



## AGENDA

### LOCAL PLAN PANEL MEETING

Date: Thursday, 29 November 2018

Time: 7.00pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Mike Baldock, Monique Bonney, Andy Booth, Richard Darby, James Hunt, Gerry Lewin (Chairman), Peter Marchington, Bryan Mulhern (Vice-Chairman) and David Simmons.

Quorum = 3

#### Recording Notice

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1. Fire Evacuation Procedure

Pages

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The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building

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(b) the lifts must not be used in the event of an evacuation.

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It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence and Confirmation of Substitutes

3. Minutes

To approve the Minutes of the Meeting held on 29 October 2018 (Minute Nos. 288 - 292) as a correct record.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the room while that item is considered.

**Advice to Members:** If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

## Part A Reports for Recommendation to Cabinet

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### Issued on Monday, 19 November 2018

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of this Committee, please visit [www.swale.gov.uk](http://www.swale.gov.uk)

Chief Executive, Swale Borough Council,  
Swale House, East Street, Sittingbourne, Kent, ME10 3HT

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<b>Local Plan Panel Meeting</b>		Agenda Item:
Meeting Date	29 November 2018	
Report Title	Swale Local Landscape Designation Review and Recommendations	
Cabinet Member	Cllr Gerry Lewin, Cabinet Member for Planning	
SMT Lead	Emma Wiggins	
Head of Service	James Freeman	
Lead Officer	Anna Stonor	
Key Decision	No	
Classification	Open	
Recommendations	<p>Recommend to Cabinet that they agree:</p> <ol style="list-style-type: none"> <li>1. the recommendations set out in the Swale Local Landscape Designation Review and Recommendations 2018;</li> <li>2. that in the emerging local plan the ‘settings’ element of policy DM 24 <i>Conserving and enhancing valued landscapes</i> be updated in response to this review.</li> </ol>	

## 1. Purpose of Report and Executive Summary

- 1.1. This report updates the Panel on work connected with the preparation of the Local Landscape Designation Review.
- 1.2. Attached to this report at Appendix III is the *Swale Local Landscape Designations: Review and Recommendations*, October 2018. The review and recommendations document presents the findings of the review of local landscape designations (LLDs) conducted by independent landscape consultants LUC.
- 1.3. The review included a consultation with stakeholders over the winter of 2017-18 and a stakeholder workshop in September 2018.
- 1.4. The Panel is asked to agree to accept the recommendations made in the Swale Local Landscape Designations Review and Recommendations 2018 and that in the emerging local plan the ‘settings’ element of policy DM 24 *Conserving and enhancing valued landscapes* be updated in response to this review.

## 2. Background

- 2.1. Local landscape designations within Swale currently consist of Areas of High Landscape Value (Kent Level) and Areas of High Landscape Value (Swale Level) and are identified on the Proposals Map of the Council’s Local Plan at

[www.cartogold.co.uk/swale/](http://www.cartogold.co.uk/swale/) . The purpose of these designations is to conserve and enhance these landscapes as set out in Policy DM 24 of the Swale Local Plan 2017.

- 2.2. Following the adoption of the Local Plan in July 2017 the Planning Policy team began the process of commissioning a review of Local Landscape Designations. These had previously been reviewed in 2003 by Jacobs (Babtie) Ltd and via an interim review undertaken by Swale Borough Council in 2014 (see CD/053 and CD/090 at [swale.gov.uk/examination-document-library/](http://swale.gov.uk/examination-document-library/) ).
- 2.3. The brief for this review asked that consultants examine all of the locally designated landscapes in the borough and their boundaries and make recommendations for any changes (extensions or deletions). They were also required to consider the designation of new areas. The brief highlighted: the areas set out for review in the Interim Review of Local Landscape Designations and Important Local Countryside Gaps (SBC, 2014); the area between Rhode Common, Brenley Corner and Boughton; the area around Sandbanks, Graveney and Goodnestone; the area between Osiers Farm (Teynham) and Lynsted; the area south of Bapchild to Rodmersham Green and Dungate; the Sheppey Hills between Minster, Eastchurch and Warden; the coastline of North Sheppey and the northern edge of the AONB within Swale, including the setting of the AONB. The brief also asked the consultants to use their professional experience as well as the stakeholder responses to ascertain any further areas for assessment and designation.
- 2.4. Members are reminded that the Kent Downs Area of Outstanding Natural Beauty is a national designation and is not part of this review. Significant built up areas are also excluded, because landscape designations relate only to rural areas.
- 2.5. The agreed recommendations from the Local Landscape Designation Review will be used, as part of the evidence base for the preparation of the emerging local plan and as a material consideration in decisions about planning applications. The agreed designations will also be incorporated into the Proposals Maps for the emerging local plan.
- 2.6. One recommendation from this review is that in the emerging local plan, only one level of local landscape designation is used instead of the two existing layers (the Area of High Landscape Value (Kent Level) and the Area of High Landscape Value (Swale Level)). Having two layers of local landscape designation is a legacy of the Kent-wide Structure and Countryside Plans and are not as relevant now that these plans no longer exist. The criteria that has been used in this review is consistent across all landscapes assessed and the recommendation from the consultants is that one level of designation is appropriate. The proposed one layer of local landscape designation will be called 'Area of High Landscape Value'. Having one level of local landscape designation makes the designation simpler to understand and apply in practice.

2.7. Following the outcome of the Local Plan Panel meeting to discuss the Landscape Designation Review on 29<sup>th</sup> November, statements of significance will be prepared for each Local Landscape Designation. For ease of use this will be in a separate, stand-alone, document. The statements will be based on the evaluations from the Review and Recommendations Report and include a summary of identified qualities. These statements will be an accessible tool to enable easy use and application of the local landscape designations.

### 3. NPPF and valued landscapes

3.1. The NPPF, published in July 2018, states at the start of paragraph 170: *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;...*

3.2. Paragraph 171 continues: *Plans should: distinguish between the **hierarchy of international, national and locally designated sites**; **allocate land with the least environmental or amenity value, where consistent with other policies in this Framework**; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.*

3.3. The NPPF does not define valued landscapes. However, there is a consensus amongst planning, law and landscape professionals that designated landscapes are likely to be considered ‘valued’ for the purposes of paragraph 170, but also that non-designated areas can also be ‘valued.’ Case law indicates that to be valued in the context of the NPPF there needs to be something special or out of the ordinary that can be defined and that to be valued a site is required to show some demonstrable physical attributes rather than just popularity.

3.4. The retention of local landscape designations in Swale is therefore in line with the NPPF and its hierarchy of international, national and local designations. The Local Landscape Designation Review will provide the evidence to support Swale’s local designations by: elucidating the ‘special’ landscapes within the borough that are valued; defining the attributes and identifying the qualities that make these areas worthy of local designation; ensuring a robust and criteria based approach to defining locally designated landscapes; and providing a way to ensure local values, as identified through local stakeholder views, have been used to inform and strengthen the local landscape designations.

- 3.5. Across Swale there may be areas with a high quality landscape which are popular and locally valued and possess features, attributes or qualities of value but which are not local landscape designations. This can often be a question of scale – landscape designations are appropriate for large swathes of land but not for pockets of high value - or because they don't meet the range of criteria set out in this review.
- 3.6. It should be noted at this point that all landscapes in Swale have been assessed as part of the Landscape Character and Biodiversity Appraisal (LCA) (CD/063 at <https://www.swale.gov.uk/examination-document-library/>) which advocates an 'all landscapes' approach and which can be used to assist decision making and guide development across the borough including in areas which are not designated. As demonstrated below, the LCA has been used as a framework for this study.

## 4. Methodology

- 4.1. The Landscape Consultants conducting this review, LUC, followed a staged approach to the local landscape designation review, as follows:
- Stage 1 - Method development including identifying the assessment criteria
  - Stage 2 - Desk review – including the review of the landscape value stakeholder consultation, a first sieve of the 42 Swale Landscape Character Areas (LCAs) and a review of existing Local Landscape Designations and previous reviews.
  - Stage 3 - Evaluation and field surveys
  - Stage 4 – Stakeholder workshop and preparation of final recommendations
- 4.2. Stage 1 - The assessment criteria were defined by LUC using best practice guidance and experience of similar projects, refined to reflect the particular landscape of Swale. Table 4.1 of Appendix III sets out in full the assessment criteria in the Swale Evaluation Framework. In summary, the five criteria considered are:
- Local distinctiveness and sense of place.
  - Landscape quality (condition and intactness).
  - Scenic qualities.
  - Landscape values (including stakeholder views).
  - Natural and cultural attributes/associations.
- 4.3. Stage 2 - Desk Review. This was a first sieve approach to identify areas of search for LLDs (Appendix 3 of Appendix III to this report) and used input from



the stakeholder consultation. Under the framework of Swale's 42 Landscape Character Areas, LUC used a matrix approach (using the five criteria outlined in 4.2 above) to reach decisions about whether separate Landscape Character Areas should be taken forward as future LLD areas of search. The results of the desk review are presented in Table 5.1 of Appendix III. This highlights the Landscape Character Areas that were taken forward for detailed Stage 3 evaluation and field survey. Please note that some areas which did not meet the criteria in the Stage 2 desk review were taken forward to Stage 3 due to their relationship with existing LLDs, as a result of a recommendation in the 2014 Interim Review, the project brief and officer input or due to the high number of stakeholder representations.

- 4.4. Stage 3 – Evaluation and field surveys. Following on from Stage 2, thirteen candidate areas were evaluated in detail (see 5.5-5.6 of Appendix III).
- 4.5. Following the initial evaluation and field surveys draft recommendations were presented at a Stage 4 stakeholder workshop. At the workshop LUC presented an outline of the study, including how the consultation results had been utilised, showed the draft results of the evaluation and discussed key issues.
- 4.6. Further to this workshop LUC evaluated the feedback received, reviewed their draft recommendations and prepared the final Review and Recommendations report (Appendix III). This completed Stage 4.
- 4.7. The results of LUC's evaluation can be found in Chapter 6 of Appendix III where all recommendations are fully explained and justified. A brief officer summary of these recommendations is presented in Appendix I to this report.
- 4.8. As a result of the review, and in particular stakeholder feedback (parish councils and AONB Unit), LUC have also recommended that the emerging local plan's landscape policy, DM24 *Conserving and enhancing valued landscapes*, be reviewed and updated with regard to the AONB's setting. The setting of the Kent Downs' AONB is, broadly speaking, the land outside this national designation which is visible from the AONB and from which the AONB can be seen. LUC have recommended to officers that an updated policy should mention by name the Landscape Character Areas to the north of the AONB, specifically areas of similar character to the AONB or where the special qualities of the AONB can be appreciated. The Panel is therefore also asked to recommend to Cabinet that as the local plan policies are developed the 'settings' element of the landscape policy is explored and updated in response to this review.

## 5. Proposal

- 5.1. As one element of the technical evidence base for the emerging Local Plan, *The Swale Local Landscape Designations Review and Recommendations* (Appendix III) contains independent professional recommendations, informed by stakeholder involvement. The Panel is asked to recommend to Cabinet:
  - that they agree the *Swale Local Landscape Designations Review and Recommendations, October 2018* as a material consideration for use in development control decisions, as evidence to inform the emerging Swale

Borough Local Plan and as the local landscape designations to be included within the Proposals Maps for the next iteration of the Swale Borough Local Plan (due to be adopted in 2023).

- that as part of the emerging local plan work the ‘settings’ element of policy DM 24 *Conserving and enhancing valued landscapes* be updated in response to this review.

## 6. Alternative Options

- 6.1. An alternative option for Panel Members is not to accept the recommendations of the *Swale Local Landscape Designations Review and Recommendations*. However, the review is a robust and up to date piece of evidence and this approach is not recommended as it would not be using the best available evidence.
- 6.2. A further option for Panel Members is to decide to proceed through the local plan process without local landscape designations, and instead rely on the Landscape Character Appraisal to make decisions regarding the borough’s landscapes. This review has demonstrated that local landscape designations are popular as they are relatively straightforward to use and clearly demonstrate the local landscapes of most value in the borough. The use of local landscape designations is in line with the NPPF and for these reasons this option is not recommended.

## 7. Consultation Undertaken or Proposed

- 7.1. Understanding the value placed on the landscape by local stakeholders has been an integral part of this review. In the winter of 2017/18 the Planning Policy team wrote to Council Members, parish and town councils, statutory and non-statutory stakeholders and groups/residents who expressed an interest to identify the landscapes which they valued, highlighting these on a map. Stakeholders were also asked to comment on the criteria used for the assessment.
- 7.2. Responses were received from 29 different stakeholders and were forwarded in full to LUC. Chapter 3 and Chapter 5 (particularly Table 5.1) of the review and recommendations report (Appendix III) explains how the representations were used in the review. As noted above in 4.3, as a result of the stakeholder feedback some Landscape Character Areas which didn’t meet the criteria for evaluation were nevertheless taken forward for detailed Stage 3 evaluation and field survey.
- 7.3. A brief officer summary of the representations received can be found in Appendix II to this report. Members are asked to note that this summary has been prepared solely as an appendix to this paper. The consultants LUC used

the full stakeholder feedback produced in the consultation in the preparation of their review and recommendations.

7.4. As stated above responses for areas/sites within the AONB and urban areas were excluded from the evaluation as these areas are not included in the scope of the review.

7.5. Copies of the stakeholder feedback received can be found in the Members' Room at Swale House.

7.6. Twelve stakeholders attended the stakeholder workshop on 18<sup>th</sup> September 2018. A list of those whose attended can be found in Appendix II of this report.

## 8. Implications

Issue	Implications
Corporate Plan	Supports the Council's corporate priorities for a borough and a community to be proud of.
Financial, Resource and Property	Within Local Plan budget.
Legal and Statutory	None anticipated at this time.
Crime and Disorder	None anticipated at this time.
Environment and Sustainability	The Local Plan process will be subject to Sustainability Appraisal.
Health and Wellbeing	None at this time.
Risk Management and Health and Safety	None at this time.
Equality and Diversity	The Local Plan process will be subject to a Community Impact Assessments at appropriate points.
Privacy and Data Protection	Data has been processed in a manner compliant with GDPR.

## **9. Appendices**

- 9.1. Appendix I – Officer summary of evaluation recommendations from the *Swale Local Landscape Designation Review and Recommendations*
- 9.2. Appendix II – Officer summary of stakeholder engagement responses and stakeholder workshop attendee details
- 9.3. Appendix III – *Swale Local Landscape Designations: Review and Recommendations*, LUC, October 2018

## **10. Background Papers**

- 10.1. None

**Appendix I – Officer summary of evaluation recommendations from the *Swale Local Landscape Designation Review and Recommendations***

Area	Area	Overall recommendation	Additions	Deletions/Comments
1	<b>North Kent Marshes – Medway Marshes</b>	Retain as LLD with minor boundary amendments.	1. Extend LLD boundary to include the channel of the Medway within Swale.	
2	<b>North Kent Marshes – Sheppey Marshes</b>	Retain as LLD with minor boundary amendments.	<ol style="list-style-type: none"> <li>1. Extend LLD boundary to include the channel of the Medway within Swale at Queenborough and Swale.</li> <li>2. Northern boundary to be extended to meet base of the slope, represented by the change of topography and character area boundary at: Slatcreek Head; Land at South Lees Marshes, west of Newhook Marshes; SW of prisons at Standford; Low lying land west of Capel Hill Farm</li> <li>3. Extend at Leysdown to include land that rises slightly to the settlement edge at Priory Hill, including the Coastal Park (golf course).</li> </ol>	1. Exclude area at A249 Cowstead Corner as now contains warehouse development – push boundary back to coincide with the Elmley Marshes character area boundary.
3	<b>North Kent Marshes – South Swale Marshes</b>	Retain as LLD with minor boundary amendments.	<ol style="list-style-type: none"> <li>1. Southern boundary extensions to follow character area boundary at Wildmarsh and Luddenham (see note below (3) in relation to Tonge and Luddenham LLD)</li> <li>2. Graveney grazing marshes – recommended that the boundary is extended to include the two fingers of grazed marsh that continue south of Denly Hill (east of the village of Graveney) forming an area of distinctive ‘marsh’ character inland</li> </ol>	<ol style="list-style-type: none"> <li>1. Exclude Graveney Hill/Cleve Hill as part of a larger arable landscape (rather than marsh landscape) and includes the large substation development.</li> <li>2. Stone Arable Farmlands - exclude area around Norman’s Hill/Harty Ferry Cottages, which is more similar to the open arable landscape rather than marsh landscape.</li> <li>3. Exclude arable farmland area north of Bax which does not retain any</li> </ol>

Area	Area	Overall recommendation	Additions	Deletions/Comments
			<p>as far as the A299.</p> <p>3. The potential removal of the Tonge and Luddenham LLD (due to small size of remaining qualifying area) suggests that the boundary of the marshes LLD be extended to include part of this area to which it is functionally linked.</p>	wetland/marshland characteristics. Boundary consistent with character area.
4	<b>Hartlip Downs</b>	Remove LLD status.		Does not qualify under criteria and removal will aid consistency of approach across North Downs dip slope.
5	<b>Rodmersham, Milstead and Highsted dry valley</b>	Revise and extend LLD.	<p>1. Extend northwards to take in Highsted Quarry – wooded quarries provide a setting to the valley, are important for local wildlife and create separation from residential development along Ruins Barn Road and Woodstock Road with opportunities to enhance.</p> <p>2. Extend boundary to the east of Highsted to include the steep slopes of the valley side, which have an important role as a green backdrop framing the valley bottom settlement.</p>	
6	<b>Syndale valley</b>	Retain as LLD with minor extension.	<p>1. Minor extension to follow the character area boundaries at Beacon Hill.</p>	
7	<b>North Street dip slope</b>	Retain as LLD with no boundary changes.		
8	<b>The Blean</b>	Retain as LLD with minor boundary amendments.	<p>1. Small area of land between Clay Hill and Lamberhurst Farm forming part of landscape restoration at Victory Wood.</p> <p>2. Open area joining Canterbury CC boundary and linking Fishpond Wood to local woodland wildlife site</p>	None, but revised boundary with Blean Edge LLD proposed.

Area	Area	Overall recommendation	Additions	Deletions/Comments
			on edge of Swale (Denstead Lane) part of CCC Blean Local Landscape Designation.	
9	<b>Lower Halstow – Iwade Ridge</b>	Retain as LLD with no boundary changes		
10	<b>Tonge and Luddenham</b>	The area to the west of Conyer /Teynham does not merit LLD and is recommended for exclusion. The area remaining that meets the criteria is too small to justify as a landscape scale designation. It is therefore recommended to delete this LLD and to include the qualifying part within an extended South Swale Marshes LLD (see above).		1. Exclude area to west of Conyer /Teynham and reassign remaining designation to South Swale Marshes LLD.
Page 11	<b>Blean Edge Fruit Belt</b>	Retain and extend LLD.	<ol style="list-style-type: none"> <li>1. Extend north-west edge to take in valley area west of Belvedere Farm and join with extended area of Blean LLD at Clay Hill - Lamberhurst Farm. Boundary defined along edge of Victory Wood.</li> <li>2. Include small area west of Kemsdale Road to A229.</li> <li>3. Larger extension south of the A2/Boughton Street to incorporate the rest of landscape character area 23 which is of similar quality and character on the edge of the Blean complex. This incorporates Oversland/South Street recommended as an extension to the Blean, and includes small additions of landscape character area 30 in the gap at Rhode</li> </ol>	

Area	Area	Overall recommendation	Additions	Deletions/Comments
			<p>Common.</p> <p>4. A revised edge with Blean LLD based on woodland extent.</p>	
12	<b>Sheppey Court and Diggs Marsh</b>	Retain LLD and extend to include the highly valued area at Barton's Point. Delete areas of lower quality that do not meet criteria.	1. Opportunity to extend to encompass the whole of the Queenborough Lines Scheduled Monument and the highly valued area of Barton's Coastal Park.	1. Remove the area on the western edge of Diggs Marsh.
13	<b>Eastchurch Uplands</b>	No LLD recommended.		



## Appendix II – Officer summary of stakeholder engagement responses and stakeholder workshop attendee details

This appendix contains a brief officer summary of the stakeholder engagement responses to the local landscape designation review received in the winter of 2017/18, followed by a list of the attendees at the stakeholder workshop on 18<sup>th</sup> September 2018.

Please note that this summary has been prepared solely as an appendix to the Local Plan Paper, November 2018. The consultants LUC used the full stakeholder feedback produced in the consultation in the preparation of their review and recommendations

### Brief Summary of Stakeholder Engagement Responses

	<b>Stakeholder</b>	<b>Number of areas/sites considered of landscape value</b>	<b>Brief Summary of Stakeholder Engagement Responses.</b> <i>Stakeholders were asked to recommend areas where the following features/criteria applied: landscapes which are regionally or nationally rare; landscapes which provide important habitats for wildlife; landscapes with important built heritage; landscapes which have widely known cultural associations; landscapes which have distinctive scenic qualities; landscapes that have a strong sense of wildness and tranquillity; landscapes which are important for outdoor recreation. Stakeholders were also asked to comment on these criteria used.</i>
1	Environment Agency	6	Chetney, Elmley, Harty and Seasalter Marshes, Great Bells Farm and Cleve Hill for habitats and wildness/tranquillity, (isolation) and as areas for implementation of the MEASS. No comment on criteria.
2	Historic England		Highlight all heritage assets and their settings (both with statutory designation and local significance) and suggest application of values published in 'Conservation Principles'. Recommend use of Historic Landscape Assessment, combined with LCA methodology, within the designation review and use of information from the Historic Landscape Character Assessment for Kent (2001).
3	Natural England		No comments
4	AONB	3	Landscape swathes between Brenley Corner/Oversland/Boughton, between Ospringle/Lewson Street/Newnham and area around Highsted Valley highlighted for scenic quality. Agree with criteria. Request consideration around setting of AONB.

5	Merrony Oliver for Gordon Henderson	2	Furze Hill, Halfway for woodland (historic?) and Barrow Hill, Halfway for scenic quality (views) of Thames, Medway and Swale estuaries – important for heritage and recreation. No comment on criteria.
6	Cllr Gerry Lewin	11	Queendown Warren, Swale Estuary, Hills from Newington to Iwade (all for habitats), Teynham Levels and Milstead woodland (Farming and Biodiversity), Lanes between Moor St and Newington (built heritage), Valley, land and watercress beds between Wardwell Woods and Boxted Lane (cultural associations), area from Hartlip to existing landscape designation, Newington-Iwade hills, Downs and Swale Estuary view (scenic beauty), Rainham/Swale edge (scenic and buffer), Nagden Marshes (tranquillity/remoteness), Queendown Warren (recreation). Comments: landscape degradation being caused by paddocks/fences – fencing should be empathetic. Planting in an open landscape needs to be sensitive as can be intrusive. No comment on criteria.
7	Cllr Mike Whiting		Agrees with criteria for designation and argues that two tiers should be combined as one.
8	Medway Council	1	Strategic gap between Rainham and Sittingbourne and around rural villages. Support retention and reinforcement of distinctive and historic rural character. Agree with criteria.
9	Faversham Town Council	3	Supports current designatins and promotes consideration of: Ospringe valley between ridge above Water Lane to Painter's Forstal, Syndale Valley (Newnham) and the land between Ashford Road Oast to Sheldwich and Brenley Corner. No comment on criteria.
10	Bapchild PC	3/4	Land around Tonge Mill countryside park/conservation area, area north of The Street and Hempstead Lane (transitional space between urban edge of Bapchild and historic Tonge), valley between Bapchild, Sittingbourne (south of A2) and Rodmersham (for scenic qualities, views and traditional open fields). Agree with criteria.
11	Bobbing PC	2	Promotes consideration of land South of Keycol Hill and North of Keycol Hill (for scenic qualities - both high land with extensive views, inaccessible, recreation (footpaths) and habitats and good quality – similar to AONB). No comment on criteria.
12	Borden PC	1	All area within Borden Parish, surrounding village (open, agricultural landscape, cultural setting for village, historic footpaths and recreation). No comment on criteria.
13	Bredgar PC	10	Eight out of ten sites mentioned within AONB. Two areas within study area highlighted as agricultural land north of Bredgar and M2 for orchards/agriculture as well as AONB buffer and land north of M2 and south of Highsted Valley for recreation, habitat and buffer for AONB. Importance of dark skies/light pollution also highlighted (in AONB Management Plan), alongside

			wildlife corridors and views. Agree with criteria. Swale should aim to reduce noise impact of M2 using planting.
14	Eastchurch PC	15	Eastchurch Marshes and Great Bells Farm (rarity), Eastchurch Marshes, Bright's Wood, Shurland Meadow, Rowetts Way, Kingsborough Manor to Eastchurch, Road Brambledown to Leysdown (habitats), Pump Hill to Eastchurch Marshes, Aviation hangers south of prison (built heritage - aviation), Shurland Meadow, Dickson's Field, Eastchurch Marshes (cultural associations), Road Brambledown to Leysdown, western entrance to High Street, Eastchurch, Jenkins Hill, Eastchurch, Shurland Hall to Lower Road to Rayham Farm, Kingsborough Manor to Eastchurch, Norwood Manor to Lower Road to Brambledown Tip (scenic qualities), Bright's Wood and Eastchurch Marshes (wildness and tranquility), Shurland Meadow, Dickson's Field, Anne Boleyn Close recreation area, Rowetts Way Bypass, Bright's Wood (recreation). Agree with criteria and promote landscape continuity and cohesion of landscape across wide area.
15	Dunkirk PC	2	Highlight areas for consideration between Denstroude and Courtney Farm and between Winterbourne and Forester's Farm. No comment on criteria.
16	Lower Halstow PC	3	Ridge and farmland below from Newington Woods to Raspberry Hill (undeveloped backdrop and scenic quality), Marshes to north of Lower Halstow/Chetney Marshes (remote and tranquil) and Lower Halstow Brickfields (recreation). Agree with criteria.
17	Milstead PC	1 (2km buffer to AONB)	Argue for a prescribed 2km (minimum) buffer zone around the AONB as well as a dark skies policy. Setting would protect AONB for health, wellbeing and prosperity of nation. Agree with criteria.
18	Minster on Sea PC	38	Elmley NNR and Barton's Point Coastal Park (rarity, habitat, built heritage, cultural, scenic, tranquillity, recreation), Minster to Elmley Marshes (rarity, habitat, scenic, tranquillity, recreation), Barton Hill Drive, Chequers Road 'gap', Scocles Road 'gap'. Wootton's Farm 'gap', Windy Gap, Scrapgate Open Space, Kingsferry Bridge Fishing Lakes, Elm Lane (habitat, scenic, tranquillity, recreation), The Glen (habitat, cultural, scenic, tranquillity, recreation), The Leas and Minster Cliffs (rare, habitat, scenic, tranquillity, recreation), Roundhill and Thistle Hill Community Woodland (habitat, scenic, recreation), Minster Abbey Churchyard (rare, habitat, built heritage, cultural, scenic, recreation), Parsonage Farm (built heritage, cultural, scenic), Garden of Remembrance (built heritage, scenic, tranquillity, recreation), Abbey Rise Play Area, Buckthorne Road Play Area, Lapwing Close Play Area, Lovell Road Play Area, Kingsferry Bridge Gun Club, Land at New Rd/Prince Charles Av, Minster Cricket Field, Noreen Avenue Play Area, Nunnery Grove Play Area, Land adj Plough Road, Plover Road Play Area, Public Footpath ZS55, Sheppey Rugby Club, Thistle Hill Play Area, Thistle Hill Playing Field (all

			<p>recreation), Sheerness Golf Club (habitat, recreation), Stones Fishing Lakes (habitat, scenic, recreation).</p> <p>Agree criteria but also want settlement separation to be considered as a criteria. Argue some urban areas should qualify for landscape designation as rural in feel.</p>
19	Rodmersham PC	13	<p>North of Stockers Hill (scenic qualities, views, rural setting for Parish Church, tranquillity, wildness, recreation), Land east of Church St (scenic quality/hidden valley, ancient woodland habitat, recreation), Shoulder of Mutton Wood (ancient woodland habitat &amp; footpath/ recreation), Land to south of Green Lane/east of Village Green (for scenic valley, important footpath, setting for village green, built heritage, recreation – community orchard, cricket and squash club, village cultural activities, cycling), Recreation ground at Woodstock (recreation, cultural) and retention of existing Area of High Landscape Value. Argue for a prescribed 2km (minimum) buffer zone along AONB boundary (including up to Newbury) as well as a dark skies policy. Agree with criteria.</p>
20	Tunstall PC	12	<p>Tunstall Conservation Area (built heritage), Tunstall Memorial Hall land (amenity), Broadoak Sports Ground (recreation), whole parish (footpaths, recreation, views, habitats including ancient woodland, chalk grassland, old orchards, openness and tranquillity), Cromer's Wood (ancient woodland habitat), Highsted Wood and Highsted Quarry (habitat), Grove End Farm Estate (built heritage, views, footpaths, habitat, rural employment), Hearts Delight (scenic beauty, views, recreation), Ruins Barns Rd/Tunstall Rd playing field and Old School's field (recreation), Ruins Barn Field (built heritage) (Policeman's Corner lay-by (scenic views). Argue for a prescribed 2km (minimum) buffer zone around the AONB, protection of agricultural land, tranquillity, refreshment for urban dwellers, as well as a dark skies policy. Agree with criteria.</p>
21	Swale Footpaths Group	3	<p>Oare Marshes, South Swale Reserves along with whole of southern side of Sheppey from the bridge crossing to Shell Ness (scenic quality/wildness - wide open character and extensive views). No comment on criteria.</p>
22	Local resident/business owner	1	<p>South Sheppey Marshes for landscape (rarity, scenic), rural employment and recreation. No comment on criteria.</p>
23	Local resident	1	<p>Bank which runs from Newington to Chetney Marsh as undeveloped buffer to Iwade/Sittingbourne. No comment on criteria.</p>
24	CPRE	8?	<p>Support for existing designations and request that CPRE's tranquillity data is referenced in</p>

			study. Tranquillity highlighted at Chetney, Elmley, Harty, Nagden, Graveney and Cleve Marshes and the north coast of Sheppey/north of Eastchurch. Special highlight is made of Graveney Marsh for landscape (inc. views, wildness), heritage and biodiversity. Extensive comments on Graveney marshes for all criteria (rarity, habitats, build heritage, cultural, scenic quality, tranquillity) . No additional comments on criteria.
25	MSEP	1	Highlight importance of all (wild, remote and peaceful) marshland landscapes for wildlife, flood protection, carbon sequestration, recreation and health reasons. No comments on criteria.
26	Vicky Ellis (CPRE)		See CPRE above
27	Faversham Society	12	Nagden/Graveney Marshes and Brogdale (rarity), Nagden, Graveney and Cleve Marshes (habitat, scenic quality, footpaths, wild/tranquil, recreation), Oare Creek/Oare, Uplless, Teynham and Luddenham Marshes (habitat, built heritage, gunpowder history/cultural, views, wild/tranquil, footpaths/recreation), Faversham Creek, Ham Marsh to Oare Creek (habitat, gunpowder built heritage/cultural, scenic qualities, footpaths/recreation), Bysing Wood, Oare Gunpowder Works to Oare Meadow (habitat, built gunpowder heritage/cultural, education, backdrop to views (scenic), footpaths /recreation, Syndale Park south to M2 (habitat, backdrop to views (scenic), footpaths/recreation), Mexco/Cardox (habitat, built heritage), Sandbanks Farm (habitat, backdrop to views (scenic)), Brogdale Farm to Plumford Lane (habitat, national fruit collection, recreation/footpaths), Copton to M2 (habitat, built heritage, scenic parkland), Ospringe Valley (habitat, built heritage, cultural/educational value, footpaths/recreation, quiet lanes, views (scenic)), Denstroude Valley (habitat, built heritage, Victory Wood, scenic value), Lorenden Park (habitat, built heritage, educational value, footpaths/recreation). Agrees with criteria and requests consideration of further criteria: European/national classifications, educational value, attractiveness for wildlife, backdrop views, paid-for countryside attraction.
28	Sittingbourne Society	0	No specific sites referenced however, overall support for the Government's Environment Plan; protection of natural heritage and landscapes; the importance of setting, of heritage assets and air quality; Support Swale's aim to protect the natural environment and special landscapes. No comment on criteria.
29	Graveney Rural Environment Action Team		Interest expressed but no response received except to request to be invited to the stakeholder workshop.
30	Graveney PC		Interest expressed but no response received

Attendees at Stakeholder Workshop, 18<sup>th</sup> September 2018 in the Council Chamber, Swale Borough Council:

- Kate Ahern, LUC
- Ken Ingleton, Minster Parish Council, Swale Borough Council
- John Twiselton, Minster Parish Council
- Trish Codrington, Minster Parish Council
- Cllr Graham Herbert, Bobbing Parish Council
- Liz Trott, Bapchild Parish Council
- Brian Clarke, Bredgar Parish Council
- Mavis Hibben, Tunstall Parish Council
- Louise Bareham, Faversham Town Council
- Ray Harrison, The Faversham Society
- Lut Stewart, GREAT: Graveney Rural Environment Action Team
- Gerald Lewin, Upchurch Parish Council, Swale Borough Council
- Katie Miller, AONB Unit
- Alan Best, Swale Borough Council
- Anna Stonor, Swale Borough Council



# Swale Local Landscape Designations

## Review and Recommendations

Final Report Swale Borough Council  
Prepared by LUC  
October 2018







**Project Title:** Swale Local Landscape Designations – Review and Recommendations

**Client:** Swale Borough Council

**Front cover image:** Elmley Marshes and The Swale

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# Swale Local Landscape Designations

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# Introduction & Method



# 1 Introduction

- 1.1 Swale Borough Council (SBC) adopted their Local Plan "Bearing Fruits 2031" in 2017. The plan is currently subject to review with a commitment to adopt the next Local Plan in 2022. As part of the Local Plan Review SBC commissioned LUC to undertake a review of local landscape designations across the borough to assist the local planning process. This report presents the results of the review and recommendations on local landscape designations.
- 1.2 This report does not consider other local designations such as settlement gaps/green wedges or countryside gaps which are subject to a separate process and different assessment criteria.





## Background

- 1.3 Swale contains some of our finest landscape with some 20% of the Borough nationally designated as part of the Kent Downs AONB. Its quality is furthermore represented by Areas of High Landscape Value (AHLV) Kent Level and Areas of High Landscape Value Swale Level which cover a further 39% of the area. These designations are illustrated on **Figure 1.1** and background provided below.
- 1.4 In 1980 Kent County Council recognised a series of landscapes that were considered to be important strategic assets at the County level. These were called Special Landscape Areas (SLA). In Swale these areas covered:
  - the lower dip slope to the north of the AONB and associated dry valleys - North Kent Downs SLA;
  - the marshlands along the Swale's coastal edge forming part of the North Kent Marshes SLA extending across the Borough boundaries;
  - Blean Woods SLA in the east forming part of the wider complex of ancient woodland in Canterbury District.
- 1.5 These SLAs were given formal protection in the Kent Structure Plan (1980) with boundaries first defined by the Kent Countryside Local Plan (1983). Their boundaries were refined by local authorities through their local plans. In the case of Swale this was first undertaken for the Swale Borough Local Plan 2000. The SLAs were based on defined criteria and have now been established for over 40 years with considerable support. In Swale, the Borough Local Plan of 2000 also identified a series of Local Landscape Areas. These were supplemented and amended and retitled Areas of High Landscape Value (AHLV) in the 2008 Swale Borough Plan. The 2017 Borough Local Plan renamed SLAs as Areas of High Landscape Value (Kent Level) whilst the remaining areas were renamed as Areas of High Landscape Value (Swale Level). The Swale Level local designations comprise:
  - Tonge and Luddenham;
  - Iwade, Newington and Lower Halstow;
  - Boughton Street, Hernhill, Dargate and Staplestreet;
  - Sheppey Court and Diggs Marshes.
- 1.6 The local designations have been subject to reviews in 2003 (Babtie Group) and 2014 (SBC) which both recommended the retention of the two tier level of local designation, albeit with minor alteration to boundaries and additions of further areas. The reviews have been undertaken to varied criteria with some incremental addition of areas. The 2014 work recommended the need for a full and comprehensive review. This project will provide evidence to show the reasons why the landscapes have been locally designated (identified qualities) and why they are locally valued and robust definition of boundaries.

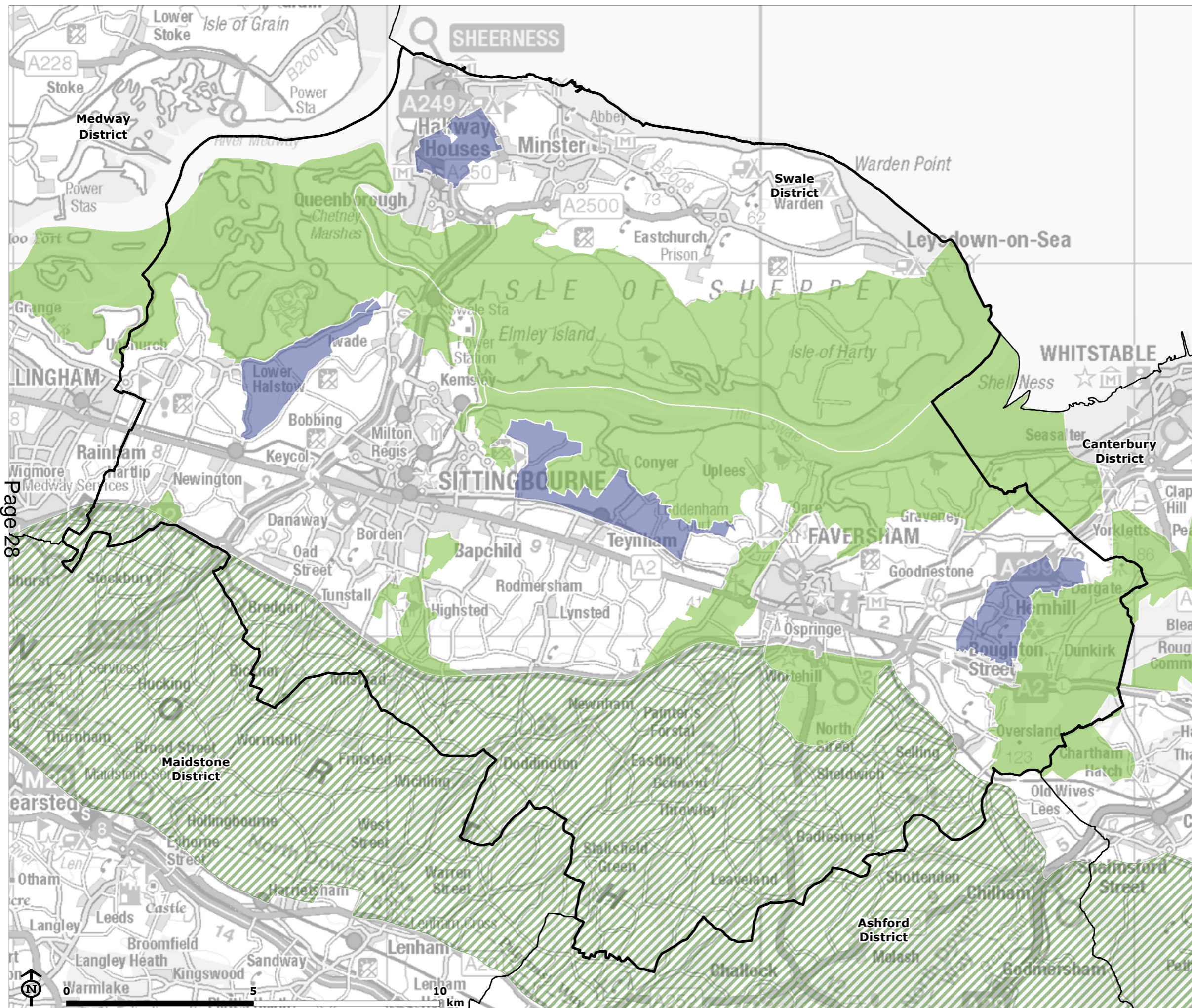
**Figure 1.1 Current National and Local Landscape Designations in Swale**

## Swale Local Landscape Designations Review

**Figure 1.1: Current National and Local Landscape Designations in Swale**

-  Swale District boundary
-  Kent Downs Area of Outstanding Natural Beauty
-  Areas Of High Landscape Value - Kent Level
-  Areas Of High Landscape Value - Swale Level

Map shows relationship with designations in adjacent districts



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Map Scale @A3: 1:100,000





## This study

- 1.7 Swale Borough Council commissioned LUC in April 2018 to carry out a full review of the landscape across the borough to provide evidence to underpin a robust set of Local landscape Designations (LLDs) to inform landscape policies in the new Local Plan. In summary, the objectives of the study are to:
- review the two tiers of local landscape designation (Kent Level and Swale Level) and determine whether these remain appropriate;
  - develop appropriate criteria and examine all the existing locally designated landscapes in the borough and their boundaries and make recommendations;
  - assess the result of the Valued Landscapes consultation undertaken by SBC in 2017/2018 and use as part of the evidence to inform the review;
  - consider the designation of new areas, including those recommended in the Interim Review (2014) and others;
  - recommend a refined set and mapped boundaries of proposed LLDs within Swale;
  - describe and evaluate the special qualities and significance of the agreed LLDs through the production of Statements of Significance.

## A note on Valued Landscapes

- 1.8 A summary of current thinking on the meaning and terms relating to valued landscapes is set out below, with an indication of what this means for the Swale Review.

### The ELC – all landscape are of value

- 1.9 At the outset it is important to note that all landscape is of value. This principle was established by the European Landscape Convention (ELC), which came into force in the UK in March 2007. The ELC recognises that landscape is an important part of the quality of life for people everywhere: in urban areas and in the countryside, in degraded areas as well as in areas of high quality, in areas recognised as being of outstanding beauty as well as everyday areas. The ELC definition of 'landscape' considers that all landscapes matter, be they ordinary, degraded or outstanding. It defines landscape as: "*an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors*".
- 1.10 The ELC establishes the need to recognise landscape in law; to develop landscape policies dedicated to the protection, management and planning of landscapes; and to establish procedures for the participation of the general public and other stakeholders in the creation and implementation of landscape policies. The 'all landscape' approach in Swale is represented by the comprehensive Swale Landscape Character and Biodiversity Appraisal SPD 2011.

