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Land at Pump Lane,
Lower Rainham, Kent

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APP/A2280/W/2
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Landscape and
Visual Proof of
Evidence

Volume 3:
Summary

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Volume 1: Text

Contents

Section 1: Introduction and Principal Issues

Section 2: Landscape Policy Context

Section 3: Landscape and Visual Context

Section 4: Proposed Development

Section 5: Effects on the Character and Appearance of the Area

Section 6: Effects on the Role of the Appeal Site as a Green Buffer

Section 7: Enhancements and Benefits

Section 8: Summary and Conclusions

Volume 2: Plans and Photoviewpoints

Plans / Figures

Figure 1: Site Location

Figure 2: Site Context

Figure 3: Planning Policy and Consented Development within the ALLI

Figure 4: Landscape Character – District Level

Figure 5: Local Landscape Character Areas

Figure 6: Photoviewpoint Locations

Figure 7: Photoviewpoints

Figure 8: Landscape Framework Plan

Volume 3: Summary

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Introduction

- 1.1 My name is Robert Hughes, I am a Technical Director at Tyler Grange Group Limited and I specialise in landscape and visual planning issues associated with development and change. I hold a BSc (Hons) degree in Rural Resources Management from the University of Wales Aberystwyth and a Post Graduate diploma in Landscape Architecture from the University of Central England. I am a Chartered Member of the Landscape Institute (LI).
- 1.2 I have been instructed by AC Gotham and Sons (the Appellant) to prepare landscape evidence in relation to the decision of Medway Council (the Council) to refuse outline permission for the redevelopment of land at Pump Lane, Lower Rainham, Kent for up to 1,250 dwellings, a local centre, a village green, a two-form entry primary school, a 60 bed extra care facility, an 80 bed care home and associated access (vehicular, pedestrian, cycle) ('the Proposed Development'). Scale, layout, landscape and appearance are all reserved. The Appeal Site covers an area of 48 hectares, consisting of two farms that are separated by Pump Lane.
- 1.3 The planning application (ref. MC/19/1566) was accompanied by a Landscape and Visual Impact Assessment prepared by Lloyd Bore in January 2019. The LVIA formed a technical appendix (11.1) to the submitted Environmental Statement.
- 1.4 Tyler Grange were subsequently appointed by the Appellant to prepare a new LVIA to accompany the Planning Appeal against the refusal of planning permission. The Proposed Development has undergone minor amendments including changes to the development parcels adjoining Lower Twydall and Lower Rainham conservation areas to provide areas of open space and Green Infrastructure in these areas, west and north of the Appeal Site.
- 1.5 The following documents and drawings prepared by Tyler Grange have been submitted with the Appeal:
 - Landscape and Visual Impact Assessment ((LVIA) report 13374/R01e)
 - Landscape Framework (drawing 13374/P11a)
- 1.6 The LVIA forms a technical appendix to the revised ES that was submitted with the Appeal.
- 1.7 The Landscape Framework drawing is included in the LVIA document. A standalone copy is included as a separate drawing at Volume 2 of my proof of evidence (Figure 8).
- 1.8 The above documents and associated drawings are referred to within my evidence when addressing key matters and issues of relevance to the landscape and visual effects of the Proposed Development and impacts on the role of the Appeal Site as a green buffer.
- 1.9 The Landscape Framework drawing builds on the information submitted with the outline application and incorporates the minor changes to provide increased areas of green space adjacent to Lower Twydall and Lower Rainham. The drawing was prepared to demonstrate how the areas of Green Infrastructure throughout the Proposed Development have been laid out to provide landscape buffers and set backs to the site boundaries incorporating belts of landscape planting, green corridors and tree planting throughout the development.
- 1.10 A swathe of publicly accessible green space is also provided through the site alongside Pump Lane between the railway line and Lower Rainham Road. This green corridor incorporates areas



of community orchard to be planted and managed as traditional Kentish orchards which connect with a village green, the exiting bridleway and green corridors of open space.

