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18<sup>th</sup> January 2021

Land at Pump Lane,  
Lower Rainham, Kent

Appeal Ref.  
APP/A2280/W/2  
0/3259868

**Volume 1:**  
Landscape and  
Visual Proof of  
Evidence

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# Section 1: Introduction and Principal Issues

## Qualifications

- 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).

## Professional Practice

- 1.2 I have over 17 years of professional experience, having started my career in 2003 as a landscape consultant at CPM Environmental Planning and Design Ltd, progressing to the position of Senior Landscape Consultant by 2007. Between 2007 – 2008 I worked as a Senior Landscape Architect for The Landscape Agency, before working as a sole practitioner up until 2011 when I joined Tyler Grange LLP as an Associate. I became a Landscape Partner at Tyler Grange in August 2014 and Technical Director in September 2019.
- 1.3 I have been appointed by developers, local objection groups and public authorities to provide professional landscape and visual planning advice on a wide variety of projects throughout the United Kingdom, including housing allocations, strategic urban extensions, Garden Villages, commercial development, tall building assessments, LVIA assessments within Registered Parks and Gardens, as well as windfarm and photovoltaic proposals. I also specialise in Green Belt Review and Assessments.
- 1.4 The majority of my career has been involved in the assessment of landscape and visual effects of residential development on greenfield land and associated landscape design inputs. Over the past seven years, I have given evidence at planning Inquiries, Appeal Hearings and Examinations in Public.

## Professional Duty

- 1.5 The evidence I have prepared represents my professional opinion in response to the Council's landscape case and having regard to my own assessment. Based on my knowledge, I believe the facts stated in this evidence are true and accurate.

## Instruction

- 1.6 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.



- 1.7 The planning application (ref. MC/19/1566) was accompanied by a Landscape and Visual Impact Assessment prepared by Lloyd Bore in January 2019 [CH5.27]. The LVIA formed a technical appendix (11.1) to the submitted Environmental Statement (ES).
- 1.8 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.
- 1.9 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)
- 1.10 The LVIA forms a technical appendix to the revised ES that was submitted with the Appeal [CD8.3].
- 1.11 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).
- 1.12 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.
- 1.13 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.
- 1.14 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.
- 1.15 The application was made with all matters reserved except access. Although the planning application was supported by a Masterplan [CD5.8] there is scope for the proposal to be developed at the Reserved Matters stage to allow for the detailed design of development parcels and areas of Green Infrastructure, including landscape buffers and set backs to development edges. At the Reserved Matters stages, the layout, character and design of dwellings and frontages can also be detailed to ensure varied and appropriate transitional edges are provided that incorporate new tree planting, landscaped spaces and allow for the enhancement of existing hedgerows and boundary vegetation.
- 1.16 I wrote and prepared the Landscape and Visual Impact Assessment (LVIA) and prepared the Landscape Framework plan with support from Tyler Grange's team of Landscape Architects. I am therefore well acquainted with the Appeal Site and its surroundings. I have visited Rainham,



the Appeal Site and surrounding area on several occasions, including when preparing my evidence for the Appeal.

- 1.17 The location of the Appeal Site is illustrated on **Figure 1: Site Location** at Volume 2 of this proof of evidence. The plan shows the red line boundary of the Appeal Site laid onto an Ordnance Survey base map which illustrates the adjacent residential development, surrounding land use, estuary and areas of woodland and tree cover.

## Scope of Evidence

- 1.18 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.
- 1.19 These have been agreed and confirmed as main issues further to a Case Management Conference held on 3<sup>rd</sup> December 2020 by Mrs Jennifer Vyse, principal Planning Inspector.
- 1.20 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.”*
- 1.21 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.
- 1.22 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.
- 1.23 The Medway Landscape Character Assessment, 2011 [CD3.4] 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).
- 1.24 As included in the LVIA and referenced within this proof of evidence, 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.



- 1.25 I shall refer to the material submitted with the Appeal, including the following:
- Landscape and Visual Impact Assessment (LVIA); and
  - Landscape Framework drawing.
- 1.26 When addressing the main issues, I also refer to the following Figures that are contained at Volume 2 of this proof of evidence:
- 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
- 1.27 The LVIA submitted with the Appeal includes a review of the policy requirements of the Medway Local Plan [CD1.1] in relation to the character and appearance of the area and the function and role of the Gillingham Riverside ALLI. These are set out at Section 2 of this proof of evidence, along with a review of relevant policy within the NPPF [CD2.1] and PPG [CD2.2].
- 1.28 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 designed 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 Proposed Development during the construction phase, upon completion and after 15 years (residual effects).
- 1.29 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.
- 1.30 Building on the assessment in the LVIA, this proof of 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.
- 1.31 The LVIA is referred to within this proof when considering the key issues associated with the Appeal.

## **Landscape and Visual Common Ground**

- 1.32 As requested by the Inspector, topic-based Statements of Common Ground have been prepared to identify those areas in agreement and matters in dispute, alongside explanations from both the appellant and Council as to the reasoning behind these. The Landscape Statement of Common Ground (LSoCG) [CD11.3] identifies those matters that are agreed between the Appellant and the Council in relation to the main issues of effects on the character of the area and role of the Gillingham Riverside ALLI as a green buffer identified by the Inspector.



- 1.33 Those items proposed by the appellant for agreement are listed below. At the time of writing (18<sup>th</sup> January 2021), a final LSoCG has not been agreed between the parties. Some of the items listed below may therefore remain as matters of dispute at the Inquiry. Further matters of dispute may also be introduced by the Council.

### **The Character and Appearance of the Area**

1. The site is located within the Gillingham Riverside Area of Local Landscape Importance (ALLI). The Gillingham Riverside ALLI is a non-statutory, local designation which provides the lowest level of protection at a district level and is of a lower level of importance than Special Landscape Areas which are of countywide significance.
2. Policy BNE34 is not restrictive by its terms and allows for development that does not materially harm the landscape character and function of the area or; the economic and social benefits are so important that they outweigh the local priority to conserve the area's landscape.
3. The Appeal Site is situated within a locally valued landscape within the context of paragraph 170a of the NPPF.
4. The Appeal Site is situated within the 'Lower Rainham Farmland' Landscape Character Area as identified by the Medway Landscape Character Assessment, 2011 and lies adjacent to the Twydall urban edge.
5. As recognised by the Council's Landscape Character Assessment, the Appeal Site lies within an area with a transitional urban fringe character.
6. The Lower Rainham Farmland LCA and Appeal Site within it have poor accessibility in relation to both east/west and north/south links to urban areas.
7. The area to the north of Lower Rainham Road lies within the 'Riverside Marshes' Landscape Character Area. As recognised by the Medway Landscape Character Assessment, the LCA in proximity to the Appeal Site includes the following:
  - Contains the Riverside Country Park;
  - Strong east/west link along the sea wall; weaker north south links;
  - Long views and open character in views out to the estuary from the sea wall, stronger sense of enclosure to interior; and
  - Forms an important buffer to the edge of Gillingham, protects Natura 2000/Ramsar sites, provides a valuable recreational and biodiversity resource, and green corridor from countryside into urban area.
8. Linear settlement at Lower Rainham and along Lower Rainham Road, shelter belts and mature hedgerows provide physical and visual separation between the Appeal Site and Riverside Marshes and shoreline to the north.
9. The Appeal Site is situated within a peri urban context and is influenced by the adjacent urban edge formed by properties at Twydall and the railway line on the elevated land to the south. The urban edge at Twydall and within Gillingham forms a developed backdrop on the rising land south of the Medway Estuary.





10. The Appeal Site is well contained by mature vegetation including shelterbelts, woodland and tall hedgerows, limiting the available views and extent of visibility. There are limited publicly available views into and across the site.
11. Views across the Appeal Site from trains passing to the north are screened and filtered by trackside trees and vegetation. Outward views across the site are glimpsed through breaks in vegetation and are fleeting.
12. In views from the Saxon Shore Way and Country Park to the north, tree belts and vegetation along the shoreline screen views of the Appeal Site.
13. In views from Motney Hill, Horrid Hill and the northern shore of the estuary, the Appeal Site is set beyond vegetation and trees to the shoreline, and development and hedgerows along Lower Rainham Road. In these views the urban edge at Twydall forms a developed backdrop on the rising land to the south of the Appeal Site, with the urban area of Rainham and Gillingham beyond.
14. The structural landscaping to the site boundaries and trees within areas of Green Infrastructure throughout the development and along streets will combine to soften the built edge and strengthen the soft green backdrop in views from the estuary to the north.
15. The following views are representative of views of the Appeal Site for the purposes of visual impact assessment:

<b>Photoviewpoint No.</b>	<b>Visual Receptors and Locations</b>
	<b><i>Users of the Saxon Shore Way</i></b>
PVP1	<i>Northern shore of the Medway Estuary Public Footpath ref. Strood Rural/ Peninsula RS93 between Hoo Marina Park and Kingsnorth Power Station, looking south</i>
	<b><i>Visitors to the Riverside Country Park and Users of the Saxon Shore Way</i></b>
PVP2	<i>Horrid Hill From the path on the southern edge of the Horrid Hill promontory, looking southeast</i>
PVP3	<i>From the viewing mound north of the café car park, looking southeast</i>
PVPs 4 & 4a	<i>South of Motney Hill Views from the Saxon Shore Way and Motney Hill looking southwest</i>
PVP5	<i>North of Lower Rainham From Public Footpath ref. Gillingham North / Rainham North GB1</i>
	<b><i>Users of Lower Rainham Road</i></b>
PVP6	<i>At the junction with Lower Bloors Lane, looking west</i>
PVP7	<i>At the Junction with Pump Lane, looking southwest</i>
PVP8	<i>From Lower Rainham Road, opposite the property northwest of the Appeal Site, looking southeast</i>
	<b><i>Users of Lower Bloors Lane</i></b>
PVP9	<i>Opposite entrance to Cherry Orchard Farm, looking west</i>
PVP10	<i>Opposite Bridleway and entrance to Bloors Lane Community Woodland, looking southwest along the lane</i>





PVP11	On the railway footbridge, looking northwest along the railway corridor
	<b><i>Users of Lower Twydall Lane</i></b>
PVP12	At the junction with Grange Road, looking southeast
PVP13	On the railway footbridge, looking east
	<b><i>Users of Bridleway GB6a</i></b>
PVPs 14a & 14b	At gateways into fields of commercial orchard looking southwest (PVP14a) and northeast (PVP14b)
PVPs 15 & 15a	Views through gaps in trackside tree belt and hedgerows looking northwest (PVP 15) and northeast (PVP 15a)
	<b><i>Users of Pump Lane</i></b>
PVP16	From opposite Pump Farm, looking southwest
PVP17	From the lane between the railway line and Russett Farm, looking northeast
PVP18	From the residential street south of the railway line, looking north
	<b><i>Residents of Properties adjacent to and overlooking the site</i></b>
PVP19	From Gifford Close south of the railway, looking northeast

### **The Role of the Appeal Site as a Green Buffer**

1. The function of the ALLI as a green buffer does not relate to the quality of the landscape
2. The role of the ALLI as a green buffer is to separate built up areas from the areas of importance for nature conservation and recreation that are situated along the Medway Estuary.
3. The Appeal Site does not fulfil the function of providing residents within an extensive urban area with access to an attractive, rural landscape. As recognised by the Council's Landscape Character Assessment, the area lacks connectivity and there are limited opportunities for movement through the area between urban areas and the wider countryside and shoreline. Public Access across the Appeal Site is currently limited to that along the bridleway which connects Lower Bloor Lane and Pump Lane.
4. The Appeal Site does not include any land that is within the Riverside Country Park and does not contribute to the recreational or ecological value of the park.
5. Tree belts and vegetation along the shoreline and within the salt marsh farmlands north of Lower Rainham Road provide physical and visual separation with the Appeal Site.
6. The Proposed Development will increase accessibility to the shoreline and Country Park from the urban areas of Rainham, Twydall and Gillingham. This will be through areas of Green Infrastructure that run through the Appeal Site alongside Pump Lane connecting with Lower Rainham Road and the Country Park to the north. These areas will incorporate community orchards, a village green and areas of public open space set within green corridors and landscape buffers.



7. The Proposed Development will have no direct impacts upon the land north of Lower Rainham, including the Country Park, protected biodiversity sites and public rights of way. The character and features of these areas will remain unaffected.

## **Matters in Dispute**

- 1.34 Matters in dispute are set-out within the Landscape SoCG along with the reasoning from both the appellant and Medway Council for the positions taken. This has been prepared to identify and clarify the main issues for consideration at the Inquiry.
- 1.35 Matters in dispute include the following:

### **The Character and Appearance of the Area**

- The value, susceptibility and sensitivity of the landscape to the Proposed Development;
- The extent of harm to local landscape character; and
- The visual effects of the Proposed Development and extent of harm to visual, amenity.