### Valued landscape and the NPPF

- 1.11 The National Planning Policy Framework (NPPF)<sup>2</sup> was re-issued in July 2018 recognises the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services that it provides.
- 1.12 In paragraph 170 it states that: "*Planning policies and decisions should contribute to and enhance the natural and local environment by: .....protecting and enhancing valued landscapes.....(in a manner commensurate with their statutory status or identified quality in the development plan);*"
- 1.13 It goes on to say in paragraph 171 that "*Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.*"

- 1.14 The NPPF does not offer a definition of what constitutes a 'valued landscape'. However, case law has reached a broad consensus among planning, law and landscape professionals on issues around valued landscapes. While designated landscapes, including Local Landscape Designations, are likely to be considered 'valued' for the purposes of the para 170 of the NPPF, it is important to note here that non-designated areas can also be 'valued'.
- 1.15 Case law indicates that:
- Many areas of countryside are understandably valued by local residents, but to be considered "valued" in the context of NPPF, there needs to be something "special" or out of the ordinary that can be defined;
  - To be valued a site is required to show some demonstrable physical attributes rather than just popularity.

### **What does this mean for Swale's Local Landscape Designations?**

- 1.16 The retention of local landscape designations in Swale is in line with the NPPF. This review is therefore timely and will help:
- elucidate those 'special' landscapes within Swale that are valued;
  - define the attributes and identify the qualities (ref NPPF) that make them worthy of local designation;
  - ensure a robust and criteria based approach to defining locally designated landscapes;
  - provide a way to ensure local values as identified through the consultation exercise can help inform and strengthen the local landscape designations (not simply 'popularity').
- 1.17 It is relevant to note here that in Swale there will also be areas outside the local landscape designations that may also have a high landscape value, be locally valued and popular or possess features, attributes or qualities of value. This 'all landscapes' approach is the basis of the Swale Landscape Character and Biodiversity Appraisal (2011) which should be used to inform decisions and in due course will be subject to its own review.
- 1.18 The NPPF goes on to give detailed information on the great weight that should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty. In Swale, this is relevant to the Kent Downs AONB which has the highest status of protection in relation to these issues. This report is focussed on local landscape designations outside the AONB. Areas outside the AONB boundary may also form part of its setting and should be protected from change that would adversely influence the experience of the special qualities of the AONB.

## 2 Method

- 2.1 An essential element in reviewing and proposing areas for local landscape designation is the adoption of a systematic and transparent process.
- 2.2 There is no generally accepted methodology for reviewing or updating local landscape designations in England. Natural England recommended 'Approach to Landscape Character Assessment' (2014) includes a definition of 'Landscape Value' in Annex 1, stated as:

*"The relative value or importance attached to a landscape... which expresses national or local consensus, because of its quality, special qualities including perceptual aspects such as scenic beauty, tranquillity or wildness, cultural associations or other conservation issues"*.
- 2.3 The current Landscape Institute/ IEMA Guidelines for Landscape and Visual Assessment (third edition, 2013)<sup>1</sup> also includes a helpful summary of the range of factors that can help in the identification of valued landscapes. These include landscape quality/condition, scenic quality, rarity, representativeness (important examples of characteristic features), conservation interests, recreation value, perceptual aspects and associations (set out in GLVIA Box 5.1).
- 2.4 Scottish Natural Heritage and Historic Scotland have published Guidance on Local Landscape Designations (SNH and Historic Scotland 2006), the revision of which (Draft – Guidance on Local Landscape Areas, SNH and Historic Environment Scotland, 2017) was being finalised at the time of this review. This includes recommendations on the key steps to follow and criteria to use when undertaking local landscape designation studies.
- 2.5 The methodology for this study of Swale draws from the above guidance as well as LUC's experience in undertaking designation reviews elsewhere in the UK.

### Geographic scope

- 2.6 The scope of the study includes a full review of the whole of the borough, including the existing LLD areas. It excludes land within the Kent Downs AONB, which is a nationally designated landscape. It does, however, consider relationships of the AONB with adjacent areas where they are relevant, for example having a distinct Kent Downs character or representing special qualities of the AONB and role as setting, as set out in the management plan.

### Links to the Swale Borough LCA

- 2.7 The review has been undertaken alongside the Swale Borough Landscape Character Assessment<sup>2</sup> referring to the framework of Landscape Character Areas (LCAs), of which there are 42 within the Borough. However, it should be noted that the Landscape Character Assessment framework is based on broad variations in *landscape character* and not quality. There may, therefore, be differences in boundaries between the LCA and LLDs. In general where a LCA is indicated to merit designation the neighbouring LCA has also been reviewed to assess how it relates to the area and relevant qualities. All landscape character areas in Swale are likely to include some valued qualities or features.
- 2.8 **Figure 2.1** illustrates the landscape character framework and the existing landscape designations.

### Size and coherence

- 2.9 Local landscape designations should be of a sufficient size and form a coherent recognisable area. An important feature or site is not, on its own, enough to merit a local landscape designation. The following points are relevant:

---

<sup>1</sup> This guidance is often referred to as 'GLVIA 3'

<sup>2</sup> Swale Landscape Character and Biodiversity Appraisal, SPD, 2011, Jacobs

- Is the area of sufficient size to make it practical to develop policies for its protection, management and planning?
- Is the area recognisable as a cohesive place or entity (of consistent character)?

2.10 There will be many individual places, sites and features within the wider landscape of Swale which are of high quality but not within an LLD simply due to the reasons set out above.

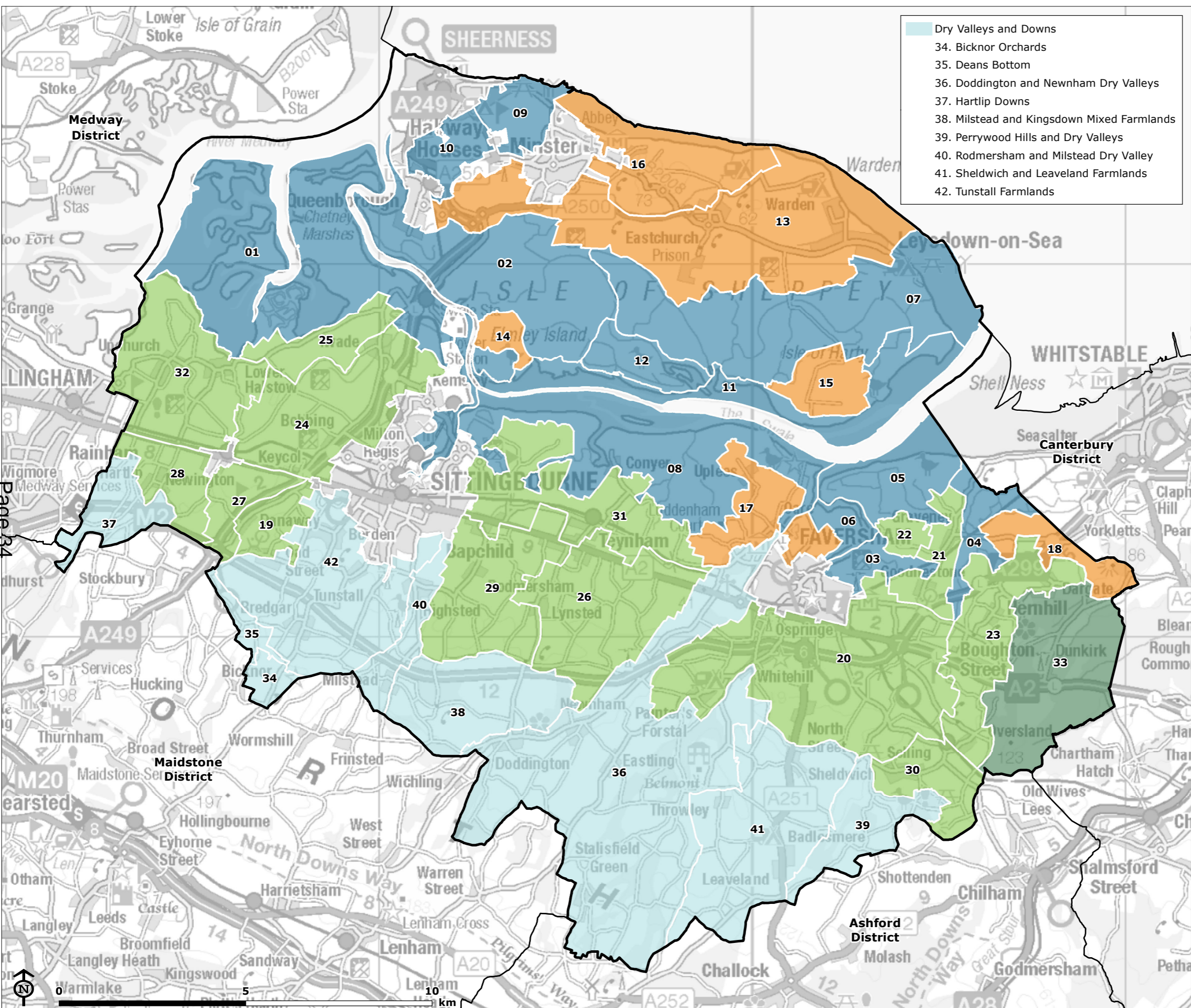
**Figure 2.1 The Swale Landscape Character Framework**

## Swale Local Landscape Designations Review

**Figure 2.1: The Swale Landscape Character Framework**

-  Swale District boundary
- Landscape Characterisation**
-  Marshland
  - 01. Chetney and Greenborough Marshes
  - 02. Elmley Marshes
  - 03. Goodnestone Grasslands
  - 04. Graveney Grazing Lands
  - 05. Graveney Marshes
  - 06. Ham Marshes
  - 07. Leysdown and Eastchurch Marshes
  - 08. Luddenham and Conyer Marshes
  - 09. Minster Marshes
  - 10. Sheppey Court and Diggs Marshes
  - 11. South Sheppey Saltmarshes and Mudflats
  - 12. Spitend Marshes
-  Clay Farmlands
  - 13. Central Sheppey Farmlands
  - 14. Elmley Island
  - 15. Isle of Harty
  - 16. Minster and Warden Farmlands
  - 17. Stone Arable Farmlands
  - 18. Waterham Clay Farmlands
-  Fruit Belt and Mixed Farmland
  - 19. Borden Mixed Farmlands
  - 20. Faversham and Ospringe Fruit Belt
  - 21. Graveney Arable Farmlands
  - 22. Graveney Fruit Farms
  - 23. Hernhill and Boughton Fruit Belt
  - 24. Iwade Arable Farmlands
  - 25. Lower Halstow Clay Farmlands
  - 26. Lynsted Enclosed Farmlands
  - 27. Newington Arable Farmlands
  - 28. Newington Fruit Belt
  - 29. Rodmersham Mixed Farmlands
  - 30. Selling Fruit Belt
  - 31. Teynham Fruit Belt
  - 32. Upchurch and Lower Halstow Fruit Belt
-  Woodlands
  - 33. Blean Woods West

Map Scale @A3: 1:100,000

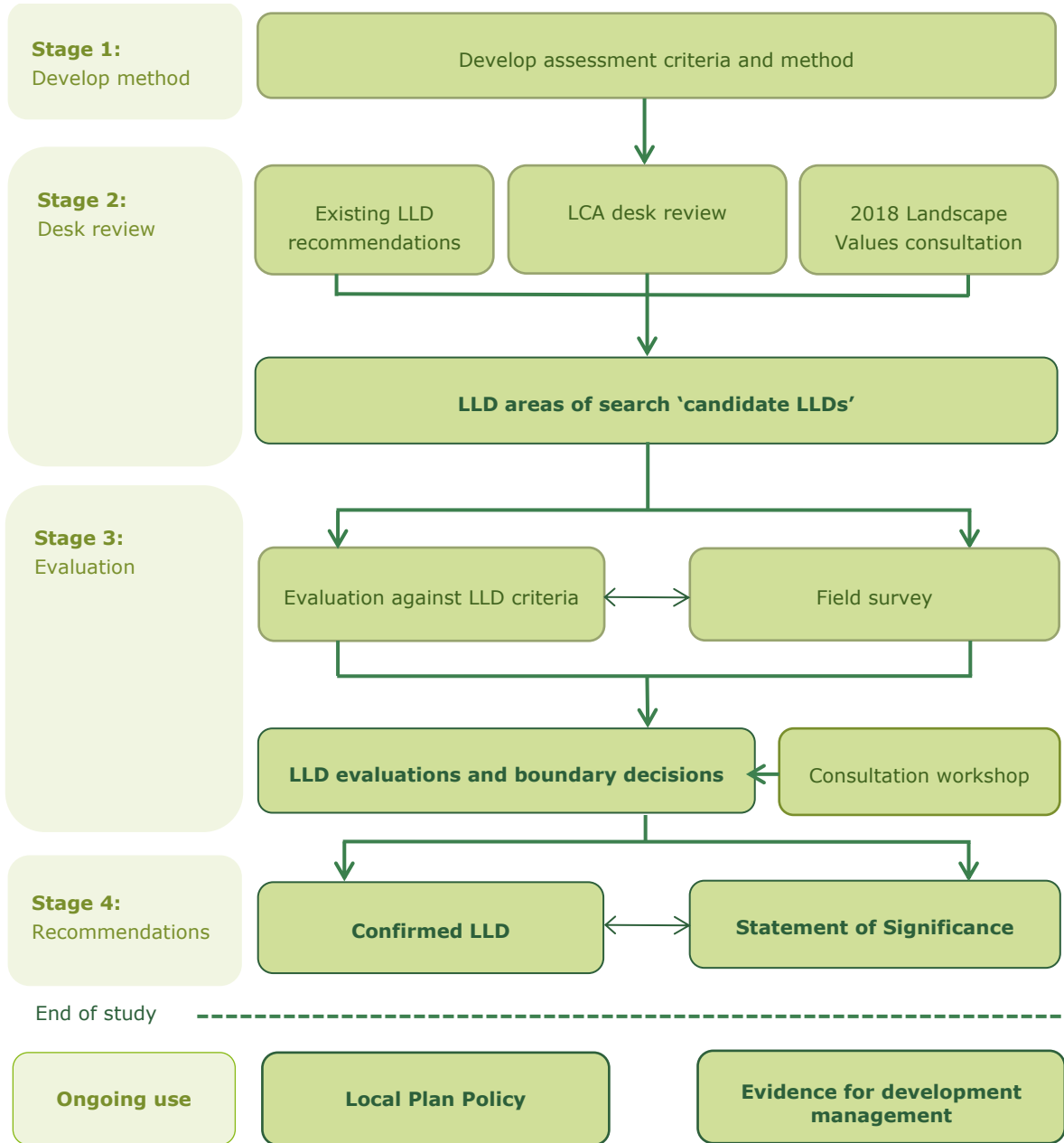


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## Key stages and tasks

2.11 The review followed four main stages each focussing in at a more detailed level to develop the confirmed LLDs and Statements of Significance identifying their qualities.

**Figure 2.2: Flow chart - method for identifying Swale LLDs**



### Stage 1: Method development

2.12 This required a discussion with SBC to understand the background to local landscape designation and desired outcomes of the study. At this stage we also identified the assessment criteria as presented in Chapter 4. These draw on criteria identified in GLVIA3, Scottish Natural Heritage, Natural England and previous studies.

### Stage 2: Desk review

2.13 Stage 2 involved three main strands of work:

- Review of landscape values consultation – an analysis of the SBC 2017/2018 written consultation to review information and use as evidence in the LLD review (**Appendix 1**). The results of this exercise are presented in chapter 3.
- A rapid first sieve of the 42 Swale landscape character areas against the criteria to identify areas of search for the LLD areas. These are presented in a separate Annex report, previously provided to SBC.
- Review of existing LLDs and recommendations as contained in the 'Swale Landscape Assessment Recommended Amendments to Landscape Designations' (Babtie, 2003) and the 'Technical Paper 6, Interim review of Local Landscape Designations (SBC, 2014).

2.14 The result of Stage 2 was an identified 'area of search' for LLDs, consolidated as 13 'candidate LLDs' for evaluation.

### Stage 3: Evaluation and definition of boundaries

2.15 Stage 3 involved a bespoke field survey of candidate LLDs using a structured survey form (**Appendix 2**) to consider the criteria and identify appropriate and robust boundaries. As part of the field survey the current condition and quality of the landscape was judged against that identified at time of designation as set out in the 2003 and 2014 reports referenced above.

2.16 Landscape is a continuum and the LLD boundaries are generally drawn to identifiable features on the ground such as field boundaries or roads that provide a 'best fit' and often drawn to character area boundaries for ease of reference. There will therefore rarely be a perceptible change in landscape character and quality along boundaries.

2.17 The outputs of the evaluation exercise are presented in chapter 6 with recommendations on LLD areas to be confirmed and areas where decisions need to be made.

### Stage 4: Recommendations for Confirmed LLD Areas

2.18 The final stage included a stakeholder workshop to review the results and show how local values have been taken into consideration and confirm the LLDs for Swale. Decisions on areas of change were agreed with SBC.

2.19 Statements of significance for the confirmed LLDs are provided as a separate document and use the evaluation criteria to set out identified qualities for each LLD.



# Identifying LLD Areas of Search



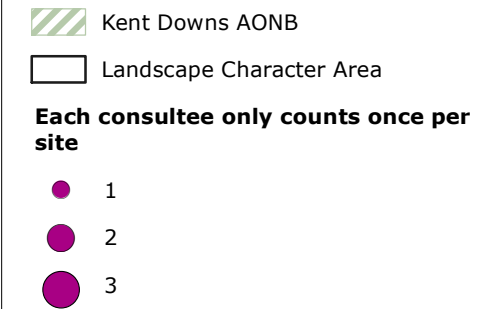
### 3 Understanding local landscape values

- 3.1 Swale BC has placed an emphasis on understanding the value placed on the landscape by local residents, for example as part of Local Plan consultations. In November 2017 Swale Borough Council requested the views of stakeholders, statutory and non-statutory organisations on the specific landscapes they value to provide information to inform the review of Local Landscape Designations.
- 3.2 Stakeholders were invited to identify the landscapes which they valued, pinpointing these on a map and linking these areas to criteria or reasons for valuing. The respondents were also asked to comment on the criteria used for assessing the value of landscapes. The consultation letter and map sent out to stakeholders are provided as **Appendix 1**.
- 3.3 A total of 29 responses were received and collated by SBC and provided to LUC. This section provides an analysis of responses to help inform the review of local landscape designations. It uses the landscape character framework to provide a spatial understanding of the distribution of responses. The responses received are also listed in the appendix.
- 3.4 Any consultation response which referred to areas within significant built up areas has not been analysed, as landscape designations relate only to rural areas. The Landscape Character Areas which are entirely within the Kent Downs AONB (LCAs 34, 35, 39 and 41) are also all excluded from this study, as the AONB is a national designation and is not being assessed as part of this study of local landscape designations.
- 3.5 The number of individual responses received for each character area are noted in **Table 3.1**, and illustrated in **Figure 3.1**. If more than one stakeholder identified the same valued landscape, feature these are still shown as each point on the map. Information on the number of responses per character areas is noted below.
- 3.6 Landscapes are valued throughout Swale, with particular clusters south of Sittingbourne, and around Eastchurch. There are fewer character areas with valued attributes in the centre of the Borough, between Sittingbourne and Faversham, and there are 11 character areas which are not identified with any particular values. However, some of the responses refer to a wider area than a single point on a map can illustrate, which may extend some of the valued characteristics into other character areas.

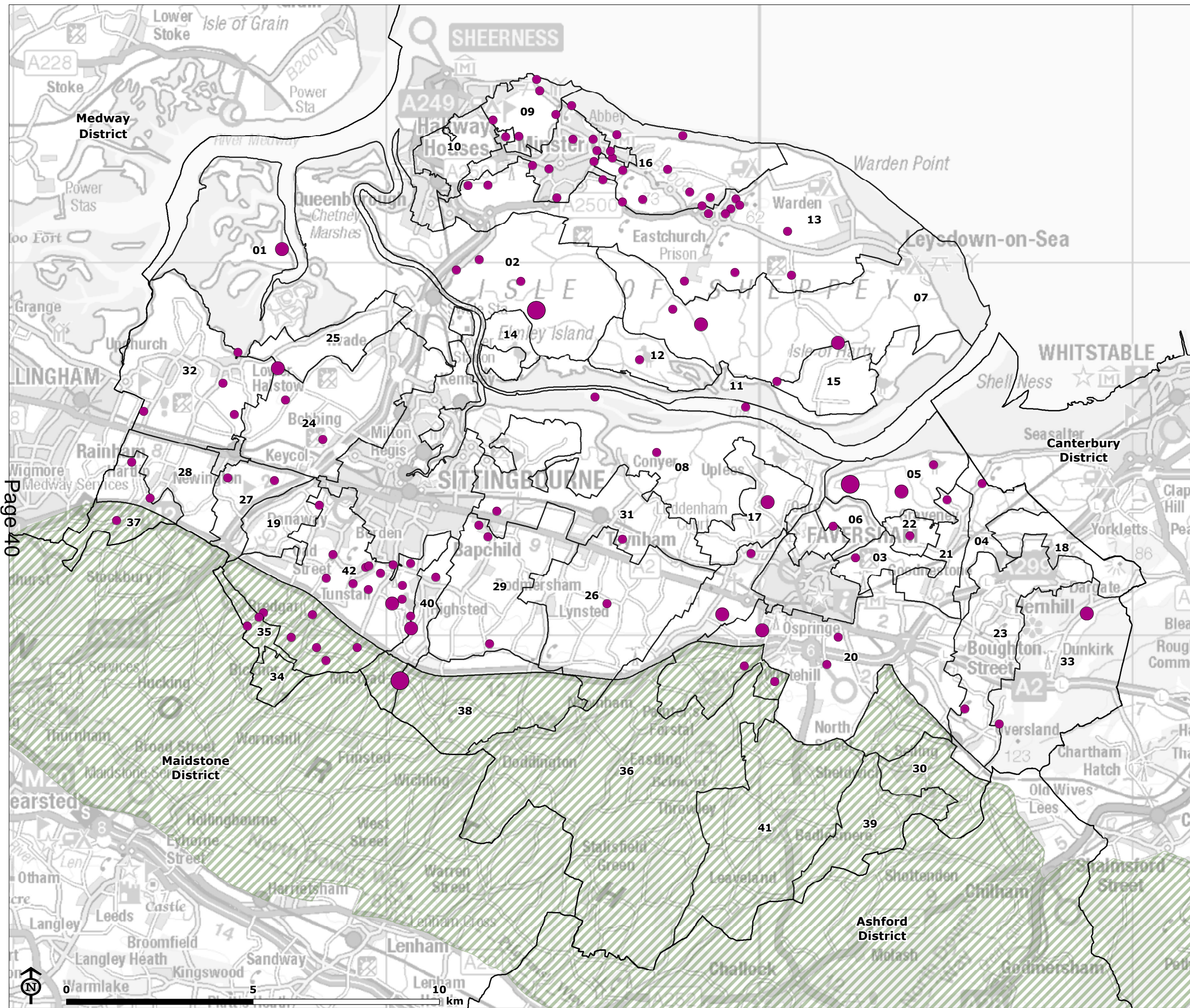
**Figure 3.1 Spatial Mapping of Local Landscape Values**

## Swale Local Landscape Designations Review

**Figure 3.1: Spatial Mapping of Local Landscape Values**



Dots are representative of locations where responses on landscape value have been reported and are not intended to represent specific locations. In some cases responses refer to a whole character area.



Map Scale @A3: 1:100,000



**Table 3.1: Number of responses received by character area****(note that zero does not mean not valued, simply no specific responses received)**

<b>Character Area</b>	<b>Number of specific responses</b>
42: Tunstall Farmlands	14
13: Central Sheppey Farmlands	13
16: Minster and Warden Farmlands	10
2: Elmley Marshes	6
9: Minster Marshes	6
7: Leysdown and Eastchurch Marshes	5
20: Faversham and Ospringe Fruit Belt	4
40: Rodmersham and Milstead Dry Valley	4
5: Graveney Marshes	4
24: Iwade Arable Farmlands	4
1: Chetney and Greenborough Marshes	3
17: Stone Arable Farmlands	3
29: Rodmersham Mixed Farmlands	3
32: Upchurch and Lower Halstow Fruit Belt	3
33: Blean Woods West	3
36: Doddington and Newnham Dry Valleys	3
37: Hartlip Downs	2
27: Newington Arable Farmlands	2
3: Goodnestone Grasslands	1
31: Teynham Fruit Belt	2
4: Graveney Grazing Lands	1
8: Luddenham and Conyer Marshes	1
12: Spitend Marshes	1
21: Graveney Arable Farmlands	1
22: Graveney Fruit Farms	1
23: Hernhill and Boughton Fruit Belt	1
26: Lynsted Enclosed Farmlands	1
30: Selling Fruit Belt	0

Character Area	Number of specific responses
6: Ham Marshes	0
10: Sheppey Court and Diggs Marshes	0
11: South Sheppey Saltmarshes and Mudflats	0
14: Elmley Island	0
15: Isle of Harty	0
18: Waterham Clay Farmlands	0
19: Borden Mixed Farmlands	0
25: Lower Halstow Clay Farmlands	0
28: Newington Fruit Belt	0
38: Milstead and Kingsdown Mixed Farmlands	0

3.7 The respondents were asked not only which areas they valued, but also the reasons why they value that landscape. The respondents were given seven criteria to choose from:

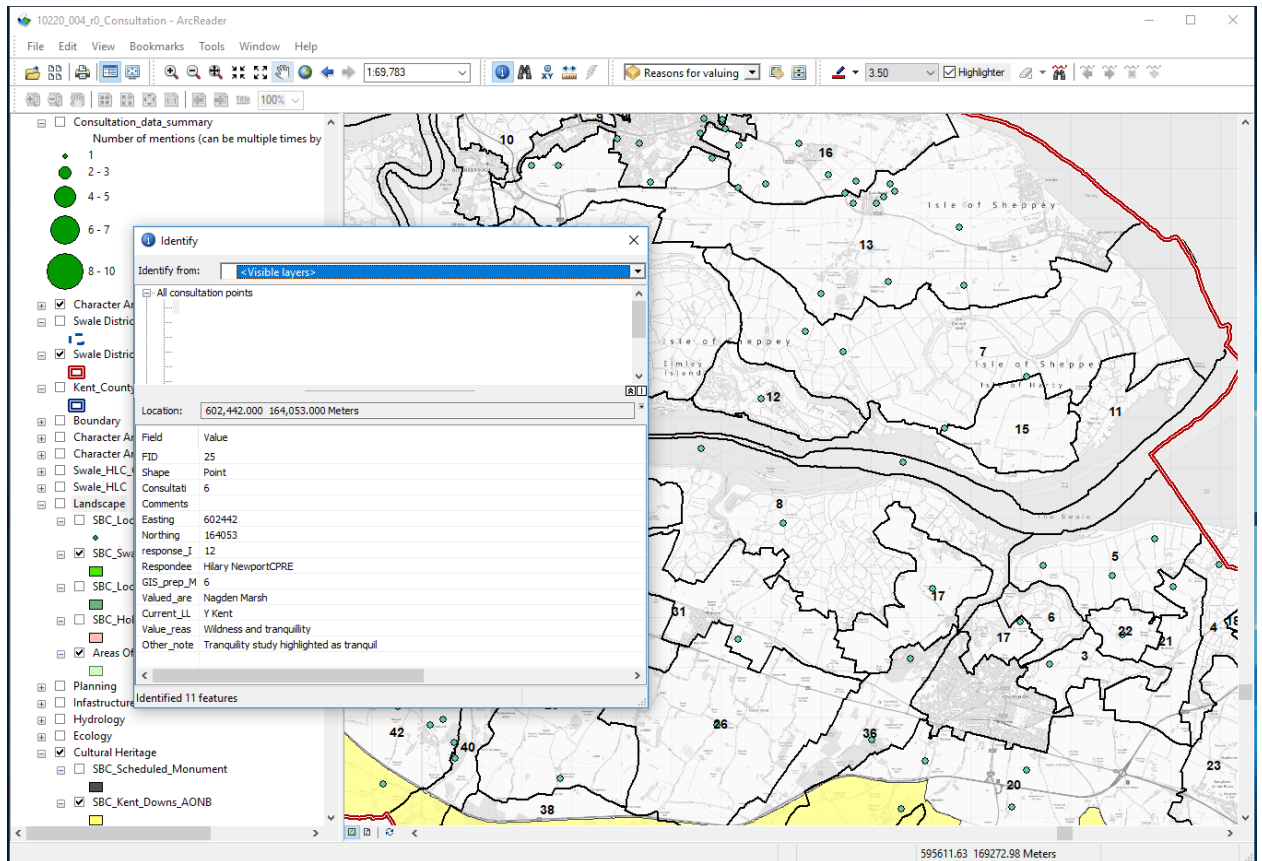
- Landscapes which are regionally or nationally rare;
- Landscapes which provide important habitats for wildlife;
- Landscapes with important built heritage;
- Landscapes which have widely known cultural associations;
- Landscapes that have distinctive scenic qualities;
- Landscapes that have a strong sense of wildness and tranquillity; and
- Landscapes which are important for outdoor recreation.

3.8 **Table 3.3** shows the reasoning for valuing each landscape.

3.9 Some consultees valued a landscape for more than one reason ie for both its wildlife habitats and outdoor recreation, and therefore the number of values recorded does not necessarily add up to the number of individual responses received. LUC digitised the consultation response data to use with GIS data. This allowed us to view all the consultation responses geographically, and on the GIS data each point can be clicked on to provide further details from the consultation. This also allows us to see areas which are valued by more than one stakeholder. An example screenshot of this is shown in **Figure 3.2**.

3.10 The data collated was used to highlight those features and qualities of the landscape that are especially valued by people and to investigate these as part of the field survey. It has been used to directly feed into the evaluation forming one of the 5 criteria.

**Figure 3.2 Screenshot from ArcGIS showing spatially mapped consultation response data**



**Table 3.2: Reasoning for valuing each landscape (listed in order of number of responses received)**

	Regionally or nationally rare	Wildlife habitats	Built heritage	Cultural associations	Scenic qualities	Wildness and tranquility	Outdoor recreation	No reason given	Other reason
42: Tunstall Farmlands		5	3	1	6	1	10		
13: Central Sheppey Farmlands		6	3	1	5	1	6		
16: Minster and Warden Farmlands	1	4		2	5	4	7		
2: Elmley Marshes	2	4	1	1	3	5	1		
9: Minster Marshes	2	3	1		3	3	5		
7: Leysdown and Eastchurch Marshes	2	3		1		4			
20: Faversham and Ospringe Fruit Belt		2	2	1	2		1	2	
40: Rodmersham and Milstead Dry Valley					2	1		1	
5: Graveney Marshes	3	2	1	1	2	6	2		
24: Iwade Arable Farmlands		1			4				
1: Chetney and Greenborough Marshes		1				3			
17: Stone Arable Farmlands		2	2	2	2	1	2		
29: Rodmersham Mixed Farmlands		1			2		1		
32: Upchurch and Lower Halstow Fruit Belt				1	1		1	1	
33: Blean Woods West		1	1		1			2	
36: Doddington and Newnham Dry Valleys		2	1	1	2		2	1	
37: Hartlip Downs			1		1				
27: Newington Arable Farmlands					1				1
3: Goodnestone Grasslands		1	1						
31: Teynham Fruit Belt					2				
4: Graveney Grazing Lands		1				1			
8: Luddenham and Conyer Marshes		2				1			
12: Spitend Marshes					1				
21: Graveney Arable Farmlands		1				1			
22: Graveney Fruit Farms		1			1				
23: Hernhill and Boughton Fruit Belt					1				
26: Lynsted Enclosed Farmlands					1				



## 4 The assessment criteria

4.1 The evaluation criteria are drawn from the source documents listed in chapter 2, including the SNH draft guidance and Box 5.1 in GLVIA3. They also draw on criteria developed by LUC in previous local designation studies that have been assessed as robust through the examination process. They have been refined to reflect the particular landscape of Swale. They are based on the following 5 factors:

- Local distinctiveness and sense of place;
- Landscape quality (condition and intactness);
- Scenic qualities;
- Landscape values (stakeholder);
- Natural and cultural attributes/associations.

4.2 The table below sets out the factors, indicators, and sources of information to reach a decision on whether an area is worthy of local landscape designation. The decision is based on professional judgement; not all factors need to be present; it is usually a combination and no weightings are applied. Natural and/or historic environment interest alone will usually be covered by other forms of designation and is unlikely to be sufficient for a local landscape designation unless it relates strongly to a distinctive sense of place and landscape and scenic quality. Professional judgement is used to evaluate factors and form a recommendation on designation as an LLD.

**Table 4.1: Swale Evaluation framework**

<b>Factor: Local distinctiveness and sense of place</b>
A landscape which has a strong sense of place in the Swale context – either particularly representative/typical or rare
<b>Indicator:</b> <i>Landscape character lends a clear and recognisable sense of place</i>
<p>The area has a recognisable sense of place relating to eg:</p> <ul style="list-style-type: none"> <li>• Distinctive landscapes, part of recognised identity of Swale such as the marshes or the chalk downs</li> <li>• Distinctive landform such as valleys, large areas of flat land or key ridges forming a recognisable physical entity</li> <li>• Distinctive, rare or representative land cover/land use eg. patterns of fruit growing or extensive woodland cover, organic natural patterns, extensive natural habitats</li> <li>• An area representative of a particular phase in landscape history/development</li> </ul> <p>Source: LCA, Field Survey</p>
<b>Factor: Landscape quality (condition and intactness)</b>
A measure of the physical state of the landscape, including its intactness and condition of individual elements
<b>Indicator:</b> <i>Characteristic natural and human elements well represented throughout, and landscape elements and features are in good condition</i>
<ul style="list-style-type: none"> <li>• Functional attributes of the landscape e.g. ecological integrity visually coherent</li> <li>• Presence of well managed features in good condition</li> <li>• Absence of incongruous features/detractors or not visually intrusive</li> </ul> <p>Source: LCA, Field Survey, presence of other designations indicative of condition e.g. biodiversity</p>

### Factor: Scenic qualities

A landscape that appeals to the senses with particular sensory and aesthetic qualities relating to visual character or perceptual attributes such as sense of remoteness, tranquillity or wildness which are rare in SE England

**Indicator:** *Strong aesthetic/sensory qualities*

The area has strong aesthetic/sensory qualities e.g.

- Visual character – views, patterns of composition of vegetation/landform
- Expansiveness/openness, enclosure/seclusion  
Sense of relative remoteness/wildness/tranquillity
- Presence and/or perceptions of tranquillity natural landscape, birdsong, peace and quiet, dark skies/stars at night, stream, sea, natural sounds and similar influences
- Relative lack of human influence/ absence of incongruous features
- Uninterrupted tracks of land with few built features

Source: LCA, CPRE Night Blight/Dark Skies data, CPRE Tranquillity, Field Survey, Consultation comments

### Factor: Landscape values (stakeholder)

A measure of how the landscape is valued by stakeholders - residents, visitors/recreational users and where relevant, relationship to national landscape designations (Kent Downs AONB) through expression of special qualities or experience of the AONB.

**Indicator:** *Landscape indicated to be highly valued by people (resident, visitors) as well as recognised values for example expressing values and special qualities associated with the Kent Downs AONB*

- Evidence of recreational activity based on experience of the landscape (e.g. walking routes, activities such as birdwatching)
- Values expressed through SBC consultation which are considered to be 'more than' just popularity
- Special qualities or elements of landscape value relating to Kent Downs AONB e.g. setting of AONB expressed by demonstrating special qualities as outlined in the AONB management plan.  
Note that this factor is only relevant to those landscapes in proximity to the AONB.

Source: LCA, Field Survey, SBC Consultation, Kent Downs AONB Management Plan

### Factor: Natural and cultural attributes/associations

Presence of natural and cultural attributes or particular associations that contribute to the value of the landscape. These might include designations for biodiversity of historic environment value or cultural associations with the landscape.

Note that this criterion alone will not be enough in its own right for an LLD as likely to be covered under other designations in the Local Plan.

**Indicator:** *Visible expression of natural or cultural features/associations contributing to a distinctive sense of place and other aspects of scenic quality*

- Visible expression of geology creating distinctive sense of place
- Presence of wildlife and/or habitats, species that make a particular contribution to distinctive sense of place or other aspects of scenic quality
- Presence of settlements, buildings or other structures that make a particular contribution to distinctive sense of place or other aspects of scenic quality
- Visible presence of historic landscape types or specific landscape elements or features that provide evidence of time depth or historic influence on the landscape
- Associations with written descriptions, artistic representations, and associations of the landscape with people places or events

Source: Designations, HLC, LCA, local research

## 5 Desk study review and identifying LLD 'Areas of Search'

- 5.1 This chapter presents the results of stage 2 of the assessment. It sets out the findings of a 'first pass' desk study evaluation of the Swale Borough landscape character areas against the landscape value criteria. The purpose being to reach a rapid conclusion on whether a character area - meets, does not meet or partially meets criteria for local landscape designation (note partially may relate to a part of a geographic area or a whole area that has some value meriting designation). It is considered that this first principles approach is good practice as a starting point for identifying areas that are likely to be worthy of local landscape designation and scope out areas where further detailed work is not required. The desk assessment was only undertaken for those character areas falling outside or partially outside the AONB boundary, the remainder already being nationally designated.
- 5.2 The results of this rapid desk study assessment were provided in an initial report to SBC and set out in **Appendix 3** of this report.

### Desk review results

- 5.3 The desk study highlighted areas for more detailed review and evaluation as part of stage 3. They are set out in Table 5.1 below. All areas that are already designated or recommended for review in 2014 will go forward for detailed stage 3 evaluation and field survey. Only those areas not currently designated, proposed or recommended in the desk review are excluded at this stage. The results are illustrated in **Figure 5.1** and identified as 'Areas of Search' for LLDs.
- 5.4 The 'take forward' column includes the recommendation for inclusion as part of the 'area of search'. Some of the areas that do not meet the criteria as part of the stage 2 desk review are also taken forward for stage 3 evaluation and field survey, as indicated in the table, either because of their relationship to existing LLDS, previous proposals for designation or due to the high number of local values attributed. A justification is provided for any areas that are excluded at this stage.

**Table 5.1: Results of the desk assessment – identifying areas of search for LLDs (excluding LCAs wholly within the AONB)**

LCA no. (exc AONB)	Name	Current LLD	Take forward Stage 3 Evaluation	Notes to inform selection of 'areas of search' and field survey and justification for areas omitted
1.	Chetney and Greenborough Marshes	Y Kent Level	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation and check marsh extensions in surrounding character areas (32)
2.	Elmley Marshes	Y Kent level	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation and consider: Small part of northern character area not currently in designation

LCA no. (exc AONB)	Name	Current LLD	Take forward Stage 3 Evaluation	Notes to inform selection of 'areas of search' and field survey and justification for areas omitted
				Field survey also to review western edge at Neatscourt marshes and Queenborough
3.	Goodnestone Grasslands	N	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation and consider for potential addition to local designation – part of wider marshland – asses boundary with 6
4.	Graveney Grazing Lands	Y (part) Kent Level	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation including focus on areas covered by nature conservation designations and with special qualities extending north of the railway and small area to south of railway
5.	Graveney Marshes	Y Kent Level	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation as part of wider marsh landscape despite different condition/land use to other parts of the marshes
6.	Ham Marshes	Y Kent Level	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation and review boundary with area 3
7.	Leysdown and Eastchurch Marshes	Y Kent Level	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation and check boundary at Leysdown and with 13
8.	Luddenham and Conyer Marshes	Y Kent Level	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation and check LLD boundary in relation to area 17 and area 31
9.	Minster Marshes	N currently proposed for designation in 2014 study	Yes	Although this area does not meet the criteria in the desk review and has many detractors, it is locally valued. It is therefore taken forward for field survey as part of the stage 3 evaluation
10.	Sheppey Court and Diggs Marshes	Y Swale	Yes	This area only partially meets the desk review criteria. It is currently designated and is therefore taken forward for the

LCA no. (exc AONB)	Name	Current LLD	Take forward Stage 3 Evaluation	Notes to inform selection of 'areas of search' and field survey and justification for areas omitted
		Level		stage 3 evaluation to assess current character and condition as part of the field survey
11.	South Sheppey Saltmarshes and Mudflats	Y Kent Level	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation.
12.	Spitend Marshes	Y Kent Level	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation.
13.	Central Sheppey Farmlands	N put forward for designation in 2014 study	Yes	This area does not meet the desk review criteria. It is taken forward for stage 3 evaluation and field survey due to its previous recommendation and extent of local values recorded.
14.	Elmley Island	Y Kent Level	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation.
15.	Isle of Harty	Y Kent Level	Yes	Area meets stage 2 desk review criteria. Field survey to provide full evaluation.
16.	Minster and Warden Farmlands	N put forward for in 2014 study	Yes	Area does not meet the desk review criteria, but is taken forward for stage 3 evaluation and field survey due to its previous recommendation and extent of local values recorded.
17.	Stone Arable Farmlands	N	No	Area does not meet the desk review criteria. It is not considered to be a locally distinctive landscape, and does not have high landscape and scenic qualities. It is representative of a rural landscape with some valued features. In defining boundaries for neighbouring marshland LLD consider role of this area in relation to Oare Creek and adjacent marshland including area at Uplees.
18.	Waterham Clay Farmlands	Y , small part to east in Blean Areas adjoining LCA 33 and 23 proposed	No	This area does not meet the desk review criteria. It partially meets some of the criteria and contains some locally valued elements. Field survey to review eastern part and boundary as part of Blean and Blean Edge LLDs (linking at Victory Wood).