Main Issues

- 1.11 My evidence addresses matters relating to the following:
1. The effect of the Proposed Development on the character and appearance of the area, including the Gillingham Riverside Area of Local Landscape Importance; and
 2. The effect of the Proposed Development on the role of the Appeal Site as a Green Buffer.
- 1.12 These have been agreed and confirmed as main issues further to a Case Management Conference held on 3rd December 2020 by Mrs Jennifer Vyse, principal Planning Inspector.
- 1.13 These main issues reflect those set out within Reason for Refusal 3, which alleges that the Proposed Development would:
- “.. lead to significant long-term adverse landscape and visual effects to the local valued Gillingham Riverside Area of Local landscape Importance (ALLI), which would not be outweighed by the economic and social benefits of the scheme, in conflict with Local Plan policy BNE34 and NPPF paragraph 170.”*
- 1.14 When considering the above matters, my evidence differentiates between the character of the Gillingham Riverside ALLI and the functions identified under Local Plan Policy BNE34.
- 1.15 Whilst Policy BNE34 identifies characteristics for each of the individual ALLIs, the functions of incorporate those which do not relate solely to the landscape quality. These include the spatial function of the Gillingham Riverside ALLI as a green buffer and in providing access to the landscape.
- 1.16 The Council's 2011 Landscape Character Assessment supersedes the ALLI Designation and provides a more up-to-date assessment of the condition and character of the landscape. However, since 2011 there have been further changes to the character of the area including consented development within the ALLI and Lower Rainham Farmland LCA within which the Appeal Site is situated (see Figure 3: Planning Policy and Consented Development within the ALLI at Volume 2).
- 1.17 As included in the LVIA, Tyler Grange have undertaken a detailed site-specific landscape character assessment that provides a finer grain assessment. This has been used to inform both an assessment of landscape effects associated with the Proposed Development and analysis of the contribution of the Appeal Site and adjacent land make to the ALLI.
- 1.18 The LVIA includes a review of the landscape and visual baseline conditions and context, as well as details of how the Proposed Development has been developed to incorporate mitigation and enhancement measures, with reference to the Landscape Framework plan. The LVIA also includes an assessment of the likely landscape and visual effects of the proposal during the construction phase, upon completion and after 15 years (residual effects).
- 1.19 The LVIA also contains an assessment of the contribution that the Local Landscape Character Areas identified by Tyler Grange make to the functions of the Gillingham Riverside ALLI, as



set-out in Policy BNE34. These include the role of the ALLI as a green buffer that separates the built-up areas of Twydall and Rainham from areas of international importance for nature conservation and recreation along the Medway estuary.

- 1.20 Building on the assessment in the LVIA, my evidence considers the contribution that the Appeal Site makes to the functions of the ALLI as a green buffer and the effects of the Proposed Development upon these.