### **The Role of the Appeal Site as a Green Buffer**

- The extent that the site functions as a Green Buffer within the Gillingham Riverside ALLI; and
- The impacts of the Proposed Development upon the function of the ALLI as a Green Buffer

## **Appellant's Statement of Case**

- 1.36 The appellant's Statement of Case (SoC) [CD8.1] sets-out a summary of the case and key points relating to landscape matters and Reason for Refusal 3 with reference to the LVIA that informed the appeal submission (paragraphs 7.13 – 7.26).
- 1.37 At paragraph 7.35 the SoC summarises by stating that:

*“... the Proposed Development will protect the features and functions of the ALLI and the locally valued landscape, providing improved access and recreation value both within the site and between surrounding areas and the Riverside Country Park and shoreline. The scheme proposals also provide substantial amounts of new structural landscape planting and areas of green infrastructure incorporating characteristic features including community orchards. The landscape framework will ensure the proposals are integrated with the surrounding landscape features.”*

- 1.38 Other points relating to the landscape case set-out in the SoC include the following:
- The Appeal Site and Proposed Development are well contained with impacts contained locally. In wider views across the estuary from the Hoo Peninsula the site forms part of a wider backdrop in expansive views. The Proposed Development would result in neutral effects in these views.
  - The more highly valued attributes and qualities of the landscape, including those along the shoreline to the north of the Appeal Site will be preserved. These include ecological



designations, the Saxon Shore Way, Riverside Country Park and conservation areas at Lower Rainham and Lower Twydall.

- The proposal offers opportunities to improve access to the countryside and shoreline, whilst also offering recreation and amenity benefits associated with areas of open space, a village green, community orchards, play area and recreation routes. The link with the adjacent rights of way network and amenities including the Riverside Country Park, Saxon Shore Way and Bloors Lane Community Woodland.
- The ALLI includes the function as an important green buffer separating built areas from areas of importance for nature conservation and recreation along the Medway estuary. The proposal will retain a green buffer between the shoreline and built areas.
- The ALLI also allows for attractive views and forms a green backdrop when viewed from the Medway Estuary. In views from the estuary, the site is enclosed and surrounded by shelterbelts and woodland. The structural landscaping to site boundaries and within the scheme will ensure the Proposed Development maintains a green backdrop in these views.

1.39 Other matters as set-out in the LVIA that are summarised in the SoC include the following:

- The Medway Landscape Character Assessment, 2011 supersedes the adoption of the 2003 Local Plan and ALLI Designation and recognises the urban fringe landscape and fragmentation of the area which lacks an overall sense of coherence arising from the diverse land uses and poor condition of some areas.
- The Appeal Site is separated from the Medway Estuary shoreline by Lower Rainham Road and farmland to the north with shelterbelts, woodland and vegetation providing a green backdrop and screening inland views. The land along the shoreline is valued for recreation and includes the Saxon Shore Way and Riverside Country Park as well as conservation interests, as recognised by the Medway Estuary and Marshes RAMSAR, SSSI and SPA designations.
- As identified by the Medway Landscape Character Assessment there is poor accessibility across the area from Twydall and Rainham towards the shoreline and Riverside Country Park. The Appeal Scheme offers opportunities to enhance the function of the land within the Appeal Site and wider ALLI through the provision of improved accessibility and connectivity with the Riverside Country Park and Public Rights of Way networks. The Proposed Development will also provide areas of attractive open space and community orchards incorporating recreation routes and play areas throughout the scheme.
- There is currently no access to the Appeal Site. The Proposed Development will provide residents with access to an attractive landscape. It will substantially improve the recreation value of the land through the opening up of areas of open space throughout the Appeal Site for a variety of activities and functions. This includes the integration of Green Infrastructure incorporating ecological, landscape and amenity enhancements.
- Whilst the Appeal Site does form a small part of the green backdrop when viewed from across the Medway to the north, this is formed by commercial orchards that are seen in context with existing development at Twydall and Rainham, with the site being



contained by boundary vegetation and shelter belts and woodland within the local area, including along the shoreline. The Proposed Development offers opportunities to enhance the existing vegetation and tree planting within areas of Green Infrastructure within and bounding the site to create a green canopy and break up the proposed and existing built form.

- During the construction phase and upon completion, before maturation of landscape mitigation planting, the proposal will give rise to localised, site wide, moderate / major adverse landscape effects. Upon the maturation of areas of Green Infrastructure and mitigation planting, the residual effects at a site-wide level will reduce to localised, site wide moderate adverse. There will also be localised beneficial effects for the setting and character of Bridleway GB6a that will be incorporated into the scheme within the areas of Green Infrastructure including village green, linear green space, play areas and community orchards.
- The majority of residual visual effects associated with the Proposed Development are localised and minor adverse. Users of the Saxon Shore Way and Riverside Country Park with clear views towards the site are limited to those from Horrid Hill and Motney Hill, where the views towards the site are only a small part of the wider views across the estuary. Mitigation planting will soften the development, tying-in with the surrounding shelterbelts and woodland. Localised beneficial visual effects are identified for users of Bridleway GB6a who will have access to new areas of open space and the opening up of views across the village green and community orchards.



## Section 2: Landscape Policy Context

- 2.1. In relation to landscape and visual effects and the ALLI, Reason for Refusal 3 cites Local Plan Policy BNE34 'Areas of Local Landscape Importance' and paragraph 170 of the NPPF. The requirements of these national and local policies as relevant to the Proposed Development and reason for refusal are summarised below. The review has drawn from that contained in the LVIA. A full review of Policy relevant to the Appeal is considered in evidence prepared by Duncan Parr.

### National Planning Policy Framework (NPPF)

- 2.2. At the heart of the NPPF is a presumption in favour of sustainable development. For plan making the presumption requires plans to positively seek opportunities to meet the development needs of an area and be sufficiently flexible to adapt to rapid change. Footnote 6 identifies protected areas or assets of particular importance. These include the following that relate to landscape and spatial matters:
- *“Green Belt;*
  - *Local Green Space;*
  - *Areas of Outstanding Natural Beauty (AONB);*
  - *National Parks;”*
- 2.3. It should be noted that ALLIs or other local landscape designations are not identified within the NPPF as protected areas or assets of particular importance. Furthermore, there is no specific reference to ALLIs within the NPPF.
- 2.4. Under section 15 'Conserving and enhancing the natural environment', the NPPF states at paragraph 170 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);*
  - b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.”*
- 2.5. 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.
- 2.6. As explored further below in relation to Local Plan Policy BNE34, 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.



## National Planning Practice Guidance

2.7. Under the heading “How can planning policies conserve and enhance landscapes?” The PPG provides clarification regarding planning policies and the interpretation of NPPF paragraph 170 (a) and (b).

2.8. At Paragraph: 036 Reference ID: 8-036-20190721 Revision Date: 21.07.2019, the PPG states that:

*“The National Planning Policy Framework is clear that plans should recognise the intrinsic character and beauty of the countryside, and that strategic policies should provide for the conservation and enhancement of landscapes. This can include nationally and locally designated landscapes but also the wider countryside.*

*Where landscapes have a particular local value, it is important for policies to identify their special characteristics and be supported by proportionate evidence. Policies may set out criteria against which proposals for development affecting these areas will be assessed. Plans can also include policies to avoid adverse impacts on landscapes and to set out necessary mitigation measures, such as appropriate design principles and visual screening, where necessary....”*

2.9. Since the adoption of the 2003 Local Plan, the Medway Landscape Character Assessment, 2011 (the 2011 LCA) has been produced. This forms the current landscape evidence base to support the Local Plan and ALLIs that are protected under Policy BNE34. In line with NPPF paragraph 170 (b) when identifying the qualities and character of the landscape including that of the ALLI, the 2011 LCA should be used.

2.10. The ALLI designation serves to protect both landscape character and other functional purposes. The policy and supporting text do not identify any specific landscape criteria against which to assess proposals, although there are general features and characteristics identified. Local Plan Policy BNE34 is considered in further detail below.

## Local Planning Policy

### Policy BNE34: Areas of Local Landscape Importance

2.11. Reason for Refusal 3 relates to the effects of the Appeal Scheme upon the Gillingham Riverside Area of Local Landscape Importance. The wording for Policy BNE34 states that:

*“Within the Areas of Local Landscape Importance defined on the Proposals Map, development will only be permitted if:*

- (i) it does not materially harm the landscape character and function of the area; or*
- (ii) the economic and social benefit are so important that they outweigh the local priority to conserve the areas’ landscape.*

*Development within an Area of Local Landscape Importance should be sited, designed and landscaped to minimise harm to the area’s landscape character and function.”*



- 2.12. At paragraph 3.4.104 the Local Plan, the introductory supporting text to Policy BNE34 states that :
- 2.13. *“There are several areas of landscape that enhance the local amenity and environmental quality, providing an attractive setting to the urban area and surrounding villages.”*
- 2.14. These are identified as locally significant landscapes and defined as ALLIs on the proposals maps.
- 2.15. The ALLI designation does not solely relate to landscape quality and value, but also a range of other functions. As set-out at paragraph 3.4.105 of the Local Plan:
- “These ALLIs are significant not only for their landscape importance, but also for other important functions:*
- (i) As green lungs and buffers, helping to maintain the individual identify of urban neighbourhoods and rural communities;*
  - (ii) As green corridors (or links) for the community to reach the wider countryside;*
  - (iii) As edge or “fringe” land, needing protection from the pressures of urban sprawl; and*
  - (iv) As habitats for wildlife corridors, along which wildlife from the wider countryside can reach the urban environment.”*
- 2.16. At paragraph 3.4.107, the Local Plan provides justification for the designation of each of the individual ALLIs and identifies those landscape features and functions that the Council will aim to protect. Those characteristics and functions of the Gillingham Riverside ALLI within which the Appeal Site is situated are set-out and considered further later in this section.
- 2.17. Policy BNE34 is not restrictive by its terms and allows for development that does not materially harm the landscape character and function of the area or; the economic and social benefits are so important that they outweigh the local priority to conserve the area’s landscape.
- 2.18. Matters relating to the weight to be applied to Policy BNE34 and planning balance in relation to the economic and social benefits associated with the Appeal Scheme are addressed in evidence prepared by Mr Duncan Parr.

### **Functions of the Gillingham Riverside ALLI**

- 2.19. The supporting text for Policy BNE34 at paragraph 3.4.107 (xiii) identifies the following characteristics and functions of the Gillingham Riverside ALLI. The characteristics and functions listed for each of the ALLIs is stated at paragraph 3.4.107 as providing justification for their designation.

#### *“Location and Character*

- *Rural landscape of orchard and arable fields with country lanes. Situated to the north of Rainham and Twydall, adjacent to the River Medway. Medway Towns Northern Relief Road forms the western boundary.*





### *Function*

- *Forms an important 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.*
  - *Enhances the setting of the Medway Towns Northern Ring Road on the western boundary and allows attractive views from the river and railway.*
  - *Provides residents within an extensive urban area with access to an attractive, rural landscape.*
  - *Provides an attractive setting to the Lower Rainham and Lower Twydall conservation areas.*
  - *Contains a number of orchards, mature hedgerows and farm groups complementing and contributing to the Riverside Country Park.*
  - *Forms a green backdrop when views from the Medway Estuary.*
- 2.20. As identified by the Inspector within the Case Management Conference Summary Note, one of the Main Considerations agreed as relating to the effect of the Appeal Scheme upon not just the character and appearance of the Gillingham Riverside ALLI, but the role that the appeal site plays as a green buffer within the wider designation.
- 2.21. As set-out in the text to Policy BNE34 within the Local Plan and detailed above, 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.
- 2.22. 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.
- 2.23. There is also no quantitative aspect in terms of physical separation and width / extent of the buffer required to provide this function.
- 2.24. The Landscape and Visual Impact Assessment (LVIA) provides a detailed review of the contribution that the Local Landscape Character Areas make to the character and functions of the ALLI. This analysis has been used to inform an assessment of the contribution that the Appeal Site makes to the ALLI as well as the effects it has upon these features and functions.
- 2.25. The analysis within this proof at Section 6 considers how the ALLI functions as a green buffer and the contribution that the Appeal Site makes to this.

### **Overview and Summary**

- 2.26. 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. There is no justification for the identification and extent of the ALLIs contained within the Local Plan. Instead, it falls upon the 2011 LCA that supersedes the ALLI designation to provide the proportionate evidence base and identify special characteristics.



- 2.27. As set-out within the 2011 LCA (page 2, under 'Planning Context') the then current national planning policy guidance in the form of PPG2 advocated that rigid local landscape designations such as ALLIs be replaced by criteria-based policy guidance informed by landscape character assessments.
- 2.28. 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.
- 2.29. 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.
- 2.30. 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 PPG. There are also no specific policies, SPD or guidance as to how development within the various ALLIs can be developed to include appropriate mitigation.
- 2.31. Given their scale and the fact that there are 16 ALLIs situated across the Medway Authority area, 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.
- 2.32. The above is highlighted by the consent for development of sites within the ALLI to meet housing need, including those within the Gillingham Riverside ALLI north of Twydall and Rainham, as illustrated on **Figure 3: Planning Policy and Consented Development within the ALLI** contained at Volume 2 of my evidence. There have also been other permitted developments within the ALLI around Rainham including land east of Otterham Quay Lane within the Meirscourt / Meresborough ALLI.
- 2.33. 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.