LCA no. (exc AONB)	Name	Current LLD	Take forward Stage 3 Evaluation	Notes to inform selection of 'areas of search' and field survey and justification for areas omitted
		for designation in 2014 review		
19.	Borden Mixed Farmlands	N	No	<p>This area does not meet the desk review criteria.</p> <p>This area is representative of a rural landscape with small scale dry chalk valleys which are a locally attractive feature. It has a traditional built character which is protected through other designations. It does not meet the LLD criteria in the desk survey, although contains a number of valued elements and features (valleys and local vernacular). It is not taken forward as an area of search.</p>
20.	Faversham and Ospringe Fruit Belt	Y Part Kent Level	Yes (part)	<p>This area only partially meets criteria in the desk review.</p> <p>Stage 3 evaluation and field survey to concentrate on area south of M2, and interface with AONB where criteria may be met.</p>
21.	Graveney Arable Farmlands	Part Small part of marshlands to north = Kent Level	No	<p>This area as a whole does not meet the criteria in the desk review in terms of landscape quality and condition, although contains some locally valued features.</p> <p>The interface with the marshlands is considered further as part of the field survey.</p>
22.	Graveney Fruit Farms	N	No	<p>Area does not meet desk review criteria.</p> <p>Its importance as very small isolated area of traditional landscape is noted – however this is too small for designation a local landscape designation in its own right.</p>
23.	Hernhill and Boughton Fruit Belt	Part Part Swale Level Plus minor extension proposed north of	Yes	<p>Area meets the desk review criteria.</p> <p>Field survey to provide full evaluation and check LLD boundary. Consider whole character area LLD extending south of Boughton Street which appears to be similar character and quality.</p>

LCA no. (exc AONB)	Name	Current LLD	Take forward Stage 3 Evaluation	Notes to inform selection of 'areas of search' and field survey and justification for areas omitted
		Selling in 2014 review		
24.	Iwade Arable Farmlands	Y small part Swale Level and section east of Newington proposed for designation in 2014 review	Yes (part of area in relation to ridge)	Area as a whole does not meet the criteria for LLD in the desk review. Field survey to provide an evaluation of part area of LCA on ridge, in recognition of existing status and local landscape values attributed.
25.	Lower Halstow Clay Farmlands	Part Part Swale Level	Yes	This area partially meets the desk review criteria. Evaluation and field survey to assess potential role as backdrop and setting to the marshes and inherent scenic value as part of the ridge.
26.	Lynsted Enclosed Farmlands	N Section around Teynham, north of A2 proposed for designation in 2014 review	No	This area partially meets the desk review criteria and is on the whole representative of a good rural landscape. Part of the area is taken forward for stage 3 evaluation and field survey due to its previous recommendation. Consider area in relation to existing local designations adjacent.
27.	Newington Arable Farmlands	No	No	This area does not meet the criteria for LLD in the desk review. The landscape has lost much of its traditional character and is in a relatively poor condition, although contains locally valued elements.
28.	Newington Fruit Belt	No Area between Hartlip and Lower Hartlip proposed for designation in 2014	No	This area as a whole does not meet the criteria for LLD in the desk review, forming a moderate quality rural landscape with some locally valued elements. Note that the minor valley extending from the AONB at Hartlip will be considered as part of the stage 3 field evaluation.

LCA no. (exc AONB)	Name	Current LLD	Take forward Stage 3 Evaluation	Notes to inform selection of 'areas of search' and field survey and justification for areas omitted
		review		
29.	Rodmersham Mixed Farmlands	No  Section by Radfield/ Teynham proposed for designation in 2014 review	No	This area does not meet the desk review criteria for a LLD. It forms a rural landscape, much opened up for intensive arable farmland, although locally valued elements are present including a sense of openness and long views. The area will be considered in relation to the boundaries with area 40 as part of the field survey.
30.	Selling Fruit Belt	N  Area not in AONB identified as potential designation in 2014 review	Yes	Area meets desk review criteria  Stage 3 evaluation and field survey to assess the small area outside AONB boundary and relationship to possibly extended LLD south of Boughton.
31.	Teynham Fruit Belt	Y  Part at Swale Level	Yes	Area meets desk review criteria  Stage 3 evaluation and field survey to consider current character and boundary to west in relation to Sittingbourne, boundary south of rail line and to A2.
32.	Upchurch and Lower Halstow Fruit Belt	Y  Very small part at Kent Level  Plus area south of Lower Halstow and north of Newington proposed for designation in 2014 review	Yes, part	This area does not as a whole meet desk review criteria.  Stage 3 evaluation and field survey to assess marsh areas and potential river creek from Lower Halstow.
33.	Blean Woods West	Y  Kent Level	Yes	Area meets desk review criteria  Full evaluation and field survey, also to



LCA no. (exc AONB)	Name	Current LLD	Take forward Stage 3 Evaluation	Notes to inform selection of 'areas of search' and field survey and justification for areas omitted
				check omitted areas in current LLD, adjacent to Canterbury.
36.	Doddington and Newnham Dry Valleys (character area description largely relates to AONB)	Y Kent Level (outside AONB)	Yes	Area meets desk review criteria Full evaluation and field survey required to assess character and quality of dry valley area outside AONB north of M2.
37.	Hartlip Downs	Yes Very small area at Kent Level	Yes, part	The area partially meets criteria in the desk survey. Field survey and evaluation required to assess downland AONB character for parts of area north of M2.
38.	Milstead and Kingsdown Mixed Farmlands	Y Kent Level - very small area north of M2	Yes	The area partially meets criteria in the desk survey. Field survey to provide full evaluation and assess whether area north of M2 is of equal value as AONB and contiguous with larger dip slope dry valley landscape running down to Sittingbourne (LCA 40).
40.	Rodmersham and Milstead Dry Valley	Y Kent Level extending AONB	Yes	This area meets desk review criteria. Full evaluation and field survey to assess boundaries and relationship to surrounding character areas – minor dry valley in area 42.
42.	Tunstall Farmlands	Yes Small part forms part of Kent Level chalk valley system North east area proposed for review in 2014 study	Yes	This area only partially meets the criteria for LLD in the desk survey. However, it is taken forward for the stage 3 evaluation and field survey due to high no of local values attributed. Specific focus of field survey in relation to dry valley (area 40).

## Recommendations on 'Candidate Areas'

- 5.5 The results of the desk study review were discussed with SBC officers. The character areas were grouped up into 13 discrete 'Candidate LLD' areas of similar character for field review and detailed evaluation. The 'Candidate LLDs' are illustrated on **Figure 5.2**.
- 5.6 In the table below those grouped under the heading 'Swale' are those which only occur within SBC, unlike those which are part of wider marshland, downland and woodland landscapes that continue within adjacent Local Planning Authority areas in Kent.

### Candidate LLDs

#### North Kent Marshes

1. Medway marshes (Halstow Creek – Milton Creek)
2. North Swale (Sheppey) Marshes (Queenborough – Leysdown)
3. South Swale Marshes (Milton creek – Seasalter Marshes)

#### Kent Downs

4. Hartlip Downs
5. Rodmersham, Milstead and Highsted Dry Valleys
6. Syndale Valley
7. North Street Dip Slope

#### The Blean

8. The Blean





#### Swale

9. Lower Halstow – Iwade Ridge
10. Tonge and Luddenham
11. Blean Edge Fruit Belt
12. Sheppey Court, Diggs and Minster Marshes
13. Eastchurch Uplands

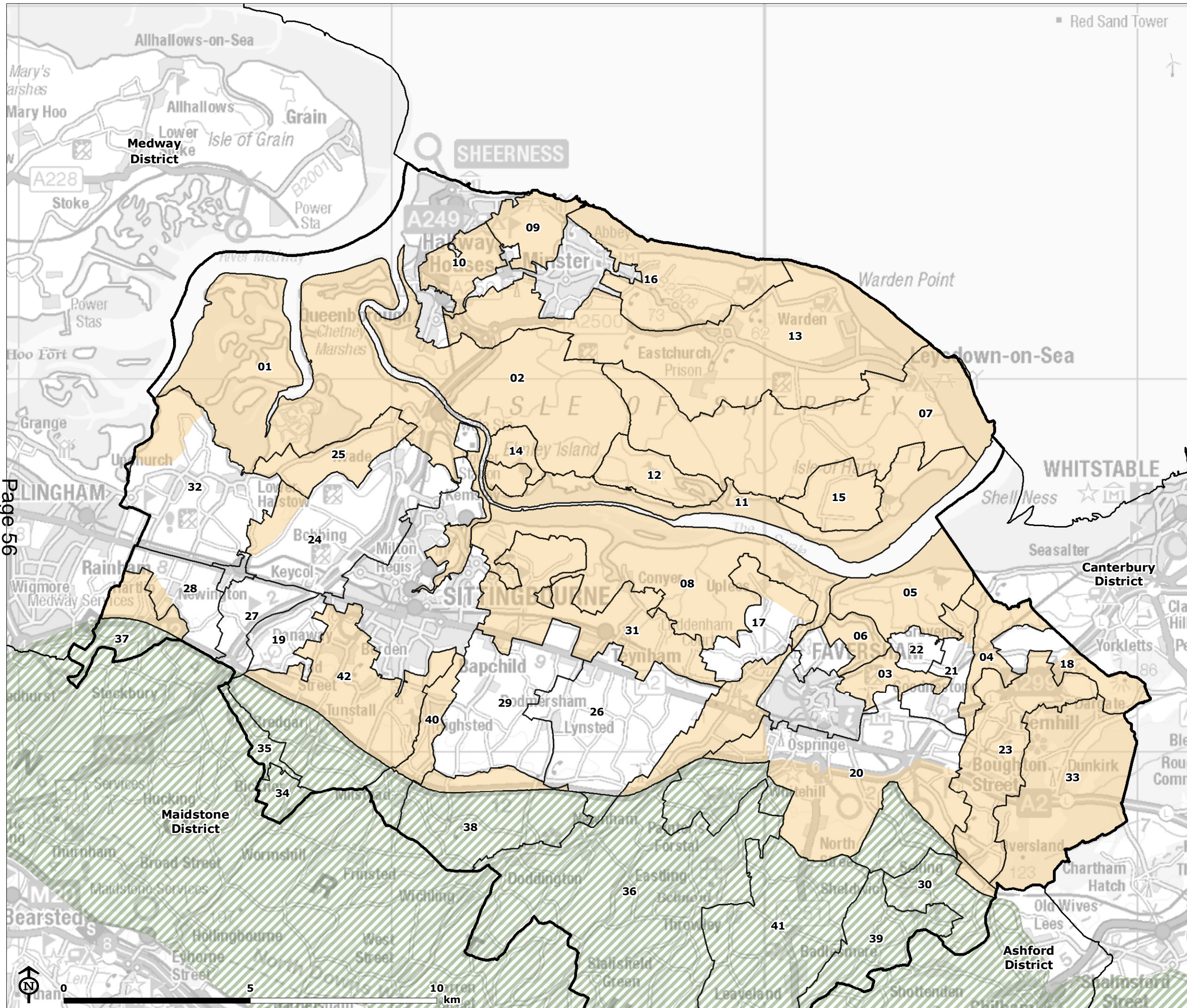
**Figure 5.1 Areas of Search for Swale LLDs (LCA context)**

# Swale Local Landscape Designations Review

**Figure 5.1 LCAs to take forward to Stage 2 Evaluation**

-  Swale District boundary
-  Landscape Character Areas
-  Kent Downs AONB
-  LCAs to take forward to Stage 2

Note  
Parts of areas 17, 18, 20, 21, 24, 25, 28 and 32 included in relation to the edges and boundaries of potential LLDs



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Map Scale @A3: 1:100,000

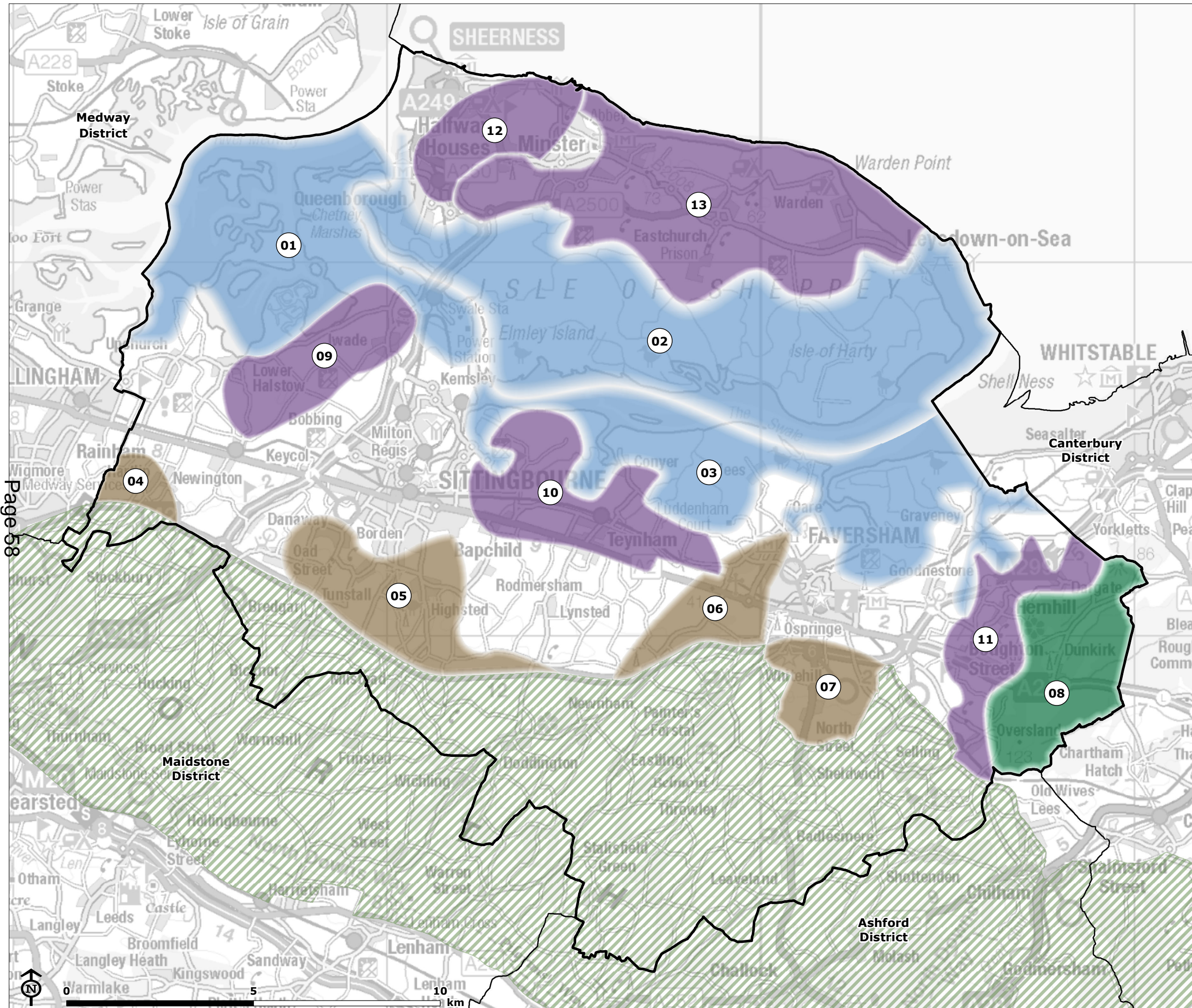


**Figure 5.2 Areas of Search for Swale LLDs – Candidate LLDs**

## Swale Local Landscape Designations Review

**Figure 5.2: Areas of search for Swale LLDs – Candidate LLDs**

-  Swale District boundary
-  Kent Downs AONB
- North Kent Marshes**
  -  01: Medway Marshes (Halstow creek – Milton creek)
  -  02: North Swale (Sheppey) Marshes (Queenborough – Leysdown)
  -  03: South Swale Marshes (Milton creek – Seasalter marshes)
- Kent Downs**
  -  04: Hartlip Downs
  -  05: Rodmersham, Milstead and Highsted Dry Valleys
  -  06: Syndale Valley
  -  07: North Street Dip Slope
- The Blean**
  -  08: The Blean
- Swale**
  -  09: Lower Halstow - Iwade Ridge
  -  10: Tonge and Luddenham
  -  11: Blean Edge fruit belt
  -  12: Sheppey Court, Diggs and Minster Marshes
  -  13: Eastchurch Uplands



Map Scale @A3: 1:100,000



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# LLD Evaluation & Recommendations



## 6 LLD evaluation and recommendations

6.1 The following sections present the results of the evaluation for the 13 candidate LLDs.

6.2 Each LLD evaluation contains:

- A photo sheet illustrating representative character;
- Summary and recommendations including boundary decisions;
- Evaluation against the criteria;
- Map illustrating LLD and boundary recommendations.

### A note on boundaries

6.3 Landscape is a continuum and all boundaries will generally represent zones of transition. There will rarely be a sharp change in identified landscape qualities either side of an LLD boundary. For ease, boundaries are frequently drawn along best fit physical features including lanes and field boundaries and therefore may include areas of lesser or greater quality or areas of different character. In some cases, boundaries have been extended where an area for example adjoins an urban edge and would leave a small vulnerable gap. Likewise, there may be some areas within a local landscape designation encapsulated by the boundary that do not meet the criteria but are part of a wider 'whole'.

### Statement of significance and identified qualities

6.4 Following the evaluation and consultation, the final LLDs and boundaries have been confirmed and statements of significance will be prepared for each LLD area. These are based on the evaluations contained in this report and include a summary of identified qualities (in line with NPPF para. 170). They are provided as a separate document.

### Recommendation on level of local designation

6.5 It is recommended that one level of local designation is retained covering the former Kent Level and Swale Level areas. This would give an equal level of protection applied through planning policy and development management. The fact that the marshes, downland and the Blean are part of larger landscape areas that extend, and are protected, beyond the borough boundaries is relevant but does not justify a higher status of protection within Swale which is difficult to distinguish and apply in practice.



# North Kent Marshes: Medway Marshes

## Landscape character and quality



Thames Barge at Lower Halstow



Greenborough Marshes



Stangate Creek and Isle of Grain



Foreshore at Lower Halstow



Towards Bedlam Bottom



Chetney Marshes to Sheppey Crossing

Candidate LLD name	North Kent Marshes: Medway Marshes
<b>Relationship to existing local landscape designation</b>	The North Kent Marshes - Existing AHLV –Kent Level For the purpose of this review the larger AHLV has been divided into three sections Medway, North Swale (Sheppey) and South Swale
<b>Extent of area</b>	The candidate LLD covers the entire area of coastal marsh extending from the Borough boundary in the west to Milton Creek in the east. It excludes the more urban developed parts of the character area of Ridham Dock, Kemsley Marshes on the edge of Sittingbourne. It is distinctive as an area of marsh adjacent to the River Medway.
<b>Landscape character context</b>	1: Chetney and Greenborough Marshes (all apart from the more developed areas adjacent to Milton Creek) 32: Upchurch and Lower Halstow Fruit Belt – small part of the LCA at Horsham Marsh adjacent to Bartlett Creek on the Medway
<b>Stage 2: Desk review (see table 5.1 and Appendix 3)</b>	1: Yes 32: No, partial area, marshes area to west likely to qualify
<b>Stage 3: Evaluation (see overleaf)</b>	<i>Fully meets</i>
<b>Boundary commentary</b>	<b>See map</b> The boundary is almost entirely contiguous with the character area boundary (1) and the inclusion of the small area of marshes in area 32 is appropriate. It covers the entire area between the Mean High Water Mark and Mean Low Water Mark, including areas creeks, saltmarsh, the channels of the Medway and Swale and marshes protected from inundation by sea walls. It extends from the Borough boundary in the west to Milton Creek in the east, excluding the more urban developed parts of the character area of Ridham Dock, Kemsley Marshes on the edge of Sittingbourne. It is a robust and appropriate boundary.  <b>Additions</b> 1. There would be merit to extending the LLD boundary out to include the channel of the Medway currently not shown as part of the designation on the Borough Plan.  <b>Deletions/comments</b> 2. It is noted that the area east of the A249 contains some visual detractors and the A249 could provide the eastern LLD boundary. In this case this area is recommended to be retained as part of the LLD as it provides a contiguous landscape setting to the road. A robust boundary is formed by the B2005 Swale Way crossing of Milton Creek. This area of land is important as the marshland setting of the Swale and Milton Creek.
<b>Commentary on Technical Paper 6 2014</b>	The Paper identified the area as intact, with no recommendations for boundary changes.
<b>Stage 4: Recommendation</b>	Retain as LLD, and provide a separate description and statement of significance to bring out particular character and unique qualities of the marshes adjoining the Medway as part of the wider North Kent Marshes.  Minor boundary amendments are proposed.

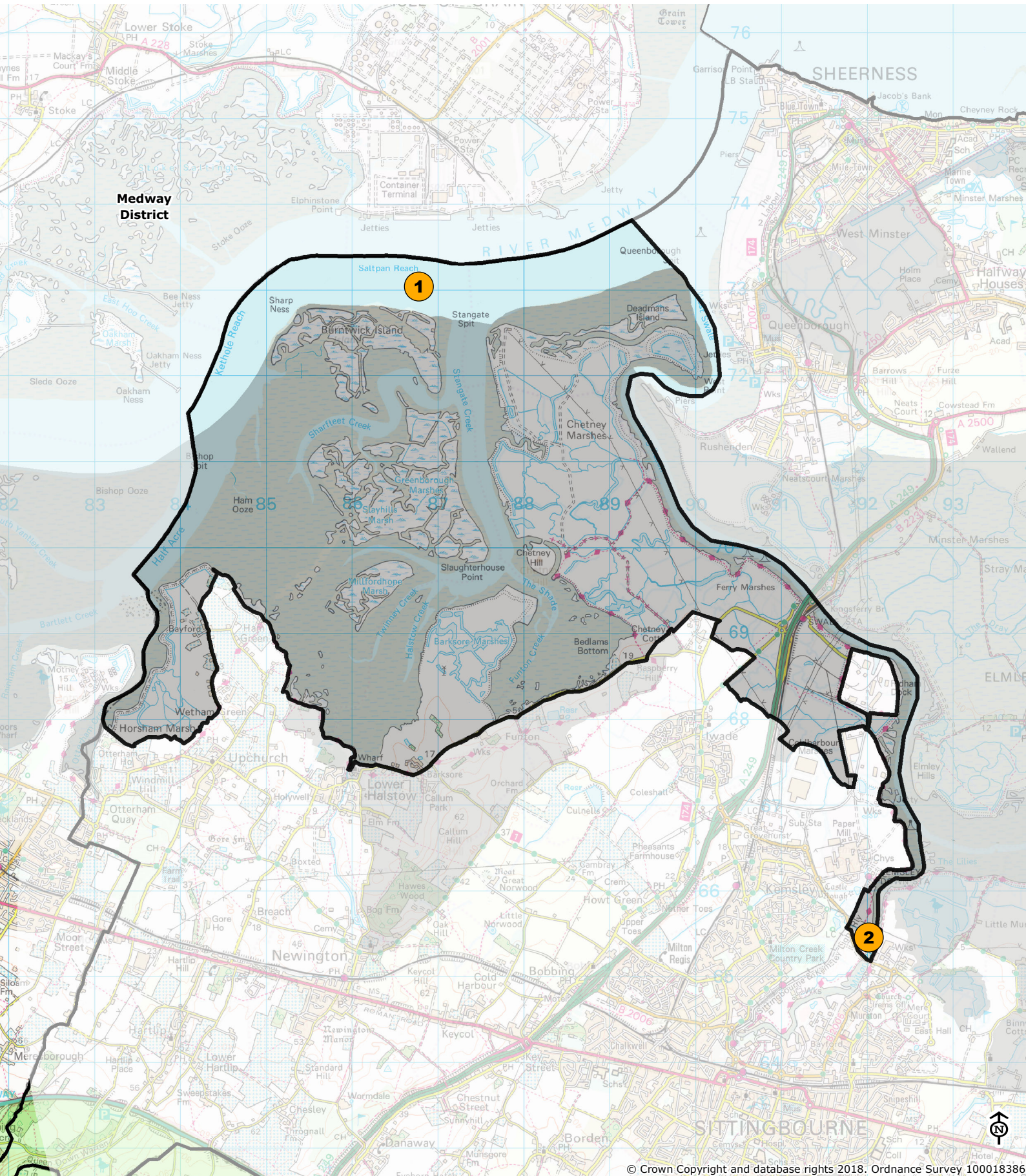
## Evaluation - North Kent Marshes: Medway Marshes

Criteria	Summary
<b>Local distinctiveness and sense of place</b>	<p>The area has a strong and recognisable sense of place as part of the North Kent Marshes forming an extensive area of estuarine grazing marsh, saltmarsh and mudflats, tidal creeks and channels. It is an isolated, remote and largely inaccessible area, almost wholly undeveloped – a rare and distinctive landscape in south east England.</p> <p>Barksore Marshes are distinctive for the presence of large areas of open water. Large areas of saltmarsh occupy the areas west of Stangate Creek at Greenborough, Burntwick Island, Millfordhope and Slayhills Marshes which are separated from the mainland. At high tide, the tidal creeks separate the area into numerous small islands. Chetney Marshes forms an extensive grazing marsh connected to the mainland at Rasberry Hill Lane/Old Ferry Road. Stangate Creek provides a sheltered haven for visiting yachts away from the busier Medway and Thames estuaries, with presence of boats, including traditional Thames barges a distinctive feature.</p> <p><i>Fully meets</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>The condition of the marshes is considered to be good. It has strong ecological integrity (largely designated) and visual coherence as a unique landscape.</p> <p>The A249, railway, Kingsferry Bridge and Sheppey Crossing are prominent in the context of the flat landscape, as are the overhead transmission lines on Chetney Marsh and east of the A249 at Ridham Marshes and Coldharbour Marshes, where industrial elements at Kemsley and Ridham Dock are visible intrusions. While these elements are locally intrusive, overall this is considered to be a high quality landscape.</p> <p><i>Fully meets</i></p>
<b>Scenic qualities</b>	<p>The remoteness and inaccessibility of the marshes, along with the effects of the weather, light and tides create a unique and distinctive scenic quality. There are large, open and often dramatic skies and an overriding sense of remoteness and solitude, plus dark skies at night. The contrast at low and high tide between extensive mud flats and channels with open expanses of water creates a dynamic scenic quality, as experienced at Bedlams Bottom and Medway Saltings. This remote natural landscape is also juxtaposed with the ports and heavy industry on the Isle of Grain to the north and with industrial development at Sittingbourne. The area has a distinct isolated quality reinforced by presence of decaying hulks of boat in the mud and local history, myth and legends associated with this area.</p> <p><i>Fully meets</i></p>
<b>Landscape values (stakeholder)</b>	<p>The Saxon Shoreway promoted route allows through part of the marshes an access along Milton Creek to the urban area at Sittingbourne. Stangate Creek and Sharfleet Creek have long provided a haven for boats away from the estuaries of the Medway and Thames and are still busy with yachts.</p> <p>The area is identified in local consultation as being highly valued for its wildlife habitats, sense of wildness/remoteness and tranquillity. The EA notes the importance of this area for the implementation of the Medway Estuary and Swale Shoreline Management Plan allowing for managed realignment, allowing inter tidal habitats to migrate inland.</p> <p><i>Fully meets</i></p>

## Evaluation - North Kent Marshes: Medway Marshes

Criteria	Summary
<p><b>Natural and cultural attributes &amp; associations</b></p>	<p>Almost the entire area is designated as SSSI, Ramsar and SPA due to the richness of its bird, plant and invertebrate life. It is dominated by an extensive grazing marshes, mudflats and network of open water channels, with patches of reed and fen swamp.</p> <p>Historic buildings include the marsh edge Grade II listed: Church of St Mary of Antioch, Lower Halstow. There is evidence of extensive Roman salt workings and pottery industry in the area. Other features include counterwalls and medieval salt mounds.</p> <p>The area has a range of cultural associations and is rich in myth and legend. In the 18th and early 19th centuries the creeks and Burntwick Island were thought to have been used to quarantine ships returning to London. The bodies of those who died were reputedly buried on nearby Deadman's Island, where remains have subsequently been exposed by coastal erosion. The marshes are also associated with smuggling and the North Kent Gang, three of whom were hung for smuggling offences at Maidstone in the early 19th century. Views of isolated derelict buildings on the marshes further reinforce the unique atmosphere associated with this area.</p> <p><i>Fully meets</i></p>
<p><b>Recommendations</b></p>	<p>The area fully meets the criteria for LLD. It is recommended that the area is retained as LLD with minor boundary adjustments. The key requirement for this area is to retain and enhance the special qualities and particularly sense of remoteness and isolation. Some detracting elements are present, particularly in the marshes east of the A249 corridor and in relation to development on the edge of Sittingbourne. The aim should be to avoid any deterioration/development that would lead to future boundary deletions in this area.</p>

# North Kent Marshes - Medway Marshes



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Kent Downs AONB  
 Local Landscape Designation (LLD)

**Boundary changes**

- 1** Extend to include river channels as essential part of character
- 2** A robust boundary is formed by the B2005 Swale Way crossing Milton Creek. This narrow area of land is important as the marshland setting of the Swale and Milton Creek



## North Kent Marshes: North Swale (Sheppey) Marshes

### Landscape character and quality



A vast flat landscape with panoramic views and big skies



A strong sense of remoteness at Elmley marshes



The Swale and Isle of Harty



Elmley Marshes



The Swale NNR towards Shellness



Isle of Harty

Candidate LLD name	North Kent Marshes: North Swale (Sheppey) Marshes	
<b>Relationship to existing local landscape designation</b>	The North Kent Marshes - Existing AHLV –Kent Level For the purpose of this review the AHLV has been divided into three sections Medway, North Swale (Sheppey) and South Swale)	
<b>Extent of area</b>	This large area covers all the coastal marshland bordering the Swale on the south of Sheppey extending from Rushenden Marshes at Queenborough in the west to Leysdown Marshes in the east.	
<b>Landscape character context</b>	2: Elmley Marshes (all) 7: Leysdown and Eastchurch Marshes (all except small area south of Leysdown-on-Sea and some minor areas along the northern boundary) 11: South Sheppey Saltmarshes and Mudflats (all) 12: Spitend Marshes (all) 14: Elmley Island (all) 15: Isle of Harty (all)	
<b>Stage 2: Desk review (see table 5.1 and Appendix 3)</b>	2: Yes 7: Yes 11: Yes	12: Yes 14: Yes 15: Yes
<b>Stage 3: Evaluation (see overleaf)</b>	<i>Fully meets</i>	
<b>Boundary commentary</b>	<p><b>See map</b></p> <p>The boundary is almost entirely contiguous with the character area boundaries representing the extensive low lying area of marshland abutting the Swale with the LLD extending out to include the intertidal areas and Swale channel.</p> <p><b>Additions</b></p> <ol style="list-style-type: none"> <li>1. There would be merit to extending the LLD boundary to include the channel of the Medway at Queenborough and Swale within SBC.</li> <li>2. Northern boundary to be extended to meet base of the slope, represented by the change of topography and character area boundary at: Slatcreek Head Land at South Lees Marshes, west of Newhook Marshes SW of prisons at Standford Low lying land west of Capel Hill Farm</li> <li>3. At Leysdown on Sea the land rises slightly to the settlement edge at Priory Hill, including the Coastal Park (golf course). Although this is not marshland, the existing urban edge and the low slopes at Priory Hill form a robust and appropriate boundary.</li> </ol> <p><b>Deletions</b></p> <ol style="list-style-type: none"> <li>4. A249 Cowstead Corner. The 2014 report notes the area at the A249/ A2500 intersection as forming part of the Queenborough and Rushenden regeneration area. This now contains substantial blocks of warehouse development and should therefore be excluded from the designation. This has since been partially excluded and it is recommended that the boundary is pushed further back to coincide with the Elmley Marshes character area boundary.</li> </ol>	

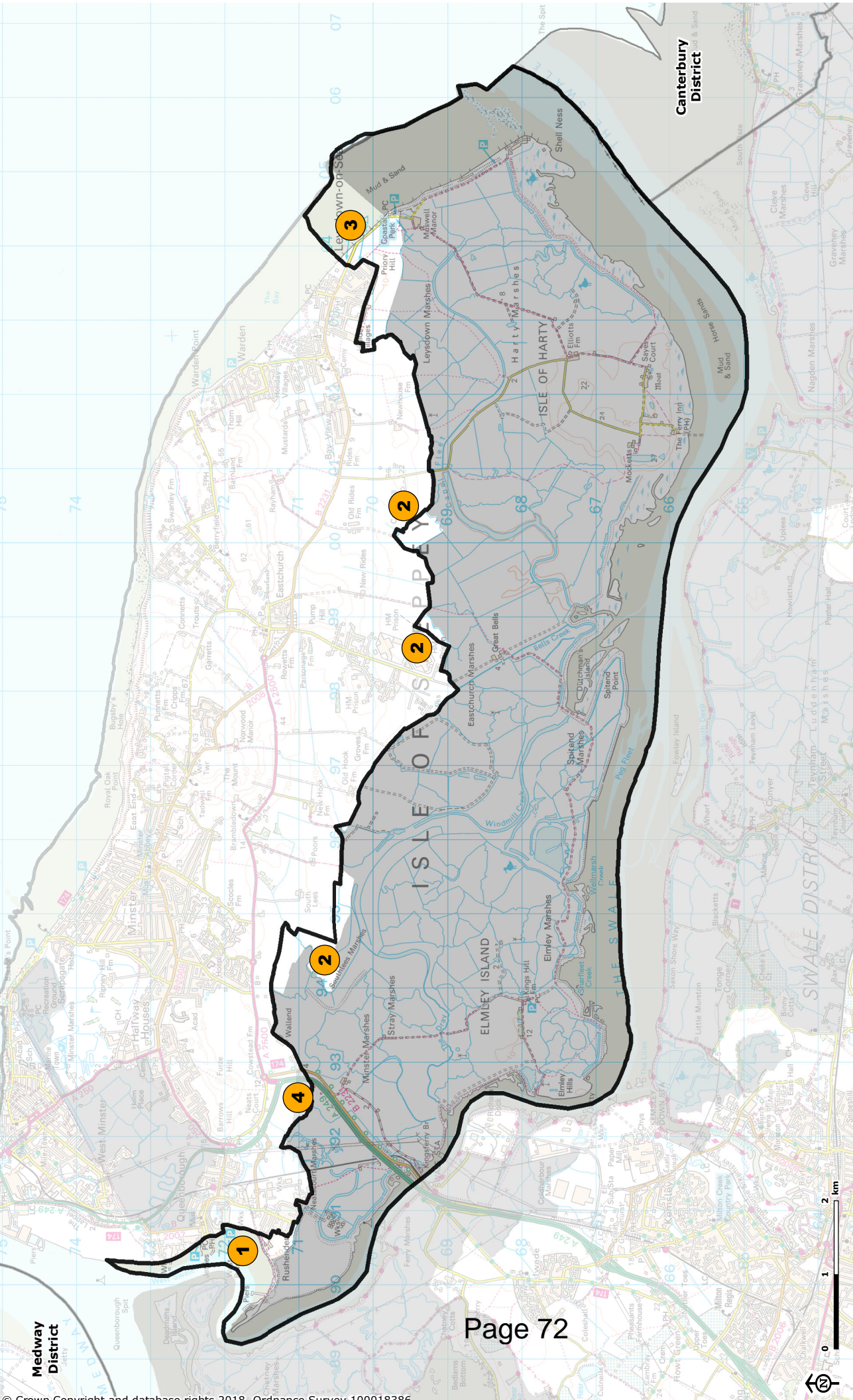


Candidate LLD name	North Kent Marshes: North Swale (Sheppey) Marshes
<p><b>Commentary on Technical Paper 6 2014</b></p>	<p>The Paper identified the area as intact. It made the following recommendations for deletion and one area for review.</p> <ul style="list-style-type: none"> <li>i) A249 Cowstead Corner (see above)</li> <li>ii) The northern boundary is recommended for review. Generally the northern boundary of the LLD is well related to the rising topography – a number of small extensions to tie in with character area boundaries are identified above.</li> </ul>
<p><b>Stage 4: Recommendation</b></p>	<p>Retain as LLD, and provide a separate description and statement of significance to bring out particular character and unique qualities of the marshes adjoining the Medway as part of the wider North Kent Marshes.</p> <p>Minor boundary amendments are proposed.</p>

<b>Evaluation - North Kent Marshes: North Swale (Sheppey) Marshes</b>	
<b>Criteria</b>	<b>Summary</b>
<b>Local distinctiveness and sense of place</b>	<p>A vast and complex area of marshes comprising a mix of saltmarsh and mud flats isolated by the sea wall, coastal grazing marsh drained by a network of dykes and ditches as well as small areas of higher ground such as the distinctive Isles of Harty and Elmley. It incorporates the channel of the Swale, including the shifting sand banks (Horse Sands) and mudflats of the Swale. The whole area has a strong sense of place, with high levels of remoteness, wildness and isolation, much only accessible on foot; these are all rare qualities in SE England. The presence of boats on the Swale adds to the dynamic character and contrast with the remote marshes.</p> <p><i>Fully meets</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>On the whole this is a landscape in good condition, has strong ecological integrity, and is largely intact with few detracting features. It has an open coherent visual character – a flat landscape with dramatic skies and vast panoramic views.</p> <p>Some area to the east of Sheppey have been reclaimed and converted to intensive arable farmland and have a more uniform character lacking diversity of the marshes although maintain visual integrity with the flat remote, low lying landscape. To the west, the A249, Kingsferry Bridge and Sheppey Crossing are prominent in the context of the flat landscape, as are the overhead transmission lines on Neatscourt Marsh, sewage works and industrial backdrop of Queenborough. The prisons at Standford Hill are a prominent feature particularly at night time when lighting impacts on the dark skies and a solar farm is a further visible development feature. While these elements are locally intrusive, overall this is an expansive isolated, remote natural area of high quality.</p> <p><i>Fully meets</i></p>
<b>Scenic qualities</b>	<p>The area has strong scenic qualities: high levels of tranquillity, remoteness and relative darkness persist over the marshes on Sheppey in strong contrast to adjacent areas. It is an area of vast skies and panoramic views, including from more elevated areas such as Harty across the channel of the Swale to the mainland. Scenic qualities and sense of wildness are enhanced by the rich wildlife, sight and sounds of waders and wildfowl often in great numbers, relative absence of building and roads and limited access via rights of way and along the sea walls.</p> <p><i>Fully meets</i></p>
<b>Landscape values (stakeholder)</b>	<p>The area is identified in local consultation as being very highly valued and as a whole received a relatively large number of consultation responses (12).</p> <p>It is particularly valued for its sense of wildness and tranquillity, wildlife habitats, scenic quality including open character and views to the Swale, built heritage and cultural associations as well as opportunities for outdoor recreation.</p> <p>Access is provided to a number of the nature reserves (Elmley Marshes and Swale National Nature Reserves), which are valued sites for visitors and attract large numbers of bird watchers. A network of rights of way provides access along floodbanks and counterwalls, although a large part of the area remains isolated and inaccessible enhancing its sense of wildness and tranquillity.</p> <p>The EA notes the importance of this area of implementation of the Medway Estuary and Swale Shoreline Management Plan and its future role in managed</p>

<b>Evaluation - North Kent Marshes: North Swale (Sheppey) Marshes</b>	
<b>Criteria</b>	<b>Summary</b>
	<p>realignment.</p> <p><i>Fully meets</i></p>
<b>Natural and cultural attributes and associations</b>	<p>Almost the entire area is designated as SSSI, Ramsar and SPA due to the richness of its bird, plant and invertebrate life and much is part of the National Nature Reserve (Swale and Elmley). The marshes of Sheppey as part of the wider North Kent Marshes are recognised for their birdlife. The extent of fresh water habitat alongside the expanses of salt marsh and mudflats of the Swale makes the area of immense importance for waders and wildfowl. Raptors, including common and marsh harrier, sparrowhawks and peregrines can frequently be seen as well as short eared owls. At low tide, seals hauled out on the sandbanks of the Swale are a further distinctive feature.</p> <p>The marshes are a historic landscape with a sense of timelessness. Historic features include medieval moated sites (one Scheduled Monument) and remnant salt works. Features of historic interest include the Grade II* listed: Church of St Thomas the Apostle, Harty Ferry (Late C11 or early C12 with additions and renovations through to early C15) which overlooks the marshes and is a landmark from the Swale. Sir John Betjeman remarked "<i>the church in its splendid isolation, with seabirds wheeling by the Thames so wide as to be open sea, and the air so fresh as to be healthier than yoghurt</i>". Grade II listed: Farmhouse and Barn at Kings Hill, in 1688 James II believed to have been captured while escaping to France, and incarcerated in the house.</p> <p>This part of Sheppey has a long association with aviation. Muswell Manor was the clubhouse for early experimental flights. In July 1909 the Short Brothers established Shellbeach Aerodrome.</p> <p><i>Fully meets</i></p>
<b>Recommendations</b>	<p>The area fully meets the criteria for LLD. It is recommended that the area is retained as LLD, with some minor boundary extensions to follow the character area boundaries and take in the channel of the Swale.</p> <p>The key requirement for this area is to conserve and enhance identified qualities, notably sense of remoteness and wildness, particularly in relation to the A249 corridor avoiding further development/deterioration necessitating future deletions and boundary adjustments.</p>

# North Kent Marshes - North Swale (Sheppey) Marshes



Local Landscape Designation (LLD) **Boundary Changes**

- 1** Extend the LLD boundary to include the channel of the Medway at Queenborough and Swale within SBC
- 2** Extend the northern boundary to meet base of slope as represented by the change in topography and the marshland character area boundaries
- 3** At Leysdown on Sea extend the boundary to follow the character area to the settlement edge at Priory Hill, including the Coastal Park
- 4** Delete a small area at A249 Cowstead Corner to coincide with the Elmley Marshes character area boundary