Planning Policy

- 1.21 As set-out within the LSoCG, it is agreed between the appellant and Council that the ALLI is a valued landscape under NPPF paragraph 170a. The ALLI is a local, non-statutory designation. The level of protection to be afforded and weight to be given to the ALLI is therefore limited.
- 1.22 The NPPG clarifies that it is important for landscapes identified as having a particular local value to identify the special characteristics and be supported by proportionate evidence, with policies setting out criteria against which proposals affecting the areas be assessed.
- 1.23 A review of Local Plan Policy BNE34 has identified that the ALLI is an out-of-date designation that provides blanket protection and does not allow for distinctions to be made between individual areas with differing character, features and associated sensitivities. The 2011 Medway Landscape character Assessment (2011 LCA) that supersedes the ALLI designation provides the evidence base and identifies special characteristics.
- 1.24 The 2011 LCA was undertaken to ensure that an appropriate level of landscape protection was provided without the need for rigid designation, forming part of a robust evidence base to support the then emerging Core Strategy.
- 1.25 With the Core Strategy being put on hold, the ALLI designation has continued to form part of the adopted local plan, despite being out of date and not complying with current guidance or reflecting the evidence base.
- 1.26 In addition to the above, the policy does not provide for any criteria or guidelines against which proposals within the ALLIs can be assessed, as recommended by the NPPG. There are also no specific policies, SPD or guidance as to how development within the various ALLIs can be developed to include appropriate mitigation.
- 1.27 There is a limited amount of land adjacent to the main settlements that is not covered by the designation. The policy is unresponsive and difficult to avoid. This is highlighted by the consent for development of 589 new dwellings within the Gillingham Riverside ALLI on the northern edge of Rainham within the last 5 years.
- 1.28 Furthermore, the ALLIs are also designated for functions other than the protection of the landscape. These include matters relating to buffers, separation and recreation / access. Given the above, the policy is not specific and tries to cover too many different objectives.
- 1.29 The Gillingham Riverside ALLI is specifically identified as forming a green buffer separating the built-up areas of Twydall and Rainham from areas of international importance for nature conservation and recreation along the Medway Estuary.



- 1.30 The policy does not infer any landscape value or identify any specific characteristics or features of the buffer other than that it is “green” and provides separation from the Medway Estuary.
- 1.31 There is also no quantitative aspect in terms of physical separation and width / extent of the buffer required to provide this function.

Character and Appearance of the Area

- 1.32 The LVIA includes a site-specific assessment of Local Landscape Character and identifies the sensitivity of each of the Local Landscape Character Areas (LLCAs based upon an assessment of landscape value and susceptibility to residential development. The ALLI indicates a localised landscape value.
- 1.33 The assessment places the Appeal Site within the ‘Lower Rainham and Lower Twydall Fruit Belt’ LLCA south of Lower Rainham Road. This LLCA is of a medium landscape sensitivity to residential development. The area is influenced by the settlement edge at Twydall and has an urban fringe character and is of a medium susceptibility. Landscape Quality varies, with commercial orchards and paddocks across much of the area replacing traditional land uses and field patterns. There is poor connectivity and recreation value across much of the area.
- 1.34 The ‘Medway Marshes Farmland’ LLCA extends north of Lower Rainham Road inland of the shoreline and is of a medium sensitivity to residential development. The LLCA has a medium susceptibility to change, being influenced by development at Lower Rainham and ribbon development on Lower Rainham Road and at Berengrave.
- 1.35 The ‘Medway Shoreline and Riverside Country Park’ LLCA that covers the shoreline and includes the Saxon Shore Way and Horrid Hill and Motney Hill within the Riverside Country Park is of a high sensitivity to residential development and make a high contribution to the ALLI. The area is valued for nature conservation, recreational routes and country park and sense of place, including tranquillity and views across the estuary.
- 1.36 Despite the sensitivity of the ‘Medway Shoreline, and Riverside Country Park’ LLCA, given the physical and visual separation and containment from land beyond the shoreline by trees, development outside of it would not directly impact upon the recreational value, distinctive character or views across the estuary.
- 1.37 The proposed development will result in residual moderate adverse landscape effects at the site-wide scale, as well as at the Local Landscape Character Area scale for the Lower Rainham and Lower Twydall Fruit Belt LLCA. This is due to the following factors, as detailed in the LVIA:
- The loss of commercial orchard across much of the central part of the LLCA and its replacement with residential development will alter the character, albeit that the LLCA is situated within a peri urban context and is strongly influenced by adjacent development at Twydall, the railway and busy road network.
 - The proposal provides substantial new areas of traditional orchard within areas of open space.
 - The proposal incorporates new routes through areas of green infrastructure and provide for greater connectivity with existing recreational assets as well as improving access across the site to the shoreline and Riverside Country Park.