# Section 3: Landscape and Visual Context

## Landscape Character

### Character of the Gillingham Riverside ALLI

- 3.1. The description of the Location and Character of the Gillingham Riverside ALLI set out under Policy BNE34 in the Local Plan describes the area as a:

*“Rural landscape of orchards and arable fields with country lanes. Situated to the north of Rainham and Twydall, adjacent to the River Medway. Medway Towns Northern Relief Road forms the western boundary.”*

- 3.2. The description is generalised and does not allow for the distinction of individual areas.
- 3.3. Policy BNE34 does not provide any criteria against which to assess proposals that may affect the designated areas. The ALLIs are overly restrictive and make no distinction between differing areas and features that occur within them. Further analysis of the landscape character within the ALLI is required to identify how the characteristics and features of distinct areas contribute to the quality of the landscape and its associated value.
- 3.4. Notwithstanding the above, the ALLIs are also designated to preserve functions that do not relate to the character or quality of the landscape. The inclusion of these functions adds a layer of protection that is not supported by the evidence base or conditions on-the-ground. As explored in further detail below, this includes accessibility to the countryside as well as separating built up areas and areas of importance for nature conservation and recreation.
- 3.5. The limitations of the blanket protection afforded by the ALLI designation are clear when examined against the findings of the 2011 LCA and more detailed site-specific landscape assessments contained within the LVIA prepared by Tyler Grange. The Gillingham Riverside ALLI covers an area that is divided into two distinct Landscape Character Areas as identified within the 2011 LCA.

### Landscape Character Assessment - Summary

- 3.6. The review of the 2011 LCA and local landscape character assessment undertaken as part of the LVIA and summarised in this proof of evidence has demonstrated that the landscape of the wider Gillingham Riverside ALLI is varied and comprises distinct areas with their own individual character and features, as well as contributions to the various functions of the ALLI and landscape value.
- 3.7. The 2011 LCA divided the area into two character areas, recognising the localised differences between the shoreline and the farmland situated further inland. However, this does not allow the assessment to look at the area at a finer grain and differentiate between the shoreline and the marshes as distinct local landscape character areas.
- 3.8. The division of land within the two character areas into three LLCAs within the LVIA, to include the Riverside Marshes and Medway Shoreline and Riverside Country Park as distinct areas has



allowed for the role and function of the shoreline and its contribution to the valued aspects of the landscape to be better understood.

- 3.9. The Medway Shoreline and Riverside country Park LLCA includes both the important ecological designations of the Medway Estuary and Marshes SSSI, Ramsar Site and SPA and the recreation resources associated with the Riverside Country Park and Saxon Shore Way. The analysis has also determined that the woodland, trees and vegetation along the shoreline form a substantial part of the green backdrop to the estuary, screening the marshes beyond and the lower lying land to the north of the Lower Rainham and Lower Twydall Fruit Belt LLCA south of Lower Rainham Road.
- 3.10. The focus of views from the Saxon Shore Way and vantage points along the shoreline is predominantly across the estuary to the north. Inland views from the promontories at Horrid Hill and Motney Hill are towards the vegetated backdrop to the shoreline.
- 3.11. The above factors combine to indicate that the shoreline (as defined by the Medway Shoreline and Riverside Country Park LLCA) is an important and valued part of the local landscape, including in performing the functions of the ALLI.
- 3.12. The most significant difference between the 2011 LCA and Tyler Grange's site-specific local landscape character assessment relates to the "integral" links between the Riverside Marshes and Lower Rainham Farmland LCAs. The 2011 LCA identifies both of the character areas combining to form a "generous" buffer and corridor separating the urban areas from the natural spaces of the estuary.
- 3.13. As demonstrated by the Tyler Grange assessment, Lower Rainham Road and associated linear development and vegetation serves to provide strong physical and visual separation between the two areas.
- 3.14. It is not clear why there is a need for such a large area of land to be provided as a buffer. This has not been justified within the 2011 LCA. There is no analysis provided to demonstrate how the land south of Lower Rainham Road performs as a buffer that will protect the biodiversity and recreational resources along the shoreline,
- 3.15. As illustrated on the maps and aerial images on **Figures 1 and 2** settlement already extends up to Lower Rainham Road on the edges of Gillingham and Rainham, as well as linear development along the Road to the north. As recognised in the 2011 LCA, the road provides an urbanising influence along the boundary with the Riverside Marshes LCA.
- 3.16. Furthermore, the LCA identifies that the Medway Marshes LCA functions as a green buffer to the urban edge of Gillingham, protecting the sites of biodiversity importance and recreation resource as well as acting as a green corridor from the countryside into the urban area. It is already serving the function of a buffer that protects the important and valued components of the landscape that are situated on the shoreline.
- 3.17. As illustrated by LVIA **Photoviewpoints 2 and 4**, the Lower Rainham and Lower Twydall Fruit Belt LLCA and Appeal Site within it are set beyond the well vegetated shoreline. Development at Lower Rainham and along Lower Rainham Road combines with the urban edge on the higher land at Twydall to the south to provide a developed context.



- 3.18. The 2011 LCA states that the Lower Rainham Farmland area offers openness and easy access to a countryside area for an extensive urban population – one of the functions of the Gillingham Riverside ALLI.

This is despite also identifying that there is poor accessibility east / west and north / south with urban areas, with the guidelines for the LCA including to: *“Improve east/west footpath links between Gillingham and open countryside and footpath links from Twydall.”*

- 3.19. It is unlikely that such links will be achieved without some form of funding for provision of new footpaths, or development coming forwards that will enable these to be implemented. The land within the Lower Rainham and Lower Twydall LLCA, including the Appeal site is enclosed by mature hedgerow and tree belts and has poor accessibility. There are therefore opportunities to improve connectivity and access through the Proposed Development, including the creation of new green corridors through the area.
- 3.20. The LVIA has identified those site features and landscape receptors that may be affected by the Proposed Development, these include the commercial orchards that occupy most of the site are assessed as being of ordinary value, as well as: Pump Lane; Lower Bloors Lane; Bridleway GB6A; Lower Twydall; and Lower Rainham
- 3.21. In recognition of the contribution that the land within the Appeal Site may make to the green backdrop when viewed from the estuary, this is also identified as a landscape receptor within the LVIA.

### **Medway Landscape Character Assessment, 2011**

- 3.22. Although the 2011 LCA is ten years old, it provides the Council's most up to date evidence base against which to identify landscape character and the distinctions between individual character areas.
- 3.23. As illustrated on **Figure 4: Landscape Character – District Level** contained at Volume 2 of this proof of evidence, the 2011 LCA divides land with the Gillingham Riverside ALLI into two distinct Landscape Character Areas (LCAs):
- The ‘Lower Rainham Farmland’ LCA - within which the Appeal Site is situated; and
  - The ‘Riverside Marshes’ LCA - situated to the north of Lower Rainham Road and extending to the shoreline of the estuary, including Horrid Hill.
- 3.24. The guidance document ‘An Approach to Landscape Character Assessment, 2018 [CD3.18] published by Natural England describes Landscape Character Areas as<sup>1</sup>:
- *“... the unique individual geographical areas in which landscape types occur;*
  - *can often be more readily recognised and identified by non-specialists – sense of place is often important to local people and visitors for example;*
  - *can provide a good spatially referenced framework from where patterns of local distinctiveness and factors influencing sense of place, can be drawn.*

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<sup>1</sup> An Approach to Landscape Character Assessment, 2018, page 45, Landscape Character Types and Areas



- 3.25. Landscape Character areas are also identified as being used to develop tailored policies and strategies that reflect those characteristics that make a given landscape different or special.
- 3.26. This recognises the importance of understanding which characteristics or features are different or special to a given area and should be identified as being important to conserve as opposed to the use of blanket protection of areas.
- 3.27. The Characteristics, Issues and Guidelines for each of these LCAs as identified by the 2011 LCA are examined below:

### **Lower Rainham Farmland LCA**

#### Context

- 3.28. As illustrated on the plan on page iv of the 2011 LCA executive summary, the Lower Rainham Farmland LCA lies within the North Kent Fruit Belt Principal Landscape Area (PLA). Only a small part of the area is situated within Medway, with the larger part stretching east into Faversham within Swale Borough.
- 3.29. Although the PLA covers a larger area, which includes area of open countryside east of Rainham, the LCA recognises that within Medway the North Kent Fruit Belt includes transitional urban and rural fringe and rural landscape types. The loss of traditional orchards and trend towards urban-rural fringe activities including equine and amenity uses is identified, with the area becoming partially fragmented by urban fringe influences. There has been an increase in landscape fragmentation and condition, diversity and local distinctiveness within the PLA which is described by the 2011 LCA as:
 

*“A predominantly rural agricultural landscape characterised by a complex pattern of orchards, shelter belts, fields of arable, pasture and horticultural crops; divided by small blocks of woodland.”*
- 3.30. As illustrated on **Figure 1: Site Location** and **2: Site Context** contained at Volume 2 of this proof of evidence, the Appeal Site does not share the complex pattern of land uses and features of the wider area, being managed as large fields comprising commercial orchard. These are set out as regimented lines of fruit trees with little variety in character and largely sterile field margins managed to minimise encroachment of vegetation.
- 3.31. Areas of land to the north and northwest of the Appeal Site comprise a more varied land use and character, including arable fields, pasture and areas of remnant orchard interspersed with tree belts and pockets of woodland associated with the former chalk pits east of Lower Twydall and bounding properties on the eastern edge of the conservation area.
- 3.32. The description of the principal characteristics for the North Kent Fruit Belt also identifies that the open countryside provides a strong and distinctive buffer along the northern edge for the Medway Marshes SSSI (now Medway Estuary and Marshes SSSI) and that the area maintains and strengthens a green corridor and wildlife links from urban areas into countryside.
- 3.33. As set-out in more detail below and within the site-specific landscape character assessment contained within the LVIA, the Appeal Site and land to the south of Lower Rainham Road is separated from the estuary and Medway Estuary and Marshes SSSI. The Lower Rainham



Farmland LCA is situated south of Lower Rainham Road , inland from the Riverside Marshes and shoreline which provide a buffer and separation.

Description and Characteristics

- 3.34. The Lower Rainham Farmland LCA is situated within the “Urban Fringe” Landscape Type and “Urban Fringe with urban/industrial influences” Sub-type as defined by the 1995 Kent Thames Gateway Landscape Assessment KTGLA. These are transitional landscape types and reflect the influence of urban development within the area.
- 3.35. The description of the Lower Rainham Farmland reinforces the urban fringe context within which the LCA is situated, identifying that the LCA is bound by Lower Rainham Road to the north, railway line and Twydall to the south, Gillingham to the west and Lower Rainham to the east. It is also identified that the footpath network is fragmented within the area. The settlement pattern and urban fringe context is illustrated on **Figures 1 and 2**.
- 3.36. Characteristics of the area as relevant to the Appeal Site include the following:
- *Flat , small to medium scale mixed farmland – orchards, arable, rough grazing;*
  - *Neglected pockets of land and busy road gives transitional urban fringe character to area;*
  - *Some well managed areas of orchard, shelterbelt, farm buildings, cottages and distinctive rural hedgebanks;*
  - *Tranquil in many parts despite enclosure by road to north and rail to south;*
  - *Poor accessibility east-west and north-south to urban areas;*
  - *Small conservation areas / hamlets at Lower Rainham and Lower Twydall.*
- 3.37. Since the preparation of the 2011 LCA, there has been development on Station Road and Lower Rainham Road to the north of Rainham, further reducing the coherence of the landscape character in the area. This is illustrated on **Figure 3**.
- 3.38. Among the issues, guidelines and general notes for the area, the 2011 LCA identifies the trend towards fragmentation and weakened coherence, with the potential to restore traditional orchards, strengthen and enhance biodiversity and introduce more positive land management.
- 3.39. The area between Lower Rainham and Lower Twydall within which the Appeal Site is situated is noted by the LCA as being in “*generally good condition with urban influences less apparent*” than other areas. However, this does not take account of the land use across the Appeal Site being commercial orchard set within large fields that is neither representative of the characteristic small – medium scale mixed farmland nor of high ecological value.
- 3.40. As detailed in the LVIA, the Appeal Site does share some of the characteristics and features of the area, including hedge banks to Pump Lane and Lower Bloors Lane. However, the area is influenced by the urban edge at Twydall and the railway to the south, and Lower Rainham Road to the north. This is especially the case when experienced in views from the estuary where the development at Twydall forms a hard edge and developed backdrop on the rising land beyond the railway.





- 3.41. The 2011 LCA identifies that consideration should be given to the “integral links” between the Lower Rainham Farmlands and Riverside Marshes LCA that is situated north of Lower Rainham Road.
- 3.42. To the north of the Appeal Site, the two LCAs are separated by Lower Rainham Road, settlement at Lower Rainham and development along the road, as well as mature hedgerows and vegetation associated with properties and areas of traditional orchard to the northwest of the Appeal Site. There are therefore limited physical and visual links between the two areas. This is examined further below, with reference to the LVIA and representative photoviewpoints from along the shoreline and Lower Rainham Road.
- 3.43. There are opportunities to improve accessibility between the two areas through the provision of new footpath links and public access to land that connects the marshes and shoreline with the urban area. This may also include the integration of these links into areas of open space and green corridors that could be managed to provide enhancements for biodiversity and as wildlife corridors.
- 3.44. The 2011 LCA reflects the functions of the ALLI when identifying benefits of the retention of a rural character to the wider Lower Rainham Farmland LCA. As examined in Section 2 of this proof of evidence, the functions are not indicators of landscape value or quality and do not necessarily reflect the characteristics identified for the ALLI and LCA. The functions include those that relate to recreation, access and buffers.
- 3.45. The contribution that the Riverside Marshes and land north of Lower Rainham Road makes to the green buffer as a function of the ALLI is considered further alongside that of the Appeal Site in Section 6 of this proof of evidence.