## North Kent Marshes: South Swale Marshes

### Landscape character and quality



Oare – Harty Ferry



Ditches south of Denley Hill near Graveney



Long views across marshes at Luddenham



Oare Creek and the Swale



Moorings at Conyer Creek



Oare Marshes

Candidate LLD name	North Kent Marshes: South Swale Marshes	
<b>Relationship to existing local landscape designation</b>	The North Kent Marshes - Existing AHLV –Kent Level For the purpose of this review the AHLV has been divided into three sections Medway, North Swale (Sheppey) and South Swale	
<b>Extent of area</b>	The proposed LLD forms part of the North Kent Marshes south of the Swale, and covers an extensive area from Milton Creek in the west as far as the borough boundary at Graveney Marshes in the east where it joins Seasalter Marshes in Canterbury. It includes the Swale channel, areas of intertidal land, the flat coastal marshes extending inland to the point where the topography rises, marking the transition to the adjacent enclosed farmland.	
<b>Landscape character context</b>	3: Goodnestone Grasslands (not in current designation but closely related landscape) 4: Graveney Grazing Lands (area north of Monkshill Road) 5: Graveney Marshes (all) 6: Ham Marshes (all) 8: Luddenham and Conyer Marshes (all) 17: Stone Arable Farmlands (small section at Little Uplees, including gravel pits) 21: Graveney Arable Farmlands (small area north of Graveney) 31: Teynham Fruit Belt (small sections on edge of this landscape)	
<b>Stage 2: Desk Review (see table 5.1 and Appendix 3)</b>	3: Yes 4: Yes, field survey to review boundary 5: Yes (note condition) 6: Yes 8: Yes 17: Partial, only for area adjoining marshes around Oare)	21: No, field survey to consider marshes interface 31: Yes
<b>Stage 3: Evaluation (see overleaf)</b>	<i>Fully meets – with minor boundary adjustments proposed</i>	
<b>Boundary commentary</b>	<p><b>See map</b></p> <p>The existing boundary is generally contiguous with the marshland character areas and follows a clear line on the ground representing the extent of contiguous low lying marshes abutting the Swale with the LLD boundary extending out to include the Swale channel itself. Where the boundary extends into adjacent character area this represents an area of low lying wetter character (e.g. former gravel pits) and this is appropriate.</p> <p><b>Goodnestone Grasslands:</b> The boundary revisions included a review of Goodnestone Grasslands – this is an area in good condition, distinctive, and largely undisturbed. It includes areas of grazed pasture and a number of small streams within sinuous ditches, and straight drainage ditches – similar in character to other areas of marshland and linked to the tidal creek at Faversham. The evaluation indicated that these are important features that deserve protection but that the area as a whole does not have a distinct marshland character and includes areas of polytunnels, rough unmanaged ground and development and so does not merit designation as part of the LLD although contains valued features and elements.</p> <p><b>Graveney Marshes:</b> - The 2014 report suggests a review of this area to reflect the deterioration in landscape quality. Graveney Marshes is a huge expanse of coastal marsh now improved for agriculture and almost entirely under intensive arable land use. Nevertheless, it remains an atmospheric and tranquil landscape with large open and often dramatic skies and is functionally linked to adjacent marshland habitats. It retains a strong sense of remoteness although clearly less 'wild' than the traditional grazing marshes and with the high voltage pylon line being a significant detractor. It is viewed from the Saxon Shore Way that runs on the elevated seawall. The positive attributes of this landscape outweigh the detractors and it is considered to be</p>	

Candidate LLD name	North Kent Marshes: South Swale Marshes
	<p>an integral part of the wider North Kent marshes landscape and should be retained as part of the LLD providing a link and continuity with Seasalter Marshes to the east, an LLD supported by Canterbury District Council. This area is also locally highly valued as demonstrated by the stakeholder consultation.</p> <p><b>Additions</b></p> <ol style="list-style-type: none"> <li>1. Southern boundary extensions to follow the character area boundary at Wildmarsh and Luddenham – See note below (3) in relation to Tonge and Luddenham LLD.</li> <li>2. Graveney grazing marshes – despite having a much more enclosed, small scale ‘valley’ character compared to the extensive flat marshland along the coast it is recommended that the boundary is extended to include the two fingers of grazed marsh that continue south of Denly Hill (east of the village of Graveney) forming an area of distinctive ‘marsh’ character inland as far as the A299.</li> <li>3. The potential future removal of the Tonge and Luddenham LLD (due to small size of remaining qualifying area) suggests that the boundary of the marshes LLD could be extended to include part of this area. It is not ‘marshland’ but contains minor springs and streams draining to the marshes and is functionally linked. The extended area could incorporate Luddenham Church, a distinctive feature at the edge of the marshes and the wetland springs around Deerton Street and Teynam Street which drain to the marshes.</li> </ol> <p><b>Deletions</b></p> <ol style="list-style-type: none"> <li>4. Graveney Hill – Cleve Hill (part of Graveney Arable Farmlands) – this is not part of the marsh landscape and is different in terms of landform and land use. It is acknowledged that there are ‘hill’ areas included in the Marshes LLD on Sheppey for example Isle of Harty, which is contained by the lower marshland landscape. In the case of Graveney Hill and Cleve Hill it is part of a larger arable landscape and includes the large substation development. It is therefore recommended that this small anomalous area is removed from the LLD.</li> <li>5. Stone Arable Farmlands -The existing boundary includes the area around Norman’s Hill/Harty Ferry Cottages, which is more similar to the open arable landscape typical of the character area. The hill does have an important role as the backdrop to the Oare Marshes, but to include it here would not be consistent with other areas of the marsh LLD. It is noted that the small area around Little Uplees including orchards and gravel pits is retained in the LLD and this is appropriate.</li> <li>6. Arable farmland area north of Bax which is recorded as part of character area 31 and does not retain any wetland/marshland characteristics noting that the adjacent minor tributary valley is included, although this is now largely under intensive covered fruit growing. Boundary consistent with character area.</li> </ol>
<p><b>Commentary on Technical Paper 6 2014</b></p>	<p>The Paper identified the area as intact. It made three recommendations for future review:</p> <ol style="list-style-type: none"> <li>i) Graveney Arable Farmlands – recommended for deletion - see above</li> <li>ii) Graveney Marshes - the report suggests a review of this area to reflect the deterioration in landscape quality. This study indicates that it should be retained within the LLD designation in line with other large areas of improved marsh as qualities of openness, remoteness are dominant.</li> <li>iii) Stone Arable Farmlands area around Little Uplees – it is appropriate that the northern part of the character area which includes small areas of grazing marsh, minor hill with settlements and orchards and the former Oare gravel workings now open water/wetland habitats is included as part of the LLD. The LCA describes the ecological integrity in this area as strong. See above re proposal for redrawing</li> </ol>



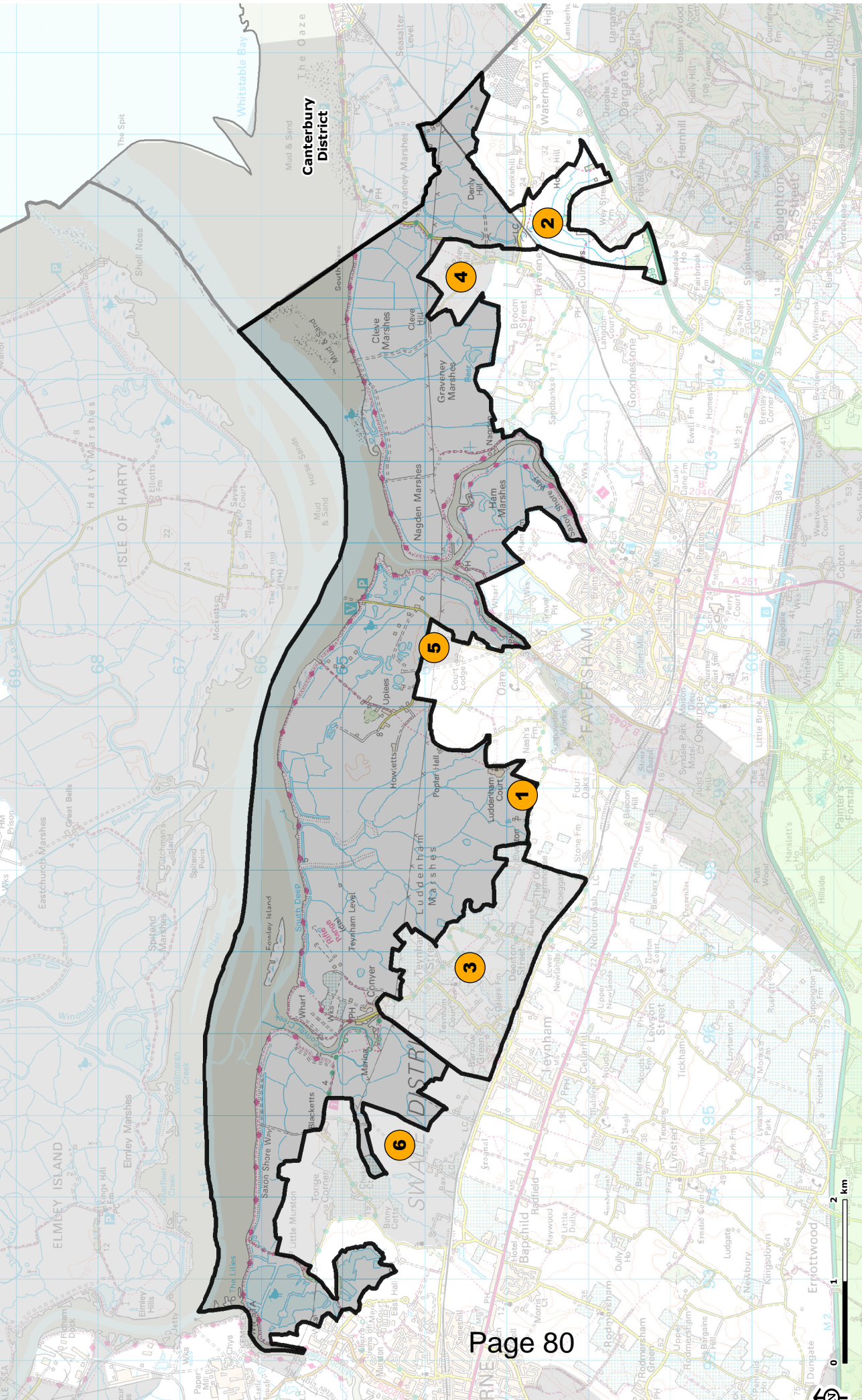
Candidate LLD name	North Kent Marshes: South Swale Marshes
	boundary to delete the area around Norman's Hill/Harty Ferry Cottages which is part of the open arable landscape that backs much of the marshes.
<b>Stage 4: Recommendation</b>	Retain as LLD with some minor boundary adjustments to provide a more robust inland edge reflecting the extent of this landscape including areas of marsh that extend inland. Provide a separate description and statement of significance to bring out particular character and qualities of the South Swale Marshes, part of the wider North Kent Marshes.

## Evaluation - North Kent Marshes: South Swale Marshes

Criteria	Summary
<b>Local distinctiveness and sense of place</b>	<p>A highly distinctive landscape forming part of the wider North Kent Marshes - a vast and complex area of saltmarsh and mud flats isolated by the sea wall, coastal grazing marsh drained by a network of dykes and ditches as well as small areas of improved farmed marsh dissected by drainage channels. It incorporates the channel of the Swale, including the shifting sand banks and mudflats of Fowley Island joining the marshes on Sheppey. Tidal creeks at Milton, Conyer, Oare and Faversham are unique to this part of the Swale coast and the presence of boats and boatyards along the creeks, including traditional craft and Thames barges further enhances local distinctiveness. Faversham is a historic centre for boat building and repair.</p> <p>The whole area has a strong sense of place, with high levels of remoteness, wildness and isolation, much only accessible on foot; these are all rare qualities in SE England.</p> <p><i>Fully meets</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>On the whole this is a landscape in good condition, has strong ecological integrity, and is largely intact with few detracting features. It has an open coherent visual character.</p> <p>Some areas for example on Graveney/Nagden marshes and around Bax west of Conyer have been reclaimed and converted to intensive arable farmland with a more uniform character lacking diversity of the marshes although maintain visual integrity as part of a flat empty, low lying landscape. Other detractors include the overhead power lines which are prominent in the landscape, and to the west industry on the edge of Sittingbourne. Small areas of gravel working have been reclaimed and the open water at Little Murston and Uplees is a positive feature within the marshes, while at Conyer a former brickworks site is similarly reclaimed and used for recreation. The size and scale of the marshes as a whole means that the influence of detracting features is minimised.</p> <p><i>Fully meets</i></p>
<b>Scenic qualities</b>	<p>The area has strong scenic qualities: high levels of tranquillity, remoteness and relative darkness persist over the marshes in combination with the marshes on Sheppey. A flat landscape with dramatic skies which reflect changes in climate and light provide reservoirs of darkness at night and vast panoramic views, backed by the rising slopes of The Blean and the downs to the south.</p> <p>The strong sense of wildness and remoteness is enhanced by the rich wildlife, sight and sounds of waders and wildfowl often in great numbers, relative absence of building and roads and limited access via rights or way and along the sea walls. Traditional boats add to the scenic quality along the tidal creeks, as do colourful displays of saltmarsh plants - golden samphire, sea-lavender and sea-purslane.</p> <p><i>Fully meets</i></p>
<b>Landscape values (stakeholder)</b>	<p>The area as a whole received a number (8) of consultation responses. It is clearly highly valued by stakeholders for a range of reasons. Graveney Marshes attracted a high number of responses relating to its wildlife habitats, built heritage, panoramic views across land and water to surrounding backdrop of the Blean, Downs and Sheppey, wildness and tranquillity. Luddenham and Conyer Marshes are similarly valued for their farming and biodiversity. The continuous right of way link along the sea wall</p>

<b>Evaluation - North Kent Marshes: South Swale Marshes</b>	
<b>Criteria</b>	<b>Summary</b>
	<p>is particularly valued by stakeholders.</p> <p>The EA notes the importance of this area of implementation of the Medway Estuary and Swale Shoreline Management Plan and its future role in managed realignment.</p> <p>These marshes are important for recreation and are accessible via the Swale Heritage Trail and Saxon Shore Way promoted routes. The nature reserves at Little Muston, Oare Marshes, North and South Swale are valued for informal recreation opportunities and notably birdwatching. The tidal creeks include numerous moorings, marinas and boatyards and the waterways and adjacent coast are well used for sailing including traditional Thames barges based at Faversham.</p> <p><i>Fully meets</i></p>
<b>Natural and cultural attributes &amp; associations</b>	<p>The area is extensively designated as SSSI, Ramsar and SPA, with National Nature Reserves as well as a number of Local Wildlife Sites. These include areas of saltmarsh, mudflats, coastal grazing marsh, freshwater dykes and reedbeds. It is of international importance for migratory, overwintering and breeding wetland birds. At low tide the seals hauled out on Fowley Island are a further distinctive feature.</p> <p>The marshes have a many cultural association including defensive role in WWII and associations with smuggling. Oare Marsh was the site for the manufacture of gunpowder from 1787 until 1916. The remains of the jetty linking Oare to Harty on the Isle of Sheppey, are still visible. Historic buildings located at the edge of the Marsh are features including the Grade I listed church at Luddenham.</p> <p><i>Fully meets</i></p>
<b>Recommendations</b>	<p>The area fully meets the criteria for LLD with some minor boundary adjustments to provide a more robust inland edge reflecting the extent of marshland landscape and potentially the small scale adjoining orchard landscape at Conyer/Teynham.</p> <p>The key requirement for this area is to conserve and enhance identified qualities, notably sense of remoteness and wildness avoiding further development/deterioration necessitating future deletions and boundary adjustments.</p>

# North Kent Marshes - South Swale Marshes



- Boundary Changes**
- 1 Southern boundary extensions to follow the character area boundary
  - 2 Extension to include whole of Graveney grazing marshes
  - 3 Potential for larger boundary extension include part of former Tonge and Luddenham AHLV Swale Level
  - 4 Deletion of Graveney Hill – Cleeve Hill (part of Graveney Arable Farmlands)
  - 5 Deletion of Norman's Hill (part of Stone Arable Farmlands)
  - 6 Deletion of area north of Bax (arable farmland, part of Tonge and Luddenham)

Kent Downs AONB  
 Local Landscape Designation (LLD)



## Kent Downs: Hartlip Down

### Landscape character and quality



Large open arable field on dip slope



Remnant parkland in Hartlip Valley



Old orchards on lower slopes



Open arable landscape with views to AONB, cut by M2



Open arable landscape with views to AONB, cut by M2



Open arable landscape with views to AONB, cut by M2

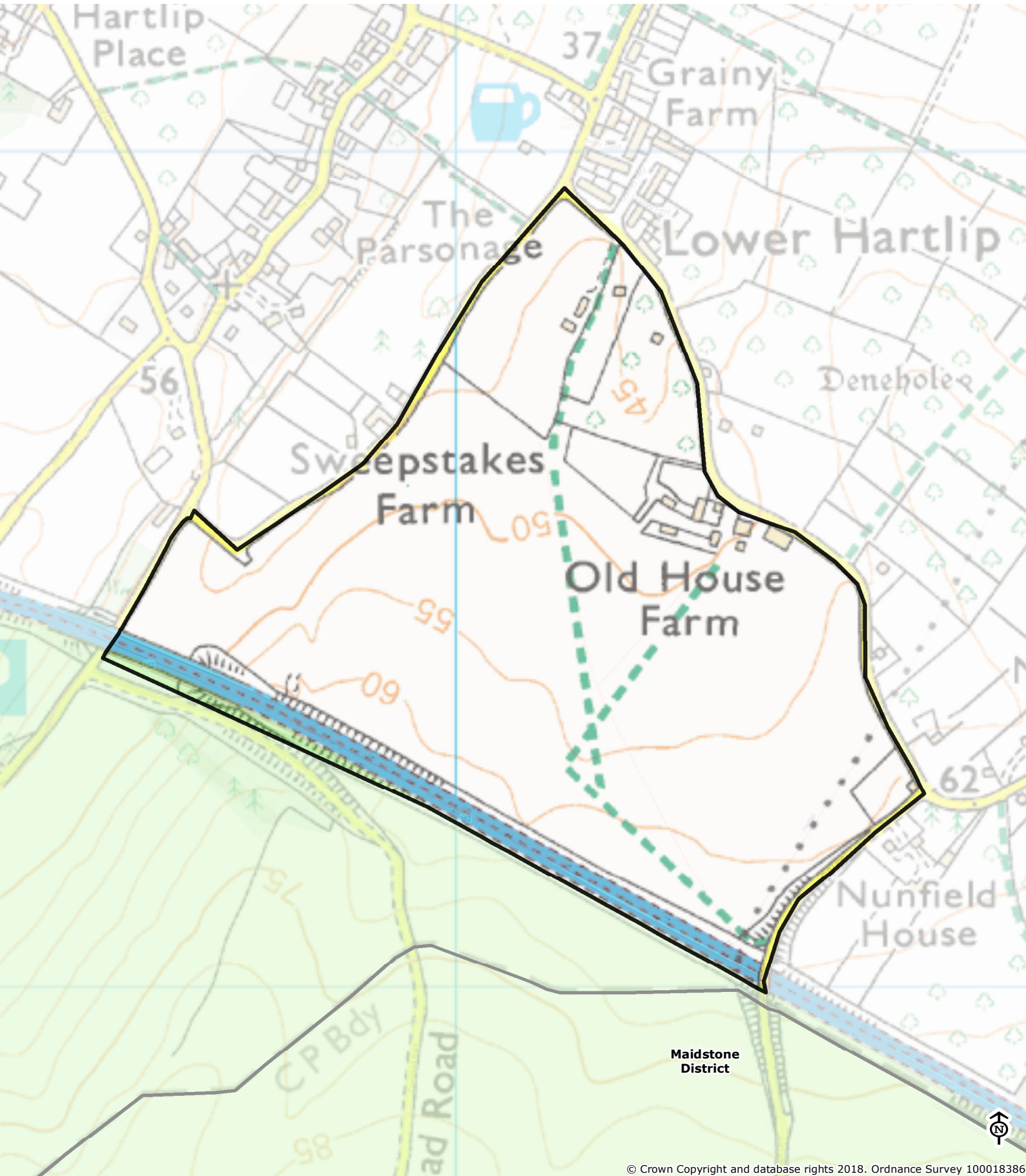
Candidate LLD name	Kent Downs: Hartlip Down
<b>Relationship to existing local landscape designation</b>	The Kent Downs - Existing AHLV –Kent Level For the purpose of this review the AHLV has been divided into the relevant spatial area on the edge of the Downs.
<b>Extent of area</b>	A very small area of downland dip slope extending north of the M2, bounded by minor roads (Lower Hartlip Road and Old House Lane) representing the transition to a minor valley to the west and the fruit belt landscape to the south.
<b>Landscape character context</b>	The northern part of small landscape character area 37 Hartlip Downs. The area south of the M2 is within the AONB and nationally designated. The evaluation also considered a small part of character area 28 – the minor valley extending from the AONB through Hartlip.
<b>Stage 2: Desk Review (see table 5.1 and Appendix 3)</b>	37 - Yes, noting need to interpret these results for the small part of character area outside the AONB. 28 - No
<b>Stage 3: Evaluation (see overleaf)</b>	<i>Does not meet</i>
<b>Boundary commentary</b>	N/a. This is a small area which is similar in character to much of the undesignated dip slope across Swale. The recommendation is not to include as an LLD and therefore no commentary on boundaries is provided. The evaluation and justification for this decision is provided in the table overleaf.
<b>Commentary on Technical Paper 6 2014</b>	The 2014 review noted the potential for extending the local landscape designation to incorporate Hartlip Valley to the west. This minor valley extending from the AONB (Queen Down Warren) has some valued attributes including its distinct landform (dry valley) and scant remnant parkland character. However, the intensive grazing and extent of horse pasture plus poor boundaries mean that overall this very small area does not meet criteria for a local landscape designation.
<b>Stage 4: Recommendation</b>	The Hartlip Downs area does not qualify under the LLD criteria. It is considered to be similar in character to many others areas of the North Downs dip slope in Swale which are not locally designated. As noted in the 2003 designations report there is topographic and visual continuity with the AONB, however in our opinion this alone does not merit designation. It has a lower elevation and reduced landscape quality plus special qualities associated with the AONB (such as views to the Thames Estuary) are not especially apparent here, although it remains a farmed landscape. It has strong links with surrounding fruit belt landscapes. The area does have a role in providing part of the immediate rural setting of the AONB and provides a degree of continuity across the M2.  It is recommended to remove LLD status.

<b>Evaluation - Kent Downs: Hartlip Down</b>	
<b>Criteria</b>	<b>Summary</b>
<b>Local distinctiveness and sense of place</b>	<p>The area is distinctive as a very small area of open arable land enclosed by fruit growing to the south and a minor valley to the west. It has a relatively strong topographic unity as part of the dip slope. However, its small size (a few fields) means it is difficult to register a distinct sense of place as a landscape in its own right, although has a role as a buffer to the motorway.</p> <p><i>Does not meet</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>In general, the landscape is relative poor condition with areas of new building, land raising/development platforms, poorly maintained rights of way set within close board fences and an area of unmanaged/derelict orchard. The open arable field are intensively managed and field boundary networks are very fragmented with limited ecological connectivity. The M2 is a visible and detracting feature throughout the area. The valley to the west (not within existing local designation) contains valued elements including pasture and remnant parkland trees although is predominantly managed as horse paddocks.</p> <p>The small areas of open arable field are visually coherent with a strong relationship with the rising slopes of the AONB although severed by views to, and noise from, the M2.</p> <p><i>Does not meet</i></p>
<b>Scenic qualities</b>	<p>The openness and views to the AONB are of value, although these are severed by the motorway, with moving traffic visibly and audibly dominant, notably where it bridges the minor valley. This area is not perceived as tranquil or peaceful.</p> <p><i>Does not meet</i></p>
<b>Landscape values (stakeholder)</b>	<p>The area provides visual continuity with the AONB, particularly looking south to the rising slopes, although noting that this connection is severed by the M2 and moving traffic. It does not have the elevation or extent of views of other parts of the dip slope and in terms of AONB special qualities, the only one relevant is as a farmed landscape.</p> <p>One right of way crosses the arable field linking Hartlip with the M2 crossing and into the wider downs landscape.</p> <p>The landscape values consultation did not result in any response for this small area outside the AONB.</p> <p><i>Does not meet</i></p>
<b>Natural and cultural attributes &amp; associations</b>	<p>No natural or cultural designations are noted within this small area. There are no known specific natural and cultural attributes that merit a local designation. There are some traditional farm buildings around Old House Farm.</p> <p><i>Does not meet</i></p>
<b>Recommendations</b>	<p>This area does not meet the criteria for LLD. Part of the area is clearly part of the arable dip slope and has a visual link across the motorway with the AONB. However, it is considered that this is similar to a number of other areas of undesignated dip slope areas in the Borough. It is considered to be too small for separate designation and a local landscape designation of the whole of the dip slope would not be practical as it is not possible to identify a discrete area. There are many valued features and elements along the dip slope but there is no cohesive entity that merits a separate designation.</p>



<b>Evaluation - Kent Downs: Hartlip Down</b>	
<b>Criteria</b>	<b>Summary</b>
	It recommended that this area is removed from the LLD. A key requirement is to conserve and enhance this area as part of the setting/context to the AONB.

# Hartlip Downs



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 Kent Downs AONB

*Note: This area does not meet criteria for LLD. It has a role as part of the setting to the AONB.*



## Kent Downs: Rodmersham, Milstead and Highsted Dry Valley

### Landscape character and quality



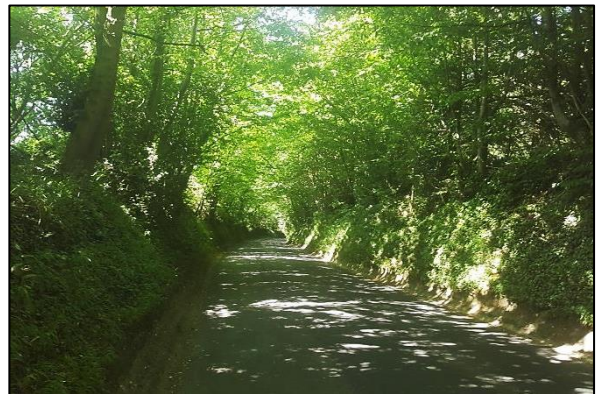
Dry valley with remnant parkland west of Kent Science Park



Open arable chalk valley extending to the edge of Sittingbourne



View south along valley, M2 marking AONB boundary



Sunken wooded lanes characterise the valley to the south



Coppice woodland at Mintching Wood extending north of AONB



Orchards along valley at Highsted

<b>Candidate LLD name</b>	<b>Kent Downs: Rodmersham, Milstead and Highsted Dry Valley</b>
<b>Relationship to existing local landscape designation</b>	AHLV –Kent Level: Highsted Valley/Tunstall. Rodmersham and Milstead
<b>Extent of area</b>	A distinct dry valley extending from the AONB boundary along the M2 at Milstead and continuing north to the urban edge at Sittingbourne. Boundaries are formed by the topography along the enclosing ridge skyline and encompassing the adjacent connecting minor valley containing woodland/parkland running to the west of the Kent Science Park.
<b>Landscape character context</b>	38: Milstead and Kingsdown Mixed Farmlands - current LLD includes a small area of Mintching Wood and Kingsdown Wood providing continuity with woodland south of the M2. 40: Rodmersham and Milstead Dry Valley- current LLD largely formed by this character area but excluding the more settled landscape and open arable valley tops east of Highsted and Rodmersham 42: Tunstall Farmlands - small areas either side of Kent Science Park including the full extent of Cromer’s Wood, Highsted quarries and land on the south east of edge of Sittingbourne.
<b>Stage 2: Desk review (see table 5.1 and Appendix 3)</b>	38: Yes, notably large tracts of ancient woodland 40: Yes 42: Partially area, evaluation required to assess area in relation to the dry valley and quality of the wider landscape and possible boundary adjustments
<b>Stage 3: Evaluation (see overleaf)</b>	<i>Largely meets</i> Retain as LLD with boundary adjustments.
<b>Boundary commentary (including suggested changes from existing designation)</b>	<b>See map</b> The boundary is robust largely following the dry valley that extends northwards from the AONB at Milstead. It is delimited by topography (contour approx. 80 AOD) and land cover, notably the extent of woodland on the valley sides. The boundary extends out from the valley to incorporate the extensive woodlands in the adjacent LCA at Mintching and Kingsdown Wood ( <b>Character Area 38</b> ) which provide an important link to woodlands south of the M2 and within the AONB. <b>Character Area 42: Tunstall Farmlands:</b> The designation takes in the full extent of Cromer’s Wood and includes the tributary dry valley (within character area 42) that runs to the west of The Kent Science Park. This area retains a pastoral, remnant parkland character and is appropriate to include in the designation. Given the high number of responses to the consultation on landscape values for the area north of Bredgar, consideration was given to extension of the LLD boundary further westwards. On balance, while there are features of high landscape quality in this area there is no justification for a larger LLD on this area of dip slope, although it is important as part of the setting of the AONB. The area south of Broad Oak Farm does not directly relate to the dry valley but the LLD boundary is retained at its current extent here representing the valley side setting. <b>Character Area 29: Rodmersham Mixed Farmlands:</b> The eastern boundary is largely confined to the dry valley (within character area 40). Consideration was given to further extension of this area onto the adjacent dip slope including towards Rodmersham and Rodmersham Green. This is an elevated area with long views out to the Swale and attractive settlements. It is predominantly large scale intensive arable farmland. While it contains a number of local landscape features, this area does not meet the criteria for designation as part of this dry valley LLD or an LLD in its own right. It is important as the setting of the AONB.

Candidate LLD name	Kent Downs: Rodmersham, Milstead and Highsted Dry Valley
	<p><b>Edge of Sittingbourne:</b> In the north, the current boundary runs up to the urban edge of Sittingbourne with Highsted Road forming the western boundary and Swanstree Avenue to the north. This extends away from the dry valley landscape to include small areas of intensive fruit growing adjacent to the urban edge. The orchard landscape has some merit in its own right but is distinct from the chalk valley landscape that characterises the rest of the LLD. In this area there are numerous urban fringe influences including the extension of residential development onto the valley sides, metal and chain link fencing and traffic on the roads. While this difference in character and quality is noted, it is judged as appropriate for the boundary of the LLD to run to the urban edge rather than leave a very small gap of undesignated orchard landscape. The orchards also provide a rural setting to the valley landscape and the edge of Sittingbourne.</p> <p><b>Additions</b></p> <ol style="list-style-type: none"> <li>1. Extend northwards to take in Highsted Quarry – these areas of wooded quarries provide a setting to the valley, are important for local wildlife and create separation from residential development along Ruins Barn Road and Woodstock Road. At a site level the quarries are poorly presented with security fencing and ‘keep out and notices’ contributing to an urban fringe character. There are opportunities to enhance the function and presentation of these areas within the LLD and the interface with the urban area, and for this reason they are recommended as an addition.</li> <li>2. There is a strong argument for extending the boundary to the east of Highsted to include the steep slopes of the valley side, which have an important role as a green backdrop framing the valley bottom settlement. The existing LLD has been drawn to exclude the settlement along the road. Rodmersham Green is an attractive rural settlement based around a green, however, it sits within a wider open agricultural landscape (see character area 29 above) and the proposed boundary has therefore been drawn to take in the valley slopes to the crest and exclude the main areas of settlement.</li> </ol> <p>No deletions are proposed within this area.</p>
<p><b>Commentary on Technical Paper 6 2014</b></p>	<p>The Technical Paper notes the option for including Highsted Quarries in the designation boundaries. This is accepted and covered above.</p>
<p><b>Stage 4: Recommendation</b></p>	<p>A revised and extended LLD to include the full extent of valley sides and Highsted Quarries. It is noted that there are opportunities to enhance landscape quality in the vicinity of the Sittingbourne urban edge.</p>

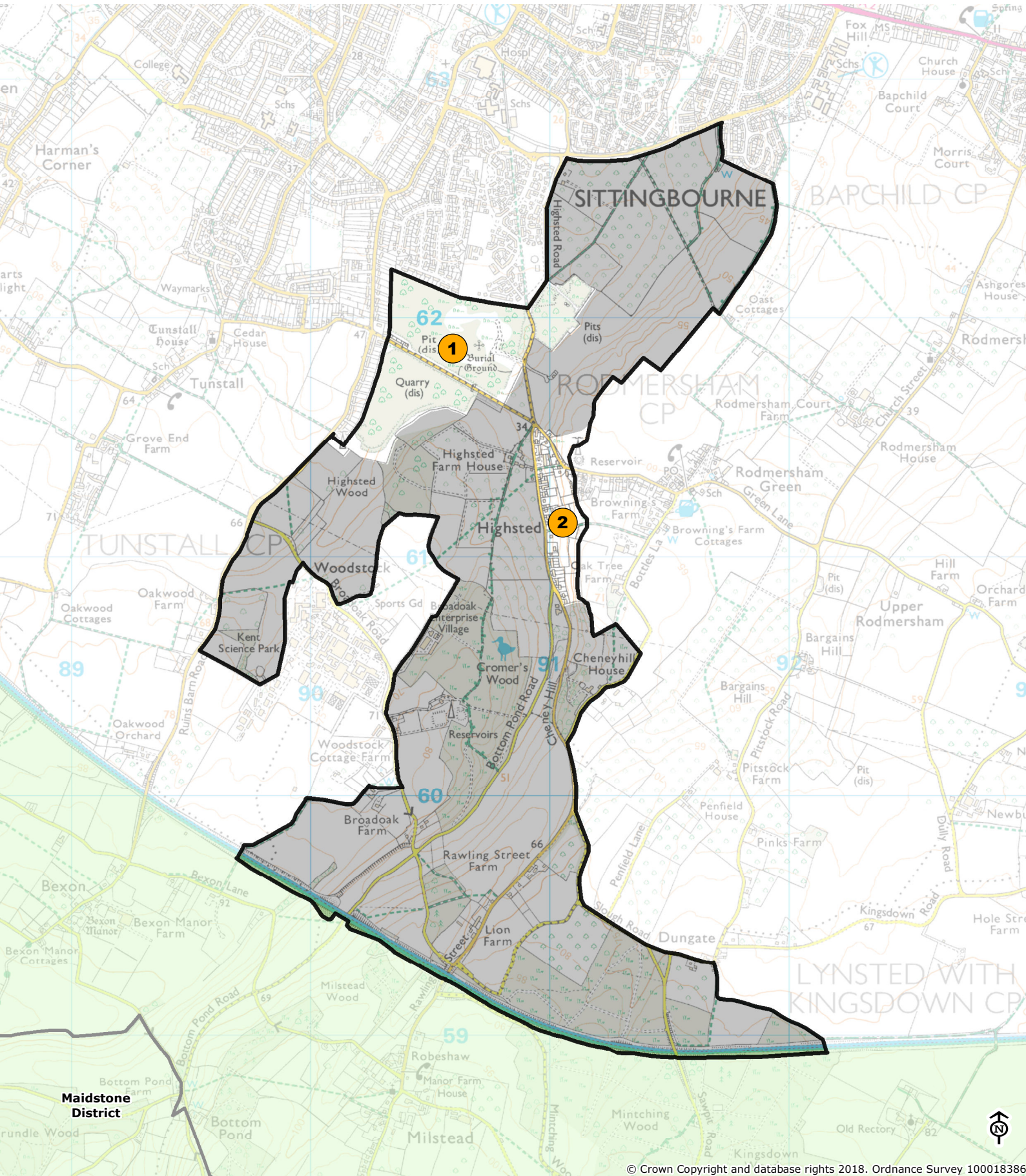
## Evaluation - Kent Downs: Rodmersham, Milstead and Highsted Dry Valley

Criteria	Summary
<b>Local distinctiveness and sense of place</b>	<p>A dry valley system contiguous with the AONB enclosed by steep slopes rising to open arable ridges. It is a topographically distinct landscape with a strong sense of place and rural character in close proximity to the urban edge of Sittingbourne. Features of interest include the ancient and semi-natural woodlands which occur across the valley, narrow sunken rural lanes, extensive orchards and areas of remnant parkland.</p> <p><i>Fully meets</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>The landscape character assessment (2011) describes the condition as moderate and it continues to be moderate, although has deteriorated to an extent since the LCA as noted below.</p> <p>There remains a good ecological network with areas of woodland linked by hedgerows and the valley is visually coherent as an entity with strong enclosing undeveloped skylines. Other parts are more degraded with fragmented field boundaries and vast arable fields. There is a greater degree of development compared to some other LLD areas with the linear settlement of Highsted along the lower valley road and more extensive development adjoining the area along Broadoak Road at Kent Science Park. The area on the immediate edge of Sittingbourne also has a more urban fringe character with chain/link and security fencing forming boundaries. Some areas are also managed as paddocks with an impact on the appearance of the rural landscape and there are locations where commercial/agricultural buildings are particularly prominent on the valley side. The M2 crosses the valley on a bridge and is a dominant feature to the south marking the boundary with the AONB.</p> <p><i>Partially meets</i></p>
<b>Scenic qualities</b>	<p>The area retains a comparatively strong sense of tranquillity, despite proximity to the urban area. It is a visually coherent landscape enclosed by the valley landform with views channelled along the valley floor or to the open ridges which form the skyline. The subsidiary valley which runs to the west of Highsted has a strong rural character with areas of grazed parkland and pasture with a high scenic quality. These qualities are diluted in parts by presence of development including the linear settlement along the valley floor and Science Park and the 'fringe' character immediately adjoining the urban area.</p> <p><i>Partially meets</i></p>
<b>Landscape values (stakeholder)</b>	<p>The area of Tunstall Farmlands (LCA 42) received the greatest number of consultation responses (14) of all the character areas in Swale. Many of these relate to areas within the AONB and therefore already protected as a national landscape designation. However, a number of responses note the importance of the areas north of Bredgar as the setting of the AONB and buffer and identify qualities including tranquillity, scenic qualities including long views out, recreational value (gateway to the AONB) wildlife value (hedgerows and shaws) and built heritage.</p> <p>The valley (LCA 40) received 4 responses. The landscape is valued for its scenic qualities, sense of tranquillity, wildlife habitats and recreational use of the rights of ways and lanes by walkers and cyclists. Particularly valued features are Cromer's Wood, Highsted Wood, and the quarries which are described as havens for wildlife, wildness and tranquillity with potential for recreational use.</p>

<b>Evaluation - Kent Downs: Rodmersham, Milstead and Highsted Dry Valley</b>	
<b>Criteria</b>	<b>Summary</b>
	<p>The dry valleys are identified as one of the special characteristics and qualities of the Kent Downs AONB (dramatic landform and views) with their ribbons of permanent grassland (shaves along the valley sides (Farmed Landscape) as well as the broadleaf and mixed woodland cover (Woodland and trees) and chalk landform (geology and natural resources). These are all present within the area and the boundary of the LLD has been drawn to encompass these qualities.</p> <p>The landscape designation cannot cover areas solely for their role as good rural landscape and buffer to the AONB/Sittingbourne and therefore excludes the area around Tunstall and Borden.</p> <p><i>Fully meets</i></p>
<b>Natural and cultural attributes and associations</b>	<p>Cromer's Wood is an extensive area of ancient semi natural woodland, designated as a Local Wildlife Site and managed by Kent Wildlife Trust. It is one of several small-medium scale woodland scattered across the slopes and valley floor. The boundary is justifiably drawn out to the east to include the extensive tracts of coppice woodland at Mintching and Kingsdown Wood which have continuity with the AONB landscape.</p> <p>Highsted Quarries is a further Local Wildlife Site. Although not currently included in LLD, the quarries provides a link to the chalk geology of the AONB, create a buffer with the residential development along the edge of Sittingbourne and provide a wooded backdrop and setting to the valley in some views.</p> <p><i>Fully meets</i></p>
<b>Recommendations</b>	<p>This area largely meets the criteria for LLD and it is recommended that it is retained with minor boundary changes to extend the designation. The deterioration in landscape quality is noted, and retention of the LLD should be aligned with measures to enhance quality particularly at the urban interface.</p> <p>It is recognised that there are many valued features and elements along the dip slope within the wider area (Tunstall Farmlands) but this is not a cohesive entity that merits a separate designation. The key requirement is to conserve and enhance this area as part of the setting/context to the AONB.</p>



# Rodmersham, Milstead and Highsted dry valleys



Kent Downs AONB  
 Local Landscape Designation (LLD)

- Boundary changes**
- 1 Extend to include Highsted Quarry
  - 2 Extend to the east of Highsted

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## Kent Downs: Syndale Valley

### Landscape character and quality



Distinct chalk valley landform with extensive woodland on slopes



The Stone Church Scheduled Monument



Woodland characterises valley crests and forms a connected ecological network



Open water at Oare gravel pits



Narrow sunken lanes at Bysing Wood



Mature parkland trees at Syndale

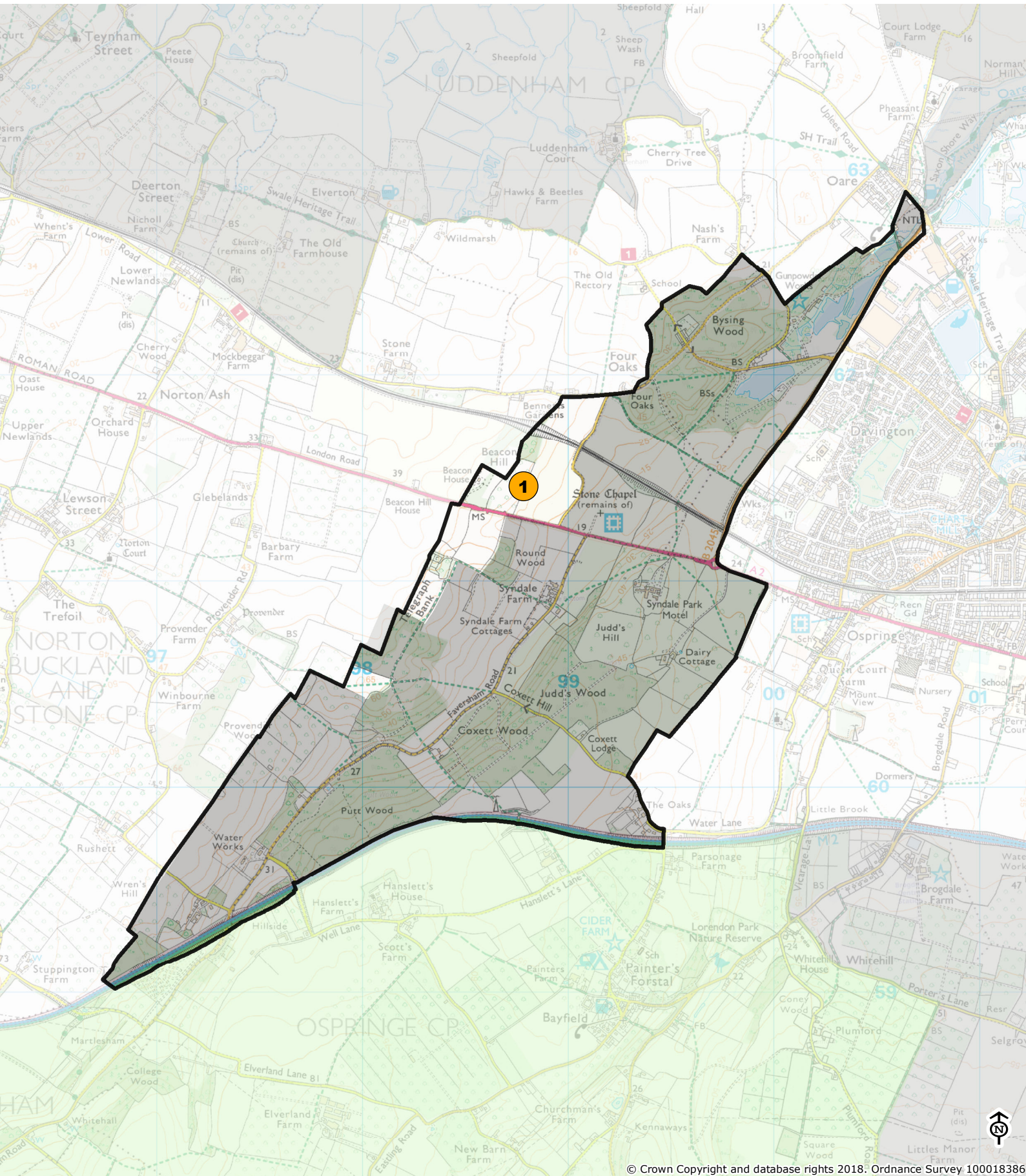
<b>Candidate LLD name</b>	<b>Kent Downs: Syndale Valley</b>
<b>Relationship to existing local landscape designation</b>	AHLV –Kent Level: Doddington and Newham Dry Valley
<b>Extent of area</b>	A distinct dry valley extending from the AONB boundary at the M2 northwards towards Oare.
<b>Landscape character context</b>	20: Faversham and Ospringe Fruit Belt very small area to the north of M2 (west of The Oaks, south of Coxett Wood) 36: Doddington and Newnham Dry Valleys - majority of area north of M2
<b>Stage 2: Desk review (see table 5.1 and Appendix 3)</b>	20: Partial – interface with AONB 36: Yes.
<b>Stage 3: Evaluation (see overleaf)</b>	<i>Fully meets</i>
<b>Boundary commentary</b>	<p><b>See map</b></p> <p>The boundaries are largely contiguous with the character area which flows out from areas of similar 'dry valley' character within the AONB. Boundaries are determined by topography and follow suitable features such as woodland edges along the valley crest and continue along the valley northwards to capture important natural and historic assets at Syndale House, Bysing Wood and the Gunpowder Works.</p> <p>A small area on the western side of the existing designation at Telegraph Hill/Beacon Hill sits within the same character area and it is recommended that these are included on the basis of topography forming the enclosing upper valley sides.</p> <p>To the south east the LLD boundary is drawn along Abbots Hill Road, while this is essentially a more arable landscape on the upper valley crests, the road here provides a defensible and robust boundary and is therefore preferable to the character area boundary which runs along Coxett Wood/Judds Wood.</p> <p>Consideration has also been given to extending the eastern boundary to include the minor valley at Ospringe – an area locally valued as indicated by the consultation. This is an attractive area but it is not part of the distinct dry valley system at Syndale and is too small to be a LLD in its own right and has therefore been excluded.</p> <p>Further consideration was given to extending the boundary westwards into character area 26 (Lynstead Enclosed Farmlands) which is a traditional rural landscape and includes a number of valued features. It was not considered to meet the criteria for an LLD in its own right but is clearly important as part of the setting of the AONB.</p> <p><b>Additions</b></p> <ol style="list-style-type: none"> <li>1. In conclusion, while the precise extent of the boundary could be debated in a number of locations, the existing boundary is considered to be a pragmatic and robust line and captures the main areas of interest, with a minor extension proposed at Telegraph/Beacon Hill.</li> </ol>
<b>Commentary on Technical Paper 6 2014</b>	The Paper identified the area as intact and this remains the case.
<b>Stage 4:</b>	Retain as LLD at current extent, with minor extension to follow the character area boundaries at Beacon Hill.

