate that public bodies have complied with their duty of regard. Setting is a recurrent theme in the Kent Downs AONB Management Plan 2021 – 2026 and is specifically referred to in principle SD8:

*“Ensure proposals, projects and programmes do not negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the Kent Downs AONB.”*

In addition, setting is relevant to principles SD1, SD2, SD3, SD7, SD9, SD10 and SD11 of the Management Plan which are reproduced in Appendix B.

- **High Court/Appeal decisions**

There have been various High Court judgements and appeal decisions that confirm that setting of AONBs can be a relevant consideration. Details of these are included at Appendix C.

- **The setting of the Kent Downs AONB**

The Kent Downs AONB comprises a dramatic and diverse landscape that is based on its underlying geology. Landscape features of particular note include south facing steep slopes of chalk and greensand; scalloped and hidden dry valleys, expansive open plateaux, broad steep-sided river valleys and the dramatic, iconic white cliffs and foreshore.

The upland nature of the scarp makes it a prominent feature in the wider landscape, particularly in views towards the scarp from the south. Long distance panoramas are offered across open countryside, particularly from the scarp, primarily in a southerly direction. The Kent Downs AONB was designated in part because of these views beyond it into its setting and these views have remained critical to its value and to public enjoyment ever since. The setting of the chalk

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scarp has long been held to be integral to the experience of the AONB and a particularly important element of the AONB that merits protection.

The setting of the Kent Downs AONB does not have a geographical border. In most cases, the setting comprises land outside the AONB which is visible from the AONB and from which the AONB can be seen. The setting may be wider however, for example when affected by features such as noise and light. In some cases the setting area will be compact and close to the AONB boundary, perhaps because of natural or human made barriers or because of the nature of the proposed change. However, the setting area maybe substantial for example where there is a contrast in topography between higher and lower ground.

Locations where development and changes to the landscape where the setting of the Kent Downs AONB may be more keenly felt include views to and from the:

- Scarp of the Kent Downs to the Vale of Holmesdale - the valley that lies at the foot of the North Downs and incorporates the A20/M20, M26 and M25 corridors
- Views from the Lympne escarpment to the Romney Marsh
- Views from the Greensand Ridge, particularly those over the Weald of Kent and towards the North Downs;
- the highest and most open parts of the AONB to the Greater Thames Estuary, the Romney Marsh and Greater London;
- Dover White Cliffs, the English Channel and French coast;
- High Weald AONB; and
- Land which has landscape character linked to the Kent Downs such as dry valleys.

Setting can also affect views within the AONB, such as where other landscapes are visible constituting part of the view however it may be difficult to distinguish between differences in landscape character. Similarly, development in the setting could detract from associated views within the AONB, for example polytunnels could be visible from a distance within the AONB, affecting the integrity of internal views of the AONB landscape.

- **Development likely to affect the setting of the AONB**

Scale, height, siting, use, materials and design are factors that will determine whether a development affects the natural beauty and special qualities of the AONB. Incompatibility with surroundings, movement, reflectivity and colour are also likely to affect impact. In most cases, the further away a development is from the AONB boundary, the more the impact is likely to be reduced, however a very large or high development may have an impact even if some considerable distance from the AONB boundary.

#### Enhancing landscapes and life in the Kent Downs

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A development may avoid direct physical effects, but introduce other impacts, such as a greater level of traffic, noise and the characteristics of built development or be located outside of the AONB but increase urban fringe pressures on land in the AONB, potentially affecting land management and the Public Right of Way network.

Examples of adverse impacts on the setting of the Kent Downs AONB include:

- development which would have a significant impact on views in or out of the AONB;
- loss of tranquillity through the introduction or increase of lighting, noise, or traffic movement or other environmental impact including dust, vibration and reduction in air quality;
- introduction of abrupt change of landscape character;
- loss or harm to heritage assets and natural landscape, particularly if these are contiguous with the AONB;
- development giving rise to significantly increased traffic flows to and from the AONB, resulting in erosion of the character of rural roads and lanes; and
- increased recreational pressure as a result of development in close proximity to the AONB.