### **Riverside Marshes LCA**

- 3.46. The Riverside Marshes LCA comprises a strip of land that extends from the shoreline of the Medway Estuary to Lower Rainham Road between the edges of Gillingham to the west and the estuary south of Motney Hill to the east. The Appeal Site lies outside of this area.

#### Characteristics

- 3.47. Characteristics of the LCA that are of relevance to the Appeal Site include the following:
- *Strip of marshland rising gently to farmland and stretching from southern coastal edge of Medway estuary to Lower Rainham Road;*
  - *B2004 (Lower Rainham Road) introduces urban influence;*
  - *Diverse land uses: scrub, orchards, small fields, equine related*
  - *Fragmented and lacks overall sense of coherence;*
  - *Saxon Shore Way forms strong east/west link along sea wall; weaker north south links;*
  - *Several salt marshes add to distinctive character along estuary;*



- *Much of area owned by Medway Council and managed as country park with Visitor Centre and Car Park – introduces amenity element rather than distinctly rural character;*
- *Forms important buffer to urban edge of Gillingham, protects Natura 2000 / Ramsar sites, valuable recreational and biodiversity resource, green corridor from countryside into urban area; integrally linked with Lower Rainham Farmland character area;*
- *Long views and open character in views out to estuary from sea wall including vantage points to view the wider estuary including Hoo and Darnet artillery forts; and*
- *Stronger sense of enclosure to interior.*

#### Issues

3.48. Issues identified for the Riverside Marshes LCA include the following that are of relevance to the Appeal Site and Proposed Development:

- *Sensitivity of the marshes as covered by Natura 2000 / Ramsar designation;*
- *Role as buffer to marshland wildlife habitats;*
- *Green corridor, footpath and National Cycle route linking community in urban areas to countryside; weaker north south links; and*
- *Strong connections with Lower Rainham Farmland character areas to south and overall role of two character areas as a generous buffer and corridor separating urban areas from natural spaces of estuary.*

#### Guidelines

3.49. Guidelines for the Riverside Marshes include for management of the Riverside Country Park, more active management of farmland to include the reintroduction of orchards and to improve habitat, access and recreation opportunities and access for urban communities to the estuary through the strengthening of north-south footpath links towards urban areas at Twydall and Rainham.

3.50. The Riverside Marshes are also recognised by the 2011 LCA as a key gateway into Medway, linking urban areas and countryside and as an interface between the estuary and orchards of the North Kent Fruit Belt.

3.51. As set out above, the Riverside Marshes and Lower Rainham Farmland do not share strong physical or visual links, being separated by Lower Rainham Road and associated development and vegetation.

#### **Medway Landscape Character Assessment – Summary of Findings**

3.52. The findings of the 2011 LCA for the Lower Rainham Farmland and Riverside Marshes LCAs, can be summarised as including the following main points. These two character areas cover the Gillingham Riverside ALLI. The 2011 LCA provides the most up-to-date evidence base supporting the Local Plan:



- The Lower Rainham Farmlands have a transitional urban fringe character. The LCA is influenced by the surrounding urban development at Gillingham to the west, Twydall to the south, Rainham to the east and Lower Rainham to the north, as well as the Ring Road, Lower Rainham Road and the railway line.
- The Riverside Marshes, situated north of Lower Rainham Road and outside of the Appeal Site, form a buffer and green corridor from the countryside into the urban area that protects the Natura 2000 / Ramsar sites on the shoreline and also provides a valuable recreational and biodiversity resource, including the Saxon Shore Way that runs along the shoreline and the Riverside Country Park.
- Both LCAs have poor accessibility and links with urban areas, especially north-south from the shoreline to Rainham and Twydall.
- There are long views and an open character in views out to the estuary from the sea wall, with a stronger sense of enclosure inland from the shoreline.
- Both of the character areas combine to provide a distinctive green backdrop when viewed from the Medway estuary.
- Lower Rainham Road is identified as introducing an urban influence and divides the two areas. Despite this the 2011 LCA considers there to be integral links between the two areas which combine to form a large buffer and corridor separating the urban area from the estuary.
- Within the farmlands, the LCA identifies areas of well managed orchard, distinctive hedgebanks, shelterbelts, farm buildings and cottages, as well as the conservation areas at Lower Rainham and Lower Twydall.

## **LVIA Local Landscape Character Areas**

- 3.53. Although the 2011 LCA provides an assessment of the characteristics, features and some of the potential issues relating to the landscape within which the Appeal site is situated it was undertaken ten years ago and considered wider areas than those which may be influenced by the Proposed Development.
- 3.54. When preparing the LVIA, Tyler Grange therefore undertook a local site-specific landscape character assessment to verify and update the findings of the Council's Assessment. The site-specific assessment also gives detailed consideration to the functions of the Gillingham Riverside ALLI and Landscape Value Factors.
- 3.55. The findings of the site-specific assessment have informed an assessment of the sensitivity of each of the Local Landscape Character Areas to the Proposed Development. This has taken account of both the value and susceptibility of the landscape to the specific changes associated with the proposal.
- 3.56. The full site-specific assessment is contained within the LVIA. The findings are summarised within this proof of evidence with reference made to the LVIA as required.



- 3.57. As illustrated on **Figure 5: Local Landscape Character Areas** at Volume 2 of this proof of evidence, the LVIA has identified three Local Landscape Character Areas (LLCAs) that fall within the wider LCAs defined by the Medway LCA. At Section 4 of the LVIA, a set of aerial images and photoviews illustrate the extent, character, features and context of each of the LLCAs. The LLCAs are described below:

#### **Medway Shoreline and Riverside Country Park LLCA**

- 3.58. The LLCA forms a subdivision of the Riverside Marshes LCA, comprising the strip of land along the shoreline that is separated from the marshes to the south. The area is defined by a band of vegetation including scrub, marshes, reedbeds, woodland and shelterbelts that forms a distinctive soft edge and well treed backdrop to the sea wall. This provides separation with the adjacent character areas and limits views inland from the Saxon Shore Way and shoreline. The area includes the causeway and promontory at Horrid Hill and the western shoreline of Motney Hill.
- 3.59. There are open, expansive views across the estuary from the Saxon Shore Way, as well as from Horrid Hill and Motney Hill where there are views across the shoreline to the vegetated backdrop that bounds the LLCA.
- 3.60. The LLCA includes parts of the Medway Estuary and Marshes SSSI, SPAs and Ramsar Site along the coastline and Motney Hill.
- 3.61. The separation from the inland areas by vegetation along the shoreline and open views across the estuary provide a strong sense of place and tranquillity away from the urban area.
- 3.62. The area also has a high recreation value associated with the Riverside Country Park and Saxon Shore Way.

#### **Medway Marshes Farmland LLCA**

- 3.63. The Medway Marshes Farmland LLCA comprises the belt of land that extends from Lower Rainham Road to the edge of the Medway Shoreline and Riverside Country Park LLCA that is defined by the woodland and shelterbelts along the shoreline to the northeast.
- 3.64. The LLCA comprises medium to large scale rectilinear fields on the low-lying land beyond the shoreline. The area to the north of Lower Rainham is managed as horse paddocks. The fields are divided by hedgerows and small areas of woodland and shelterbelts that extend inland from the vegetated shoreline.
- 3.65. The boundary with Lower Rainham Road comprises managed hedgerows and post and rail fencing, providing an open aspect to the fields. The fields are separated from the shoreline by the backdrop of woodland, tree belts and vegetation that provides physical and visual containment from the estuary.
- 3.66. Linear settlement is situated along Lower Rainham Road including at Sharp's Green, Lower Rainham and along the road towards Berengrave. The linear development emphasises the urbanising influence of the road, as recognised within the 2011 LCA for the Riverside Marshes LCA. Development along the road also provides physical separation between the Medway Marshes Farmland LLCA and the Lower Rainham and Lower Twydall Fruit Belt LLCA to the south.



- 3.67. To the northwest of the LLCA, Mariners Farm is used as a boatyard and caravan storage, adjacent to the Riverside Country Park café, play areas and overflow parking areas. Coniferous shelter belts, poplars and woodland contain the boatyard and are distinctive features in the landscape, contributing to the soft green backdrop in views from the estuary.
- 3.68. The woodland and vegetation within the area and the adjacent shoreline contribute to the green backdrop to the estuary, screening the low-lying fields beyond and forming part of the green buffer to the areas of biodiversity importance along the shoreline.
- 3.69. There is limited public access within the LLCA, although the Riverside Country Park provides access to the Saxon Shore Way and Horrid Hill causeway. Connectivity from Lower Rainham Road is limited to a single public right of way along Bloors Quay Lane and through the Country Park and nature reserves.
- 3.70. The woodland and vegetation that separates the area from the shoreline and associated views provide a greater sense of enclosure. Traffic using Lower Rainham Road and ribbon development and commercial premises reducing the sense of tranquillity and reinforce the urban fringe influence.
- 3.71. The Lower Rainham Conservation Area bounds the LLCA to the south, with several listed buildings adjoining the horse paddocks adjacent to the Saxon Shore Way.

#### **Lower Rainham and Lower Twydall Fruit Belt LLCA**

- 3.72. The Lower Rainham and Lower Twydall LLCA covers the area between Lower Rainham Road to the north and the railway line that lies alongside the edge of Twydall to the south. The A289 ring road bounds the area to the west, with properties on Berengrave Lane on the edge of Rainham bounding the area to the southeast. The Appeal Site is situated within this LLCA.
- 3.73. The LLCA reflects the character of the Lower Rainham Farmland LCA, comprising mixed farmland with smaller fields managed as pasture and medium to large rectilinear fields managed as commercial orchards and arable land.
- 3.74. The land rises gently from Lower Rainham Road to the edge of Twydall, with the urban area of Twydall and Gillingham extending up the slopes beyond the railway line to form a developed backdrop in views towards the upper slopes from Horrid Hill and Motney Hill on the estuary shoreline.
- 3.75. To the southeast, the Bloors Lane Community Woodland and mature tree planting within gardens provide enclosure and a wooded context and backdrop within the local landscape.
- 3.76. The Appeal Site is situated to the centre of the LLCA to the east and west of Pump Lane. The land towards the centre of the area is managed as commercial orchards with geometric lines of fruit trees planted within large fields.
- 3.77. Southeast of Pump Lane, the fields are bound by tall hedgerows and coniferous shelterbelts, with tall hedgerows along Pump Lane and Lower Rainham Road enclosing the LLCA and limiting views into the fields and across the area.
- 3.78. West of Pump Lane, the commercial orchards extend to the railway line and the edge of Lower Twydall. Beyond these, the land is managed as arable fields defined by tall hedgerows and shelterbelts, with tree belts bounding a former chalk pit to the east of Lower Twydall.



- 3.79. The area is crossed by Lower Bloors Lane, Pump Lane and Lower Twydall Lane that run from Lower Rainham Road to Twydall to the south. The lanes are bound by tall hedgerows and hedgebanks, being sunken in places.
- 3.80. Properties at Pump Farm and Russett Farm, a modern residential development of properties comprising barns and houses with an agricultural character are, situated to the centre of the LLCA off Pump Lane within the commercial orchard area.
- 3.81. The settlement of Lower Twydall bounds the LLCA to the west, separated from the fields of commercial orchard planting by tree belts, woodland and mature vegetation to the boundaries of properties.
- 3.82. To the northeast, properties of Lower Rainham back onto the commercial orchards, including the conservation area and listed buildings. The settlement of Lower Rainham includes ribbon development comprising post war interspersed with modern houses set amongst older properties along Lower Rainham Road.
- 3.83. The separation between the Medway Marshes Farmland LLCA and Lower Rainham and Lower Twydall Fruit Belt LLCA is illustrated by LVIA **Photoviewpoint 7**, taken from Lower Rainham Road. This shows the open aspect to the south across the Marshes and containment of the LLCA by tall hedgerows and trees alongside the road. This also demonstrates the lack of integration between the Riverside Marshes LCA and Lower Rainham Farmland LCA.
- 3.84. The proximity of the area to the urban edge, railway and roads influences the tranquillity and perception of the area, reflecting its transitional and urban fringe character.
- 3.85. The lack of access and connectivity through the area reduces the recreational value, save for Bloor Lane Community Woodland, with poor links between urban areas and the Country Park and shoreline. Similarly, the ability to appreciate the landscape is limited due to the lack of access and hedgerows, shelterbelts and woodland limiting views. When viewed from the estuary, those parts of the LLCA that are visible are seen in context with adjacent development at Twydall.
- 3.86. Whilst there are a number of listed buildings within and surrounding the area, especially within the conservation areas at Lower Twydall and Lower Rainham. the management of land around these settlements as commercial orchards and intensively farmed land does not reflect the historic setting or land use.

## Visual Context

- 3.87. The LVIA contains a full description of the extent of visibility of the Appeal Site, composition of views and identifies those groups of people (visual receptors) who may have views of the Proposed Development and whose visual amenity may be affected. This is contained in Section 5 of the LVIA 'Visual Context' and is summarised below.
- 3.88. The potential extent of visibility of the Appeal Site and Proposed Development was established through the use of GIS Software to establish a Zone of Theoretical Visibility (ZTV) which used digital terrain modelling as a first sieve exercise and did not take into account the influence of built form or vegetation in limiting views. Fieldwork has verified the extent to which the Appeal





Site is visible, identify representative photoviewpoints, visual receptors and the composition of views. The ZTV and viewpoint locations are contained at Section 5 of the LVIA on pages 30 and 31 (LVIA Plans 8 and 9).