<b>Recommendation</b>	
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<b>Evaluation - Kent Downs: Syndale Valley</b>	
<b>Criteria</b>	<b>Summary</b>
<b>Local distinctiveness and sense of place</b>	<p>The area has the typical characteristics of a steep sided dry valley extending out from the AONB, with extensive woodlands and areas of sheep grazed pasture including steep chalk grassland bound by hanging woodland shaws. It is highly distinctive in terms of both landform and land cover with a strong sense of place and closely related to the dry valleys of the AONB. The local designation extends northwards across the A2 to encompass important landscape assets including Bysing Wood to meet the marshes at Oare and includes the Gunpowder Works, now a country park.</p> <p><i>Fully meets</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>A high quality, intact landscape identified as being in good condition in the LCA (2011) and still largely remaining in good condition. Much of the woodlands appear to be managed by traditional methods and the extensive blocks of woodland along the valley form a strong connected ecological network, with important orchid sites present plus remnant areas of chalk grassland. Areas of steep pasture on the valley sides are grazed or under arable land uses with a few local areas of hop production. Detracting features include the M2, A2 and rail line which cut across the valley but their influence is localised.</p> <p><i>Fully meets</i></p>
<b>Scenic qualities</b>	<p>This is a highly tranquil landscape typical of the AONB and deeply rural in character in close proximity to the edge of Faversham. The valley landform creates a distinctive enclosed character and links the town into the AONB. The mature parkland at Syndale is of high scenic quality. The strong rural character is emphasised by the absence of built features apart from occasional isolated rural dwelling and farms, many of which are historic/listed.</p> <p><i>Fully meets</i></p>
<b>Landscape values (stakeholder)</b>	<p>The area has considerable local value as recognised by the local designations and popular sites at Bysing Wood and Oare Gunpowder Works Country Park which are a recreational resource for Faversham and beyond.</p> <p>Syndale Park and Bysing Woods are both identified as locally valued places in the consultation exercise. The character area as a whole received three consultation responses recognising the wildlife habitats (Bysing Wood, Syndale Park and Coxett Wood), built heritage (Gunpowder Works) and outdoor recreation (country park, public rights of way) scenic qualities (views from Syndale Park).</p> <p>The area is contiguous with the AONB and represents many special qualities associated with the AONB including the hidden dry valley landform, intimate and enclosed vistas, biodiversity rich habitats including ribbons of chalk grassland on valley sides, and ancient semi-natural woodland, plus a rich legacy of historic and cultural heritage.</p> <p><i>Fully meets</i></p>
<b>Natural and cultural attributes &amp; associations</b>	<p>An area with important natural and cultural associations. The valley includes many important historic features. The Stone Church north of the A2 is a scheduled monument and includes a Romano –British pre –Christian Mausoleum. Syndale Park contains mature parkland (non- registered) and is of considerable archaeological interest including the location of a Roman Fort, and to the north the former gunpowder works at Bysing Wood is a</p>

<b>Evaluation - Kent Downs: Syndale Valley</b>	
<b>Criteria</b>	<b>Summary</b>
	<p>scheduled monument.</p> <p>Much of the woodland is locally designated for wildlife including the Ospringe Valley Local Wildlife Site, Bysing Wood and Oare Gravel Pits Local Wildlife Site. There is a Roadside Nature Reserve along the B2045.</p> <p>There are a number of Grade II listed buildings: The Oaks house and garden wall, Water softening plant, Putt Cottage, Lime Kiln, Syndale Cottages and Farmhouse.</p> <p><i>Fully meets</i></p>
<b>Recommendations</b>	<p>The area fully meets the criteria. It should be retained as an LLD with some minor boundary changes. The key requirement is to conserve and enhance the deeply rural character and special qualities associated with the AONB that extends to the edge of Faversham.</p>

# Syndale valley



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Kent Downs AONB

Local Landscape Designation (LLD)

**Boundary changes**

Recommended extension at Telegraph/Beacon Hill to full extent of character area including upper valley slopes





## Kent Downs: North Street Dip Slope

### Landscape character and quality



Woodland marking the edge of the AONB at Sheldwich



Poplar shelterbelts



A gently rolling arable dip slope



Distinctive parkland landscape at Copton



Rows of fruit trees contrast with open arable land



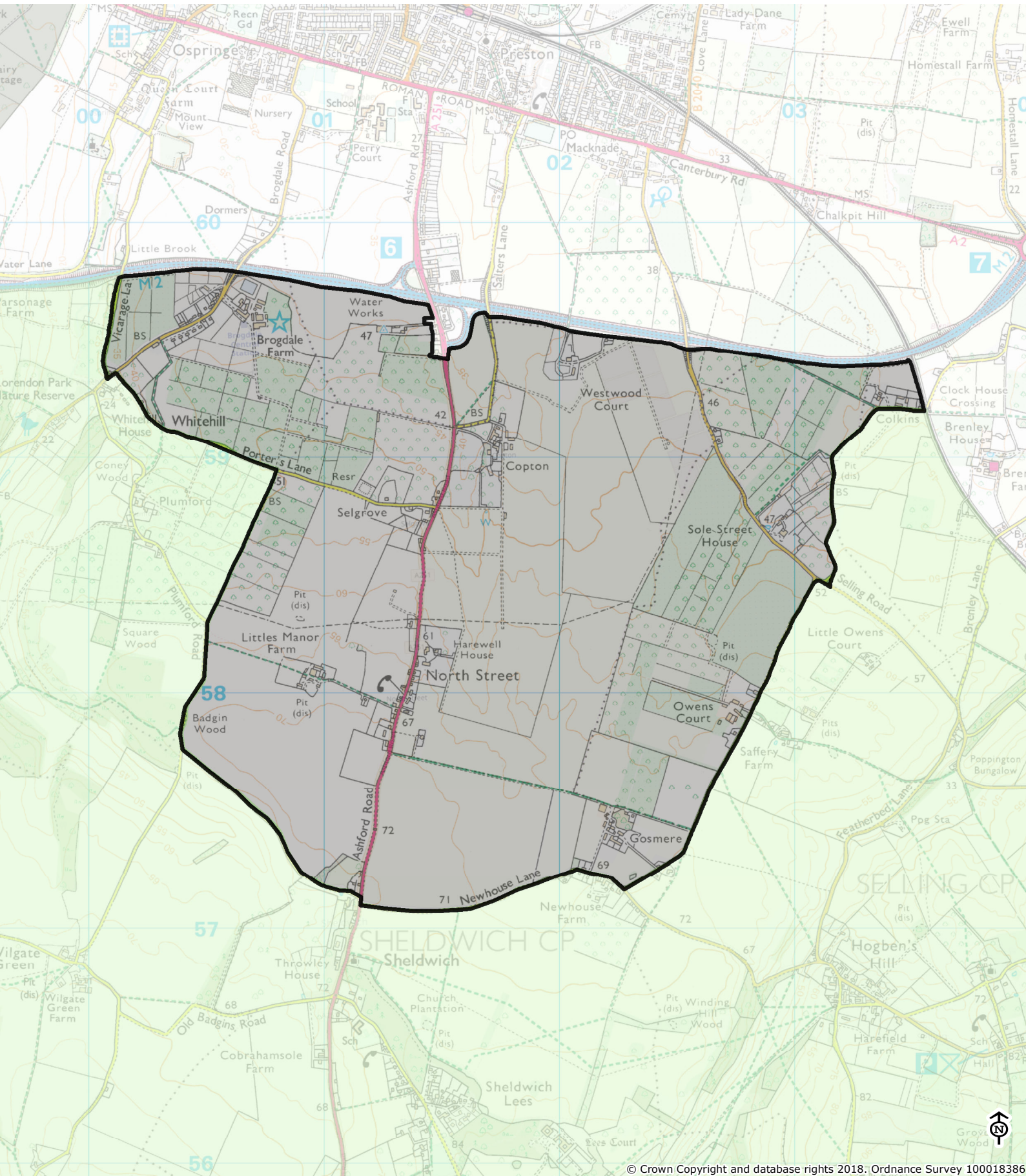
An enclosed orchard landscape towards Brogdale

Candidate LLD name	Kent Downs: North Street Dip Slope
<b>Relationship to existing local designation</b>	Existing AHLV –Kent Level
<b>Extent of area</b>	The local designation covers an area south of the M2 which is not designated as AONB. It is surrounded to the east, south and west by the Kent Downs AONB, and bounded by the M2 which runs to the north.
<b>Landscape character context</b>	20: Faversham and Ospringe Fruit Belt is a relatively large character area that extends into the AONB and north of the AONB containing an area of diverse character and quality.
<b>Stage 2: Desk Review (see table 5.1 and Appendix 3)</b>	20 – Partially. Field survey required to assess area encapsulated by the AONB.
<b>Stage 3: Evaluation (see overleaf)</b>	<i>Partially meets some criteria</i> The North Street area only partially meets some criteria for local landscape designation. It shares few similarities with the adjacent AONB, which is characterised by the rising dip slope landform cut by dry valleys and presence of woodland. It is nevertheless a rural landscape marking the approach to and visual setting of the AONB. Valued and distinctive landscape features include the parkland at Copton and orchards at Brogdale.
<b>Boundary commentary (including suggested changes from existing designation)</b>	<b>See map</b> Boundaries formed by AONB and the M2 are robust.
<b>Commentary on Technical Paper 6 2014</b>	The Paper identified the area as intact. There are no recommendations for boundary changes.
<b>Stage 4: Recommendation</b>	The area partially meets some criteria for LLD. The case for its retention rests on basis of the role of the landscape as the rural approach and setting to the AONB and the fact that it is surrounded on three sides by the AONB and lies south of the M2, and is therefore relatively straightforward to define as distinct entity compared to other areas of the wider dip slope. The aim should be to seek to protect identified qualities and enhance elements where quality and condition has declined.

<b>Evaluation - Kent Downs: North Street Dip Slope</b>	
<b>Criteria</b>	<b>Summary</b>
<b>Local distinctiveness and sense of place</b>	<p>A gently sloping dip slope dropping away from the AONB in the south, comprising mainly arable crops and occasional orchards, as well top fruit under polytunnels. It is a rural landscape representative of the lower dip slope, but lacking a distinct sense of place. Relatively open, the landscape contains some large fields that have never been enclosed, plus occasional remnant poplar shelterbelts and hedgerows. The openness allows long views, including to the church and wooded backdrop at Sheldwich in the south which marks the boundary of the AONB and to the Thames Estuary in the north/east. While there are a number of buildings of architectural or historic interest within the area there is no overall unifying settlement or built character, comprising isolated rural buildings and linear development along the main road.</p> <p><i>Partially meets</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>The whole area is identified as being in good condition in the LCA (2011). In 2018, boundary loss and large areas of polytunnels are apparent in the landscape indicating a change in condition and intactness. The area is predominantly large arable fields with some fruit growing. The field boundary network is not intact with low/gappy hedgerows or open boundaries with occasional remnant standard trees and truncated lines of poplar around former fruit growing areas. It is acknowledged that historically this landscape was never fully enclosed and had an open character. Woodland is largely absent, apart from occasional tree groups around larger houses, although woodland within the AONB to the south forms a backdrop. There are few orchards and areas of fruit growing are now mainly within polytunnels, although dwarf fruit trees/orchards are a characteristic feature in the area around Porters Lane and Brogdale creating a more enclosed landscape in this area. Other detracting features are the busy main roads and sound/sight of traffic on M2/A251 and along some rural lanes and overhead power line.</p> <p><i>Partially meets</i></p>
<b>Scenic qualities</b>	<p>The general absence of trees, woodland and hedgerows create a relatively open landscape with long views to the AONB and south east to the Estuary. These open views are occasionally punctuated by short lines of poplar.</p> <p>The area is crossed by the busy A251 linking Faversham and Ashford and bounded by the M2 to the north and as a consequence traffic is audible over much of the area and, within this exposed landscape traffic is visible on the A251. It cannot be described as tranquil or remote, although there are pockets that have a strong rural character.</p> <p>The area immediately south of the M2 has particularly distinctive quality with views over the parkland (unregistered) at Copton distinguishing this from the area north of the M2 which is characterised by development along the Ashford Road into Faversham. The rural landscape as a whole is important in providing separation and rural setting between Faversham and the AONB, which is of greater scenic quality.</p> <p>There are some small rural lanes which traverse and bound the area, some of which have heavy traffic use.</p> <p><i>Partially meets</i></p>
<b>Landscape values (stakeholder)</b>	<p>The character area as a whole received 4 consultation responses on landscape values relating to the following factors: wildlife habitats, built</p>

<b>Evaluation - Kent Downs: North Street Dip Slope</b>	
<b>Criteria</b>	<b>Summary</b>
	<p>heritage, cultural associations, scenic qualities and outdoor recreation (although some of these are outside the LLD area or within the AONB). A number of these refer to Brogdale, an important centre for national fruit trials and a countryside recreation attraction. Attention is also drawn to Copton manor house and barn with its area of traditional grazed parkland and avenue of walnuts valued for its scenic qualities, built heritage and wildlife value. Other than Brogdale and an east – west right of way link, the area does not have a high recreational value.</p> <p>This area is unique in that it is encapsulated by the AONB on three sides. Special qualities identified in the Kent Down AONB Management Plan relevant are the views including those across the estuary from the plateau, the farmed landscape.</p> <p><i>Partially meets</i></p>
<b>Natural and cultural attributes and associations</b>	<p>The landscape does not have especially strong natural and cultural resonance or associations. There is one Roadside Nature Reserve on Plumford Road (boundary of AONB and LLD). There are clusters of Grade II listed farmhouses and cottages at North Street; Oast, farmhouse and dovecot at Gosmere; Copton windmill; Brogdale farmhouse. Copton Manor is Grade 1 Listed and is associated with an attractive area of parkland landscape. Historically, this area is considered to be unique because it has never been enclosed.</p> <p>The National Fruit Collection at Brogdale is one of the largest fruit collections in the world and includes over 3,500 named Apple, Pear, Plum, Cherry, Bush fruit, Vine and Cob Nut.</p> <p><i>Does not meet</i></p>
<b>Recommendations</b>	<p>The North Street area partially meets some of the criteria for local landscape designation. It shares few similarities with the adjacent AONB, which is characterised by the rising dip slope landform cut by dry valleys and presence of woodland. Nevertheless, the area provides part of its visual setting and the rural context for the AONB. It is encapsulated on three sides by the AONB boundary and as such forms an identifiable geographical area.</p> <p>It is a rural landscape and distinct from the more developed area north of the M2. The open landscape, views to the estuary and the wooded backdrop of the AONB, presence of attractive features including the parkland at Copton and national fruit collection at Brogdale are identified landscape qualities which merit protection.</p> <p>For these reasons, it is recommended that an LLD is retained, aligned with proposals to conserve and enhance quality and condition.</p>

# North Street dip slope



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- Kent Downs AONB
- Local Landscape Designation (LLD)

**Note: Retain as LLD at current extent**



# The Blean

## Landscape character and quality



View to woodland on slopes at North Bishopden Wood



Extensive recreational access at Blean Woods



Parkland trees and pasture at Courtenay Road



Deep sunken lane at Iron Hill south of Boughton Street



Areas of semi natural coppice woodland plus plantation forestry



Heathland character persists on light sandy soils

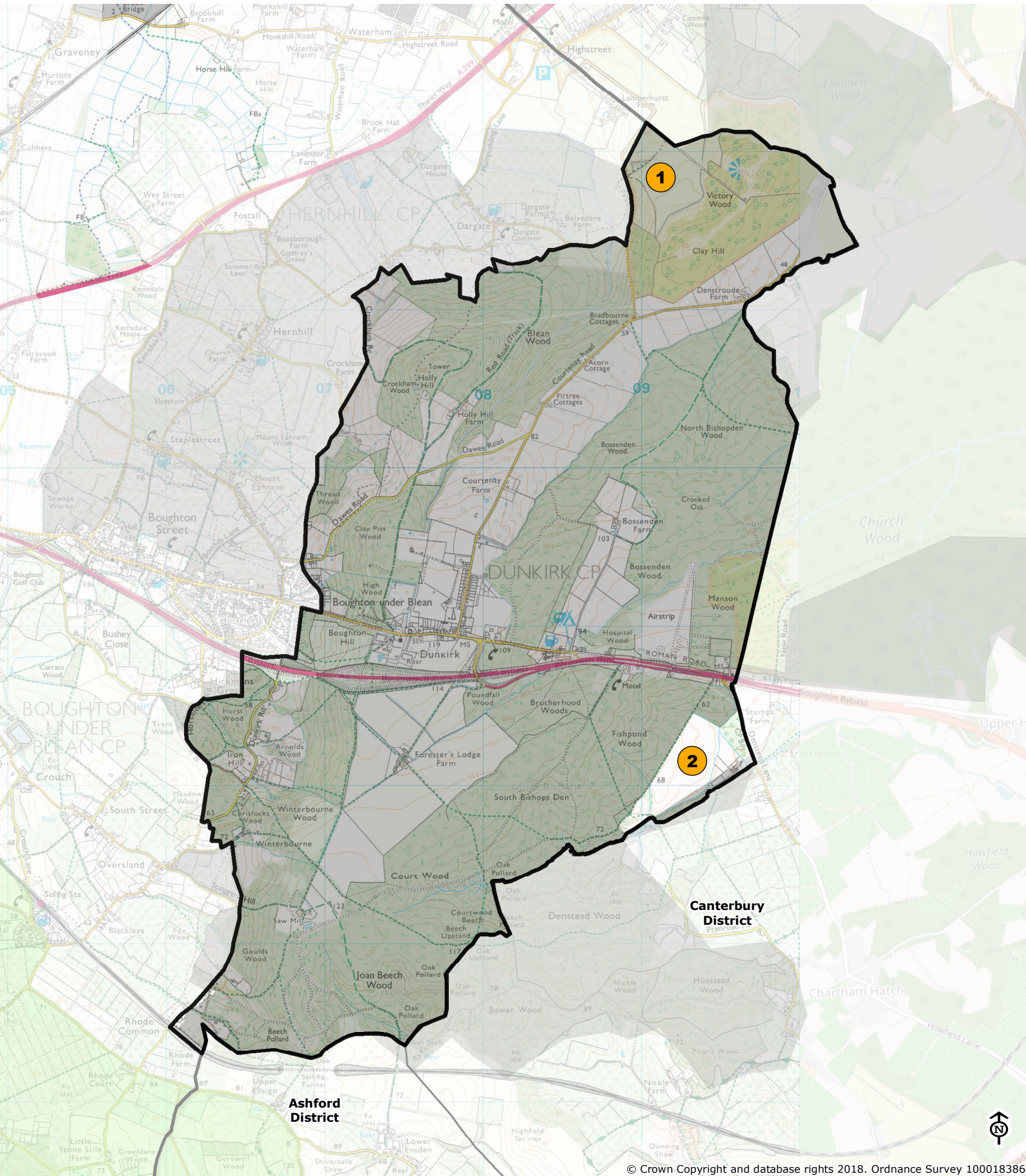


Candidate LLD Name	The Blean
<b>Relationship to existing local designation</b>	Existing AHLV –Kent Level (Blean Woods)
<b>Extent of area:</b>	The area covers the distinct Blean Woods complex on the edge of Swale extending into Canterbury District to the east. The Blean is located on an area of elevated topography of London clay and gravel drift deposits. The heavy clay soils supports one of the largest areas of continuous semi-natural woodland in south east England. It is divided east west by the A2, partially in cutting.
<b>Landscape character context</b>	33: Blean Woods West (all)
<b>Stage 2: Desk review (see table 5.1 and Appendix 3)</b>	33: Yes
<b>Stage 3: Evaluation</b>	Fully meets Retain as LLD at current extent, with minor boundary adjustments as recommended below.
<b>Boundary commentary (including suggested changes from existing designation)</b>	<p><b>See map</b></p> <p>The boundary is robust largely following the edge of large woodland blocks representing the transition to the Blean Edge Fruit Belt LLD to the west and the Borough Boundary to the east.</p> <p><b>Additions</b></p> <ol style="list-style-type: none"> <li>1. Small area of land between Clay Hill and Lamberhurst Farm forming part of landscape restoration at Victory Wood.</li> <li>2. Open area joining Canterbury CC boundary and linking Fishpond Wood to local woodland wildlife site on edge of Swale (Denstead Lane) part of CCC Blean Local Landscape Designation.</li> </ol> <p><b>Deletions</b></p> <p>None proposed. A revised boundary with Blean Edge LLD based on woodland extent.</p>
<b>Commentary on Technical Paper 6 2014</b>	<p><b>Land between Clay Hill and Lamberhurst Farm</b> – to be included within LLD (as noted above). This is an important area of restored linking woodland and provides continuity with CCC Blean LLD</p> <p><b>Meadow Wood, Scoggers Hill and Chrislocks Wood</b> – no boundary change proposed. The current LLD boundary follows the main woodland edge and is appropriate. It is recommended that the rural landscape to the west is considered as part of an extended Blean Edge LLD.</p> <p><b>Land from Trent Wood to Fox Wood</b> – no boundary change proposed. The current LLD boundary follows the main woodland edge and is appropriate. It is recommended that these areas are considered as part of an extended adjacent Blean Edge LLD.</p> <p><b>South Street/Oversland</b> – proposed to include within extended Blean Edge LLD – as this area is not part of the distinctive wooded landscape of the Blean.</p>

Candidate LLD Name	The Blean
<p><b>Stage 4: Recommendation</b></p>	<p>The Blean LLD is retained with minor boundary adjustments.</p> <p>The LLD shares a boundary with, but is separate and very different in character to the adjacent Blean Edge LLD and these are recommended to remain as two separate areas of LLD.</p>

<b>Evaluation - The Blean</b>	
<b>Criteria</b>	<b>Summary</b>
<b>Local distinctiveness and sense of place</b>	<p>Distinct sense of place created by large and continuous belts of deciduous woodland on elevated ground. The Blean forms a prominent wooded backdrop to the lower lying land in the eastern part of Swale, but offers a strong sense of containment and enclosure within the area. The extensive deciduous woodland blocks are divided by areas of farmland as at Courtney Farm, Bossenden Farm and Forester's Farm - some intensively managed and some with areas of grazed pasture and mature trees creating a parkland type landscape. It is a highly distinctive and unique wooded landscape within Swale.</p> <p><i>Fully meets</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>A landscape in good condition (LCA) evidenced by active management/coppicing of woodlands and well-managed farmland. There are some minor detracting features including more open arable farmland south of the A2, prominent mast at Dunkirk, and small wind turbine but these are not intrusive. Although the A2 dissects the area with local visual and audible impacts, the road is well contained within the wooded landscape. The area has strong ecological integrity.</p> <p><i>Fully meets</i></p>
<b>Scenic qualities</b>	<p>A strong sense of tranquillity and relative remoteness/insularity created by the continuous expanses of woodland linked to the wider Blean Woods complex extending beyond the Borough boundary. Much of the area is only accessible on foot with just two minor rural lanes (apart from the A2), with limited built development and consequently very dark skies at night. In more open elevated areas e.g. along Courtney Road, long views to the Thames Estuary provide a contrasting scenic quality to the densely wooded landscape.</p> <p><i>Fully meets</i></p>
<b>Landscape values (stakeholder)</b>	<p>Blean Wood received three responses in the landscape values consultation. Denstroude valley is particularly noted for its wildlife habitats, built heritage (pill box) and scenic quality of open farmland set between the wooded hills. The area is highly valued for recreation; with sites including the Woodland Trust site at Victory Wood providing walking trails and open access land and the Blean National Nature Reserve (RSPB), plus an extensive rights of way network.</p> <p><i>Fully meets</i></p>
<b>Natural and cultural attributes/ associations</b>	<p>Part of one of the most extensive semi-natural woodland complexes in south east England containing many varied habitats of national and international importance (part of Blean Wood Complex SAC), including habitats supporting the rare heath fritillary butterfly and woodland birds including nightingales. The landscape provides a living record of past woodland management practices, with historic features including hedgebanks and extant coppice. Features of historic interest in addition to the ancient woodland include a Scheduled Monument: World War II Chain Home Radar Station and a number of Grade II listed buildings.</p> <p><i>Fully meets</i></p>
<b>Recommendations</b>	<p>The area fully meets the criteria. It should be retained as an LLD with minor boundary adjustments at Victory Wood and the field at Denstead Lane.</p>

# The Blean



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Kent Downs AONB  
 Local Landscape Designation (LLD)

**Boundary changes**

- 1 Extend to include land between Clay Hill & Lamberhurst Farm
- 2 Extend to include land between Fishpond Wood to CCC Blean Local Landscape Designation at Denstead Lane

***Note: A revised edge with Blean edge LLD based on woodland extent. The two landscape designations are contiguous but of very different character and qualities.***





## Swale: Lower Halstow – Iwade Ridge

### Landscape character and quality



Mature orchard forming setting to Newington church



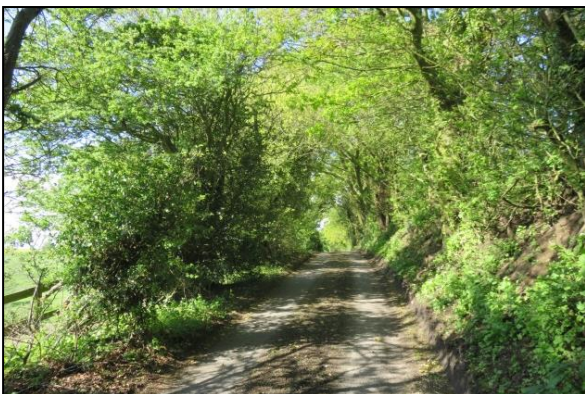
Ancient woodland at Wardwell Wood



Panoramic views over marshes, estuary and Isle of Grain



Remnant orchards along Raspberry Hill Lane



Wooded lane forming western boundary



Panoramic views from ridge top rights of way

<b>Candidate LLD name</b>	<b>Swale: Lower Halstow – Iwade Ridge (Iwade, Newington and Lower Halstow)</b>
<b>Relationship to existing local designation</b>	AHLV –Swale Level (Iwade, Newington and Lower Halstow)
<b>Extent of area</b>	A distinct ridge extending east from Newington and Lower Halstow to Iwade providing a rural backdrop to the Barksore, Greenborough and Chetney Marshes. Boundaries are formed by minor rural roads.
<b>Landscape character context</b>	The LLD contains small part of three character areas: 24: Iwade Arable Farmlands (area north of Newington, west of High Oak Hill) 25: Lower Halstow Clay Farmlands (area west of Lower Saxon Shore Way, to Willow Cottages in the north) 32: Upchurch and Lower Halstow Fruit Belt (area east of Lower Halstow to border with LCA 24)  It therefore has a diverse character partially unified by the ridge landform.
<b>Stage 2: Desk review (see table 5.1 and Appendix 3)</b>	24: No. part of area included for field survey in relation to ridge 25: Partially meets , scenic values likely to relate to views out rather than area itself 32: Partially, fieldwork required to check creek extending inland from Lower Halstow
<b>Stage 3: Evaluation (see overleaf)</b>	<i>Partially meets</i>  This area has deteriorated in quality since its original designation as an AHLV (Local Landscape Area). The 2003 Report states that it is the only area of foreshore within the marshland zone which is not designated. However; the marshlands themselves are, and will continue as, a LLD. Furthermore, there are other coastal foreshore areas in the Borough which are not designated including the low clay cliffs which are a distinctive feature along the north coast of Sheppey. The area has deteriorated in condition since designation – it is almost entirely in intensive arable or horse pasture with associated loss of boundaries as well as some intrusive developments.  Factors in favour of its retention are the distinctive landform, marshland views and backdrop, woodland and role of setting to Newington, as well as locally valued features including sense of separation it provides to more developed areas.
<b>Boundary commentary (including suggested changes from existing designation)</b>	<b>See map</b> None proposed  This area only partially meets the evaluation criteria for a local landscape designation. The area within LCA 32 to the east of Lower Halstow on the lower slopes of the ridge is now almost entirely paddocks and of relatively low landscape quality. The boundary could equally be justified to exclude this area and only capture the ridge (LCA 24 and 25). The boundary has been retained on the Lower Halstow edge along existing roads as a pragmatic and robust line.
<b>Commentary on Technical Paper 6 2014</b>	<b>Valley and stream to the east of Wardwell Lane</b> – this area was surveyed from the footpaths. The valley is a quiet rural landscape with natural qualities including the tree lined watercourse and areas of rush. The area south of Broom Down contains extensive horse grazing, some storage of industrial equipment and evidence of earth moving. The valley to the west

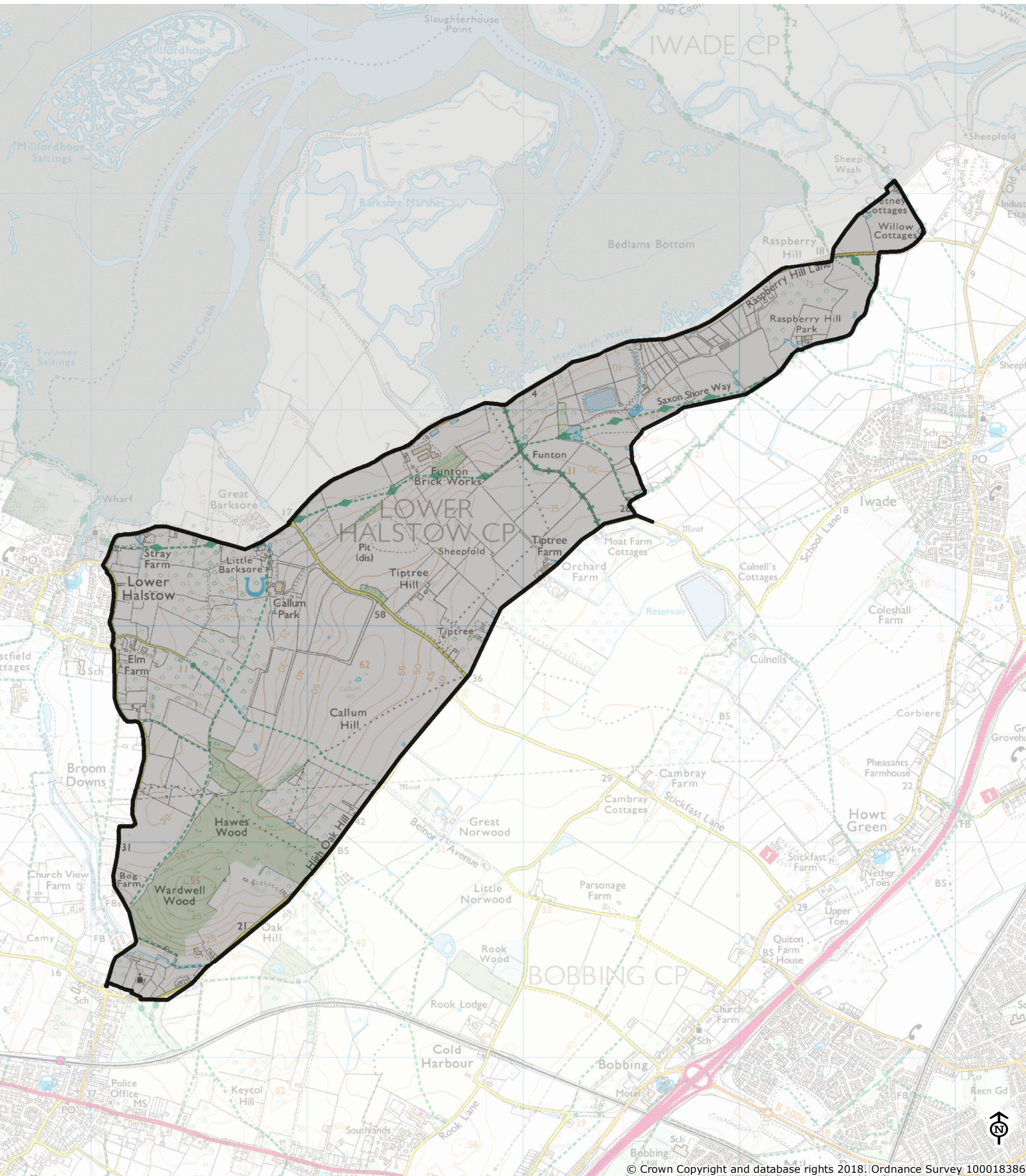
<b>Candidate LLD name</b>	<b>Swale: Lower Halstow – Iwade Ridge (Iwade, Newington and Lower Halstow)</b>
	<p>and north of Broom Down is more intact in places although inclusion of this area in the LLD would require the intervening area of Broom Down - a large arable plateau crossed by pylons which, itself does not merit LLD. The valley is a valuable landscape feature and demonstrates important qualities, including the enclosed valley landform, watercourse and associated riparian vegetation, plus history of former water cress beds, but as a whole does not merit inclusion in the wider LLD.</p> <p><b>Area between High Oak Hill, the railway and Calveshole Wood</b> – this small area is off the main ridge and does not share the same topographical distinction. It does provide the rural foreground to the church and Wardwell Woods from the railway line and includes an old orchard. It is concluded that while of local value this area does not merit inclusion in the LLD and would extend the existing LLD beyond the ridge.</p>
<b>Stage 4: Recommendation</b>	<p>Retain as LLD based on the distinctive landform, relationship with the marshes (views to and backdrop), role as an 'island' of rural character between Iwade/Sittingbourne and the Medway towns including relatively dark skies at night, and presence of valued features including ancient woodland. It is noted that the area only partially meets designation criteria and if retained as an LLD should be aligned with proposals to enhance landscape character and quality.</p>



<b>Evaluation - Swale: Lower Halstow – Iwade Ridge</b>	
<b>Criteria</b>	<b>Summary</b>
<b>Local distinctiveness and sense of place</b>	<p>A prominent ridge, notably at the western extent where the landform is accentuated by woodland (Wardwell Wood and Hawes Wood) flanking the slopes. The slope drops away from the ridge at Callum Hill/Tiptree Hill towards the marshes at Bedlams Bottom/Raspberry Hill Lane, and also includes the relatively low lying agricultural landscape east of Lower Halstow. Adjacent to Bedlams Bottom, where there are more fertile soils, a small area of orchards and associated windbreaks create a distinctive landscape feature set against the marshland. The views north over the marshes from higher ground and the rural/agricultural interface with the marshes along Raspberry Hill lane contribute to the local sense of place. Views and openness are accentuated by the large fields and absence of tree cover on the upper slopes. Wardwell Wood provides a setting to Newington and the church.</p> <p><i>Partially meets</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>Overall, this is a landscape in relatively poor condition (LCA 24 - Poor, 25 - Moderate, 32- Moderate) which has further declined in recent years with the loss of orchards. The area is primarily large fields given over to arable cultivation or horse/equine activities, often with denuded or poorly kept boundaries and associated clutter. An area of notable change is the slopes rising up to the ridge east of Lower Halstow which are now almost exclusively paddocks and have lost all the orchard land cover. Relatively few areas of orchards remain apart from one small area of dwarf fruit along Raspberry Hill Lane. A traditional grazed orchard at Newington which creates a rural setting to the church.</p> <p>Other intrusive/incongruous features include the Funton brickworks, disused brick earth pits, on farm reservoirs and some residential development. The rural lanes are relatively well used by local traffic detracting from the rural character in places.</p> <p><i>Partially meets</i></p>
<b>Scenic qualities</b>	<p>The ridge provides a sense of elevation and openness with long views out over the marshes and the Medway. It is a rural area with relatively limited development within and as such offers some degree of tranquillity and is perceived as an undeveloped rural backdrop to the marshes with relatively dark skies at night, although it is not 'remote'. Within the area relatively intensive agricultural land use, loss of landscape features and structure (boundaries) and traffic on the rural lanes detract from scenic quality.</p> <p>The sunken wooded Wardwell Lane along part of the western boundary is a notably attractive feature, as is Raspberry Hill Lane at the marshland interface. Elsewhere the busy rural lanes are bounded by depleted hedgerows and occasional mature oaks.</p> <p><i>Partially meets</i></p>
<b>Landscape values (stakeholder)</b>	<p>The ridge attracted a number of responses (4) in the Local Values consultation. The ridge of higher land is particularly valued for its scenic qualities and views out over the estuary. It is considered to provide an undeveloped backdrop and scenic break to Iwade, Bobbing and Sittingbourne and conversely as a buffer between the rural villages of Lower Halstow and Upchurch from development extending from Sittingbourne and at Iwade. The adjacent valley south of Lower Halstow is also locally valued with evidence of former watercress beds.</p>