- Strengthening of hedgerows to site boundaries will contain development within the wider landscape.
 - Trees within areas of open space and along primary streets will add to the wooded backdrop that is characteristic of the LLCA when viewed from the estuary to the north.
- 1.38 There will be residual localised indirect and minor adverse effects on the Medway Shoreline and Riverside Country Park LLCA resulting from the proposal. This relates to development and site forming part of the backdrop as experienced from Motney Hill and Horrid Hill within the LLCA.
- 1.39 Mitigation tree planting bounding the site and throughout the Proposed Development will soften and break up development, including at Twydall on the rising land to the south, providing a green backdrop.
- 1.40 Within the wider Study Area, the Proposed Development would not be inconsistent with the pattern an extent of development at Gillingham which extends to the shoreline, and at Rainham which extends to Lower Rainham Road at Berengrave.
- 1.41 The Proposed Development will result in relatively limited visual effects. This is due to the containment of the Appeal Site in views from local roads and public rights of way and urban fringe context within which the proposal will be experienced. The proposal also includes landscape buffers to site boundaries and offsets incorporating open space and traditional orchards surrounding existing properties and alongside Pump Lane.
- There would be beneficial effects on the visual amenity of users of Bridleway GB6a within the site, reflecting the opening up of views and integration of the right of way within the green infrastructure and areas of open space.
 - Users of the Saxon Shore Way and Riverside Country Park will experience localised minor adverse visual effects on views from Horrid Hill and Motney Hill where there are views towards the site. These views are part of expansive views across the estuary. Development will be set beyond vegetation along the shoreline, with landscape buffer planting softening the built edge and retaining a green backdrop.
 - Users of Lower Rainham Road, Lower Twydall Land and Lower Bloors Lane will experience residual minor adverse visual effects. The retention of hedgerows and enhancement of planting to boundaries with landscape buffers will minimise visual impacts.
 - Users of Pump Lane will experience localised, minor / moderate adverse visual effects. Development will be set back from the lane beyond areas managed as community orchards, the village green and open space.
 - There will be moderate adverse effects on the visual amenity of residents of properties on Pump Lane, including Russet Farm.



Effects of the Proposed Development on the Role of the Appeal Site as a Green Buffer

- 1.42 The Appeal Site makes a limited contribution to the function of the ALLI as a Green Buffer. The ALLI function as a green buffer north of the Lower Rainham Road, with agricultural fields and pasture within the Riverside Marshes and vegetation along the shoreline providing separation between settlement and areas of nature conservation and recreation value along the estuary.
- 1.43 The Appeal Site is physically and visually separated from the estuary by the Riverside Marshes north of Lower Rainham Road and vegetation along the shoreline. Development of the Appeal Site would not lessen the green buffer between Lower Rainham Road and the estuary.
- 1.44 Development at Lower Rainham, Berengrave, Sharps Green and Mariners Farm extend settlement beyond the Appeal Site and towards the estuary to the north, placing the site within the extents of the northern edge of Rainham and the built edge.
- 1.45 Furthermore, the Appeal Site is well contained by hedgebanks, hedges and tree belts. Combined with the lack of public access, the site is not perceived as providing a substantial green buffer as experienced from adjacent public roads and rights of way.
- 1.46 The proposed development will retain a green buffer between the estuary and associated areas of nature conservation and recreation value and the settlement edges at Rainham and development along Lower Rainham Road and have a limited localised impact on the function of the wider Gillingham Riverside ALLI as a green buffer.
- 1.47 The proposal incorporates measures to create new accessible green space and areas of strategic landscape mitigation planting that will enhance the function of the ALLI and provide green corridors connecting Twydall and Rainham with the recreational resources and landscape of the estuary and shoreline.
- The proposal will retain and enhance landscape planting to the site boundaries, including along Lower Rainham Road and within landscape buffers and green spaces incorporating trees and orchards at the site entrance and along the northern edge of the development.
 - The proposal will also provide enhancements to the functionality of the ALLI in providing connectivity between Twydall, the Riverside Country Park and shoreline. Pedestrian and cycle routes will be set within substantial areas of accessible multi-functional green and blue infrastructure that permeate the site and incorporate green corridors, tree lined streets, a village green and areas of traditional orchards.
 - The structural landscape planting to reinforce the site boundaries set within areas of open green spaces and lining streets and roads within the scheme will reinforce the containment of the Appeal Site in the landscape. Trees will provide a green canopy that will soften and break up the development and linear edge of Twydall along the railway line.