- 3.89. The LVIA identifies a total of 22 representative viewpoints to inform the assessment. These indicate the extents of potential views of the Appeal Site and Proposed Development. The viewpoints were agreed with Jon Etchells, Appointed Landscape Consultant for the Council . The LVIA Photoviewpoints are illustrated on **Figure 6: Photoviewpoint Locations** at Volume 2 of this proof of evidence.
- 3.90. As set-out in the LSoCG, these Photoviewpoints have been agreed with the Council as being suitable for informing the LVIA. Mr Etchells has also included two additional viewpoints which are adjacent to those at Figure 6 and used in the LVIA. These include Viewpoint 4a on Motney Hill, 100m north of LVIA viewpoint 4, and a view from the same location as Photoviewpoint 15 on Bridleway GB6A within the Appeal Site, looking northeast. These views are included at Appendix 1 of the LSoCG. The inclusion of these additional viewpoints does not introduce any new receptors or vantage points into the assessment, and do not alter the findings of the LVIA.

### **Extent and Composition of Views**

- 3.91. The LVIA describes the extent of visibility of the Appeal Site at paragraphs 5.11 to 5.37, with reference to the representative photoviewpoints. In summary:
- Views from the south are screened by intervening development on Beechings Way along the railway and within the built area of Twydall. Views towards the site are limited to those from adjacent residential streets and properties alongside and overlooking the railway;
  - Views from the east are limited to those from Bloors Lane to the eastern site boundary. Woodland, tree belts and built form limit more distant views;
  - There are limited views from the west, with glimpses to the western site area through field gates on Lower Twydall Road. There are views across the southern and central site area from the railway footbridge to the southwest; and
  - To the north, local views into the site are screened by hedgerows and built form on Lower Rainham Road. Woodland, tree belts and vegetation along the shoreline also screens views from the Riverside Country Park and Saxon Shore Way to the north, with glimpsed views to the southern site area from some sections of the shoreline north of Lower Rainham. There are views towards the site from Horrid Hill and Motney Hill, set beyond the shoreline vegetation. There are distant views towards the site as part of the wider backdrop to Twydall and Gillingham, from the northern shore of the estuary on the Hoo Peninsula, approximately 4km distant.
- 3.92. The composition of views is illustrated by the Photoviewpoints and described at paragraphs 5.38 – 5.52 of the LVIA. Detailed descriptions for each of the groups of receptors is also provided in the LVIA text, accompanied by plans and photographs. This is summarised below.
- 3.93. From the Hoo Peninsula on the northern shore of the Medway estuary there are expansive panoramic views across the mudflats and marshes towards the southern shoreline.





- 3.94. There are also expansive views across the wider estuary and backdrop to the shorelines of the Hoo Peninsula to the north and Lower Rainham to the south from Horrid Hill and Motney Hill. The composition of the views from these locations is similar to that from the more distant views to the north, with the vegetated shoreline and buildings along Lower Rainham Road beyond.
- 3.95. Views from the shoreline along the Saxon Shore Way north of Lower Rainham Road are orientated across the expansive views of the Estuary to the north and northwest. Views inland are screened by the vegetation and woodland that runs alongside the shoreline.
- 3.96. From the east, the site is set beyond tall hedgerows and hedgebanks along Lower Bloors Lane. Views are focussed along the narrow, enclosed lane, with occasional glimpsed over hedgerows or through gateways.
- 3.97. Within the built area of Twydall, views are orientated along the residential streets and local roads. These follow a grid pattern, with Beechings Way running southeast – northwest channelling views.
- 3.98. There are some views north from properties and streets that overlook the site adjacent to the railway line. In the summer, when trees and hedgerows are in leaf views across the site are heavily filtered.
- 3.99. In views obtained from gateways on Lower Twydall Lane, the rolling topography and hedgerows to field boundaries limit distant views to the east. The main focus of views is along the narrow lane that is bounded by tall hedgerows with little outward visibility.
- 3.100. There are views along the railway line for the footbridge on Lower Twydall Lane, with oblique views across the site to the wooded backdrop beyond. Wider views are limited by trees surrounding properties at Lower Twydall.
- 3.101. Views from the bridleway that runs between Pump Lane and Lower Bloors Lane through the site are enclosed by tall coniferous hedgerows and channelled along the route of the path. Outward views are limited to those through gateways or short sections of post and rail fencing.
- 3.102. Views along Pump Lane are channelled by the tall roadside hedgerows with glimpses through gateways into the site. Properties at Pump Farm, Russett Farm and cottages along the lane introduce development and focal points.

### **Visual Receptors**

- 3.103. The LVIA provides a summary of the visual receptors, representative viewpoints and visual sensitivity on the table at page 33. The receptors and viewpoints as agreed in the LSoCG and included in the LVIA include the following:
- Users of the Saxon Shore Way, including the northern shore of the Medway and at Motney Hill;
  - Users of the Riverside Country Park, including Horrid Hill;
  - Users of local roads, including Lower Rainham Road, Lower Bloors Lane, Pump Lane and Lower Twydall Lane;
  - Users of Bridleway GB6A;
  - Users of trains passing the site; and



- Residents of properties adjacent to and with potential views of the site, including those on Pump Lane, Lower Bloors Lane, Lower Rainham, Lower Twydall and Twydall.

3.104. The LVIA provides descriptions of the views and visual context for each of the visual receptors identified accompanied by plans showing the representative viewpoints and receptors (i.e., public rights of way, local roads and areas of Access Land). An assessment of the visual sensitivity to the Proposed Development that considers both the value attached to views and susceptibility to change is included for each.



# Section 4: Proposed Development

## Landscape Design Principles and Mitigation

- 4.1. Details of the Proposed Development are set-out within the Design and Access Statement [CD5.10]. The proposal has been informed by a set of Design Principles, including the following:
- *Create a village character to the development, with a village green in the middle of the site adjacent to existing development on Pump Lane;*
  - *Incorporate the historic orchard use in the area within parts of the structural landscaping;*
  - *Maintain and enhance the existing landscape structure at the edges of the site along the lanes and integrate with the surrounding open countryside, with significant areas of open space around the perimeter of the site;*
  - *Outward facing development facing the perimeter open space and public walking areas to provide a distinct rural edge;*
  - *Setting back development from existing properties to allow them to retain their current identity;*
  - *Retain the existing bridleway and extending across the site to connect with exiting footpaths; and*
  - *Enhancing connectivity through creating a pedestrian link to Lower Twydall Lane, a countryside walk around the perimeter of the site and pedestrian link to Lower Rainham Road.*
- 4.2. The Landscape Strategy for the Proposed Development set out in the DAS include the following key principles that are reflected within the parameter plans and masterplan:
- *Provide additional landscape screening and separation for the existing residential properties in addition to the high hedgerows and trees;*
  - *Provide a structural landscape around the perimeter of the development and loop road to allow development to blend with the landscape; and*
  - *Provide significant areas of open space for recreation for existing and new residents incorporating swales and ponds as parts of the Sustainable Urban Drainage System (SUDS).*

## Revised Masterplan Parameters: Updated Landscape Framework

- 4.3. As part of the Appeal submission, Tyler Grange prepared an updated Landscape Framework plan that fits within the revised parameters which increase buffers and set backs to the conservation areas at Lower Twydall and Lower Rainham . In addition to responding to heritage sensitivities the inclusion of these additional areas also provides increased landscape buffers that enable the proposal to respect the setting of Lower Rainham and Lower Twydall and their



individual identity, as well as the visual amenity of residents. The buffers also provide areas of Green Infrastructure, including recreation areas.

4.4. A copy of the Landscape Framework Plan is included on Figure 8 at Volume 2 of this evidence.

4.5. The framework builds on the original planning submission and includes details of the following principles. These principles have been taken into consideration by the LVIA when assessing the susceptibility and sensitivity of the landscape to the Proposed Development:

- Retaining hedgerows and hedgerows along Pump Lane and Lower Bloors Lane to respect their character;
- Planting of community orchards incorporating traditional varieties of fruit trees and set within areas managed as grassland and wildflower meadows to reflect the historic orchards within the Kentish fruit belt;
- Orchards to be situated within areas of green space alongside Pump Lane and around the buildings at Pump Farm and Russett Farm, along with open spaces and a village green to provide setting to Pump Lane and the farm buildings / properties and reflect the agricultural heritage and character;
- Areas of open space incorporating native hedgerows, trees and woodland planting to provide separation and buffers to the conservation areas at Lower Rainham and Lower Twydall. The location of school sports pitches and gardens and grounds to the proposed care home will further provide an open, undeveloped aspect and buffer to properties within Lower Rainham and the conservation area;
- Strengthening of existing hedgerows to site boundaries with Lower Rainham Road, and provision of landscape buffers to incorporate tree belts and green corridors with recreation routes, foot cycleways and SUDs;
- Creation of improved connections through areas of green infrastructure and open space within the site to community orchards, sport provision, village green and local centre as well as through to the Riverside Country Park and Saxon Shore Way and nature reserves to the east;
- Opportunities for habitat creation and enhancements for wildlife within areas of green infrastructure;
- Planting of a landscape buffer alongside the railway line to soften views of development from overlooking properties and train users. The planting of tree belts along the southwestern boundary will also serve to soften the built edge of Twydall, tying-in with existing woodland and reinforcing the wooded backdrop in wider views;
- Setting back development from Lower Bloors Lane and strengthening / reinforcement of hedgerows with native tree and hedgerow planting to respect and preserve the character of the lane;
- Reinforcing existing field boundaries to the northwest to strengthen landscape structure, provide connectivity with shelterbelts and woodland and provide a soft edge and transition to the development;
- Limiting the height of development to respect the existing built form and ensure the character of the vegetated shoreline is retained; and



- Incorporation of green infrastructure throughout the development containing foot and cycle links and linear green spaces with space for planting of trees, orchards and areas of both amenity grass and meadow grassland. There are opportunities to provide a range of play and sports provision within these spaces.
- 4.6. Strategic landscape buffer planting incorporating trees and woodland, as well as linear green spaces throughout the development and tree planting to streets will break up the built form and provide a soft green backdrop when the site is viewed from the estuary to the north. This will also serve to soften the form of the existing urban area on the edge of Twydall in these views.
- 4.7. Through the incorporation of the above measures, the Proposed Development will deliver a number of benefits and enhancements to the landscape, amenity and functioning of the ALLI. These are considered in further detail in Section 7 of this proof of evidence.



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

- 5.1. The LVIA contains a full assessment of the Landscape and Visual Effects that may arise from the Proposed Development. The findings are summarised below. References to the LVIA and relevant plans and photographs are included where relevant.

## Landscape Sensitivity

### *Lower Rainham and Lower Twydall Fruit Belt LLCA*

- 5.2. The assessment has identified the Lower Rainham and Lower Twydall Fruit Belt LLCA, within which the Appeal Site is situated as having an overall 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.
- 5.3. As detailed at paragraph 4.89 – 4.91 of the LVIA there are opportunities for development of the Appeal Site within the LLCA to provide improved access to connect with the urban areas and shoreline, including the Riverside Country Park, as well as respecting the character of lanes, native trees and hedgerows to boundaries and reinstatement of areas of traditional orchards.
- 5.4. The LVIA contains a detailed review of land within the Lower Rainham and Lower Twydall Fruit Belt LLCA on page 23. Land within the Appeal Site and the three LLCAs identified within the LVIA has been assessed as being of an overall Local Landscape Value, reflecting the ALLI Designation. The assessment considers the Landscape Value Factors as set-out in Box 5.1 of the Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA) [CD3.15]. and identifies the following:
- Landscape quality within the LLCA varies, with commercial orchards and paddocks across much of the area replacing traditional land uses and field patterns. Hedgebanks along the lanes are distinctive features, although there are sections in poorer condition, with opportunities for gapping up and regular management.
  - Hedgerows, woodland and shelterbelts limit views across much of the LLCA. When experienced from the estuary, the area is viewed in context with adjacent urban development at Rainham and Twydall.
  - The ecological value of agricultural land and commercial orchards is limited due to the management of fields for crops. Areas of greater wildlife value are associated with areas of woodland, scrub, traditional orchards and hedgerows and tree belts to field boundaries.
  - There are a number of listed buildings in the area, focussed within the conservation areas at Lower Rainham and Lower Twydall, interspersed with modern infill development. Within the Appeal Site, the management of land adjacent to these settlements as intensively farmed commercial orchards does not reflect the historic character.



- There is poor connectivity and recreation value across much of the area, as recognised by the 2011 LCA.
- The proximity of the area to the urban edge, railway and busy roads influence the tranquillity and perception of the area as a transitional urban fringe location.

### **Site Features**

5.5. The LVIA has undertaken a finer-grain assessment of the Appeal Site which sits within the area covered by the Lower Rainham and Lower Twydall Fruit Belt LLCA. This has identified those features that may be impacted by the Proposed Development, namely:

- Lower Bloors Lane;
- Pump Lane;
- Bridleway GB6A;
- Pump Farm and Russett Farm;
- Commercial Orchards;
- Lower Twydall;
- Lower Rainham;
- Lower Rainham Road; and
- Green Backdrop when viewed from the estuary.

5.6. The table on page 26 of the LVIA sets-out the character and sensitivities associated with each of the above features, along with opportunities to incorporate mitigation and enhancement measures to integrate the proposal with the landscape.

5.7. The Proposed Development incorporates those mitigation measures identified on page 26 of the LVIA, resulting in an assessment of an overall Medium Susceptibility and Medium Sensitivity at a site-wide level to the proposal.