<b>Evaluation - Swale: Lower Halstow – Iwade Ridge</b>	
<b>Criteria</b>	<b>Summary</b>
	<p>The shoreline and lower slopes are crossed by The Saxon Shore Way a regionally promoted route as well as a number of rights of way.</p> <p><i>Fully meets</i></p>
<b>Natural and cultural attributes and associations</b>	<p>Hawes Wood and Wardwell Wood form one of the few wooded areas in this part of Swale. It is ancient woodland designated as a Local Wildlife Site. However, there is no public access to the woodlands.</p> <p>Buildings of interest include the Grade I listed: Church of St Mary, Newington, for which this area provides a wooded backdrop. Grade II listed: Farmhouses at Little Barksore and Stray Farm.</p> <p><i>Partially meets</i></p>
<b>Recommendation</b>	<p>This area partially meets the criteria for LLD. It has deteriorated in quality since its original designation as an AHLV.</p> <p>Factors in favour of its retention are the distinctive landform, presence of relatively rare large block of ancient woodland in this part of the Borough and marshland views/backdrop. It is an area of relative dark skies at night, and the ridge is perceived as an important feature both for views out and the sense of separation and backdrop it provides, as highlighted by the Local Values consultation.</p> <p>For this reason it is recommended that it is retained as a LLD. This should be aligned to proposals to enhance landscape character and quality. Existing designation boundaries to be retained to encompass the ridge landform recognising that these include some areas of lower landscape quality on the edges.</p>

# Lower Halstow - Iwade Ridge



Local Landscape Designation (LLD)

**Note: Retain as LLD at current extent.**

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## Swale: Tonge and Luddenham

### Landscape character and quality



Medieval houses raised on banks above the landform



Long views across the marshes to the Swale from Luddenham



Small scale landscape of orchards enclosed by shelterbelts



Rural lanes and orchards form an enclosed secluded landscape



Springs with minor streams drain to the marshes



Churches on the edges of the marsh at Luddenham, Teynham and Tonge are landmarks

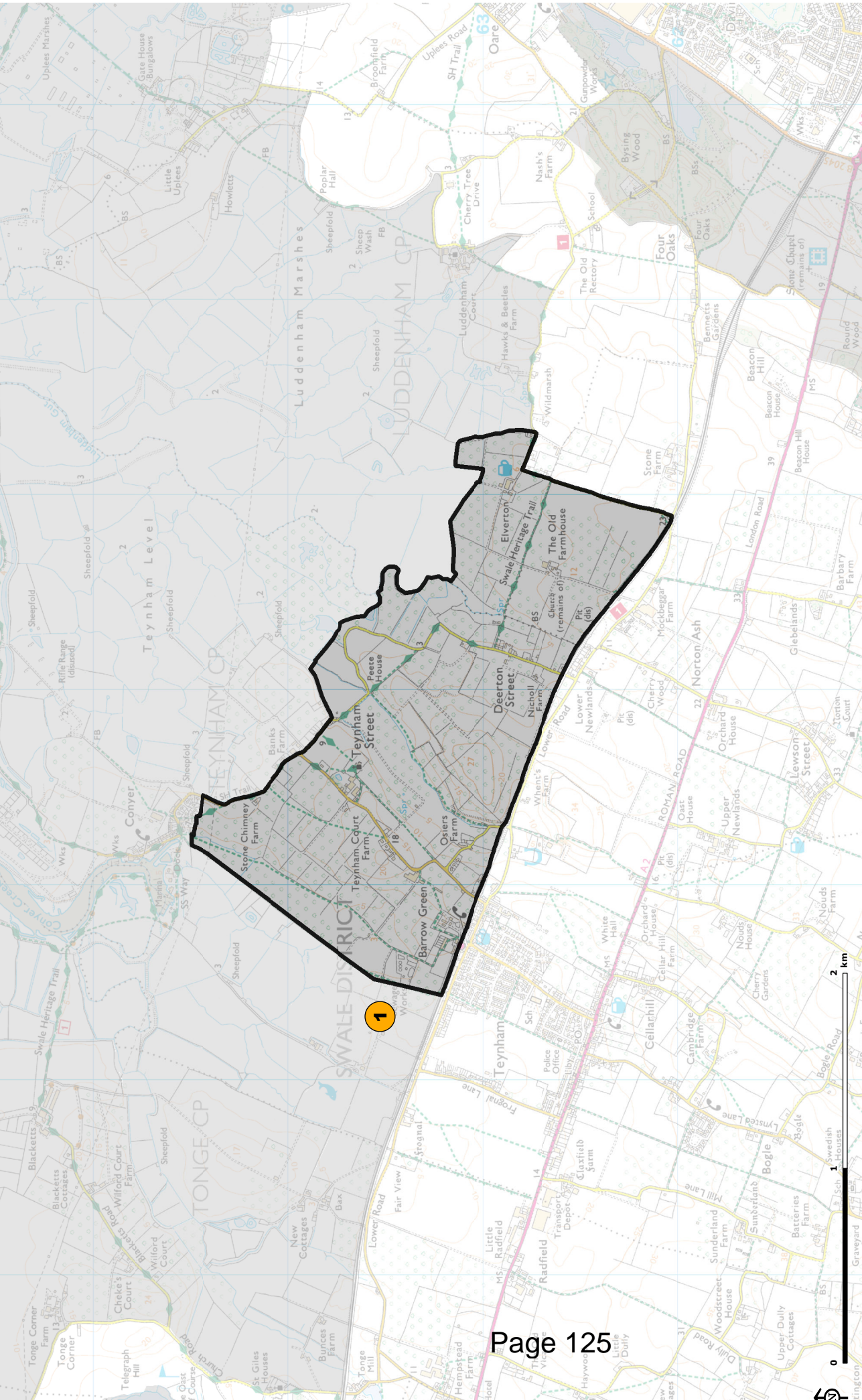
Candidate LLD name	Swale: Tonge and Luddenham
<b>Relationship to existing local designation</b>	Existing AHLV – Swale Level (Tonge and Luddenham)
<b>Extent of area</b>	A narrow, isolated area of fruit belt landscape between the railway line and the Luddenham and Conyer Marshes.
<b>Landscape character context</b>	The area is within and includes all of LCA 31: Teynham Fruit Belt north of the railway. It also extends to a small area to the east to incorporate Luddenham Court a historic complex of buildings on the edge of the marshes in LCA 17: Stone Arable Farmlands.
<b>Stage 2: Desk review (see table 5.1 and Appendix 3)</b>	17: Stone Arable Farmlands - No, but noting pocket of traditional landscape and relationship to marshes. 31: Teynham Fruit Belt – Yes, due to highly distinctive character, but noting Sittingbourne urban fringe influences to the west
<b>Stage 3: Evaluation (see overleaf)</b>	<i>Partially meets</i> Only part of the area south and east of Conyer meets the criteria and even within this area extensive loss of orchards, with large areas now in intensive arable land use mean that a LLD is difficult to justify.  The qualifying attributes include the small scale intimate secluded landscape of low hills and stream valleys, the remaining orchards, narrow winding lanes, historic buildings, often set on higher land, long views across the marshes and seemingly remote character in places, as well historic associations with the origins of commercial fruit growing.  The remaining area is very small and considered to be too small to form an LLD in its own right. The recommendation is to seek to link the small area of high quality landscape to the adjacent marsh LLD.
<b>Boundary commentary (including suggested changes from existing designation)</b>	<b>See map</b> <b>Deletions</b> 1. The area to the west of Conyer – Teynham does not merit LLD (see evaluation) and a new boundary drawn to the east of and excluding the sewage works at Barrow Green, leaving a relatively small area with potential for LLD designation.  The northern boundary is contiguous with the South Swale marshes LLD.
<b>Commentary on Technical Paper 6 2014</b>	The railway line to the south forms a clear boundary. Although there are some elements and features of high landscape quality south of the rail line there is no justification for extending the LLD into this area.
<b>Stage 4: Recommendation</b>	The area remaining that meets the criteria is distinctive and interesting but the size is such that it is difficult to justify as a landscape scale designation, despite containing numerous identified qualities.  The recommendation is to include part of this area within an extended South Swale Marshes LLD.

<b>Evaluation - Swale: Tonge and Luddenham</b>	
<b>Criteria</b>	<b>Summary</b>
<b>Local distinctiveness and sense of place</b>	<p>This is a narrow, isolated area of fruit belt landscape between the railway line and the Luddenham and Conyer Marshes. It is distinctive for its unusual topography of minor hills cut by springs and valleys draining to the marshes. The LCA describes the “quirky anomalies” unique to this area including places where roads and tracks are raised above the surrounding landform due to local areas of brick earth extraction, resulting in sunken arable fields and orchards. Throughout the area important buildings including historic Manor houses are built on mounds to avoid inundation in times of flooding. The area is distinctive for its isolated ‘hidden’ character accessed by twisting narrow lanes.</p> <p><i>Fully meets, with a less distinctive area to the west</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>The landscape condition is described in the 2011 LCA as moderate overall, visually coherent with a strong landscape pattern. In recent years the condition has deteriorated. Landscape condition is particularly degraded to the west where there are vast arable fields with denuded hedgerows, often replaced by security fencing and gates. Here, the landscape is strongly influenced by the edge of Sittingbourne and expanded settlements at Bapchild and Teynham. To the east, orchards have been replaced with arable land so that this area is now more similar in character to the adjacent area of Stone Arable Farmlands. Much of the area is now in intensive arable or horse pasture with associated deterioration in boundaries.</p> <p><i>Partially meets and does not meet in the west</i></p>
<b>Scenic qualities</b>	<p>Scenic qualities include the distinctive vernacular, patterns of land cover including orchards and its remote rural character.</p> <p>A particularly scenic and distinctive area persists at Tonge Mill and remains of Tonge Castle, which form a local landmark although these are outside the existing AHLV.</p> <p><i>Partially meets</i></p>
<b>Landscape values (stakeholder)</b>	<p>The Teynham Fruit Belt LCA received 2 responses in the Local Values consultation. It is valued for its scenic qualities including the open views to the downs and the Swale Estuary, wildlife habitats and built heritage. The area to the west is valued for its role as transitional space between the urban edge of Bapchild and the historic core of Tonge Mill and surroundings.</p> <p>The area has recreational value and is accessible via. The Swale Heritage Trail and National Cycle Route 1.</p> <p><i>Fully meets</i></p>
<b>Natural and cultural attributes and associations</b>	<p>There is local wildlife interest associated with the minor valleys and orchards.</p> <p>A relatively large number of listed farmhouses include Bax, Bunces farmhouse and barn; Cheke Farm; Fox Cottage; Tonge Corner farmhouse; Oziers farm, barn and stables. These historic buildings date back to the 15<sup>th</sup> century and are often highly visible in the landscape raised above the landform on banks. Teynham Church is a prominent landmark overlooking a minor stream valley with the backdrop of the marshes to the north.</p> <p>The area is known as the birthplace of commercial fruit growing from 16<sup>th</sup> century when Henry VIII’s fruiterer planted “the sweet cherry, the temperate pippyn and the golden reinette” at Oziers farm;</p>

<b>Evaluation - Swale: Tonge and Luddenham</b>	
<b>Criteria</b>	<b>Summary</b>
	<i>Fully meets</i>
<b>Recommendations</b>	<p>This area partially meets the criteria for LLD. It has deteriorated in quality since its original designation as an AHLV and there are relatively few orchards remaining. The area to the west does not meet criteria for designation.</p> <p>Part of the area meets criteria by virtue of its unusual landform, remote and isolated character, distinctive historic buildings, presence of stream valleys and remnant orchards including cultural associations with the birth of commercial fruit growing. However, this is a relatively small area and is not considered to be of sufficient size to form a coherent LLD.</p> <p>The recommendation for this small area is to attach it to an extended South Swale Marshes LLD by virtue of the linked stream valleys. This should be aligned with proposals to conserve and enhance qualities and prevent further deterioration.</p> <p>There are opportunities to enhance the landscape to the west to provide a strong framework for the rural edge and role for recreation (Nature Reserve, Saxon Shore Way and Swale Heritage Trail).</p>



# Tonge and Luddenham



Local Landscape Designation (LLD) **Boundary Changes**

**1** The area to the west of Teynham does not meet criteria for designation

*Note: This small remaining area only partially meets criteria for LLD and area is likely too small for LLD. Please see recommendations for an extended South Swale Marshes LLD to include this small area.*



## Swale: Blean Edge Fruit Belt

### Landscape character and quality



A wooded right of way contrasting with more open agricultural areas



Orchards dominate many of the slopes



Elevation allows with long views including land mark features - church at Hernhill



Hop fields are features of the landscape



Rows of soft fruit form distinctive patterns



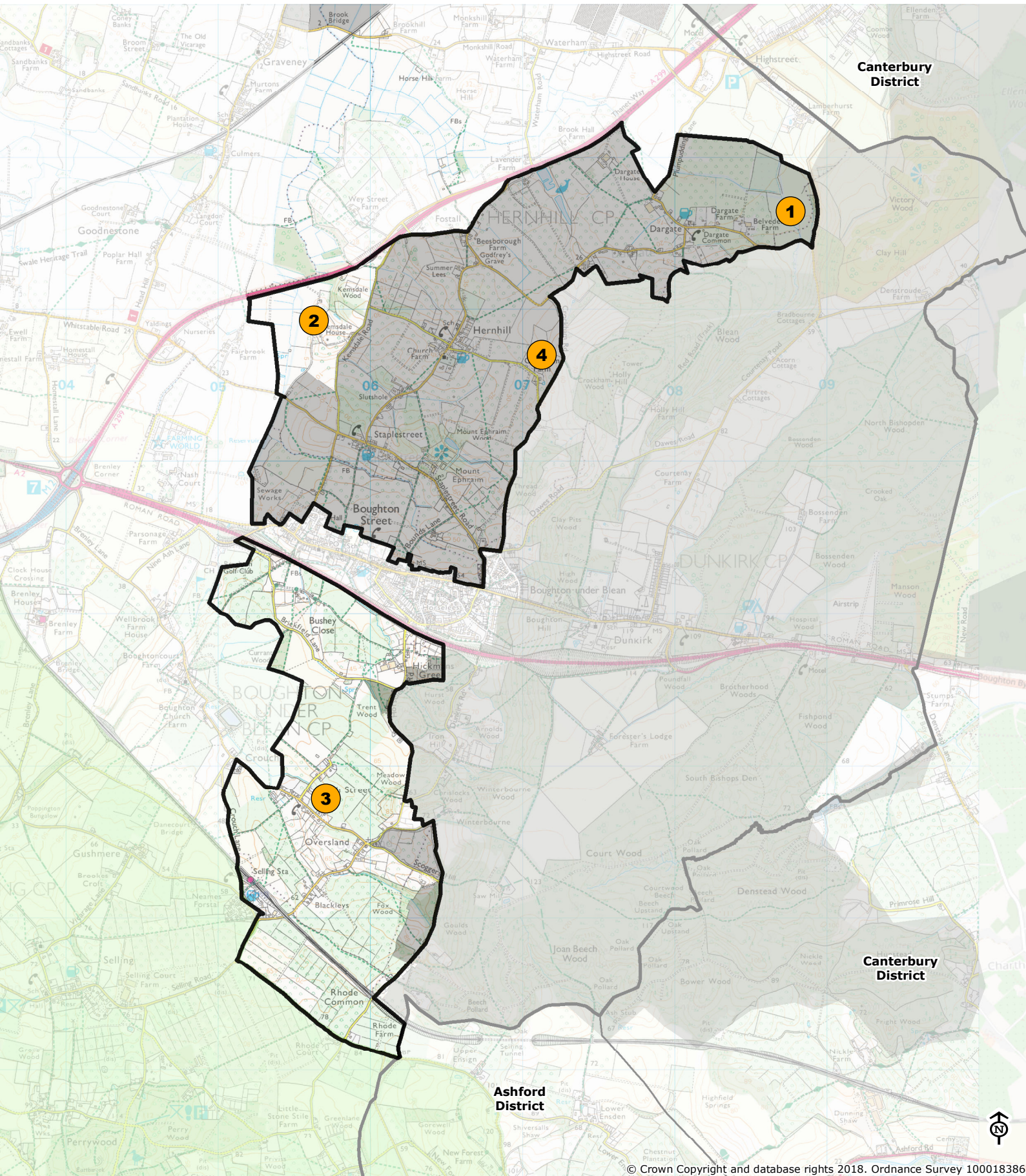
A rural enclosed landscape at Oversland

Candidate LLD name	Swale: Blean Edge – Hernhill and Boughton Fruit Belt
<b>Relationship to existing local designation</b>	Existing AHLV -Swale Level (Boughton Street, Hernhill, Dargate and Staplestreet)  Suggested extension south of the A2/Boughton Street to incorporate area of similar quality and character on the edge of the Blean complex and forming a rural setting to the AONB.
<b>Extent of area</b>	The proposed LLD covers the rolling agricultural landscape on the edge of the Blean woodlands complex in the eastern part of Swale Borough. It is contained and bounded by the A299 and Faversham-Canterbury railway and dissected by the A2.
<b>Landscape character context</b>	23: Hernhill and Boughton Fruit Belt, between northern edge of Boughton Street and A299, with recommendation for further extension south of A2 30 – Selling Fruit Belt – within suggested extension 33: Blean Woods West, very small section in west of LCA around Crockham Farm) although this is more similar in character to 23.
<b>Stage 2: Desk review (see table 5.1 and Appendix 3)</b>	23: Yes 30: Yes 33: Yes
<b>Stage 3: Evaluation (see overleaf)</b>	<i>Fully meets</i>  Retain as LLD and consider inclusion of remainder of character area 23 to south of A2 and part of character area 30.
<b>Boundary commentary (including suggested changes from existing designation)</b>	<b>See map</b>  The boundary is robust largely following the edge of large woodland blocks representing the transition to The Blean LLD to the east, contours marking the lower lying land to the east and north, and potentially the AONB to the south (if recommended extension) or existing settlement boundary north of Boughton (if southern extension not included). <b>Additions</b> <ol style="list-style-type: none"><li>1. Extend north-east edge to take in valley area west of Belvedere Farm and join with extended area of Blean LLD at Clay Hill - Lamberhurst Farm. This links across an attractive minor valley and joins with the extended Blean LLD a Victory Wood. Boundary defined along edge of Victory Wood.</li><li>2. Include small area west of Kemsdale Road to A229– the small area around Kemsdale Wood and House is of similar character and topography to the fruit belt and part of character area 23, noting that valley to west is of a different character although of high quality and so boundary taken to lower slope.</li><li>3. Suggested larger extension south of the A2/Boughton Street to incorporate the rest of character area 23 which is of similar quality and character on the edge of the Blean complex and forms a rural setting to the AONB. This incorporates Oversland/South Street recommended as an extension to the Blean, and includes small additions of character area 30 in the gap at Rhode Common.</li><li>4. A revised boundary with Blean LLD based on woodland extent. The two landscape designations are contiguous but of very different character and qualities.</li></ol> <b>Deletions</b> None proposed
<b>Commentary on Technical Paper 6 2014</b>	<b>Area between Clay Hill and Lamberhurst Farm</b> – included land west of Belvedere Farm, with further area included within the adjacent Blean LLD <b>The existing western boundary</b> is maintained at the break of slope roughly parallel to the A299 noting distinct change in character at this flatter low lying

Candidate LLD name	Swale: Blean Edge – Hernhill and Boughton Fruit Belt
	<p>area around Fairbrook Farm, with this low lying vale on the edge included plus small area of similar topography at Kelmsdale Wood is included</p> <p><b>Inclusion of very small area of similar character at Wey Street north of the A299</b> is not justified due to isolation and separation by road and lower quality</p> <p><b>Valley around west and north of Kemsdale Wood and extending to Graveney</b> is undoubtedly a distinctive area but very different to character of the wider fruitbelt landscape and is therefore excluded (option for consideration as part of extended marsh landscape LLD).</p> <p><b>Boundary between The Blean and Fruitbelt LLD</b> is transitional and broadly follows the edge of the main woodland blocks – option to include as one single LLD but they are very different in character and so recommended to be retained as two distinct LLDs</p> <p><b>Oversland - South Street</b> – potential for inclusion as part of proposed extended designation south of Boughton (see above). This is a highly rural landscape, intact, distinctive small villages and fruit belt similar to rest of LCA 23. Recommended to include all as extended LLD</p>
<p><b>Stage 4: Recommendation</b></p>	<p>An extended LLD to include areas of fruit belt landscape south of the A2 of similar distinctive character and high quality which form the setting to The Blean and the AONB (excluding developed area at Boughton).</p>

<b>Evaluation - Swale: Blean Edge Fruit Belt</b>	
<b>Criteria</b>	<b>Summary</b>
<b>Local distinctiveness and sense of place</b>	<p>Set on the foothills of The Blean, this area has a distinct sense of place created by the elevated undulating topography, overlaid with a complex land use pattern of orchards, hop fields and pasture within a patchwork of small fields enclosed by alder and poplar shelterbelts. These are set against the wooded backdrop of the Blean. Small nucleated traditional Kentish villages at Hernhill, Dargate, Staplestreet, South Street and Oversland are characterised by their vernacular of red stock brick, white weatherboard and tile.</p> <p><i>Fully meets</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>This is an intact and high quality rural landscape. It is recorded as being in good condition in the LCA. The area is actively farmed with a mix of orchards and occasional hop gardens. Orchards are mainly dwarf fruit arranged in lines along the slopes creating distinctive geometric patterns. In addition there are small areas of woodland, some arable and pasture bound by largely intact hedgerows creating a unified agricultural landscape. There is an absence of incongruous features and the main roads bound rather than infiltrate the area.</p> <p><i>Fully meets</i></p>
<b>Scenic qualities</b>	<p>The elevated and undulating topography offers a contrasting sense of enclosure, enhanced by the backdrop of the Blean, and long views north out over the marshlands and the Swale. This is a strongly rural, secluded and tranquil landscape enclosed by, but not adversely impacted by the main roads of the A2 and A299.</p> <p>Textbook 'unspoilt' Kentish villages and vernacular buildings – red stock bricks, Kent peg tile roofs, weatherboarding add to the scenic quality.</p> <p><i>Fully meets</i></p>
<b>Landscape values (stakeholder)</b>	<p>The area received one consultation response. This relates to the area south of the A2 which is described as "<i>contiguous with AONB boundary and exhibits similar landscape characteristics. Intact and coherent landscapes of high quality</i>". It represents special qualities identified in the AONB management plan.</p> <p>There is a relatively good network of rights of way which connects into routes within the extensive area of Blean Woods.</p> <p><i>Fully meets</i></p>
<b>Natural and cultural attributes and associations</b>	<p>A distinctive and high quality built character. Oasts and Manor Houses are further distinctive built features, with flint church towers such as that at Hernhill providing local landmarks on higher ground.</p> <p>Grade II listed buildings include Mount Ephraim with associated Registered Park and Garden; cottages and pub at Staplestreet; Hernhill Manor House and Cottages; Fostall House and Farmhouse.</p> <p>Habitat interest is represented by a small section of Blean Wood West and Holly Hill Local Wildlife Site.</p> <p><i>Fully meets</i></p>
<b>Recommendations</b>	<p>Fully meets criteria. Retain as LLD and extend the LLD to include the high quality landscape that meets the criteria to south of A2 and to the AONB boundary.</p>

# Blean Edge fruit belt



Kent Downs AONB  
 Local Landscape Designation (LLD)

**Boundary changes**

- 1 Extend north east edge to take in valley area
- 2 Extend to include small area west of Kemsdale Road & associated valley
- 3 Suggested larger extension south of A2 to incorporate whole character area 30 & small addition of character area 30 in the gap at Rhode Common
- 4 Boundary with the Blean LLD aligned along Crockham Road

**Note: A revised edge with Blean LLD based on woodland extent. The two landscape designations are contiguous but of very different character and qualities.**





# Swale: Sheppey Court, Minster and Diggs Marshes

## Landscape character and quality



Drainage ditches and counterwalls are traditional features of the marsh landscape



Regeneration of marshland on Minster Marshes



The poorer quality marsh landscape west of the A249



Housing and development encloses this smaller remnant marsh area



A high quality marshland landscape at Barton's Point



Saltwater Lake at Barton's Point

Candidate LLD name	Swale: Sheppey Court and Diggs Marshes
<b>Relationship to existing local designation</b>	AHLV -Swale Level (Sheppey Court and Diggs Marshes) This evaluation also includes the adjacent area of Minster Marsh.
<b>Extent of area</b>	An area of grazing marsh south of Sheerness, and north of Minster/Halfway Houses and Queenborough. Sheppey Court and Minster Marshes are divided by the A250, while the A249 and rail line cross the western extent of Diggs Marsh. The marshes provide a rural backdrop and separation to the settlements between Sheerness, Queenborough and Halfway Houses.
<b>Landscape character context</b>	9: Minster Marshes (recommended in 2014 study) 10: Sheppey Court and Diggs Marshes (all)
<b>Stage 2: Desk review (see table 5.1 and Appendix 3)</b>	9: No 10: No Both areas recommended for further field survey review to test desk study findings.
<b>Stage 3: Evaluation (see overleaf)</b>	<i>Partially meets – Sheppey Court Marsh only (area to the west on Diggs Marsh and Minster Marsh do not meet criteria)</i> Part of the area only partially meets the criteria for local landscape designation. Although it retains a traditional marshland character it is degraded and physically separate from the wider North Kent Marshes and is of a smaller scale and largely dominated by urban influences. It has a strong wildlife interest which is protected through the LWS designation. Some parts of the marshland are of higher quality with elements of tranquillity but it is considered that these are not extensive enough to merit a landscape designation.  The area performs an important function as an open gap creating visual and physical separation between Sheerness, Queenborough and Halfway Houses.
<b>Boundary commentary (including suggested changes from existing designation)</b>	<b>Addition</b> 1. If the area is retained there is an opportunity to extend to encompass the whole of the Queenborough Lines Scheduled Monument and the highly valued area of Barton’s Coastal Park.  <b>Deletion</b> 2. As this is a relatively small area the influence of the A249, railway, industrial infrastructure and pylons has a greater influence on quality than in larger areas of marshland. If it is retained as an LLD it is recommended that the area on the western edge of Diggs Marsh is removed as it does not meet criteria.
<b>Commentary on Technical Paper 6 2014</b>	The extension of Queenborough School into the marshes is noted and this is part of a wider area proposed for deletion. Field survey was undertaken for the adjacent area of Minster Marshes which confirmed that it did not meet the criteria for local landscape designation, as described overleaf.
<b>Stage 4: Recommendation</b>	Retain the existing LLD and extend to include the highly valued area at Barton’s Point. Delete areas of lower quality that do not meet criteria.  This area performs an important function as an open gap creating visual and physical separation between Sheerness, Minster, Queenborough and Halfway Houses. There are opportunities to enhance the quality and improve the setting of the urban areas.

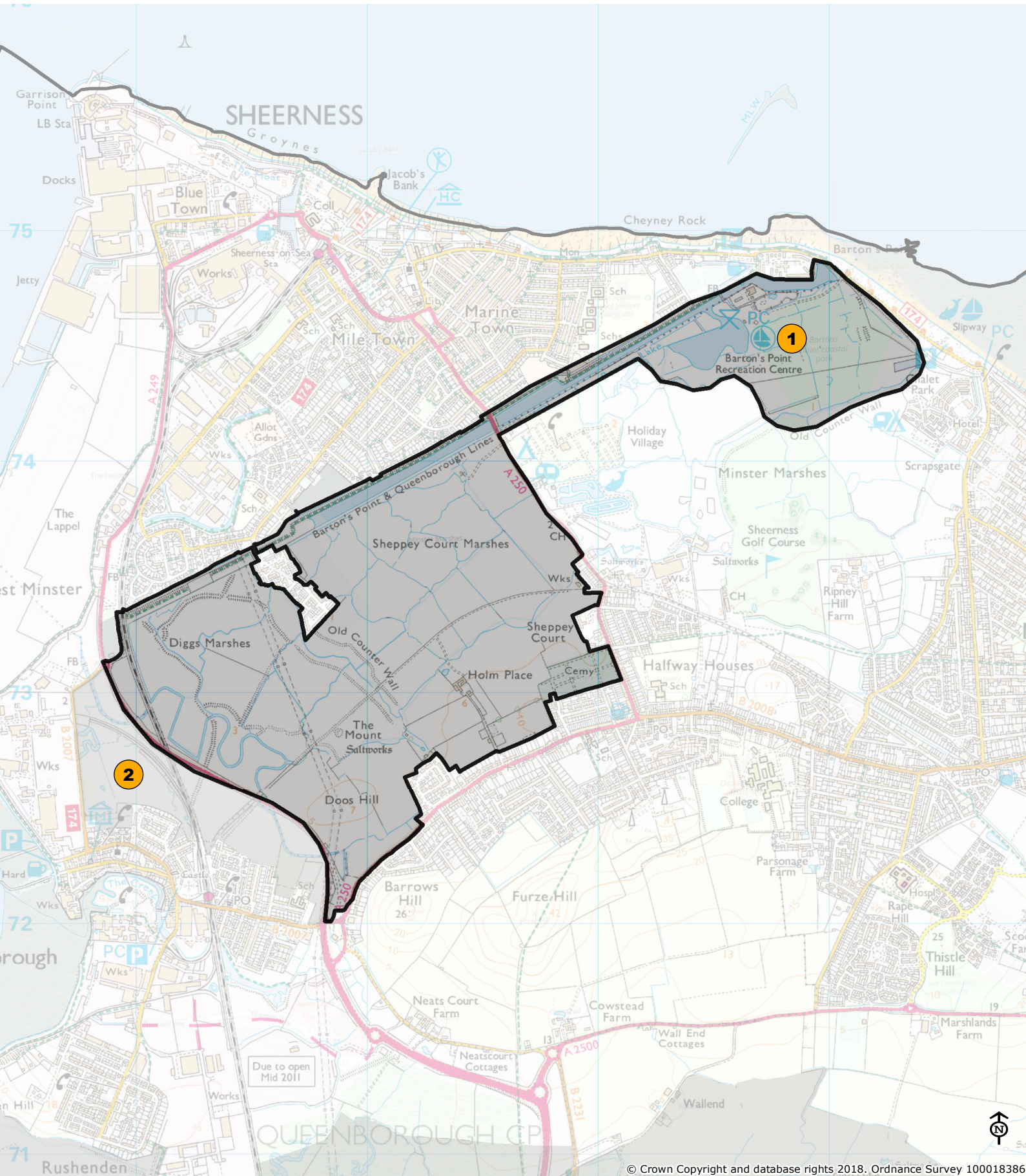
## Evaluation - Swale: Sheppey Court and Diggs Marsh

Criteria	Summary
<b>Local distinctiveness and sense of place</b>	<p>The flat landform with traditional grazing marsh landscape including presence of meandering creeks and grazing animals is distinctive. Nevertheless, the sense of place is strongly related to the urban and industrial influences which are dominant through much of the area and surround the marsh edges. Minster Marshes (9) and Sheppey Court and Diggs Marsh (10) are both described in the LCA as having a weak sense of place.</p> <p>As a whole, the area lacks the scale and drama of other parts of the North Kent marshes.</p> <p><i>Partially meets</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>The LCA describes the condition of area 10: Sheppey Court and Diggs Marsh as moderate and area 9 Minster Marshes as poor, and this remains the case in 2018, with some further deterioration in condition noted.</p> <p>The marshes retain remnants of former character, including creeks, drainage ditches and counterwalls; it supports grazing animals and some typical marshland, flora and fauna with elements of ecological integrity (LWS). The area is substantially affected by adjacent urban and industrial land uses on each side. These influences are most extreme at the western end of Diggs Marsh where roads, railways and pylons cross the marsh and peripheral housing and industry are very visually intrusive, dominating the marshland character. Further east on the Sheppey Court Marshes the character is more typical of grazing marsh. Minster Marshes while retaining remnant areas of marshland is strongly influenced by land uses including holiday parks, garden centre, recreational facilities, industrial works, fishing ponds.</p> <p><i>Does not meet as a whole , although some areas are of higher quality</i></p>
<b>Scenic qualities</b>	<p>The area has an open and exposed character with some extensive views, foreshortened by the transport embankments and urban edge so that all horizons are interrupted by built development. From within, the Sheppey Court Marshes some areas have a more tranquil and isolated character.</p> <p>Urban/industrial features/transportation corridors are detracting incongruous elements within the marshes or in views from the area, notably at Diggs Marshes and Minster Marshes.</p> <p>The marshes lack the scale and remoteness and tranquillity associated with the greater area of the North Kent Marshes, although there are localised areas of higher tranquillity which contrast with the adjacent urban areas. Unlike other parts of the North Kent Marshes these areas do not retain dark night skies being influenced by adjacent lit urban areas.</p> <p><i>Does not meet overall, but localised relative tranquillity in isolated areas contrast with urban land uses</i></p>
<b>Landscape values (stakeholder)</b>	<p>Minster Marshes are valued by local residents/community, with 6 responses. These largely relate to Barton's Point Coastal Park on Minster Marshes which is valued for its local distinctiveness, landscape quality, scenic quality, heritage and recreational value.</p> <p><i>Barton's Point Coastal Park is highly valued and clearly does meet these criteria.</i></p>

## Evaluation - Swale: Sheppey Court and Diggs Marsh

Criteria	Summary
<b>Natural and cultural attributes and associations</b>	<p>The area has considerable historic interest: Queenborough Lines, fortifications protecting Sheerness dockyard from land attack, built 1863-1868 is a Scheduled Monument.</p> <p>Diggs and Sheppey Court Marshes are a Local Wildlife Site.</p> <p><i>Partially meets</i></p>
<b>Recommendations</b>	<p>The area only partially meets criteria for local landscape designation.</p> <p>Minster Marshes (LCA 9) as a whole does not merit designation and is recommended that this area is not included in the LLD, although an extended designation could include the Queenborough Lines and highly valued/ higher quality area around Barton's Point. Within LCA 10, the area west of the A249 and railway on Diggs Marsh is also of demonstrably lower quality and could be excluded.</p> <p>As a whole the area is vulnerable and performs an important function as an open gap creating visual and physical separation between Sheerness, Minster, Queenborough and Halfway Houses. It should be conserved, enhanced and protected from further development for reasons including biodiversity interest, function as a green wedge and rural separation and flood risk. There are opportunities to enhance the quality and improve the setting of the urban areas particularly those areas of the marsh that have deteriorated in quality and condition.</p>

# Sheppey Court Diggs and Minster Marshes



Local Landscape Designation (LLD)

**Boundary changes**

- 1 Extend LLD to include Queenborough Lines and Barton's Point
- 2 Delete areas of lower quality on Diggs Marsh

**Note: The small area remaining only partially meets criteria for LLD. Remaining area is likely too small for LLD.**



## Eastchurch Uplands

### Landscape character and quality



Long views from the ridge over the marshes, Swale and mainland Kent to the North Downs



A rural backdrop to the marshes



Open landscape with occasional belts of poplar



Arable landscape forming a distinct ridge and skyline



Rolling landscape with new tree planting at Furze Hill



Long views to the Thames Estuary from the elevated ridge

<b>Candidate LLD name</b>	<b>Eastchurch Uplands</b>
<b>Relationship to existing local designation</b>	There area does not currently have a landscape designation. It has been assessed on recommendation of the 2014 report, which noted a need for a review along the northern boundary of the marshes on Sheppey and as a result of consultation.
<b>Extent of area</b>	An area of elevated farmland forming the central ridge of Sheppey and backdrop to the marshes to the south and falling away to the slumped clay coastal cliffs to the north. It wraps around the southern and eastern edge of Minster and includes the settlement at Eastchurch plus HM prisons at Standford Hill and to the east the coastal development at Leysdown and Warden.
<b>Landscape character context</b>	13: Central Sheppey Farmlands 16: Minster and Warden Farmlands
<b>Stage 2: Desk review</b> <b>(see table 5.1 and Appendix 3)</b>	13: No 16: No Recommended for further field survey to test desk study and consider results of the consultation.
<b>Stage 3: Evaluation</b> <b>(see overleaf)</b>	<i>Does not meet</i>
<b>Boundary commentary (including suggested changes from existing designation)</b>	The area is not currently designed and is not proposed for designation.
<b>Commentary on Technical Paper 6 2014</b>	Some minor boundary changes along the northern boundary of the marshes are proposed to tie in with character area boundaries. These are set out in the evaluation for North Swale Marshes LLD.
<b>Stage 4: Recommendation</b>	No LLD proposed. It is recognised that this area performs an important role as the rural backdrop to the marshes and setting to the settlements and as part of the undeveloped coastline of north Sheppey. However in its own right it does not meet the criteria for a local landscape designation.

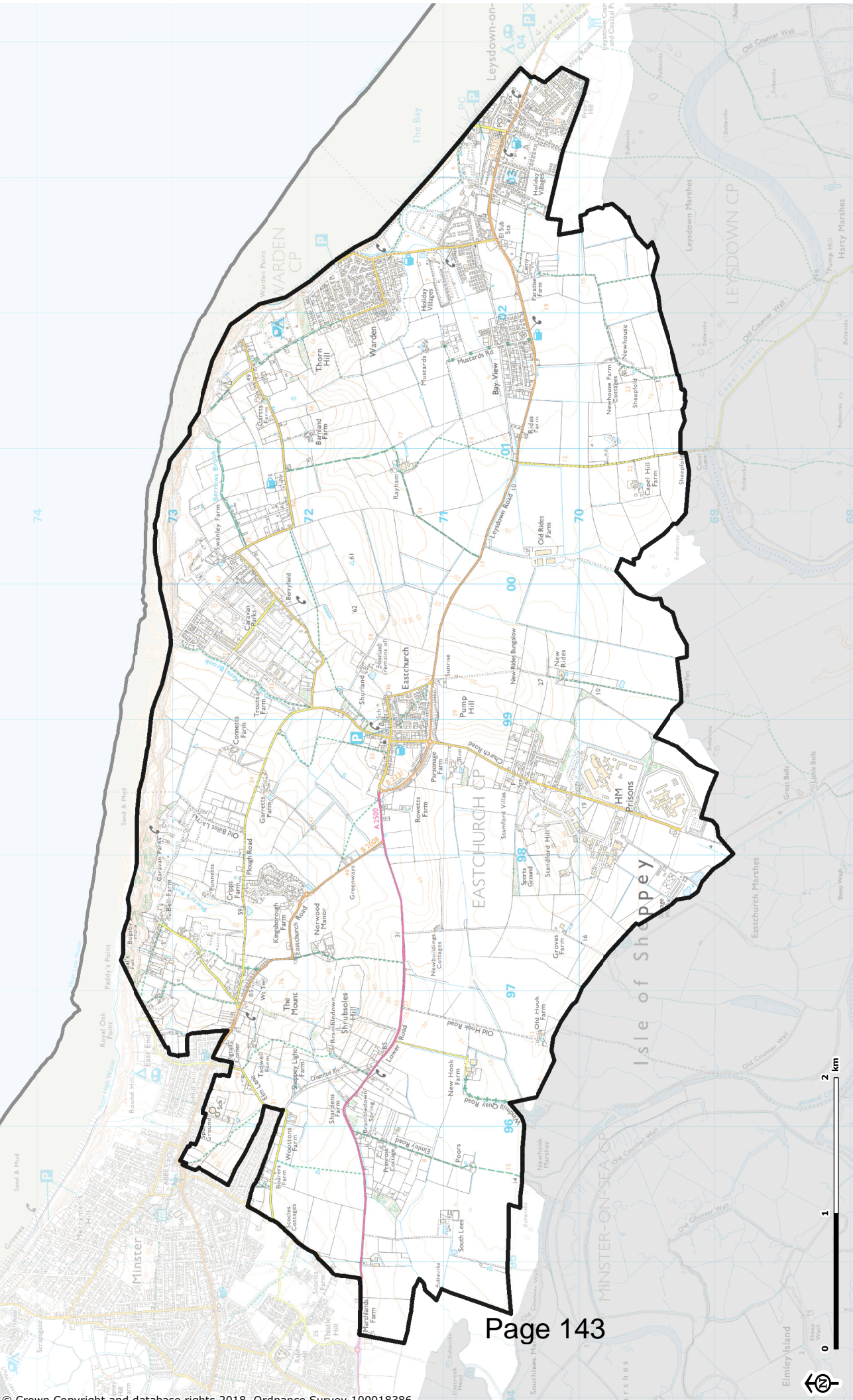


## Evaluation - Eastchurch Uplands

Criteria	Summary
<b>Local distinctiveness and sense of place</b>	<p>The area is distinctive in terms of landform which forms a prominent clay ridge across the northern part of Sheppey and provides rural backdrop to the marshes. Distinctive topographical elements include hills such as Furze Hill and the complex folded landform dropping to the sea in the north. From places, such as Minster Abbey, the ridge offers panoramic views south over Sheppey, across the Swale Estuary to the mainland. The slopes are mainly under arable land use, forming a relatively common farmed landscape character/land cover pattern. To the north the slumped clay cliffs are a distinctive geomorphological feature and offer views across the Thames Estuary and towards the Essex Coast.</p> <p>Overall it is considered to be a fragmented landscape with limited coherence or identity.</p> <p><i>Partially meets</i></p>
<b>Landscape quality (condition and intactness)</b>	<p>The LCA describes the condition of areas 13 and 16 as poor, and this remains the case. The field survey revealed an open, exposed and fragmented landscape with large arable fields where hedgerows and tree cover have frequently been removed and urban/urban fringe elements are often prominent. Incongruous and detracting elements include main roads, and lighting, extensive new urban developments (albeit partially softened by some woodland planting), the prominent prison developments at Eastchurch, plus large caravan parks along the coast.</p> <p><i>Does not meet as a whole , although small areas of higher quality are present</i></p>
<b>Scenic qualities</b>	<p>The key scenic quality associated with this area is the extensive views that can be obtained from the higher land and associated sense of openness and exposure. These include views out to the Thames Estuary and Essex coast to the north contrasting with views across the marshes and Swale/Kent mainland coast to the south. As a whole the area does not have particular qualities of wildness or tranquillity or dark night skies. Some areas with strong rural qualities persist, for example narrow hedgerow lined lanes along the north coast.</p> <p><i>Does not meet overall, but localised scenic quality relating to panoramic views.</i></p>
<b>Landscape values (stakeholder)</b>	<p>There is a particular concentration of local values recognised by Minster on Sea PC and Eastchurch PC associated with the areas around Minster and Eastchurch. A number of these values are associated with sites within the settlement boundary or are protected as local green space.</p> <p>The rural farmed landscape of the slopes is also highly valued and described as giving <i>wide open space and continuous coherence</i>.</p> <p><i>Partially meets</i></p>
<b>Natural and cultural attributes and associations</b>	<p>The area has relatively limited natural and cultural interest.</p> <p>In the north the steep slumped clay cliffs are important for their botanical and geological interest (SSSI) and Local wildlife Site, plus areas of acid grassland/heathland. There are important cultural associations at Minster Abbey (within the urban area). Shurland Hall, Grade II* and a Scheduled Monument is a prominent building on the slopes at Eastchurch. It is part of the 16<sup>th</sup> century gatehouse of a medieval building lodge and has recently been</p>

<b>Evaluation - Eastchurch Uplands</b>	
<b>Criteria</b>	<b>Summary</b>
	<p>restored. With its octagonal towers and battlements, Shurland is reminiscent of the great Tudor palace gatehouses at Hampton Court and St James's. It is known to have hosted Henry VIII and Anne Boleyn and associated with local myth and legend (Richard de Shurland and Grey Dolphin).</p> <p>Eastchurch is styled the "home of British aviation" as Eastchurch airfield saw the first controlled flight by a British pilot on British soil and many early test flights were undertaken in the area.</p> <p><i>Partially meets</i></p>
<b>Recommendations</b>	<p>Overall the area does not meet the criteria for local landscape designation. It is a rural landscape that contains has a number of valued features and attributes. However, it is not an especially distinctive or high quality landscape and does not form a cohesive area or physical entity.</p>

# Eastchurch uplands



Local Landscape Designation (LLD)

**Note: This area does not meet criteria for LLD. No local landscape designation proposed**



# APPENDICES



# **Appendix 1: SBC Landscape Values Consultation**

# Consultation documents sent to stakeholders

**Swale House, East Street,  
Sittingbourne, Kent ME10 3HT**

DX59990 Sittingbourne 2

Phone: 01795 417192

[www.swale.gov.uk](http://www.swale.gov.uk)



1<sup>st</sup> November 2017

Dear Stakeholder

## **Swale Borough Council - Local Landscape Designation Review – Request for Stakeholder Input**

The Planning Policy team at Swale Borough Council are carrying out a review of local landscape designations within Swale Borough. As part of this review, we are seeking the views of relevant stakeholders, such as yourselves, and other statutory and non-statutory organisations.