Summary

- 1.48 Main considerations for the appeal include the effect of the Proposed Development upon the Character and Appearance of the Area and the role of the Appeal Site as a green buffer within the Gillingham Riverside ALLI.
- 1.49 The ALLI is a non-statutory, local landscape designation that indicates a localised value to the landscape. The ALLI designation serves to protect the landscape. The functionality of the ALLI relates to non-landscape matters including as buffers and areas connecting urban areas of the countryside. The ALLI is supported by the 2011 Medway Landscape Character Assessment which provides the Council's current landscape evidence base.
- 1.50 As demonstrated through the preparation of a LVIA that has undertaken a detailed review of the landscape and visual baseline conditions and full assessment of the impacts, the Proposed Development will give rise to Moderate Adverse landscape effects at a localised level. This reflects and is consonant with the scale of the proposal and change associated with the development of agricultural land within the Appeal Site.
- 1.51 Importantly however, given the clear containment of the Appeal Site within the landscape by mature hedgerows and tree belts, combined with the situation of the site adjacent to the edge of Twydall, the Proposed Development will only have a limited impact upon adjacent landscapes, and will preserve the character of the Medway Marshes and shoreline of the estuary. The proposal also reflects the extent of development and settlement pattern on the northern edge of Rainham and Gillingham that extend up to and beyond Lower Rainham Road.
- 1.52 Significantly also, the proposal includes substantial new areas of Green Infrastructure including new community orchard planting that will reinstate a traditional Kentish fruit belt character alongside Pump Lane and surrounding Pump Farm and Russet Farm, along with a village green, meadows and linear parks including recreation routes, play provision and landscape buffer planting to the site boundaries.
- 1.53 The visual effects of the proposal are largely localised due to the visual containment of the site. In views from Motney Hill and Horrid Hill on the estuary to the north, the proposal will be set beyond development at Rainham and amongst existing trees, woodland and shelterbelts with the built form of Twydall as a backdrop. The structural landscape planting to the site boundaries and within areas of Green Infrastructure throughout the Proposed Development will soften the built form and reinforce the characteristic green backdrop to the river.
- 1.54 The Appeal Site makes a localised contribution to the function of the Gillingham Riverside ALLI as a green buffer between the urban areas of Twydall and Rainham and the areas of international importance for nature conservation and recreation on the estuary.
- 1.55 The Proposed Development would retain a significant green buffer to the shoreline, being situated to the south of Lower Rainham Road, associated trees and hedgerows and settlement at Lower Rainham. Beyond this, land within the Medway Marshes provides a buffer to the shoreline and associated woodland and tree belts that provide physical and visual separation from inland areas. This reflects the existing extent of development in the area up to Lower Rainham Road, including that which had been approved within the ALLI at Station Road.
- 1.56 In addition to retaining a buffer to the shoreline, the Proposed Development also provides multiple, substantial areas of new multifunctional green and blue infrastructure that contain



recreation routes and link existing rights of way with the urban areas at Twydall and the Riverside Country Park and shoreline. This will serve to materially improve the functionality of the area.

- 1.57 My assessment, considerations and discrete findings have been reported above. In light of this, the localised nature of change within the local landscape, the retention of a green buffer to the Medway shoreline and provision of substantial new areas of Green Infrastructure reinstating traditional orchards, retaining a green backdrop to the estuary and enhancing connectivity to the wider countryside, I ultimately disagree with the Council's landscape reason for refusal. I am of the professional view that there are no appropriate grounds for refusing this appeal on the basis of landscape and visual matters.