5.8. Further details of how the Proposed Development has incorporated mitigation and enhancement measures are included within the DAS and within this proof evidence at Section 4 and 7 and are illustrated on the Landscape Framework Plan (Figure 8).

### **Medway Marshes Farmland LLCA**

5.9. The Medway Marshes Farmland LLCA has been assessed as having a Medium Landscape Sensitivity. The LLCA is valued for its recreation and ecological qualities associated with access to the adjacent Riverside Country Park and nature reserves. However, there is limited public access across much of the LLCA itself. Woodland and hedgerows to field boundaries provide structure and enclosure, linking with the vegetation along the shoreline to the north.

5.10. The assessment of the LLCA against the GLVIA Box 5.1 value factors on page 18 of the LVIA identifies the enclosure of the area and separation from the shoreline. Ribbon development on Lower Rainham Road and traffic reduces the sense of tranquillity and provides an urban fringe context and character along the road.

5.11. The LLCA has a medium susceptibility, being influenced by development at Lower Rainham and ribbon development along Lower Rainham Road and at Berengrave.





- 5.12. The Proposed Development will not directly impact on the Medway Marshes Farmland LLCA, being situated beyond Lower Rainham Road and settlement at Lower Rainham and separated by mature trees and hedgerows to the site boundaries. As recognised by the LVIA (paragraph 4.57) there are opportunities to preserve the character and features within the LLCA as well as providing improvements to connectivity with adjacent areas and recreation resources.

### ***Medway Shoreline and Riverside Country Park LLCA***

- 5.13. The Medway Shoreline and Riverside Country Park LLCA has been assessed as having a High Landscape Sensitivity. The LLCA is valued for its recreation, ecological and perceptual qualities associated with views across the estuary, as well as the distinctive character of the shoreline well vegetated backdrop. The LLCA makes a High Contribution to the features and function the Gillingham Riverside ALLI.
- 5.14. The causeway and land at Horrid Hill and Motney Hill are situated within the North Kent Marshes Special Landscape Area (SLA), a country-wide landscape designation. The LLCA is valued as a recreational resource associated with the Riverside Country Park and Saxon Shore Way. However, whilst there are strong east-west connections along the shoreline, north-south links inland are generally weak.
- 5.15. The Medway Estuary and Marshes RAMSAR Site, SSSI and SPA also place a high ecological / nature conservation value on the shoreline and adjacent mudflats.
- 5.16. The separation of the shoreline from inland areas and expansive views across the estuary to the north provide a strong sense of place, wildness and tranquillity away from the urban area, despite the proximity of development and traffic on Lower Rainham Road.
- 5.17. Given the physical and visual separation and containment from land beyond the shoreline by trees, residential development outside of it and within the Appeal Site would not directly impact upon the recreational value, distinctive character of views across the estuary.

## **Landscape Effects**

### ***Wider Area***

- 5.18. Within the wider Study Area, the Proposed Development would not be inconsistent with the pattern and extent of development. The site is situated within a peri urban context with the urban form of Twydall and Rainham impacting upon the character of the landscape across the Study Area.
- 5.19. The settlement pattern in the area includes development that lies in proximity to the shoreline, including the edge of Gillingham to the northwest. In proximity to the site, land at Rainham to the east extends north beyond the railway line up to Lower Rainham Road, south of Motney Hill. Houses and commercial / light industrial units extend north of Lower Rainham Road on Motney Hill Road, adjacent to a nature reserve and in proximity to the Saxon Shore Way.
- 5.20. As recognised within the Medway Landscape Character Assessment, the Medway Fruit Belt Landscape Character Area has poor east-west connectivity and access to the recreation facilities and landscape of the Riverside Country Park and Saxon Shore Way. The site in particular has poor access and does not provide connections from the wider urban area to



existing amenities, including nature reserves, community woodland and the wider Public Right of Way network.

- 5.21. The proposal offers the opportunity to greatly improve public access across the area, as well as the provision of attractive areas of green space including community orchards, recreation walks, equipped play areas, a village green and informal green spaces.

***Lower Rainham and Lower Twydall Fruit Belt LLCA***

- 5.22. The proposal has been assessed as resulting in Moderate Adverse Residual Landscape Effects at the Local Landscape Character Area scale for the Lower Rainham and Lower Twydall Fruit Belt LLCA. This reflects the extent of the site within this LLCA and degree of change associated with the removal of the commercial orchards and construction of the proposed residential development.
- 5.23. The LVIA sets-out a full assessment of the effects during the construction phase, upon completion and at 15 years, detailing the nature and magnitude of change and significance of effect. This is included on the assessment table on pages 60 and 61 of the LVIA. The findings of the assessment are summarised below:

*Construction Phase (10 years)*

- 5.24. The construction phase and associated works will introduce uncharacteristic elements into the landscape and are largely limited to the Appeal Site and work associated with construction of new site accesses on Lower Rainham Road and Pump Lane. The LVIA assesses the construction activities as resulting in a temporary medium / high magnitude of change.
- 5.25. The construction works and implementation of the Proposed Development will change the land use and character of the site and introduce uncharacteristic elements into the local landscape. At the LLCA scale, there will be temporary Major / Moderate Adverse effects.

*At Completion (incorporating mitigation)*

- 5.26. The completed development will result in the loss of commercial orchards across much of the central part of the LLCA between Lower Bloors Lane and Lower Twydall Lane and replacement with residential development. This will change the character of the landscape, albeit within a peri urban context that is influenced by adjacent development at Twydall and Gillingham, and busy road network and railway.
- 5.27. Given the containment of the Appeal Site within the wider LLCA by woodland and tree belts along Lower Bloors Lane and associated with Lower Twydall, as well as tall hedgerows and shelterbelts, the influence of the proposal upon the wider LLCA will be limited.
- 5.28. The proposal provides substantial new areas of traditional orchards within open space alongside Pump Lane, with existing hedgerows and shelterbelts bounding the site retained and substantially reinforced with new landscape buffer planting including tree belts and areas of open space.
- 5.29. Upon completion, the Proposed Development will give rise to Moderate Adverse effects upon the character of the Lower Rainham and Lower Twydall Fruit Belt LLCA. Whilst the proposal includes mitigation measures, the tree planting, landscape buffers and orchards will take time to mature.



Residual Effects (Year 15 – maturation of mitigation planting)

- 5.30. With the maturation of the strategic landscape planting and trees within open spaces the development will be better assimilated into the landscape. The resulting strong framework of trees along field boundaries will contain development within the wider landscape. Furthermore, the strategic planting and trees across the scheme will add to the green canopy and wooded backdrop as experienced from the estuary to the north and break up the rooflines and development edges at Twydall and Rainham.
- 5.31. Despite the embedded mitigation measures, including establishment of community orchards within areas of opens space alongside Pump Lane, village green and Green Infrastructure, given the scale of the development in relation to the LLCA, the overall affects will remain as Moderate Adverse.
- 5.32. As described above and demonstrated by the LVIA, the effects are localised and limited to the LLCA. The Proposed Development will be well assimilated into the wider landscape.

**Site-Wide Effects**

- 5.33. The LVIA has identified that the residual landscape effects at a site-wide level will be Moderate Adverse. The containment of the site by existing development and woodland, shelterbelts / tree belts and tall hedgerows limit the influence that development will have upon the wider landscape. The strategic landscape buffers and associated planting proposed on the site boundaries will further contain and enclose the site, limiting any effects on landscape receptors and character areas beyond.
- 5.34. The assessment tables at pages 62 – 65 of the LVIA provide a full assessment of the affects at a site-wide scale. This has included consideration of the residual effects relating to each of the site features identified in the baseline assessment, taking into account the mitigation embedded into the Proposed Development and Landscape Framework Plan (Volume 2: Figure 8), as detailed above in Section 4. The assessment is summarised below:

Construction Phase (10 years)

- 5.35. The construction phase and associated works will introduce uncharacteristic elements across the site area, with works including groundworks, removal of existing commercial orchard areas, site office, compounds, construction of new homes, road infrastructure, green infrastructure, SUDS and landscape buffers. The LVIA assesses the construction activities as resulting in a temporary high magnitude of change to the landscape across the site area.
- 5.36. The construction works and implementation of the Proposed Development will change the land use and character of the site and introduce uncharacteristic elements into the local landscape. At the site-wide scale, there will be temporary Major Adverse effects.

At Completion (incorporating mitigation)

- 5.37. As recognised above, whilst the proposal incorporates a range of embedded mitigation measures including landscape buffers, tree planting and implementation of new areas of community orchards, a village green and Green Infrastructure, this will take time to mature and become effective.



- 5.38. However, the provision of spaces and network of Green Infrastructure throughout the site, combined with the setting back of development from Lower Rainham and Lower Twydall beyond landscape buffers will provide an attractive open setting including trees, hedgerows, ponds and areas maintained as natural green space.
- 5.39. At a site-wide scale there will be a high magnitude of change and Moderate / Major adverse effects upon completion. The containment of the site within the existing framework of woodland, shelterbelts and tall hedgerows limit impacts beyond the site area.

Residual Effects (Year 15 – maturation of mitigation planting)

- 5.40. Whilst the maturation of mitigation measures will assist in assimilating the proposal into the landscape, providing set backs and buffers to adjacent receptors, creating attractive areas of communal green space and orchards, the magnitude of change at a site-wide scale will be high.
- 5.41. The LVIA has also identified the likely effects on a number of landscape receptors within and bounding the site, taking into account embedded mitigation. These include the following which are summarised below:

- *Commercial Orchards* – High magnitude of change and Moderate Adverse effect: Development will result in loss of orchards and fields managed for horticulture and change of land use to residential development. Areas of community orchard will reflect traditional Kentish orchards. Maturation of landscape buffers will provide strong framework within local field pattern.
- *Pump Farm and Russett Farm* – Low magnitude of change and Minor Adverse effect: Village Green, linear green space and community orchards provide structure and sense of place.
- *Bridleway GB6A* - Low magnitude of change and Minor Beneficial effect: Retention of trees and hedgerows along bridleway. Linear green space and opening up of sections to green spaces including village green, orchards and recreation.
- *Lower Bloors Lane* – Low magnitude of change and Minor Adverse effect: Hedgerows retained and managed to retain character and screen development. Tree planting within adjacent landscape buffer softening built edge and enhancing wooded character.
- *Pump Lane* - Medium magnitude of change and Moderate Adverse effect: Maintenance of retained and new hedgerows with community orchards providing setting to village green and adjacent properties. Maturation of trees at entrances.
- *Lower Rainham Road* – Low magnitude of change and Minor Adverse effect: Maturation of landscape buffer to site frontage will frame entrance to site and screen development.

- 5.42. The LVIA also considered impacts upon the landscape setting of settlements of Lower Twydall and Lower Rainham. Whilst there will be no direct impacts upon the settlement, the proposal will result in change to the adjacent fields which currently comprise commercial orchards. Lower Twydall is bounded by mature tree belts and field vegetation. Combined with the maturation of tree within the landscape buffers to the site boundaries, there will be a low magnitude of change and minor effect on the setting to Lower Twydall.



- 5.43. Whilst there will be a landscape buffer and green edge provided on the site boundaries with Lower Rainham, the land use beyond will change from commercial orchards to school playing fields, set beyond linear green space and the landscape buffer. This may result in a medium magnitude of change and moderate adverse effect for the adjacent edge of Lower Rainham.
- 5.44. Taking into consideration the impacts on the individual site features and overall change associated with the Proposed Development, the LVIA has assessed the residual effects of the proposal at a site-wide scale as being Moderate Adverse.
- 5.45. As identified with the assessment for the Lower Rainham and Lower Twydall Fruit Belt LLCA, these are localised impacts. The containment of the site within the existing landscape framework and maturation of the mitigation planting to the site boundaries and within the scheme will limit wider impacts on the landscape and character of the surrounding area.

***Indirect Effects: Medway Shoreline and Riverside Country Park LLCA***

- 5.46. In addition to the effects on the site area and associated features, the assessment has also considered indirect effects on other landscapes within the Study Area, including the Medway Marshes Farmland LLCA and Medway Shoreline and Riverside Country Park LLCA.
- 5.47. Although these LLCAs are separated from the site by Lower Rainham Road, settlement and the belt of woodland and tree planting along the shoreline, land on the upper slopes to the southwest of the site is visible from vantage points on the shoreline from Horrid Hill (Riverside Country Park) and Motney Hill (Saxon Shore Way).
- 5.48. As recognised within the Local Plan, the green backdrop to views from the estuary is a feature of the Gillingham Riverside ALLI, within which the site is situated. In this respect the backdrop to the estuary is one of the perceptual aspects and part of the scenic quality of the Medway Shoreline and Riverside Country Park LLCA.
- 5.49. As recognised by the site-specific landscape character assessment, the vegetation along the shoreline within this LLCA makes a high contribution to the green backdrop to the estuary. The Proposed Development will not impact on this.
- 5.50. The tree planting associated with the Proposed Development will, upon maturation provide a green canopy that will soften and break up development both on the site and within the built area of Twydall on the rising land to the south. There will therefore be a Residual Localised, Indirect Minor Adverse Effect on the Medway Shoreline and Riverside Country Park associated with the Proposed Development.