Local landscape designations within Swale currently consist of Areas of High Landscape Value (Kent Level) and Areas of High Landscape Value (Swale Level) and are identified on the Proposals Map of the Council's Local Plan at [www.cartogold.co.uk/swale/](http://www.cartogold.co.uk/swale/). The purpose of these designations is to conserve and enhance valued landscapes (see Policy DM 24 of the Swale Local Plan [swale.gov.uk/local-plan-for-swale/](http://swale.gov.uk/local-plan-for-swale/)). Please note that the Kent Downs Area of Outstanding Natural Beauty is a national designation and is not part of this review. Significant built up areas are also excluded, because landscape designations relate to rural areas.

Local landscape designations in Swale were reviewed in 2003 by Jacobs (Babtie) Ltd and an interim review was also undertaken by Swale Borough Council in 2014 (see CD/053 and CD/090 at [swale.gov.uk/examination-document-library/](http://swale.gov.uk/examination-document-library/)).

Within this 2017/18 review, we will be taking a fresh look at landscape designations in the borough. The purpose of the review is to examine the existing designations and make recommendations for any changes (extensions or deletions) and new areas that could be considered for designation. The review will be carried out using available technical guidance and following best practice. Areas of search will be identified and assessed against a set of criteria in order to establish areas of high landscape value that will be recommended for designation.

As part of the review, we are asking stakeholders to complete a survey that has two objectives:

1. To identify landscapes valued by stakeholders to use as a data source within this review
2. To receive feedback from stakeholders on the proposed assessment criteria that will be used to review and identify local landscape designations

The two survey sheets attached relate to valued landscapes and the proposed assessment criteria respectively:

**1. Valued Landscapes** - we would like to collate a map illustrating places valued by stakeholders. In the attached Valued Landscapes Table is a list of reasons as to why a landscape may be of value, to ensure the findings are relevant to landscape designations. The information gathered will be used as a data source when the assessment criteria are applied to the areas of search.

**2. Assessment Criteria** - The areas of search will be assessed against a set of criteria, which have been based on technical guidance. Information collected from stakeholders via the Valued Landscapes exercise above will be used as a data source when assessing areas of search against these criteria. We would like to receive any comments you may have on the proposed assessment criteria.

Details on how to complete these tasks are set out in the following pages.

Please note that we will be working with professional landscape consultants on the assessment of the results of this survey.

We would be grateful to hear your views and welcome a response by **Friday 1<sup>st</sup> December, 2017**, by email to: [planningpolicy@swale.gov.uk](mailto:planningpolicy@swale.gov.uk)

Alternatively, please post your response to:

**Planning Policy, Swale Borough Council, Swale House, Sittingbourne, Kent, ME10 3HT** – please mark your envelope for attention of **Anna Stonor, Landscape Designation Review**.

We will be running a presentation on the findings of this review at the end of the designation review process in early 2018. Please indicate within your response whether you would like to be invited to attend this presentation.

We look forward to hearing from you.

Yours faithfully

JCGStonor

Anna Stonor  
Senior Planner  
Planning Policy  
Swale Borough Council

Direct Line: 01795 417192



# Swale Borough Council - Landscape Designation Review - Survey Sheets

## Part 1 - Valued Landscapes

We would like to collate a map illustrating places valued by stakeholders. In the table on the following page (Valued Landscapes Table), we have set out a list of reasons as to why a landscape may be of value, to ensure the findings are relevant to landscape designation. The information gathered will be used as a data source when we consider search areas for designation against the assessment criteria presented below.

### Instructions:

- Please see attached a map illustrating Swale Borough.
- We would like you to tell us about the landscapes that are of particular value to you and to mark these locations on the attached map. Please apply a number (starting at 1, then 2, 3, 4 etc...) to locations on the map and add the corresponding numbers to the table on the next page (Survey Sheet 1) linking it to the most relevant reason the landscape is of value.
- Please add a brief description to your choices.
- Please also make sure you clearly name your map as well as the table below.
- You can propose more than one location for each reason in the table and not all rows need to be completed. However, please make sure your numbers and reasons correspond and your descriptions are set out clearly.
- If you have any questions or problems please call Anna Stonor at Swale Borough Council (Tuesdays and Wednesdays) on 01795 417192 or email her at [annastonor@swale.gov.uk](mailto:annastonor@swale.gov.uk)

### Example:

If, for instance, you particularly value Elmley Marshes on the Isle of Sheppey for its quietness and remoteness you should mark that location on the map with the number 1 and then in the Valued Landscapes Table, under 'Landscapes that have a strong sense of wildness and tranquillity' write something like 'due to its remoteness and distance from built development', as shown in this example here:

Reason Landscape is of Value	Numbers	Location and brief description of relevant feature or characteristic where applicable (e.g. note what the known cultural association is, what the distinctive scenic qualities are, or what type of outdoor recreation the landscape is important for)
Landscapes that have a strong sense of wildness and tranquility	1	Due to its remoteness and distance from built development

**Survey Sheet 1 - Valued Landscapes Table – TO BE COMPLETED BY STAKEHOLDERS**

Reason Landscape is of Value	Numbers	Location and brief description of relevant feature or characteristic where applicable (e.g. note what the known cultural association is, what the distinctive scenic qualities are, or what type of outdoor recreation the landscape is important for)
Landscapes which are regionally or nationally rare		
Landscapes which provide important habitats for wildlife		
Landscapes with important built heritage		
Landscapes which have widely known cultural associations		
Landscapes that have distinctive scenic qualities		
Landscapes that have a strong sense of wildness and tranquillity		

Reason Landscape is of Value	Numbers	Location and brief description of relevant feature or characteristic where applicable (e.g. note what the known cultural association is, what the distinctive scenic qualities are, or what type of outdoor recreation the landscape is important for)
Landscapes which are important for outdoor recreation		

**Please provide your name and the name of your organisation:**

**Please provide an email address if you would like to be invited to attend a presentation on the findings of this review:**

**Part 2 - Assessment Criteria**

We would also like your views on the criteria we propose to use in the landscape designation review process.

Information collected from stakeholders via the Valued Landscapes exercise above will be used as a data source in this exercise.

The areas of search will be assessed against a set of criteria to determine landscape value and to inform the recommendations for local landscape designation. The criteria are based on technical guidance set out within *An Approach to Landscape Character Assessment (Natural England, 2014)* and *Guidelines for Landscape and Visual Impact Assessment Third Edition (Landscape Institute and Institute of Environmental Management and Assessment, 2013)*.

**Instructions:**

- Please see (on the following page, Survey Sheet 2) a list of the Assessment Criteria we are proposing.
- Please look at these criteria and let us know whether:
  - you agree that these criteria and factors considered are appropriate for the review?
  - there any other criteria and factors that you think should be incorporated?
- Please add your comments to the table. If you have no comments please just add 'No comment'.
- Please make sure you add your name and your organisation's name to the table.
- If you have any questions or problems please call Anna Stonor at Swale Borough Council (Tuesdays and Wednesdays) on 01795 417192 or email her at [annastonor@swale.gov.uk](mailto:annastonor@swale.gov.uk)

**Survey Sheet 2 - Assessment Criteria – TO BE COMPLETED BY STAKEHOLDERS**

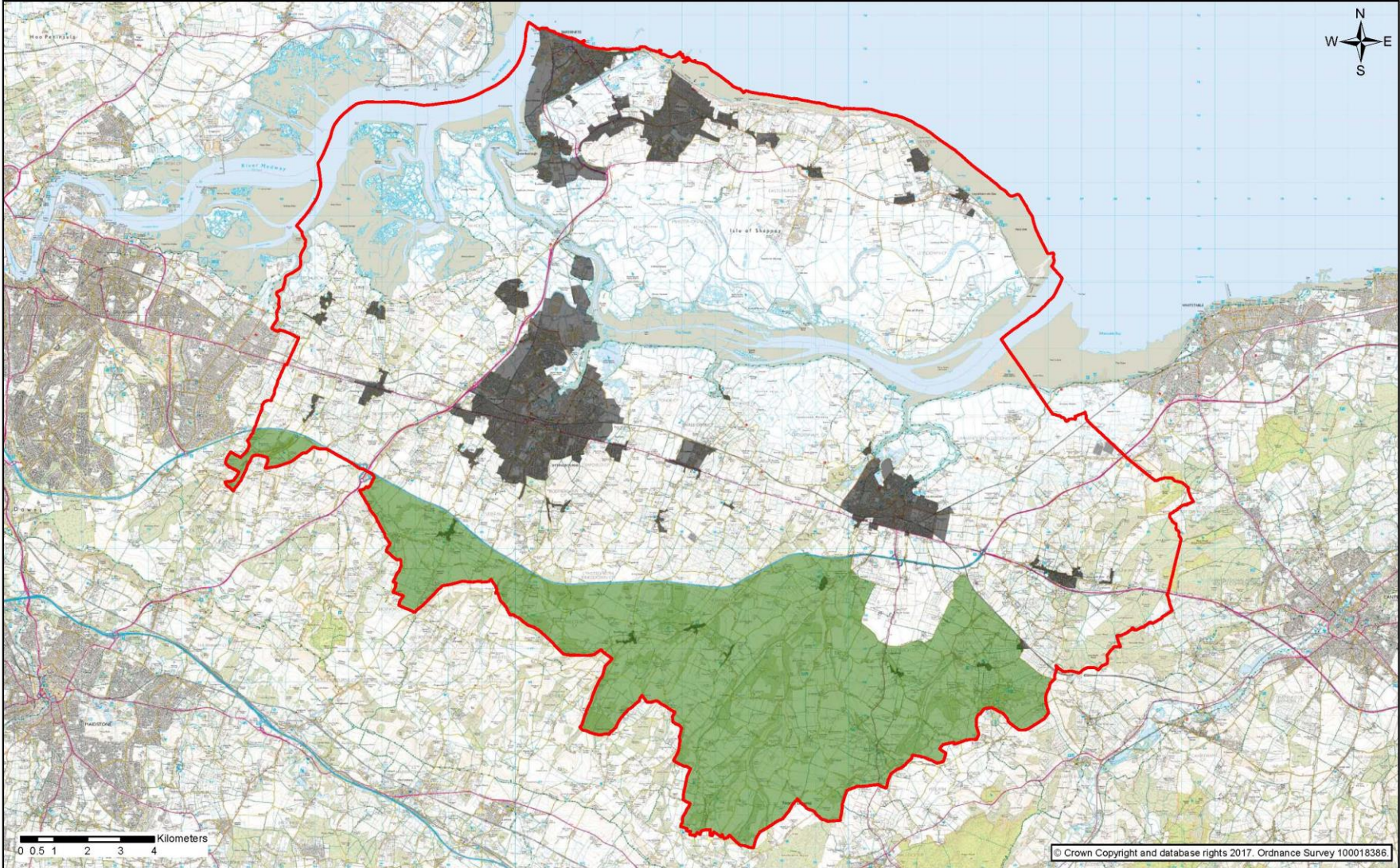
Criteria	Factors Considered
<b>Local distinctiveness</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> The presence of rare elements or features in the landscape or the presence of a rare landscape character type</li> <li><input type="checkbox"/> Whether the landscape contains a particular character and/or features or elements which are considered particularly important or representative examples</li> <li><input type="checkbox"/> Sense of place created by distinctive factors such as topography or field pattern</li> <li><input type="checkbox"/> Conservation interests, for example marked through cultural heritage or ecological designation</li> <li><input type="checkbox"/> Cultural associations, such as with artists, writers or other media, or events in history that contribute to perceptions of the natural beauty of the area</li> </ul>
<b>Landscape quality</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Intactness and coherency of the landscape</li> <li><input type="checkbox"/> Landscape condition</li> </ul>
<b>Scenic quality and perceptual aspects</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Distinctive or promoted views</li> <li><input type="checkbox"/> Visual qualities including wildness, tranquillity and remoteness</li> </ul>
<b>Recreational value</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Public recreational access opportunities within the countryside, such as public rights of way, common land, open access land, country parks</li> </ul>

**Please provide your name and the name of your organisation:**

**Do you agree that these criteria and factors considered are appropriate for the review?**

**Are there any other criteria and factors that you think should be incorporated?**

**Any other comments?**



**Legend:**

- Valued Landscape - Please complete alongside Valued Landscapes Survey Sheet
- Swale Borough Boundary
- Areas Excluded from Scope of Study:
  - Kent Downs Area of Outstanding Natural Beauty
  - Significant Urban Areas

**SWALE BOROUGH: VALUED LANDSCAPES**

Please provide the name of your organisation:

## Consultation responses received

Stakeholder name	Stakeholder organisation
Vicky Ellis (Marketing and Office Manager)	CPRE and local resident
Hilary Newport (Director, Kent Branch)	CPRE
Katie Miller (Planning Manager)	Kent Downs AONB
Liz Cruise (Clerk)	Bapchild Parish Council
Graham Herbert (Chair)	Bobbing Parish Council
CLlr Mike Baldock	Borden Parish Council
Penny Twaites (Chair) and Brian Clarke (Vice Chair)	Bredgar Parish Council
Gerry Lewin (Councillor)	Swale Borough Council, Hartlip, Newington and Upchurch
Mike Whiting (Councillor)	Swale Borough Council, Teynham, Lynsted and surrounding villages
Jeff Tutt (Vice Chair)	Dunkirk Parish Council
Samantha Watts (Planning Advisor, Sustainable Places)	Environment Agency
Fiona Jackson (Clerk)	Eastchurch Parish Council
Gareth Fulton	Elmley National Nature Reserve
Harold Goodwin (Chair)	Faversham Society
Louise Bareham (Clerk)	Faversham Town Council
Oliver Merrony (caseworker)	Gordon Henderson MP for Sittingbourne & Sheppey
Kay Richardson (Historic Places Advisor)	Historic England
Steve Gates (Councillor)	Lower Halstow Parish Council
Mark Loos	Medway Swale Estuary Partnership
Brendan Doyle (Senior Landscape & Urban Design Officer)	Medway Planning Policy Team
Lena Jordan (Clerk)	Milstead Parish Council

# Appendix 2: Field survey form

# Swale Local Landscape Designations Field Survey

Date:	Weather:
Character Area(s) Potential Designations:	
Photo refs:	
Boundaries	
<i>FS to note LLD boundaries and where different to LCA boundaries</i>	
Notes on significance	
<i>Key points on values/significance of landscape</i>	
Criterion	Notes



<b>Local distinctiveness and sense of place</b>	
<b>Quality (condition/intactness)</b>	
<b>Scenic qualities</b>	
<b>Natural and cultural attributes/associations</b>	
<b>Notes</b>	

# Appendix 3: Results of the Stage 2 Desk Review

### Appendix 3: Results of the Stage 2 Desk Review

This evaluation is a rapid desk review of the 2011 Swale Landscape Character and Biodiversity Appraisal using the LLD evaluation criteria.

It is a first sieve approach to identify areas of search for LLDs. It contains a justification for any areas omitted and recommendations from the desk survey of any specific areas to focus on as part of the more detailed field survey and evaluation.

Note this is a broad brush approach, to scope out areas at an early stage to ensure that the field survey and detailed evaluation is proportionate.

#### Key

	LCA indicates that the character area is likely to meet this criteria
	LCA indicates that the character area may meet or could partially meet this criteria
	LCA indicates that the character area is unlikely to meet this criteria

#### Local values

At this stage the Local Values Consultation is only considered in terms of the number of response per character area, noting that 'no' responses does not mean a landscape is not valued. In considering whether an area should go forward to the next stage of detailed evaluation the consultation responses are taken into account and for some areas such as LCA42: Tunstall Farmlands, they are taken forward despite not meeting the other criteria at this stage.

The consultation responses are taken into account in the stage 3 evaluation.

	Name	Status	Local distinctive	Landscape quality	Scenic qualities	Landscape Values	Natural and	Meets desk review criteria ?	Take forward 'LLD area of search'	Notes to inform selection of areas of search and field survey and justification for area not taken forward
1.	Chetney and Greenborough Marshes	Y Kent Level				3		Y	Yes	Field survey to check marsh extensions in surrounding character areas (32)
2.	Elmley Marshes	Y Kent level				0		Y	Yes	Small part of northern character area not currently in designation  Field survey also to review western edge at Neatscourt Marshes and Queenborough

3.	Goodnestone Grasslands	N				1		Y	Yes	Field survey for potential addition to local designation – part of wider marshland – assess boundary with 6
4.	Graveney Grazing Lands	Y (part) Kent Level				1		Y	Yes	Field survey of areas covered by designations and with special qualities extending north of the railway and small area to south of railway
5.	Graveney Marshes	Y Kent Level				4		Y	Yes	Field survey to review as area forms part of wider marsh landscape despite condition/land use
6.	Ham Marshes	Y Kent Level				0		Y	Yes	Review boundary with area 3
7.	Leysdown and Eastchurch Marshes	Y Kent Level				5		Y	Yes	Check boundary at Leysdown and with 13
8.	Luddenham and Conyer Marshes	Y Kent Level				1		Y	Yes	Check boundary in area 17 and adjoining Sittingbourne and area 31
9.	Minster Marshes	N  Identified for review in 2014 study				6		N	Yes, take forward due to number of local values recorded	Small area. Desk review indicates it does not merit criteria local designation. However retains marshland character and local values indicates need for detailed evaluation
10.	Sheppey Court and Diggs Marshes	Y Swale Level				0		Partially	Yes, take forward as is an existing LLD area	Field survey and evaluation to review in relation to marshland character

11.	South Sheppey Saltmarshes and Mudflats	Y Kent Level			0		Y	Yes	Field survey –to confirm any boundary adjustments and develop statement of significance
12.	Spitend Marshes	Y Kent Level			1		Y	Yes	Field survey entire area to confirm any boundary adjustments and develop statement of significance.
13.	Central Sheppey Farmlands	N Identified for review in 2014 study			13		N	Yes, take forward due to extent of local values recorded through consultation	Review and evaluation to understand qualities identified through local consultation
14.	Elmley Island	Y Kent Level			0		Y	Yes	Field survey entire area to confirm
15.	Isle of Harty	Y Kent Level			0		Y	Yes	Field survey entire area to confirm
16.	Minster and Warden Farmlands	N Identified for review in 2014 study			10		N	Yes, take forward due to extent of local values recorded through consultation	Field survey entire area to confirm
17.	Stone Arable Farmlands	N			3		N	No, part of area reviewed in relation to marshes	Note role in relation to Oare Creek and adjacent marshland and consider in relation to LLD boundary Remainder of the area is a representative of a rural landscape but does not meet LLD criteria although contains locally valued elements.

18.	Waterham Clay Farmlands	Y , small part to east in Blean  Areas adjoining LCA 33 and 23 identified for review in 2014 study				0		N	No, part of area taken forward	Field survey to reviews eastern part and boundary as part of Blean LLD (linking at Victory Wood). Remainder of area does not meet LLD criteria although contains locally valued elements.
19.	Borden Mixed Farmlands	N				0		N	No	The area is representative of a rural landscape with small scale chalk valleys. Traditional built character is protected through other designations. It does not meet LLD criteria, although contains valued elements (the valleys and built vernacular)
20.	Faversham and Ospringe Fruit Belt	Y Part Kent Level				4		Partially	Yes, AONB interface and more rural area	Field survey to assess area south of M2, and interface with AONB.
21.	Graveney Arable Farmlands	Part Small part of marshlands to north = Kent Level				1		N	No, Review part of area in relation to existing designation	Evaluation to consider interface with marshlands as part of field survey  Remainder of area is does not meet the criteria for LLD in terms of quality and condition although contains locally valued elements.
22.	Graveney Fruit Farms	N				1		N	No	The importance of this area as very small isolated area of traditional landscape is noted – however it is considered too small for designation in its own right as an LLD
23.	Hernhill and Boughton Fruit Belt	Part Part Swale Level				1		Y	Yes	Field check for LLD boundary. Consider whole character area LLD extending south of Boughton

		Plus minor extension identified north of Selling in 2014 review								Street which appears to be similar character and quality
24.	Iwade Arable Farmlands	N Section east of Newington identified with potential for review in 2014 study				4		N	Yes, part of area in relation to ridge identified in local values consultation	Assess re. part of LCA area on ridge. Review local values for this area.
25.	Lower Halstow Clay Farmlands	Part Part Swale Level				0		Partially	Yes, part	Assess potential role as backdrop and setting to the marshes, scenic value relates to views out rather than area itself
26.	Lynsted Enclosed Farmlands	N Section around Teynham, north of A2 identified for review in 2014 study				1		Partially	No	Partially meets criteria (2) but does not form a distinct entity – survey in relation to adjacent LLD (Syndale Valley).
27.	Newington Arable Farmlands	No				2		N	No	This area does not meet the criteria for LLD. The landscape has lost much of its traditional character and in a relatively poor condition, although contains locally valued elements.  Consultation responses note the important high land with uninterrupted views and role as a strategic gap. This is a valued characteristic but not a criteria for local landscape designation.
28.	Newington Fruit	No				0		N	No	This area does not as a whole

	Belt	Area between Hartlip and Lower Hartlip identified for review in 2014 study								meet the criteria for LLD forming a moderate quality rural landscape with some locally valued elements. Note minor valley extending from AONB at Hartlip will be reviewed as part of the field survey
29.	Rodmersham Mixed Farmlands	No Section by Radfield/ Teynham identified for review in 2014 study				3		N	No	This area does not as a whole meet the criteria for LLD forming a rural landscape much opened up for intensive arable farmland, but with some locally valued elements. The consultation notes its role as a buffer to the AONB and important wildlife habitats and routes for walkers and cyclists. These are valued elements but not in their own right a criteria for LLD.  Field survey to check any chalk valley characteristics and relationship with area 40
30.	Selling Fruit Belt	N Area not in AONB identified for review in 2014 study				0		Y	Yes	Field survey to check area small area outside AONB boundary and possible relationship to extended LLD
31.	Teynham Fruit Belt	Y Part at Swale Level				2		Y	Yes	Field survey evaluation to consider boundary to east and Sittingbourne urban fringe  Boundary south of rail line and to A2
32.	Upchurch and Lower Halstow Fruit Belt	Y, very small part at Kent Level  Plus area south of Lower Halstow and north of				3		N	Yes, part	Field survey to agree marsh areas and potential river creek from Lower Halstow.



		Newington identified for review in 2014 study								
33.	Blean Woods West	Y Kent Level				3		Y	Yes	Field survey to confirm and check omitted areas in current LLD, adjacent to Canterbury
36.	Doddington and Newnham Dry Valleys (character area description largely relates to AONB)	Y Kent Level (outside AONB)				3		Y	Yes	Field survey to assess character and quality of dry valley area outside AONB north of M2
37.	Hartlip Downs	Y Very small area at Kent Level				2		Partially	Yes (LCA largely relates to AONB)	Field survey required to assess downland AONB character for parts of area north of M2
38.	Milstead and Kingsdown Mixed Farmlands	Y Kent Level - very small area north of M2				0		Partially	Yes	Field survey to assess whether area north of M2 is of equal value as AONB and contiguous with larger dip slope dry valley landscape running down to Sittingbourne (LCA 40)
40.	Rodmersham and Milstead Dry Valley	Y Kent Level extending AONB				4		Y	Yes	Field survey to assess boundaries and relationship to surrounding character areas – minor dray valley in area 42
42.	Tunstall Farmlands	Y, small part forms part of Kent Level chalk valley system North east area identified for review in 2014 study				14		N/Partially	Yes, take forward to area of search due to number of local values recorded	While this area only partially meets criteria for LLD it is considered in relation to local values. It is the LCA with highest no. responses including gateway to the AONB, far reaching views across the estuary, wildlife habitats, access for walkers



<b>Local Plan Panel Meeting</b>	
<b>Meeting Date</b>	29 November 2018
<b>Report Title</b>	Gypsy and Traveller and Travelling Showperson Accommodation Assessment
<b>Cabinet Member</b>	Cllr Gerry Lewin, Cabinet Member for Planning
<b>SMT Lead</b>	Emma Wiggins
<b>Head of Service</b>	James Freeman
<b>Lead Officer</b>	Gill Harris, Spatial Planning Manager
<b>Key Decision</b>	No
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<p style="text-align: center;">That the Panel note the findings of the study and recommend to Cabinet that they agree to:</p> <ol style="list-style-type: none"> <li>1. Carry out a 'call for sites'.</li> <li>2. Continue with a criterion based policy.</li> <li>3. Explore the possibility of creating a new public site.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 The 'National Planning Policy Framework' (NPPF) and 'Planning Policy for Traveller Sites' (PPTS) require local planning authorities to make their own assessment of the site needs of the travelling community to inform the preparation of local plans and to make planning decisions.
- 1.2 The Council has been using a 'Gypsy and Traveller and Travelling Showperson Accommodation Assessment' (GTAA) which was first published in 2013 and updated in 2015 following the revised definition of who is considered a 'traveller' (for planning purposes) as set out within the 2015 update to the PPTS. This identified a pitch need of 61 over the 'Bearing Fruits' plan period to 2031. It has now been updated with a new GTAA to reflect any changes within Swale's travelling community and to be in line with the emerging Local Plan period to 2037/38.
- 1.3 The purpose of this report is to:
  - 1) Highlight the key findings from the new GTAA.
  - 2) Outline the options, and seek agreement on how to meet the identified need.

## 2 Background

- 2.1 Consultants arc<sup>4</sup> were appointed in September 2017 to complete a new GTAA for Swale (as well as many other authorities throughout Kent). They have carried out 3 main strands of study in order to calculate the site need for the period 2017/18 to 2037/38, as set out below:
- 1) Analysis of the Council's records of authorised and unauthorised sites to determine the currently supply, met need and immediate need.
  - 2) Fieldwork, including household interviews on the known sites within the Borough to help determine future need.
  - 3) Creation and analysis of an online stakeholder survey aimed at neighbouring authorities, gypsy and traveller groups, Council officers and public service providers to help understand the challenges facing the travelling community.
- 2.2 The study is structured such that it refers to a 'cultural' need and a 'PPTS' need. Following the revised definition of who is considered a 'traveller' referenced in paragraph 1.2 above, it has been commonplace within GTAA methodology to calculate a 'cultural' need (i.e. for all those who identify as gypsies and travellers) and then extract a 'PPTS' need (i.e. for those who meet the revised definition) from it. The NPPF is clear that local planning authorities should only plan for the needs of those as defined by the PPTS, and only the PPTS need figures are discussed below.
- 2.3 The study has identified a PPTS pitch need of 30 for the 5 year period 2017/18 – 2021/22 and a longer term pitch need of 29 for the emerging Local Plan period 2022/23 to 2037/38 for a total of 59 pitches. It is anticipated that some of the need will be met through natural turnover reducing the total identified pitch need to 51.
- 2.4 The site at Brotherhood Woodyard was granted planning permission (17/502338/FULL) in May this year for a total of 40 permanent pitches and is occupied. As Members may be aware, the site is currently the subject of monitoring and enforcement action, due to evidence that the site is not currently implemented as per this or any previously approved permission.
- 2.5 At the time of arc<sup>4</sup>'s study work, it was not possible to obtain any information on the occupancy of Brotherhood Woodyard and subsequently, any met or future need that arises from it. As a result, for the purposes of the GTAA, the site was not included within the pitch numbers contributing to met need, supply or future need and has been excluded from the calculations.
- 2.6 Officers are confident that the monitoring and enforcement action will resolve the situation and that the latest permission should be capable of implementation as per the approved plans. At such a time, it is considered that the site should provide for 40 pitches, which alone will go some way to meeting the need identified in the study.

- 2.7 Furthermore, and as part of the fieldwork, arc<sup>4</sup> asked households whether they felt existing sites could be expanded or intensified to help meet future need. From the responses, it was suggested that there is scope to gain an additional 54 pitches on existing authorised sites alone. Theoretically, this alone could meet the entire need identified, although these were the opinions of site occupants and further work would be necessary to consider the planning merits of these locations.
- 2.8 Considering paragraphs 2.6 and 2.7 above, there is the potential for the supply of 94 pitches. There are of course some uncertainties surrounding matters at Brotherhood Woodyard and how many of the existing sites could actually be expanded or intensified when all material considerations are taken into account. Furthermore, all bar 2 of the existing sites in the Borough are private and experience is showing that pitches gained through intensification/expansion aren't always genuinely available for travellers outside of a specific site's family unit.
- 2.9 Nonetheless, applications do come forward in the manner indicated in paragraph 2.7 above. This is evidenced by the fact that there are already 3 applications currently seeking site expansion/intensification (14/501324/FULL, 16/503950/FULL and 18/504650/FULL) and 3 applications currently seeking temporary to permanent permission (17/500921/FULL, 17/505019/FULL and 18/503627/FULL). There are also 4 applications on windfall sites (17/503860/FULL, 17/504341/FULL, 17/506569/FULL and 18/503259/FULL).
- 2.10 It should be noted that there is also an identified need for 1 travelling showpersons plot.

### **3 Proposals**

- 3.1 Members are invited to note the content of the new GTAA, particularly the identified need, and agree to recommend to Cabinet the way in which this need should be met moving forwards. Officers consider the following options to be most appropriate:
- 1) Continue with a criterion based policy to deal with windfall sites, proposals for the expansion/intensification of existing sites and for the granting of temporary to permanent permissions.
  - 2) Carry out a 'call for sites' so as to avoid a complete reliance on expansion/intensification and to deal with the need to identify a travelling showpersons plot.
  - 3) Explore the possibility of creating a new public site, again to avoid a complete reliance on expansion/intensification.

Proposal 1) would facilitate the findings/evidence outlined in paragraphs 2.7 and 2.9 above and in the GTAA itself. Although not specifically recommended within the GTAA, Officers recommend the actions in proposals 2) and 3) would avoid a complete reliance

on expansion/intensification of existing sites for the local plan review period; and would also deal with the need to identify a travelling showpersons plot.

## 4 Alternative Options

- 4.1 Members could advise Officers to explore other options such as allocating sites within larger development allocations; however the reality of this would depend on factors such as viability, and this has not proven to be successful to date.

## 5 Consultation Undertaken or Proposed

- 5.1 Household interviews were attempted on all recorded gypsy and traveller sites in the Borough with a response rate of 68.3% achieved. (This figure excludes Brotherhood Woodyard for the same reasons set out in paragraphs 2.4 and 2.5.)
- 5.2 A stakeholder survey was carried out jointly in partnership with Ashford BC, Canterbury CC, Dover DC, Folkestone & Hythe DC and Thanet DC who have also been carrying out GTAAs. Each authority provided details of key stakeholders who could provide useful information to contribute to the process. For Swale, these included groups such as the National Gypsy, Traveller and Roma Council, known gypsy and traveller planning agents, other departments within the Council and public service providers such as the NHS and police. 49 responses were received.

## 6 Implications

Issue	Implications
Corporate Plan	Supports the Council's corporate priorities.
Financial, Resource and Property	The study has been carried out within the existing Local Plan budget.
Legal, Statutory and Procurement	The study has been carried out so that the Council accords with the requirement to plan for the site needs of the travelling community as set out within the NPPF and PPTS.
Crime and Disorder	The study and subsequent actions should help to promote harmony between the travelling and settled communities.
Environment and Sustainability	The study forms part of the requirements set out within the NPPF to achieve sustainable development.
Health and Wellbeing	The study and subsequent actions should contribute to the improved health and wellbeing of the travelling community by providing for its needs.
Risk Management and Health and Safety	None identified at this time.

Equality and Diversity	The study and subsequent actions should provide for the needs of the travelling community and help to promote harmony between it and the settled community.
Privacy and Data Protection	All data has been processed in a manner compliant with the General Data Protection Regulations.

## **7 Appendices**

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Swale Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2018

## **8 Background Papers**

The National Planning Policy Framework  
 Planning Policy for Traveller Sites

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Swale

**Gypsy and Traveller and Travelling Showperson  
Accommodation Assessment 2018**

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Swale Borough Council

Final Draft Report

November 2018

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# Executive Summary

## Introduction

The Swale Gypsy and Traveller Accommodation Assessment (GTAA) analyses the latest available evidence to identify the accommodation needs of Gypsies and Travellers, Travelling Showpeople and houseboat dwellers from across the Borough.

The Swale GTAA (2018) has comprised the following evidence sources:

- A review of existing (secondary) data,
- An online survey of key stakeholders yielding 49 responses, and
- A total of 84 interviews with Gypsy and Traveller households.

This data has been analysed to provide a picture of current provision and activity across Swale Borough and an assessment of future need. The findings of the study provide an up-to-date, robust and defensible evidence base for policy development.

## Current provision and activity

The 2011 Census identified a total of 208 households in Swale with a ‘White: Gypsy or Irish Traveller’ ethnicity. Of these, 59 households lived in a caravan or other mobile or temporary structure and 149 households lived in bricks and mortar (house, bungalow, flat, maisonette or apartment).

The bi-annual Traveller Caravan Count indicates an average of around 250 caravans over the last six counts. Of these, around 85% are on authorised private sites, 6% on social rented sites and 9% on unauthorised sites. This represents an average of around 23 caravans on unauthorised sites. The annual Travelling Showperson Caravan Count (undertaken each January) indicates an average of around five Travelling Showpersons in the past four counts (2014-2017), all on unauthorised sites.

Across Swale there are two authorised permanent Council sites (with a total of 15 pitches); 59 private authorised sites (with a total of 158 pitches which includes Brotherhood Woodyard); 4 temporary private sites (with a total of 12 pitches), 13 unauthorised sites (with a total of 19 pitches) plus one unauthorised Travelling Showperson yard (with 1 plot).

The triangulation of secondary data, Council records and fieldwork survey has identified a total of 163 households living on Gypsy and Traveller sites (including 40 living on Brotherhood Woodyard).

## Planning policy requirements for needs assessments

Planning policy for traveller sites (PPTS) (first published in March 2012 and updated in August 2015) requires an assessment of the current needs of Gypsies and Travellers and Travelling Showpeople and a projection of future needs. The calculation of pitch/plot requirements in the GTAA 2018 is based on established DCLG modelling methodology, as advocated in *Gypsy and Traveller Accommodation Needs Assessment Guidance* (DCLG, 2007). Although this Guidance was formally withdrawn in December 2016, in the absence of any updated guidance

on the subject it continues to provide a standard approach for needs modelling employed by most local planning authorities and also confirmed by inspectors at public inquiries.

This approach comprises an assessment of the current needs of Gypsies and Travellers and Travelling Showpeople and a projection of future needs. The Guidance advocates the use of a fieldwork survey to supplement secondary source information and derive key supply and demand information.

A major change in planning policy, introduced by PPTS 2015, was the amended definition of the group to which the policy applies. The definitions of both ‘Gypsy and Traveller’ and ‘Travelling Showperson’ have been amended to exclude, for planning purposes, anyone who has stopped travelling on a permanent basis. It continues to include those who have ceased to travel temporarily. Essentially, this created a more restricted ‘PPTS 2015’ definition which applies to those who follow a nomadic habit of life.

The Revised National Planning Policy Framework (NPPF) (July 2018) requires local planning authorities to identify the size, type and tenure of homes required for different groups in the community, expressly including Travellers who meet the PPTS 2015 definition.

As this study is based on comprehensive interviews with members of the Travelling community living within Swale, it is possible for arc<sup>4</sup> to determine through analysis which households meet the PPTS 2015 definition (on the basis of the travelling practices) and those who do not, but still identify as gypsies and travellers.. The study includes this wider group in the needs analysis under a ‘cultural’ definition.

## Gypsy and Traveller pitch requirements

The GTAA 2018 has found evidence of Gypsy and Traveller pitch need over the next five years (2017/18 to 2021/22) equating to 39 pitches under the cultural definition, or 30 pitches under the PPTS 2015 definition of Gypsy and Traveller (which takes account of travelling behaviour). For the overall Plan Period to 2037/38 the GTAA has identified a cultural need for 76 pitches and a PPTS need for 59 pitches (after considering the households who met the definitions of travelling set out in the PPTS). The Local Plan should acknowledge this level of need. However, taking into account turnover on local authority sites and the potential expansion/intensification of existing sites during the Plan Period, the cultural need could be reduced to 14 pitches and PPTS need addressed (however this would be dependent on a turnover of 8 pitches on Council sites over the plan period and an additional 54 pitches becoming available on existing authorised sites).

## Travelling Showperson plot requirements

There is one unauthorised site in the Borough that is used as a Travelling Showpersons’ yard. The need for one yard was identified in the study. In addition, it is recommended that the Council continues to monitor activity and engage with the Showman’s Guild and other representative bodies should local needs arise during the Plan Period.

## Transit site requirements

On the basis of evidence of unauthorised encampment activity, the GTAA 2018 is not recommending transit site provision. However, the Council are recommended to explore temporary stop-over options to help manage unauthorised encampment activity when it arises.



# 1. Introduction

## GTAA 2018 aims

- 1.1 In 2017, arc<sup>4</sup> was commissioned by Swale Borough Council to undertake a Gypsy and Traveller Accommodation Assessment (GTAA) to identify the accommodation needs of Gypsies and Travellers, Travelling Showpeople and houseboat dwellers from across Swale.
- 1.2 The overall objective of the Gypsy and Traveller Accommodation Assessment is to form a clear evidence basis to inform the development of planning policies relating to Gypsy and Travellers, Travelling Showpeople and houseboat dwellers.
- 1.3 The aims of the GTAA 2018 are:
  - To identify the current accommodation provision for members of the Travelling community within Swale;
  - To identify current levels of need for accommodation arising from within the community, including from concealed households and those living in bricks and mortar;
  - To project future accommodation needs for pitches, plots and moorings using a clear and transparent methodology in order to create a robust evidence base for the next five years and the full Plan Period to 2037/38; and
  - To inform the development of housing and planning policies for the Council and its strategic partners.

## Who the study covers

### *National Planning Policy Framework*

- 1.4 The revised National Planning Policy Framework (NPPF)(July 2018) states in paragraph 61 that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies including Travellers, as identified in Annex 1 of Planning Policy for Traveller Sites (August 2015).

### *Planning Policy For Traveller Sites*

- 1.5 The GTAA 2018 adopts the definition of ‘Gypsies and Travellers’ set out within *Planning policy for traveller sites* (PPTS), which was published by the Government in August 2015. This sets out the following definition of ‘Gypsies and Travellers’:

*‘Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of*

*an organised group of Travelling Showpeople or circus people travelling together as such.*<sup>1</sup>

- 1.6 In addition, PPTS 2015 provides the following ‘clarification’ for determining whether someone is a Gypsy or Traveller:

*‘In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*

- a) whether they previously led a nomadic habit of life*
- b) the reasons for ceasing their nomadic habit of life*
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.*<sup>2</sup>

- 1.7 The following definition of ‘Travelling Showpeople’ is set out in PPTS 2015:

*‘Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.’*<sup>3</sup>

- 1.8 In addition:

*‘For the purposes of this planning policy, “pitch” means a pitch on a “gypsy and traveller” site and “plot” means a pitch on a “travelling showpeople” site (often called a “yard”). This terminology differentiates between residential pitches for “gypsies and travellers” and mixed-use pitches for “travelling showpeople”, which may/will need to incorporate space or to be split to allow for the storage of equipment.’*<sup>4</sup>

- 1.9 For the purposes of this study, therefore, Gypsies and Travellers live on pitches on sites, whilst Travelling Showpeople live on plots on yards.