It is not only built development or proposals requiring planning permission that can adversely impact on the setting of the AONB. Changes in land use and/or land management can also fail to conserve and enhance setting, especially where a change of use of land is of a significant enough scale to cause harm to landscape character. Harm can also occur due to loss of habitat and the resultant impact on biodiversity; the unique landscapes of the Kent Downs and its environs create and contain a rich and distinctive biodiversity which contributes greatly to the natural beauty. Impact would be more severe where habitats or species of importance to the AONB are affected. Farm diversification and development activities such as equine facilities, shooting and field sports, alternative crops and non-agricultural enterprises can also have detracting impacts on the characteristics and qualities of the Kent Downs, the harm from which can often be managed by appropriate design and mitigation.

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- **Cumulative impacts upon AONB setting**

Cumulative impacts can also arise from multiple developments within the setting of the AONB. Each development may not be harmful in isolation, but taken in conjunction with others proposed, they may result in significant harm. Cumulative impact can occur as a result of increased traffic, noise, vibration, lighting as well as landscape and visual impacts.

Cumulative impacts are a particular concern in the views to and from the scarp of the North Downs to the Vale of Holmesdale. The juxtaposition of the dramatic landform with the transport corridor and the settlements around them on the lower ground mean it is a focus of attention for new development.

Environmental Impact Assessment (EIA) can be an effective tool in helping to assess cumulative impacts of development within the setting of the AONB. Where applicable, EIA should consider the in-combination impacts of:

- built and operational development;
- development under construction;
- application(s) permitted but which are not yet implemented;
- submitted applications not yet determined, and which, if permitted, would affect the proposed development; and
- development identified in the adopted and emerging development plan.

Many developments may not be subject to EIA but could still result in cumulative impacts. The AONB Unit will continue to monitor applications/permissions within the setting to the AONB and will support local authorities in understanding the potential cumulative impacts of development upon AONB setting, particularly where impacts may potentially spread across several local authority borders.

- **Conserving and enhancing the setting of the Kent Downs AONB**

The best way to minimise adverse impacts on the setting of the AONB is through avoidance of harm in the first place by making sure that schemes conserve and enhance the setting of the AONB. Many issues can be resolved through careful design and incorporation of appropriate mitigation and/or management measures, such as:

- care over orientation, site layout, height, scale and massing of structures and buildings to minimise impact when viewed from the AONB;

#### Enhancing landscapes and life in the Kent Downs

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- appropriate densities to allow for significant tree planting between buildings;
- consideration not just of the site but also the landscape, land uses and heritage assets around and beyond it;
- careful use of colours, materials and non-reflective surfaces;
- restraint and care over the installation and use of external lighting including street lighting, to prevent harm to the dark night skies of the AONB. Where essential, lighting should be well-directed and full cut off and of low level in form and lumen intensity;
- the grouping of new structures and buildings close to existing structures and buildings to avoid new expanses of development that are visible and out of context; and
- detailed mitigation and management measures, for example including native landscaping that is locally appropriate (where possible contributing to Biodiversity Action Plan targets) and noise reduction.

Further advice on design principles can be found in the Kent Downs AONB publication 'The Landscape Design Handbook' which can be downloaded at:

<http://www.kentdowns.org.uk/guidance-management-and-advice/landscape-design-handbook>

In addition, measures to consider impact on the setting of the AONB, such as through Landscape and Visual Impact Assessments should be utilised where appropriate.

The AONB Unit would welcome the opportunity to enter into any pre-application discussions/consultations to ensure full attention is given to these factors at the earliest opportunity.

## • **Conclusions**

- Where appropriate, local authorities should take into consideration the setting of the Kent Downs AONB when determining planning applications in accordance with their duties under Section 85 of the 2000 CROW Act.
- The AONB Unit will monitor and comment as appropriate on significant planning applications that impact on the setting of the AONB in accordance with the agreed planning protocol. Development likely to result in a negative impact on the setting of the AONB will not be supported, unless it can be satisfactorily be mitigated.

### **Enhancing landscapes and life in the Kent Downs**

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- The AONB Unit will support local authorities in both determining whether a proposal would impact upon the setting of the AONB and provide them with evidence, including, if necessary, representation at appeals.
- The AONB Unit will encourage landowners to adopt practices to ensure protection and enhancement of the setting of the Kent Downs AONB.
- The Kent Downs AONB Unit will positively support environmental enhancement schemes that improve the setting of the AONB where all other environmental matters have also been addressed.
- The AONB Unit will seek to ensure all Local Plans include reference to the importance of protection and enhancement of the setting of the Kent Downs AONB within relevant policies.

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