**Visual Effects**

- 5.51. A summary of the key findings of the assessment are set out below for each of the groups of people (visual receptors) identified within the baseline assessment as having the potential to have their views and visual amenity affected by the Proposed Development.
- 5.52. In addition to the effects upon the views and visual amenity of visual receptors, the perception of the Appeal Site and ALLI associated functions are also acknowledged where relevant. This has informed the consideration of matters relating to the function of the Appeal Site as part of



the Green Buffer at Sections 6 and 7. Other functions of the ALLI are also acknowledged where relevant, including as a green backdrop in views from the estuary at Sections 6 and 7.

#### ***Users of Proposed New Multifunctional Green Infrastructure and Recreation Routes***

- 5.53. As considered further within Section 8 of this proof of evidence, the Proposed Development will provide improved access across and within the Appeal Site as part of recreation routes and links to the surrounding rights of way network, Country Park and urban areas. This will improve the function of the Gillingham Riverside ALLI in providing access to the landscape from urban areas.
- 5.54. In addition to the recreation benefits, there will also be associated visual amenity benefits for people enjoying the newly created landscapes and areas of multifunctional green space, including community orchards, village green, formal and informal play areas and linear green spaces.

#### ***Users of the Saxon Shore Way and Riverside Country Park***

- 5.55. As identified through the analysis of policy and the baseline studies, access to the countryside and the associated recreational and amenity benefits are valued aspects of the landscape, with the views along the shoreline and across the estuary forming part of the experience enjoying by people using the Saxon Shore Way and Riverside Country Park. The contribution that the visual experience and views make to the value of the landscape has been incorporated into the assessment of landscape effects and has also informed the sensitivity of these people to visual changes associated with the proposal.
- 5.56. This has included consideration of the contribution that the site makes as part of the green backdrop in views from the estuary, including those obtained from Horrid Hill (within the Riverside Country Park) and the Saxon Shore Way.
- 5.57. Users of these recreation resources have been assessed as being of a Medium / High sensitivity to visual change associated with the Proposed Development.

#### ***North of the Medway Estuary***

- 5.58. Users of the Saxon Shore Way to the north of the Medway Estuary have the potential to experience Minor Adverse Visual Effects upon completion of the development, reducing to Neutral after 15 years when the planting to site boundaries and within the site mature. This reflects the distance of the viewers and limited nature of change in relation to the expansive views across the wider estuary.
- 5.59. As illustrated by Photoviewpoint 1, the Appeal Site is contained by and set beyond mature vegetation to field boundaries along the southern shore of the estuary. The built edge of Twydall forms a backdrop to the upper slopes of the site along the southwestern edge. The planting of landscape buffers and trees within areas of Green Infrastructure and roads and streets will provide a green canopy, assimilating the development on the edge of Twydall into the landscape as part of the wider green backdrop.





*From Motney Hill and Horrid Hill*

- 5.60. In views from the Saxon Shore Way south of Motney Hill and Horrid Hill within the Riverside Country Park (Photoviewpoints 3 and 4), the Proposed Development will be visible, set beyond vegetation on the shoreline and properties in Lower Rainham. The houses will be viewed against the built edge of Twydall and Rainham that extends up the slopes beyond the site the south. Upon maturation of the landscape buffer planting and trees throughout the development, this will reduce to residual Permanent, Localised Minor Adverse Visual Effects.
- 5.61. As recognised within the assessment for the above receptors, the expansive views across the estuary from these vantage points and along the recreational routes will not be affected by the Proposed Development. In those views back towards the shore from the north and promontories of Horrid Hill and Motney Hill, the development will retain a green backdrop, set beyond the woodland and shelterbelts along the shoreline and tying-in with the woodland and trees that bound the site and within adjacent areas. The proposal will also soften the existing linear developed edge south of the railway line through the provision of extensive new planting to boundaries and within the site.

***Users of Pump Lane***

- 5.62. The Proposed Development will retain and manage the hedgerows along Pump Lane, save for that required to facilitate access. The hedgerows will also be gapped up and enhanced, with development set back beyond areas of green space incorporating community orchards, the village green and linear green space. These spaces will incorporate recreation routes and foot cycleways providing links across the site, linking Twydall with the Riverside Country Park and shoreline.
- 5.63. Once the landscape planting and community orchard areas, village green and buffers to the village centre, care home and school have established, the residual effects for users of Pump Lane will be Permanent, Localised and Minor / Moderate Adverse.
- 5.64. Development will be set back from the lane beyond areas managed as community orchards, the village green and opens spaces, in keeping with the existing glimpsed views of orchards obtained to the south of Russett Farm. The hedgerows along the lane and supplementary planting will screen views of development, with views along new accesses off the lane set beyond verges with street trees.

***Users of Bridleway GB6a***

- 5.65. The bridleway will pass alongside areas of open space including play areas / pocket parks and pass through the village green. As the landscape establishes and planting matures there will be Permanent, Localised Minor / Moderate Beneficial Visual Effects. This reflects the change from an enclosed path with glimpsed views of commercial orchards to a route that is integrated into areas of open space with recreation and amenity spaces at the heart of the new community.
- 5.66. The bridleway will become part of links across the Appeal Site, linking Lower Twydall Lane with Lower Bloors Lane and the wider countryside and set within areas of green space incorporating the village green, linear parks and recreation / play areas.





### ***Users of Lower Rainham Road***

- 5.67. For users of Lower Rainham Road passing the site, there will be Localised Minor Adverse Visual Effects arising from the implementation of the new site entrance to the northwest of Pump Lane both at completion and residual effects (after 15 years) when the landscape mitigation has matured.
- 5.68. The enhancements to the site boundaries with tree belts planted within landscape buffers alongside Lower Rainham Road will strengthen the physical and visual separation along the road between the Appeal Site and the Medway Marshes Farmland and shoreline to the north. This will serve to reinforce the function of the land north of Lower Rainham Road as a green buffer to the nature conservation sites, recreation routes and Riverside Country Park.

### ***Users of Lower Bloors Lane***

- 5.69. The existing mature hedgerows and hedgebanks along Lower Bloors Lane will be enhanced through new tree belt planting and gapping up of hedgerows, reinforcing the containment of the Appeal Site. The development will be set back beyond a landscape buffer. The residual effects will be Permanent, Localised and Minor Adverse once the mitigation planting has matured.

### ***Users of Lower Twydall Lane***

- 5.70. In the limited views of the site available Lower Twydall Lane, the site is set beyond intervening trees and hedgerows to field boundaries. In views from the footbridge over the railway on Lower Twydall Lane, housing to the southwest of the site will replace oblique views across the site beyond filtering vegetation along the railway line. The development will be seen in context with houses at Lower Twydall to the south of the railway line and result in Localised Permanent, Minor Adverse Visual Effects with the maturation of the tree belts alongside the railway which will filter and soften views of the houses within the site.

### ***Users of Trains Passing the Site***

- 5.71. With the maturation of buffer planting incorporating tree belts along the railway there will be Permanent, Localised and Minor Adverse Visual Effects for users of trains. The assessment reflects the fleeting, glimpsed nature and extent of the views from the trains and the existing vegetation that filters outward views across the site from along much of the southwestern site boundary.

### ***Residents of Properties Adjacent to and Overlooking the Site***

The Visual Assessment has also given consideration to the likely effects upon the views and visual amenity of residents of properties adjacent to and overlooking the site. These are summarised below.

#### ***Residents of properties in Twydall south of the railway***

- 5.72. With the maturation of landscape buffer planting alongside the railway, the loss of views across the site will give rise to Permanent Minor / Moderate Adverse Visual Effects for these residents.



- 5.73. The assessment recognises the context within which the views of the site are experienced, beyond a busy railway line and planting to gardens and alongside the railway line filtering views across the site.

*Residents of Properties on Pump Lane*

- 5.74. Upon maturation of the trees and establishment of landscape to areas of green infrastructure and open spaces, the residual effects will be Permanent, Localised and Moderate Adverse. This recognises the setting of the properties at the heart of a landscape framework to the centre of the site and development incorporating buffers, green spaces, the village green and community orchards.

*Residents of Properties on Lower Bloors Lane*

- 5.75. Once gapping up and enhancement works to the hedgerows and trees / landscape buffer within the site has matured, these will give rise to Permanent, Localised and Minor Adverse Visual Effects.

*Residents of Properties of Lower Rainham*

- 5.76. The setting-back of the development beyond a landscape buffer and the playing fields will result in Permanent, Localised and Minor Adverse Visual Effects with the maturation of the planting to the landscape buffers along the site boundaries and adjacent to the playing fields and housing south of the school.

*Residents of Properties at Lower Twydall*

- 5.77. There are limited views towards the site from properties at Lower Twydall. For those with outward views to the east, intervening vegetation to field boundaries filters views into the western site area. There will be Permanent Negligible Visual Effects upon maturation of the landscape buffer planting to the western site boundary which will screen views of the development



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

## Role of the Appeal Site as a Green Buffer within the ALLI

- 6.1. As set-out by Local Plan Policy BNE34 (paragraph 3.4.07, (xiii)), one of the functions of the Gillingham Riverside ALLI is that the area:

*“Forms an important 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.”*

- 6.2. The role of the Appeal Site as a Green Buffer within the ALLI has been identified by the Inspector and agreed between the parties as a matter for consideration in relation to landscape. As considered further below, the Appeal Site makes a limited contribution to this function.

### Function of land within the Gillingham Riverside ALLI as a Green Buffer

- 6.3. Policy BNE34 emphasises that the function of the Gillingham Riverside ALLI as a Green Buffer is to ensure the separation of the built edge from the Medway estuary and associated areas of nature conservation and recreation importance. These include the publicly accessible areas within the Riverside Country Park, including Horrid Hill and the Saxon Shore Way that runs along the shoreline.

- 6.4. The Green Buffer function is not an indicator of landscape value or quality and instead plays a spatial role. This is clarified within the supporting text to Policy BNE34 which states as paragraph 3.4.105 of the Local Plan that:

*“These ALLIS are significant not only for their landscape importance, but also for other important functions:*

- (i) As green lungs and buffers, helping to maintain the individual identity of urban neighbourhoods and rural communities;*
- (ii) As green corridors (or links) for the community to reach the wider countryside;*
- (iii) As edge or “fringe” land, needing protection from the pressures of urban sprawl; and*
- (iv) As habitats for wildlife and corridors, along which wildlife from the wider countryside can reach the urban environment.”*

- 6.5. In the case of the Gillingham Riverside ALLI, the green buffer is specifically stated within Policy BNE34 as functioning to provide separation between the built-up areas of Twydall and Rainham and the Medway estuary and associated areas of importance for recreation and conservation. The buffer is not intended to provide separation between settlements or preserve their individual identity.



- 6.6. The analysis within this proof and the LVIA prepared to accompany the Appeal has demonstrated that the area within the Medway Shoreline and Riverside Country Park Local LLCA (as defined within the LVIA) makes the highest contribution to this function. The LLCA is situated within and on the edges of the Medway Estuary and Marshes SSSI, Ramsar site and SPA. The Saxon Shore Way passes through the area, running along the seawall. The LLCA is also situated within the Riverside Country Park.
- 6.7. As illustrated on the Plans and Figures within the LVIA and **Photoviewpoints 2 and 4** included at Volume 2 of this proof of evidence, a belt of vegetation including woodland, shelter belts and tree belts runs alongside the shoreline. This provides both physical and visual separation from the Marshes to the south and areas further inland, as well as development on Lower Rainham Road.
- 6.8. The vegetation to the shoreline also provides a substantial part of the green backdrop in views from the estuary, which is identified as a function for the Gillingham Riverside ALLI.
- 6.9. Land within the Medway Marshes Farmland LLCA separates the shoreline from Lower Rainham Road to the south. Although the marshes contain some development, including that at Mariners Farm and the Riverside Country Park visitor centre, the area is predominantly agricultural land, with some areas managed as paddocks. The area serves as a green buffer between the shoreline and Lower Rainham Road. This is reflected by the recognition within the 2011 LCA that the Riverside Marshes LCA forms an important buffer to the urban edge of Gillingham and green corridor from the countryside into the urban area.
- 6.10. Lower Rainham Road and associated linear development, mature hedgerows and trees combine to provide physical and visual separation between the Medway Marshes Farmland and the land within the Lower Rainham and Lower Twydall Fruit Belt LLCA to the south within which the Appeal Site is situated.

#### **Extent of Development and the Built Edge**

- 6.11. Linear development along Lower Rainham Road, including the settlement at Lower Rainham reinforces the separation of the Appeal Site from the Medway Marshes Farmland LLCA north of the road and introduces a built edge to the north and northeast. Development within the site will be contained to the south of Lower Rainham Road and will not extend beyond the existing built edge which already sits to the south of the shoreline and associated areas of recreation and biodiversity importance and value.
- 6.12. As illustrated on **Figure 3: Planning Policy and Consented Development within the ALLI** (Volume 2) there have been several consented developments within the Gillingham Riverside ALLI since 2015. This includes for those situated on land off Station Road and Lower Rainham Road at Berengrave for a total of 450 dwellings (sites labelled as i – v on Figure 3).
- 6.13. These developments will extend the northern edge of Rainham up to Lower Rainham Road, encompassing the existing dwellings at the junction with Station Road. The Proposed Development would not encroach further upon the shoreline than the built edge in these locations.
- 6.14. As illustrated on Figure 3, the consented development does not encroach on the Berengrave Nature Reserve and land within the Riverside Country Park that extends to the south of Lower Rainham Road, retaining these areas recognised for their nature conservation and recreational importance and value within the ALLI. The Appeal Site lies outside the Riverside Country Park



and does not contain any nature reserves or areas designated for their nature conservation importance.

- 6.15. The consented development within the ALLI that extends the urban edge to Lower Rainham Road and existing development along the road allow for the preservation of land north as a largely undeveloped, green buffer to the estuary and shoreline.
- 6.16. The 2011 LCA for the Lower Rainham Farmlands and Riverside Marshes LCAs identify the two areas as combining to provide a “generous” green buffer between the urban edge and estuary. Neither Policy BNE34 and its supporting text, nor the 2011 LCA place a spatial or quantitative threshold upon the extent of the buffer required to effectively perform the function of separating urban areas from the estuary.
- 6.17. The 2011 LCA recognises that the role that the Riverside Marshes LCA plays in forming a buffer to the marshland wildlife habitats

### **Perceptual Aspects**

- 6.18. In addition to the physical undeveloped nature of the “green” buffer, there is also the experiential aspect as to how the land functions as a perceived buffer. The Appeal Site makes a limited contribution to the perceived function of the wider ALLI as a green buffer.
- 6.19. As examined in relation to the Visual Context, the Appeal Site is well contained within the local landscape being bounded by mature hedgerows and tree belts and is not open to public access. The only access across the ALLI in proximity to the Appeal Site are along Pump Lane, Lower Twydall Lane and Lower Bloors Lane, as well as along the bridleway within the site.
- 6.20. For uses of Lower Twydall Lane, the Appeal Site has a negligible influence upon the experience of passing through the area between Twydall and Lower Rainham Road.
- 6.21. Users of Lower Bloors Lane experience very few outward views due to the hedgebanks and tall hedgerows limiting visibility. Whilst there are several properties situated along the lane, a number of these are set back and do not exert a strong built influence on the character of the lane.
- 6.22. Users of Bridleway GB6a that crosses the Appeal Site between Pump lane and Lower Bloors Lane have very limited outward visibility, with the right of way passing between tall coniferous hedgerows along most of its length.
- 6.23. Development along Pump Lane includes linear development extending south from Lower Rainham, Pump Farm and the residential development at Russett Farm. Whilst there is a stretch of the lane north of the railway line that is not fronted by properties and is bound by hedges, this is only for a distance of approximately 250m and lies between the built edge of Twydall and development at Russett Farm. Continuing northwards towards Lower Rainham Road, there are properties fronting the lane along most of its length.



## Effects of the Proposed Development upon the Green Buffer

- 6.24. The Proposed Development will have no direct impact upon the areas of importance for biodiversity and recreation on the shoreline of the estuary. The development will not extend northwards beyond Lower Rainham Road. The function of the Medway Marshes Farmland LLCA as a green buffer between the shore and Lower Rainham Road will not be impacted.
- 6.25. Notwithstanding that the Appeal Site makes a limited contribution to the function of the ALLI as a green buffer, the Proposed Development will reduce the degree of separation with the edge of Twydall and introduce built form. This will inevitably impact upon the physical extent of the green buffer, as well as the character of the area. As set out above the function of the ALLI as a green buffer does not relate to the character of quality of the landscape, but rather as a spatial tool to ensure the protection and preservation of areas of nature conservation and recreational importance along the estuary.
- 6.26. However, the Proposed Development will offer enhancements to the functionality of the Appeal Site in terms of accessibility and connectivity between the urban edge of Twydall and the wider rights of way network and Riverside Coastal Park to the north. The Proposed Development includes for a substantial green corridor alongside Pump Lane that incorporate new areas of traditional community orchard, a village green and footpaths set within areas of Green Infrastructure that permeate the area.
- 6.27. The Proposed Development will incorporate recreation routes through areas of green infrastructure and open space throughout the development, including alongside the bridleway and to the site boundaries. These areas of open space will also provide landscape planting including native trees, hedgerows and areas for biodiversity improvements associated with SuDS features, marginal vegetation and areas of meadow grassland within community orchards, the village green and areas of open space.
- 6.28. The proposal incorporates buffers and set backs to boundaries with tree planting and landscape treatments on the edges of settlement at Lower Twydall and Lower Rainham as well as properties on Pump Lane and at Pump Farm and Russett Farm. These areas will incorporate landscape planting, including traditional orchards and seek to ensure physical and visual separation with adjacent properties, respecting residential amenity and character.
- 6.29. The structural landscape mitigation planting to site boundaries and throughout the development will mature to provide a soft green backdrop, filtering views of existing and the Proposed Development and ensuring that the Appeal Site will form part of the wider green backdrop when seen in views from the estuary.
- 6.30. Whilst the Proposed Development would result in the reduction of the physical separation that currently exists between the railway and edge of Twydall and Lower Rainham Road, an effective green buffer would be retained north of Lower Rainham Road within the Medway Marshes Farmland LLCA. This would assist in the protection of the landscape character, nature conservation designations and recreational resources along the Medway estuary and shoreline. The Proposed Development would integrate into the green backdrop to the shoreline and landscape as experienced from the river.
- 6.31. The wider role and function of the green buffer would be retained, with localised enhancements to access, recreation and amenity. These are considered in further in Section 7.



# Section 7: Enhancements and Benefits

- 7.1. The Proposed Development offers opportunities for the provision of a number of benefits relating to providing publicly accessible green space and associated landscape features. In addition to providing recreational benefits, these also offer the opportunity to enhance the biodiversity of the site and some of the functions of the Gillingham Riverside ALLI.

## Landscape Enhancements and Benefits

### Recreation and Amenity

- 7.2. The Proposed Development offers opportunities to enhance the recreation and amenity value of the Appeal Site, as well as improving connectivity across the area creating new links with the adjacent rights of way network, Riverside Country Park and other landscape and amenity areas including the Lower Bloors Community Woodland.
- 7.3. As detailed within Section 5 when considering the landscape and visual effects associated with the Proposed Development, the retention of Bridleway GB6a and its integration into the Green Infrastructure and areas of open space within the scheme will be beneficial for recreation and visual amenity of existing and new residents. As it passes through the site including the village green, orchards and pocket parks, the bridleway will link with new areas of open space and recreation routes throughout the scheme and form part of the improved connectivity across the site.
- 7.4. In addition to the improved connectivity through the site and creation of recreation routes, the proposal also provides for a range of formal and informal spaces throughout the areas of green space providing a variety of facilities including play areas, pocket parks, village greens and community orchards.
- 7.5. There are also opportunities to manage ponds, water bodies and attenuation features for habitats and wildlife, providing attractive features within the village green and areas of green space throughout the development and as part of recreation routes.

### Character and Features

- 7.6. At present, the Appeal Site comprises land which is predominantly managed as commercial orchards. The incorporation of new areas of community orchards that are planted and managed to reflect traditional orchards and using Kentish fruit varieties will reinstate some of the former character of the fruit belt. There are also wildlife and biodiversity benefits associated with the orchards, which will be managed to include areas of meadow grassland and native hedgerows.
- 7.7. In addition, the community orchards will be publicly accessible and woven into the Green Infrastructure throughout the development, incorporating new routes through the scheme and located adjacent to Pump Lane and the proposed village green. The orchard areas will provide a setting to the lane and existing properties at Pump Farm and Russett Farm. The orchards will therefore be experienced within the local landscape by both existing and new residents.
- 7.8. The structural landscape planting of tree belts and woodland to the site boundaries, within areas of Green Infrastructure and along the loop road will combine with the existing trees, shelterbelts





and woodland within and adjacent to Appeal Site to reinforce the green backdrop and wooded skyline to the estuary. In addition to containing and softening the Proposed Development and providing landscape and visual mitigation, as the tree belts and woodland matures, they will assist in breaking up the built edge formed by properties along the railway at Twydall as experienced from the estuary to the north.

## **ALLI Enhancements and Benefits**

- 7.9. As detailed within this proof of evidence and the LVIA, the Appeal Site makes a limited contribution to several of the functions identified by Local Plan Policy BNE34 for the Gillingham Riverside ALLI. These include providing residents within an extensive urban area with access to an attractive rural landscape and as a green backdrop to the estuary.

### **Providing residents within an extensive urban area access to an attractive, rural landscape**

- 7.10. The site currently has no public access, with Bridleway GB6a connecting Lower Bloors Lane and Pump Lane, running through the site in between coniferous tree belts and offering limited recreational or visual amenity benefits. There are no pavements along Pump Lane and no public space, destination or connection with other footpaths at the western end of the bridleway.
- 7.11. This lack of accessibility and connection between built areas and the countryside is identified within the Medway Landscape Character Assessment for both the Lower Rainham Farmland and Riverside Marshes LCAs. Whilst there is good west-east connectivity between the edge of Gillingham and the Country Park along the shoreline, there is very poor connectivity between the edge of Twydall across the Appeal Site to the shoreline / estuary and Riverside Country Park to the north.
- 7.12. As illustrated on the **Landscape Framework Plan** at Volume 2 (Figure 8), the Proposed Development includes substantial areas of new publicly accessible green space that run alongside Pump Lane connecting Twydall with Lower Rainham Road and the Riverside Country Park. This green corridor and areas of green infrastructure and open spaces within and bounding the site incorporate community orchards, a village green and linear parks and new pedestrian and cycle links running north – south and east-west through the site.
- 7.13. As set out above, the existing bridleway and new routes through the site will link up with existing landscapes and destinations surrounding the Appeal Site and within the local area, including the Bloors Lane Community Woodland and access to the Riverside Country Park and shoreline.

### **Forming a Green Buffer separating built-up areas of Twydall and Rainham from areas of importance nature conservation and recreation along the Medway Estuary**

- 7.14. As examined in detail in the LVIA and my evidence, the contribution that the Appeal Site makes to the role of the ALLI as a green buffer is limited. This results from a combination of factors, including:
- Lack of public access;
  - Physical and visual containment by boundary vegetation; and
  - The containment and separation of the site from the estuary and shoreline by Lower Rainham Road, vegetation and settlement at Lower Rainham and buffer provided by the fields and paddocks within the Riverside Marshes.



- 7.15. Through providing a swathe of green space that runs through the heart of the development alongside Pump Lane and properties at Russett Farm and Pump Farm including a village green linear parks and community orchards, the perception of the appeal site as part of an accessible and functional green buffer will be enhanced.
- 7.16. As illustrated on the Landscape Framework Plan, the northern edges of the site alongside Lower Rainham and Lower Rainham, Road incorporate landscape buffers with tree belts, attenuation features, linear parks and community orchards. The school playing fields and grounds to the car home are also set to the north of the scheme, combining with the public green spaces to provide separation with Lower Rainham and bolster the areas of the site retained as undeveloped green buffer.
- 7.17. Given the above factors, whilst the extent of the site that currently acts as a physical undeveloped “green” buffer will be reduced due to the proposed built areas the Appeal Site will retain a function as a buffer when experienced from within the public realm and traveling through the site within areas of Green Infrastructure.

### **Green Backdrop when Viewed from the Medway Estuary**

- 7.18. As examined within the LVIA and illustrated by the photoviewpoints existing tree belts, woodland and vegetation along the shoreline to field boundaries and alongside local roads provide a green backdrop to views from the estuary, including at Horrid Hill and Motney Hill. The Appeal Site is set beyond trees and woodland along the shoreline, with the boundary hedgerows and shelterbelts providing containment.
- 7.19. The upper slopes of the site are visible above and between the trees and hedgerows, set in front of the linear edge of properties in Twydall alongside the railway line and urban areas on the rising land to the south.
- 7.20. The proposed tree belts and landscape buffer planting to the site boundaries and within areas of green infrastructure and alongside the internal roads and streets will mature to break up and soften the Proposed Development. The trees will form a green canopy and reinforcing and enhance the wooded backdrop, tying-in with existing shelterbelts and woodland at Lower Bloors Community Woodland and allotment plot to the southeast and trees to the edges of and Lower Twydall to the west.



## Section 8: Summary and Conclusion

- 8.1 This proof of evidence has examined the reason for refusal and main issues identified by the Inspector in relation 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.
- 8.2 These have been agreed and confirmed as main issues by the Planning Inspector, appellant and Council and 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.”*
- 8.3 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.
- 8.4 When considering the above matters, my evidence has differentiated between the character of the Gillingham Riverside ALLI and the functions identified under Local Plan Policy BNE34.

### Planning Policy

- 8.5 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.
- 8.6 The PPG 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.
- 8.7 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.
- 8.8 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.



- 8.9 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.
- 8.10 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.
- 8.11 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.
- 8.12 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.
- 8.13 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.
- 8.14 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.
- 8.15 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

- 8.16 The LVIA includes a site-specific assessment of Local Landscape Character and identifies the sensitivity of each of the LLCAs based upon an assessment of landscape value and susceptibility to residential development. The ALLI indicates a localised landscape value.
- 8.17 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.
- 8.18 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.
- 8.19 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.



- 8.20 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.
- 8.21 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.
- 8.22 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.
- 8.23 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.
- 8.24 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.
- 8.25 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 area 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**

- 8.26 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.
- 8.27 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.
- 8.28 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.
- 8.29 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.
- 8.30 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. There will be a limited localised impact on the function of the wider Gillingham Riverside ALLI as a green buffer.
- 8.31 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

- 8.32 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.
- 8.33 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.
- 8.34 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.
- 8.35 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.
- 8.36 Significantly also, the proposal also 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.
- 8.37 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.

- 8.38 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.
- 8.39 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.
- 8.40 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.
- 8.41 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.