## Report structure

- 1.10 The GTAA 2018 report structure is as follows:

- **Chapter 1 Introduction:** provides an overview of the study;
- **Chapter 2 Policy and local context:** presents a review of the policy context which guides the study, including a consideration of the specific local context of Swale;
- **Chapter 3 Methodology:** provides details of the study’s research methodology;

<sup>1</sup> DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 1

<sup>2</sup> DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 2

<sup>3</sup> DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 3

<sup>4</sup> DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 5

- **Chapter 4** **Review of current Gypsy and Traveller population and provision of pitches/plots:** reviews estimates of the Gypsy and Traveller and Travelling Showpeople population across Swale and existing site provision;
- **Chapter 5** **Household survey findings:** presents relevant data obtained from the household survey research;
- **Chapter 6** **Stakeholder consultation:** summarises views of stakeholders expressed through the online survey;
- **Chapter 7** **Pitch/plot/transit requirements:** focuses on current and future pitch/plot requirements. This chapter includes a detailed assessment of drivers of demand, supply and current shortfalls across the study area; and
- **Chapter 8** **Conclusion and strategic response:** concludes the report, bringing together the different strands of the research and identifying headline issues, including recommending ways in which these could be addressed.

1.11 The report is supplemented by the following appendices:

- **Appendix A** which provides details of the legislative background underpinning accommodation issues for the Travelling community;
- **Appendix B** Review of policy, guidance, reports and best practice notes;
- **Appendix C** Fieldwork questionnaire;
- **Appendix D** Glossary of terms.

1.12 Please note that most Government documentation in this report was authored by the then Department of Housing, Communities and Local Government (DCLG) although this has now become the Ministry of Housing, Communities and Local Government (MHCLG).

## 2. Policy and local context

- 2.1 This study is grounded in an understanding of how the national legislative and planning policy context underpins the assessment and provision of accommodation for Gypsies and Travellers, Travelling Showpeople and houseboat dwellers.
- 2.2 Appendix A sets out the legislative background that is relevant to accommodation issues and Appendix B provides a review of Government policy and guidance that has been published in recent years, alongside other key reports and best practice advice.
- 2.3 This chapter sets out the policy context within which this GTAA has been prepared, including a consideration of the local context in Swale Borough.

### Government policy and guidance

#### Gypsy and Traveller Accommodation Needs Assessments Guidance 2007 (withdrawn)

- 2.4 The calculation of pitch/plot requirements in the GTAA 2018 is based on established DCLG modelling methodology, as advocated in *Gypsy and Traveller Accommodation Needs Assessment Guidance* (DCLG, 2007). Although this Guidance was formally withdrawn in December 2016, in the absence of any updated guidance on the subject it continues to provide a best practice approach for needs modelling and has been employed by neighbouring local planning authorities in Kent where Swale Borough Council has a Duty to Cooperate under Subsection C of Policy B of PPTS 2015. This methodology therefore provides a convenient and consistent approach to assessing need across the administrative boundaries of the strategic area.
- 2.5 This approach comprises an assessment of the current needs of Gypsies and Travellers and Travelling Showpeople and a projection of future needs. The Guidance advocates the use of a fieldwork survey to supplement secondary source information and derive key supply and demand information.

### Planning policy for traveller sites, PPTS 2012

- 2.6 In 2012, the Government published both the National Planning Policy Framework (NPPF)<sup>5</sup> and its accompanying National Planning Practice Guidance (NPPG) documents covering a range of topics. They also published some separate planning policy documents, including *Planning policy for traveller sites*<sup>6</sup> (PPTS 2012). These documents replaced all previous national planning policy in respect of Gypsies and Travellers and Travelling Showpeople.
- 2.7 Previously, local planning authorities had been required to set aside enough land for Gypsy and Traveller sites, with their targets set in regional plans. However, the

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<sup>5</sup> DCLG National Planning Policy Framework March 2012

<sup>6</sup> DCLG *Planning policy for traveller sites* March 2012 (now superseded)

Coalition Government abolished regional planning under the provisions of the Localism Act 2011. The approach set out in PPTS 2012 instead encouraged local planning authorities to form their own evidence base for accommodation needs in their area and use this to set their own pitch and plot targets for their Local Plan.

### Written Ministerial Statement, July 2015

- 2.8 Technical adjustments were made to paragraphs 49 and 159 of the NPPF by a Written Ministerial Statement (WMS) on 22<sup>nd</sup> July 2015<sup>7</sup>, following a High Court judgement (Wenman v Secretary of State).
- 2.9 In relation to paragraph 49, the WMS stated that those persons who fall within the definition of ‘traveller’ under the PPTS, cannot rely on the lack of a five-year supply of deliverable housing sites under the NPPF to show that relevant policies for the supply of housing are not up to date. Such persons should have the lack of a five-year supply of deliverable traveller sites considered in accordance with Planning Policy for Traveller Sites.
- 2.10 Regarding paragraph 159, the WMS clarified that the PPTS sets out how ‘travellers’ accommodation needs should be assessed. However, those who do not fall under that definition should have their accommodation needs addressed under the provisions of the NPPF.

### PPTS 2015

- 2.11 An updated *Planning policy for traveller sites* (PPTS 2015) was published in August 2015<sup>8</sup>. PPTS 2015 introduced some key changes to policy, including by changing the definitions of ‘Gypsy and Traveller’ and ‘Travelling Showperson’ by deleting the word ‘permanently’ in relation to their travelling habits, so that for planning-related purposes the definitions of Gypsies and Travellers and Travelling Showpeople have been changed to exclude those who have permanently stopped travelling. In addition, the following ‘clarification’ was added:

*‘In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*

- a) *whether they previously led a nomadic habit of life*
- b) *the reasons for ceasing their nomadic habit of life*
- c) *whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.*<sup>9</sup>

<sup>7</sup> <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Lords/2015-07-22/HLWS167/>

<sup>8</sup> DCLG *Planning policy for traveller sites* August 2015

<sup>9</sup> DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 2

## Planning policy statement, August 2015

- 2.12 Alongside the publication of the revised policy document on 31<sup>st</sup> August 2015, a letter and accompanying planning policy statement were issued by the DCLG Chief Planner (Steve Quartermain)<sup>10</sup> to Chief Planning Officers in England. The letter and planning policy statement dealt specifically with the issue of *Green Belt protection and intentional unauthorised development*. On 17<sup>th</sup> December 2015, the Minister of State for Housing and Planning (Brandon Lewis) made a Written Statement confirming the changes to national policy set out in the letter and statement.<sup>11</sup>

### *Green Belt and Other Designations*

- 2.13 PPTS 2015 (paragraph 10) states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally-set targets. In relation to the determination of planning applications, PPTS 2015 (paragraph 27) states that if a LPA cannot demonstrate an up-to-date five-year supply of deliverable sites then this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. However, it also sets out that the exception to this is where the proposal is on land designated as Green Belt, sites protected under the Birds and Habitats Directives, sites designated as Sites of Special Scientific Interest, Local Green Space, Areas of Outstanding Natural Beauty or within a National Park or the Broads.
- 2.14 PPTS 2015 (paragraph 16) and the accompanying planning policy statement on *Green Belt protection and intentional unauthorised development* clearly set out that unmet need and personal circumstances (subject to the best interests of the child) are unlikely to clearly outweigh harm to the Green Belt so as to establish 'very special circumstances' and allow development to be permitted.

### *Intentional unauthorised development*

- 2.15 The planning policy statement issued with PPTS 2015<sup>12</sup> (and confirmed by Ministerial Statement<sup>13</sup>) makes clear that if a site is intentionally occupied without planning permission this would be a material consideration in any retrospective planning application for that site. Whilst this does not mean that retrospective applications will be automatically refused, it does mean that failure to seek permission in advance of occupation will count against the application.

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<sup>10</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457632/Final\\_Chief\\_Planning\\_Officer\\_letter\\_and\\_written\\_statement.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457632/Final_Chief_Planning_Officer_letter_and_written_statement.pdf)

<sup>11</sup><http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-12-17/HCWS423/>

<sup>12</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457632/Final\\_Chief\\_Planning\\_Officer\\_letter\\_and\\_written\\_statement.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457632/Final_Chief_Planning_Officer_letter_and_written_statement.pdf)

<sup>13</sup><http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-12-17/HCWS423/>

- 2.16 In addition, PPTS 2015 (paragraph 12) makes clear that in exceptional cases where a local authority is burdened by a large-scale unauthorised site that has significantly increased their need, and their area is subject to strict and special planning constraints, then there is no assumption that the local authority will be required to meet their Gypsy and Traveller site needs in full. This is intended to protect local planning authorities with significant land constraints from being required to provide for additional needs arising directly from large sites such as Dale Farm (a large unauthorised site in Essex).

### Draft Guidance to local housing authorities on the periodical review of housing needs: caravans and houseboats, March 2016

- 2.17 In March 2016, the DCLG published *Draft guidance on the periodical review of housing needs: Caravans and Houseboats*. The draft Guidance related to Clause 115 of the Housing and Planning Bill, which has become Section 124 of the Housing and Planning Act 2016 (passed in May 2016).
- 2.18 The draft Guidance explains how Government wants local housing authorities to interpret changes to accommodation needs assessments (as required by Section 8 of the Housing Act 1985), specifically in relation to caravans and houseboats.
- 2.19 In the carrying out of accommodation needs assessments, the draft Guidance stresses the importance of close engagement with the community. The use of existing data along with conducting a specialist survey is recommended.
- 2.20 The draft guidance has been taken into account in the planning, preparation and undertaking of this GTAA for Swale Borough.

### Revised National Planning Policy Framework (NPPF), July 2018

- 2.21 In July 2018, the Ministry of Housing, Communities and Local Government published the Revised National Planning Policy Framework (NPPF). Updating the original NPPF which was published in 2012, the Revised NPPF sets out 17 topic-based chapters which reflect the Government's development priorities. As was anticipated, there is a particular focus on delivering solutions to the housing crisis through the plan-led system.
- 2.22 Chapter 5, *'Delivering a sufficient supply of homes'*, sets out the Government's objective of significantly boosting the supply of homes including meeting the needs of groups with specific housing requirements (paragraph 60). It states that in determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment. This should be conducted using the standard method unless there are exceptional circumstances and also taking into account any needs that cannot be met within neighbouring areas (paragraph 60).
- 2.23 It is then set out in paragraph 61 that:
- 'Within this context, policies should identify the size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with*

*disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.'*

- 2.24 An additional footnote to the word 'travellers' provides further definition:  
*'Planning Policy for Traveller Sites sets out how travellers' accommodation needs should be assessed for those covered by the definition in Annex 1 of that document.'*
- 2.25 In other words, the Revised NPPF requires local planning authorities to consider the needs of those Gypsy, Traveller and Travelling Showpeople households who meet the PPTS 2015 definition of traveller.

## Planning policy context and methodological implications

- 2.26 Further to the publication of updated PPTS in August 2015, the 2007 GTAA Guidance was withdrawn and there was considerable confusion regarding what accommodation needs should be assessed and the best methodological approach.
- 2.27 The Housing and Planning Act 2016 deleted Sections 225 and 226 of the Housing Act 2004, effectively removing some of local planning authorities' duties in relation to the accommodation needs assessments of Gypsies and Travellers. However, the Housing and Planning Act inserted some additional requirements into Section 8 of the Housing Act 1985, including the duty to consider the provision of sites for caravans and moorings for houseboats when undertaking housing needs assessments. As referred to above, draft Guidance was published in March 2016 to explain the interpretation of these legislative changes. However, this remains in draft form at the present time.
- 2.28 As discussed, the PPTS 2015 definitions of 'Gypsy and Traveller' and 'Travelling Showperson' now exclude those that have stopped travelling on a permanent basis. The 'clarification' in Annex 1 (paragraph 2) of PPTS 2015 refers to a '*nomadic habit of life*' and whether the person in question previously led a nomadic habit of life; the reasons for ceasing their nomadic habit of life; and whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances. This suggests that persons (or households) should be assessed on an individual basis, to determine whether they meet the PPTS 2015 planning definition.
- 2.29 However, in order to satisfy the requirements of the Housing and Planning Act and PPTS-need, arc4 GTAA studies have adopted an approach which begins with an assessment of the overall 'cultural' need of pitches (pitches to meet the needs of all Gypsies, Travellers and Travelling Showpeople who are identifiable within the relevant study area) and then considers, as a 'policy on' position, the PPTS-defined need (pitch numbers to meet the needs of those who travel)
- 2.30 The accommodation needs of the Travelling community forms a strategic issue, which is a consideration under the Duty to Cooperate. It is therefore considered important that the Swale GTAA 2018 provides a robust and transparent approach regarding the methodology for determining which members of the Travelling community are 'travelling' and which members should be considered 'non-travelling' as well as the subsequent assessment of current and future needs.



- 2.31 Our assessment methodology is set out in Chapter 3 and the outworking of this approach for Swale Borough is set out in Chapter 7.

## Strategic context

- 2.32 Despite the revocation of regional spatial strategies, the need for strategic planning remains, especially to ensure coherent planning beyond local authority boundaries. To this end the Localism Act 2011 and the National Planning Policy Framework (NPPF) sets out that public bodies have a duty to cooperate on planning issues that cross administrative boundaries (NPPF, paragraph 178) (Draft Revised NPPF, paragraph 26).
- 2.33 National planning practice guidance (NPPG) includes a guidance document specific to the *Duty to cooperate* (March 2014). This states that duty to cooperate is not a duty to agree, but local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination (paragraph 1). In addition, it states that the duty to cooperate seeks to ensure that local planning authorities lead strategic planning effectively through their Local Plans, addressing social, environmental and economic issues that can only be addressed effectively by working with other local planning authorities beyond their own administrative boundaries (paragraph 8).
- 2.34 PPTS 2015 sets out that the preparation of Local Plans and setting of pitch and plot targets should be undertaken by local planning authorities working collaboratively with neighbouring planning authorities (paragraphs 8 and 9). It reiterates that local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries (paragraph 10).
- 2.35 The Kent Joint Strategic Needs Assessment (JSNA) for the area is led by the Kent Public Health Observatory<sup>14</sup> within Kent County Council. The Kent JSNA is made up of a set of products updated at agreed intervals, led by the Kent public health team. The ‘Gypsy, Roma and Traveller’ chapter of the JSNA reports on national-level research which identifies Gypsies and Travellers as the most disadvantaged ethnic group in the United Kingdom. It states that health and educational outcomes are poor even when compared with other marginalised groups. The JSNA reports on qualitative research carried out in Kent which demonstrates a high level of chronic illness, including high levels of alcohol and drug misuse. It highlights the role of health trainers as a key resource to improve health knowledge and utilisation within this community. It also recommends training for healthcare staff to increase cultural awareness.

## Local context

- 2.36 Swale Borough Council adopted a new Local Plan, *Bearing Fruits 2031*, in July 2017. This sets out the Council’s policies for development within the Borough during the period up to 2031.

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<sup>14</sup> <http://www.kpho.org.uk/>

- 2.37 The GTAA that was published in 2013 formed part of the evidence base for Bearing Fruits. The Council was at Examination stage when the revised PPTS was published in August 2015. This resulted in the Council reviewing the evidence base and revising its position on allocating Gypsy and Traveller sites. As a result of this work the Council did not allocate sites in Bearing Fruits 2031: The Swale Borough Local Plan 2017 and has revised the overall need from the Gypsy and Traveller Accommodation Assessment. This was formally agreed by the Local Plan Inspector. The remaining need was small and the Council's position is that this can be comfortably provided from planning applications during the plan period on suitable 'windfall' sites.
- 2.38 This GTAA 2018 has been prepared by arc<sup>4</sup> to help inform future planning and housing policy decisions relating to Traveller issues for the period from 2022/23 up to 2037/38.

### 3. Methodology

- 3.1 In order to achieve a clear and transparent evidence base and deliver the objectives of the study, the following methodology was developed based on the requirements of current Government policy<sup>15</sup> and following an established and approved approach<sup>16</sup>.
- 3.2 Fundamental to the methodological approach adopted by arc<sup>4</sup> is the priority of collecting up-to-date primary data to inform all aspects of the research base. In particular in relation to GTAA surveys, this includes meaningful engagement with members of the local Gypsy and Traveller and Travelling Showpeople community. Through our links with Traveller representatives and the sensitive approach of our experienced field team, we have a track-record of obtaining a high degree of participation from local households living on pitches and plots within the relevant study area. In addition, we engage with local and strategic stakeholders who have an understanding and experience of Traveller issues, which assists in informing the findings of the study.
- 3.3 The methodology for this study has therefore comprised:
- Desktop analysis of existing documents, including data on pitches/sites, plots/yards and unauthorised encampments;
  - The collection of primary data, including a fieldwork survey and household interviews with Gypsies and Travellers and Travelling Showpeople on sites/yards and living in bricks and mortar accommodation;
  - An online stakeholder survey; and
  - An assessment of accommodation needs taking into account all available data and information.
- 3.4 The information gathering has been carried out in three phases, as outlined below:
- Phase 1: Literature/desktop review and steering group discussions;
  - Phase 2: Fieldwork survey (including census) and interviews with Gypsies and Travellers and Travelling Showpeople across the Swale area;
  - Phase 3: Online survey of stakeholders; and
  - Phase 4: Needs assessment and production of the GTAA 2018 report.

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<sup>15</sup> DCLG Planning policy for traveller sites (PPTS), August 2015 and planning policy statement of 31<sup>st</sup> August 2015, as reviewed in Chapter 2.

<sup>16</sup> DCLG Gypsy and Traveller Accommodation Needs Assessments Guidance, October 2007, cancelled in December 2016, but providing a standard and approved approach, as reviewed in Chapter 2.

## Phase 1: Literature/desktop review and steering group discussions

- 3.5 This phase comprised a review of available literature, including legislative background and best practice information; and analysis of available secondary data relating to Gypsies and Travellers and Travelling Showpeople in the Swale area.
- 3.6 Relevant regional, sub-regional and local information has been collected, collated and reviewed, including information on:
- The national policy and legislative context;
  - Current policies towards Gypsies and Travellers in Swale (drawn from Local Authority policy documents, planning documents, housing strategies and homelessness strategies); and
  - Analysis of existing data sources available from the Council.
- 3.7 This information has helped to shape the development of this report, and in particular the review of the legislative and policy context set out in Chapter 2.
- 3.8 The project steering group was fully consulted regarding the most appropriate methodology for undertaking the assessment work, including site fieldwork, and provided stakeholder contact information for undertaking the stakeholder survey.

## Phase 2: Fieldwork survey and interviews with Gypsies and Travellers and Travelling Showpeople

- 3.9 The primary fieldwork for this study comprised survey work with Gypsies and Travellers. The questionnaire (Appendix C) was designed by arc<sup>4</sup> in consultation with the project steering group and build upon our standard questionnaire.
- 3.10 The household survey was undertaken by arc<sup>4</sup>. The overarching aim of the fieldwork was to maximise the number of interviews secured from Gypsy and Traveller, Travelling Showpeople and houseboat households living within the Borough. Consulting with the project steering group prior to the fieldwork survey ensured that the fieldwork team had a good understanding of the local issues facing Gypsies and Travellers and Travelling Showpeople and helped to maximise the community's participation in the study.
- 3.11 The cultural needs of Gypsies and Travellers and Travelling Showpeople differ from those of the rest of the population and consideration of culturally specific requirements such as the need for additional permanent caravan sites and/or transit sites and/or stopping places (or improvements to existing sites) are key to this study. The research has therefore explicitly sought information from Gypsies and Travellers and Travelling Showpeople from across the Borough living in different types of accommodation.
- 3.12 Interviews took place during January to March 2018. Responses achieved by tenure and type of site are presented in Table 3.1.

- 3.13 Site observation data indicates there are 123 households (which includes 1 travelling showperson household) of whom 79 live on authorised pitches, 11 on temporary authorised pitches and 22 on unauthorised pitches. In addition, there are 40 households living on Brotherhood Woodyard and despite attempts to obtain information on households living on this site no successful interviews were achieved. Excluding Brotherhood Woodyard, there are a total of 123 Gypsy and Traveller/Travelling Showperson households and 84 responded to the interview questionnaire which represents a response rate of 68.3%.
- 3.14 The 2011 Census estimates there are 208 Gypsies and Traveller households currently living across Swale, of whom 149 households live in bricks and mortar accommodation. Despite a number of different approaches (including liaison with Education Teams, engagement with community support groups), no interviews were achieved with Gypsies and Travellers and Travelling Showpeople living in bricks and mortar accommodation. Instead, the 2011 Census data has been used along with some statistical assumptions regarding the typical proportion of need arising from bricks and mortar households (based on other arc<sup>4</sup> studies) (see Chapter 7).

**Table 3.1 Responses achieved to the Household Survey 2018 by tenure and type of accommodation**

Tenure and type of site	Total Pitches	Household numbers	
		Total households	Interviews achieved
Council (permanent) authorised	15	11	5
Private (permanent) authorised	158	119	53
Private temporary authorised	12	11	11
Unauthorised*	20	22	15
<b>Total</b>	<b>205</b>	<b>163</b>	<b>84</b>

\*Includes Travelling Showperson household

- 3.15 arc<sup>4</sup>'s methodology includes analysing the household survey findings to determine the self-defined travelling practices of each interviewed household. This includes answers to questions of travelling history (current and year preceding); reasons for travel; travel plans (current year and the next five years); annual duration of travel (recent and planned); destinations and reasons for travel; and reasons for not travelling (now and in the future). By translating this assessment of each household's 'PPTS-compliance' into a proportion of the population in question, it can be determined what percentage of households fall within the 'PPTS 2015' definition. By contrast, all households identifying as part of the Gypsy and Traveller or Travelling Showpeople community are contained within a broader 'cultural' definition, an approach which is supported by the Draft Revised NPPF (March 2018).
- 3.16 Analysis of household survey data establishes that overall 77.1% of Gypsies and Travellers living on pitches across Swale Borough satisfy the PPTS definition of Gypsies and Travellers. These households meet the definition by either travelling in the

preceding year or within the past 5 years and/or intend to travel in the next year or in any year in the next five years.

- 3.17 The analysis of which households meet the travelling requirements of the PPTS definition has been further broken down by looking separately at different types of site, with 77.6% of households on permanent authorised sites meeting the definition, 72.7% of those on temporary authorised sites and 78.6% on unauthorised sites.

### Phase 3: Stakeholder survey

- 3.18 The survey of stakeholders was conducted during January and February 2018, by means of an online questionnaire. The survey was undertaken jointly in partnership with Ashford, Canterbury, Dover, Shepway and Thanet Councils as part of their GTAA processes. Contact information for key stakeholders was provided by the six local authorities. Stakeholders were contacted and asked to participate in the online questionnaire, answering whichever questions they felt were relevant to their knowledge and experience. The questionnaire was initially made available from 30<sup>th</sup> January to 16<sup>th</sup> February 2018. Reminder emails were sent out to encourage as many responses as possible, with two further extensions up to 2<sup>nd</sup> March 2018 to maximise participation. A total of 49 responses to the stakeholder survey were obtained and these have been analysed quantitatively and qualitatively, as appropriate to the relevant data.
- 3.19 The stakeholder consultation invited representatives from all of the neighbouring borough and district local authorities, who were requested to provide information regarding their local situation and provision, including issues such as unauthorised encampment activity. This approach assists the Council in meeting their requirements under the Duty to Cooperate.
- 3.20 The findings of the online stakeholder survey are set out in Chapter 6 of this report.

### Phase 4: Needs assessment and production of report

- 3.21 The assessment of pitch requirements has been calculated by utilising information on current supply of pitches and the results from the survey. The overall number of pitches has been calculated using local authority and fieldwork survey information, with likely capacity through turnover assessed through the household survey and discussions with those who manage the council-owned sites.
- 3.22 A detailed explanation of the analysis of pitch requirements is contained in Chapter 7 but briefly comprises analysis of the following elements:
- Current pitch provision, households living in bricks and mortar accommodation; households planning to move in the next five years, and emerging households to give total demand for pitches; and
  - Turnover on existing pitches and total supply.
- 3.23 The approach used then reconciles the demand and supply data to identify overall pitch requirements.

- 3.24 To identify any need for transit provision, findings from the household survey have been analysed alongside other contextual information including records of unauthorised encampments.

### Pitches and households

- 3.25 One of the key challenges faced when assessing Gypsy and Traveller pitch requirements is the actual nature of pitches and how this relates to the number of households they can support.
- 3.26 PPTS 2015 refers to the need for Local Planning Authorities to *'identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets'* and *'relate the number of pitches/plots to the circumstances of the specific size and location of the site and the surrounding population's size and density'* (PPTS 2015, paragraph 10).
- 3.27 Planning decision notices usually refer the number of pitches on a site or the specifics of what can be on a pitch e.g. statics, tourers; or specific individuals and/or households.
- 3.28 As part of the GTAA, it is essential that the characteristics of sites, the number of pitches and how many households these can support is carefully considered. There are a range of issues which need to be considered when reviewing site and pitch characteristics and their potential implications for future pitch and site requirements which are now summarised.

### Site and pitch size

- 3.29 There are no definitive parameters for site or pitch sizes. Previous Design Guidance (DCLG, 2008) states in paragraph 4.4 that *'Gypsy and Traveller sites are designed to provide land per household which is suitable for a mobile home, touring caravan and a utility building, together with space for parking. Sites of various sizes, layouts and pitch numbers operate successfully today and work best when they take into account the size of the site and the needs and demographics of the families resident on them'*.
- 3.30 Paragraph 4.47 states that *'to ensure fire safety it is essential that every trailer, caravan or park home must be not less than 6 metres from any other trailer, caravan or park home that is occupied separately'*.
- 3.31 Paragraph 7.12 states that *'as a general guide, it is possible to specify that an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan (or two trailers, drying space for clothes, a lockable shed (for bicycles, wheelchair storage etc.), parking space for two vehicles and a small garden area'*.
- 3.32 Paragraph 4.13 states that *'smaller pitches must be able to accommodate at least an amenity building, a large trailer, drying space for clothes and parking for at least one vehicle'*.

## Occupancy

- 3.33 A pitch may accommodate more than one family unit, for instance it could include a family, older children who have formed their own household and other family members. This could lead to potential overcrowding and this is considered as part of the GTAA household survey.
- 3.34 Private sites may restrict occupancy to close family/friends. This limits opportunity for others to move onto the site but this restrictive occupancy may provide for emerging needs within a household, for example as grown-up children (previously living within a parent(s) or grandparent(s) home) form independent households of their own.
- 3.35 Quality, size of pitch and proximity of caravans on pitches vary dramatically.

## Response

- 3.36 For each site, a pragmatic and reasonable judgement should be made as part of the GTAA regarding the number of pitches or sub-divisions on sites. This may relate to the number of families living on sites and could include a consideration of the potential intensification of sites (for instance through further sub-division, extension or use of vacant areas within the site). Capacity and layout of sites should be identified through site observation (directly or indirectly through Google maps or similar), planning history and local knowledge of planning, enforcement and liaison officers.
- 3.37 Pitches can become intensified or sub-divided once planning applications have been approved. These sub-divisions tend to be tolerated by councils. Often pitches become subdivided to provide space for newly-forming households, particularly from family members.



## 4. Review of the Gypsy and Traveller population and existing pitch/plot provision

4.1 This chapter looks at the current picture in terms of the current population and demography of Gypsies and Travellers across the study area before going on to explore the extent and nature of provision across the area.

### 2011 Census population estimates

4.2 Whilst it is recognised that some families may not identify themselves as Gypsies or Travellers in research, the 2011 Census<sup>17</sup> identifies a total of 208 households in Swale Borough as having a ‘White: Gypsy or Irish Traveller’ (WGoIT) ethnicity (Table 4.1a). Of these, 71.6% (149 households) lived in bricks and mortar accommodation (house or bungalow, or flat, maisonette or apartment) and 28.4% (59 households) lived in a caravan or other mobile or temporary structure.

Total: Accommodation type	House or bungalow	A flat, maisonette or apartment	A caravan or other mobile or temporary structure
208	133	16	59

Source: 2011 Census

4.3 The 2011 Census provides further information on actual residents and Table 4.1b provides details of the breakdown of people.

Total: Accommodation type	House or bungalow	A flat, maisonette or apartment	A caravan or other mobile or temporary structure
668	437	39	192

Source: 2011 Census

4.4 Table 4.1c provides an analysis of people and households and shows that the average household size is 3.2 persons for Gypsies and Travellers in Swale Borough. This compares with an average household size of 2.3 (down from 2.4 in 2001) for the UK as

<sup>17</sup> Tables 5.1a to 5.1e are taken from the Census 2011. Special tables were commissioned by ONS to cover the ethnicity and several data sets were produced and made available on the ONS website on the 21<sup>st</sup> January 2014. See Tables CT0127 and CT0128. Main article: <http://www.ons.gov.uk/ons/rel/census/2011-census-analysis/what-does-the-2011-census-tell-us-about-the-characteristics-of-gypsy-or-irish-travellers-in-england-and-wales-/index.html>

a whole and looking at all households. There is some variation in the average Gypsy and Traveller household size between accommodation types however, with an average of 3.3 persons per household in houses/bungalows compared with 2.4 persons per household in flats/maisonettes/apartments and 3.3 persons per household in caravans/mobiles.

Total: Accommodation type	House or bungalow	A flat, maisonette or apartment	A caravan or other mobile or temporary structure
3.2	3.3	2.4	3.3

Source: 2011 Census

## Caravan Count information

- 4.5 Snapshot counts of the number of Gypsy and Traveller caravans were requested by the Government in 1979 and have since been undertaken bi-annually by local authorities on a voluntary basis?? Is it voluntary or compulsory? every January and July<sup>18</sup>. Their accuracy varies between local authorities and according to how information is included in the process. A major criticism is the non-involvement of Gypsies and Travellers themselves in the counts. However, the counts, conducted on a single day twice a year, are the only systematic source of information on the numbers and distribution of Gypsy and Traveller caravans and trailers. The counts include caravans (or trailers) on and off authorised sites (i.e. those with planning permission) but do not relate necessarily to the actual number of pitches on sites.
- 4.6 The latest Traveller caravan count figures available are from the July 2017 Count of Traveller Caravans (England)<sup>19</sup>, which nationally found that:
- The total number of traveller caravans in England in July 2017 was 22,792. This is 1,422 more than the 21,370 reported in July 2016.
  - 6,701 caravans were on authorised socially rented sites. This is an increase of 429 since the July 2016 count, which recorded 6,272.
  - The number of caravans on authorised privately funded sites was 12,370. This was 753 more than the 11,617 recorded in July 2016. The number of caravans on authorised private sites has increased each year since 2007.
  - The number of caravans on unauthorised encampments on land owned by travellers was 2,197. This is a decrease of 19 compared to the July 2016 figure of 2,216.

<sup>18</sup> Historically caravan counts have not included Travelling Showpeople. Since 2010 the Government has requested that January counts include Travelling Showpeople, however, the figures relating to Travelling Showpeople are reported separately and not included in the overall count figures.

<sup>19</sup> DCLG Count of Traveller Caravans July 2017 England, Housing Statistical Release 16 November 2017

- The number of caravans on unauthorised encampments on land not owned by travellers was 1,524. This was 259 caravans more than the July 2016 count of 1,265.
- Overall, the July 2017 count indicated that 84 per cent of traveller caravans in England were on authorised land and that 16 per cent were on unauthorised land. This is the same as the 2016 count.

4.7 At the county level, the count found that<sup>20</sup>:

- In July 2017 there were 1,831 traveller caravans in Kent. This is 10% more than one year ago when there were 1,665 caravans. There were an additional 45 caravans in Medway Unitary Authority.
- Of the 1,831: 300 (16%) were socially rented on authorised sites. 1,148 (63%) were private caravans on authorised sites. 383 (21%) were on ‘unauthorised’ sites.
- The 21% on ‘unauthorised’ sites is above the national (England) average of 16%.

4.8 The figures for the last six Traveller caravan counts for Swale are set out in Table 4.2. This shows that an average of around 249 caravans have been recorded on sites across the Swale Borough area during the six-count period. Of these, around 226 (90.8%) are on authorised sites with planning permission. Of these, around 211 are on private sites (84.8%) and 15 are on social-rented sites (6.0%). An average of around 23 (9.1%) of recorded caravans are on unauthorised sites, without planning permission.

Swale Count	Authorised sites with planning permission		Unauthorised sites without planning permission	Total
	Social Rented	Total Private	Total Unauthorised	
Jan 2015	23	198	18	<b>239</b>
Jul 2015	0	177	9	<b>186</b>
Jan 2016	23	204	13	<b>240</b>
Jul 2016	3	222	17	<b>242</b>
Jan 2017	23	240	16	<b>279</b>
Jul 2017	18	224	63	<b>305</b>
<b>Six-Count Average</b>	<b>15.0</b>	<b>210.8</b>	<b>22.7</b>	<b>248.5</b>
<b>Six-Count % Average</b>	<b>6.0%</b>	<b>84.8%</b>	<b>9.1%</b>	<b>100.0%</b>

Source: DCLG Traveller Caravan Count, Live Table 1 (July 2017)

<sup>20</sup> Kent County Council, *Strategic Intelligence Statistical Bulletin*, November 2017

- 4.9 In addition to the bi-annual Traveller Caravan Count, there is an annual snapshot count of the number of Travelling Showpeople caravans, which is undertaken alongside the January count of Gypsy and Traveller caravans (as above). The most recently-available published data is therefore January 2017. Overall findings include<sup>21</sup>:
- In England the number of Travelling Showpeople caravans totalled 2,701; down from 2,487 the previous year. Of which: 60 were socially rented 2,432 were private caravans 209 were on 'unauthorised' sites (ie. without a planning permission); and
  - The number of Travelling Showpeople caravans in Kent in the January 2017 return was 19 vans; down from 27 in the previous year. These were recorded in three local authorities: Dartford (6), Swale (6) and Tonbridge & Malling (7). In addition, Medway also recorded 19 vans.
- 4.10 Table 4.3 sets out the data from the last four Travelling Showpeople caravan counts, 2014-2017, for Swale Borough. This shows that no Travelling Showperson caravans were recorded on authorised yards. However, an average of around 5 Travelling Showperson caravans were recorded on unauthorised sites during the annual count.

Swale Count	Authorised sites with planning permission		Unauthorised sites without planning permission	Total
	Social Rented	Total Private	Total Unauthorised	
2014	0	0	4	<b>4</b>
2015	0	0	0	<b>0</b>
2016	0	0	8	<b>8</b>
2017	0	0	6	<b>6</b>
<b>Four-Count Average</b>	<b>0</b>	<b>0</b>	<b>4.5</b>	<b>4.5</b>
<b>Four-Count % Average</b>	<b>0%</b>	<b>0%</b>	<b>100%</b>	<b>100%</b>

Source: DCLG Travelling Showpeople Caravan Count, Live Table 3 (July 2017)

## Local information

- 4.11 Data on the provision of sites considers both authorised and unauthorised sites across Swale Borough.
- 4.12 Broadly speaking, authorised sites are those with planning permission and can be on either public or privately-owned land. Unauthorised sites are made up of either longer

<sup>21</sup> Kent County Council, *Strategic Intelligence Statistical Bulletin*, November 2017

term<sup>22</sup> unauthorised encampments<sup>23</sup>, that have been in existence for some considerable time and so can be considered to be indicative of a permanent need for accommodation (in some instances local authorities class these as tolerated sites and do not take enforcement action to remove them); and unauthorised developments, where Travellers are residing upon land that they own and that does not have planning permission (see Appendix D for more detailed definitions).

- 4.13 Table 4.4 sets out information relating to the Gypsy and Traveller sites / Travelling Showperson yards located within Swale Borough, and the locations of these sites are shown on Map 4.1. Overall there are: two authorised permanent Council sites (with a total of 15 pitches); 59 private authorised sites (with a total of 158 pitches which includes Brotherhood Woodyard); 4 temporary private sites (with a total of 12 pitches), 12 unauthorised sites (with a total of 19 pitches) plus one unauthorised Travelling Showperson yard (with 1 plot).

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<sup>22</sup> Approximately three months or longer

<sup>23</sup> Please note that unauthorised encampments also encompass short-term illegal encampments, which are more indicative of transit need, see para 7.10 for more information on these encampments.

Table 4.4 List of Gypsy &amp; Traveller sites and Travelling Showperson yards (as at September 2018)

Site/Yard Code	Postcode	Address	Location	Ownership	Total Pitches	Households*	Achieved Interviews
Council1	ME12 8SP	Silver Spot, Old Ferry Road	Iwade	Social	1	0	0
Council2	ME12 3SP	Three Lakes Park	Murston	Social	14	11	5
PrivAuth1	ME12 3SP	The Barn Yard, Greyhound Road	Minster	Private Authorised	2	1	0
PrivAuth2	ME12 3SP	Ivygate, Greyhound Road	Minster	Private Authorised	1	1	0
PrivAuth3	ME12 3SP	Rambling Rose, Greyhound Road	Minster	Private Authorised	2	1	1
PrivAuth4	ME12 3SP	The Peartree, Greyhound Road	Minster	Private Authorised	1	1	1
PrivAuth5	ME12 3SP	Blackthorn Lodge, Greyhound Road	Minster	Private Authorised	2	1	2
PrivAuth6	ME12 3SP	The Three Palms, Greyhound Road	Minster	Private Authorised	1	1	1
PrivAuth7	ME12 3SP	Woodlands Lodge, Greyhound Road	Minster	Private Authorised	1	1	1
PrivAuth8	ME12 3SP	The Hawthorns, Greyhound Road	Minster	Private Authorised	1	1	1
PrivAuth9	ME12 3SP	The Goldfinch, Greyhound Road	Minster	Private Authorised	1	2	1
PrivAuth10	ME9 7HN	Orchard View, Otterham Quay Lane	Upchurch	Private Authorised	3	1	0
PrivAuth11	ME9 7HN	The Orchard, Holywell Lane	Upchurch	Private Authorised	3	1	1
PrivAuth12	ME12 3SS	The Farmyard, Elmley Road	Minster	Private Authorised	1	1	0
PrivAuth13	ME9 7XE	Windmill Farm, Yaugher Lane	Hartlip	Private Authorised	2	1	1
PrivAuth14	ME12 4HD	Shannon's Place, Ivy Dene, Warden Road	Eastchurch	Private Authorised	2	2	2
PrivAuth15	ME12 4HF	Thornfield, Thornhill Road	Eastchurch	Private Authorised	2	2	2
PrivAuth16	ME12 4JA	Patch of Heaven, Bell Farm Lane	Minster	Private Authorised	1	1	1
PrivAuth17	ME12 4JB	Happy Days, Bell Farm Lane	Minster	Private Authorised	1	1	0
PrivAuth18	ME12 4JB	Seaview, Bell Farm Lane	Minster	Private Authorised	1	0	0
PrivAuth19	ME12 4JB	The Retreat, Bell Farm Lane	Minster	Private Authorised	1	1	0
PrivAuth20	ME12 4JL	The Barn, Garretts Farm, Plough Road	Eastchurch	Private Authorised	1	0	0
PrivAuth21	ME13 4AG	Tillies, Ocean Drive	Leysdown	Private Authorised	1	1	1

Site/Yard Code	Postcode	Address	Location	Ownership	Total Pitches	Households*	Achieved Interviews
PrivAuth22	ME13 0TN	Stone Crossing, Lower Road	Norton	Private Authorised	2	1	1
PrivAuth23	ME13 9LF	Little Purchase Farm, Scoggers Hill	Dunkirk	Private Authorised	5	0	0
PrivAuth24	ME13 9LF	One Oak, London Road	Dunkirk	Private Authorised	1	1	1
PrivAuth25	ME13 9LN	Brotherhood Wood, Gate Hill	Dunkirk	Private Authorised	40	40	0
PrivAuth26	ME8 8QR	The Three Sisters, Otterham Quay Lane	Upchurch	Private Authorised	2	1	1
PrivAuth27	ME9 0NA	The Courtyard, 18 Seed Road	Newnham	Private Authorised	1	1	1
PrivAuth28	ME9 5QH	Summer Cottages, School Lane	Iwade	Private Authorised	3	2	1
PrivAuth29	ME9 5QH	Highview, School Lane	Iwade	Private Authorised	2	1	1
PrivAuth30	ME9 7AB	Jack Russell Place, Halstow Lane	Upchurch	Private Authorised	5	1	1
PrivAuth31	ME9 7AT	Orchard Park, Oak Lane, Upchurch	Upchurch	Private Authorised	9	9	0
PrivAuth32	ME9 7BE	Oast Field Stud, Gore Farm track, Holywell Lane	Upchurch	Private Authorised	1	1	1
PrivAuth33	ME9 7BG	Hursell Farm, Chaffes Lane	Upchurch	Private Authorised	3	1	1
PrivAuth34	ME9 7BX	Mattsfield, Boxted Lane	Lower Halstow	Private Authorised	4	5	3
PrivAuth35	ME9 7DD	Westfield Dairy, The Street	Bredgar	Private Authorised	1	2	2
PrivAuth36	ME9 7ER	Halstow Cross, Wardwell Lane	Lower Halstow	Private Authorised	1	1	1
PrivAuth37	ME9 7ER	Little Acres, Wardwell Lane	Lower Halstow	Private Authorised	4	2	2
PrivAuth38	ME9 7ER	The Cobbs, Wardwell Lane	Lower Halstow	Private Authorised	1	1	2
PrivAuth39	ME9 7HP	Green Acres, Holywell Lane	Upchurch	Private Authorised	2	1	1
PrivAuth40	ME9 7HP	The Paddock, Holywell Lane	Upchurch	Private Authorised	4	2	2
PrivAuth41	ME9 7HP	Land adjacent The Paddock, Holywell Lane	Upchurch	Private Authorised	2	1	1
PrivAuth42	ME9 7HP	Hedgerows, Holywell Lane	Upchurch	Private Authorised	1	1	1
PrivAuth43	ME9 7HR	Fir View, 111 London Road	Newington	Private Authorised	1	1	2

PrivAuth44	ME9 7PX	Wormdale Farm	Newington	Private Authorised	1	1	1
PrivAuth45	ME9 7QA	Cookham-Shaw, Maidstone Road	Borden	Private Authorised	3	1	1
PrivAuth46	ME9 7QB	Oakdene, Woodgate Lane	Borden	Private Authorised	1	1	1
PrivAuth47	ME9 7RH	Stonefield, Oad Street	Borden	Private Authorised	1	1	1
PrivAuth48	ME9 8JU	The Willows, Munsgore Lane	Borden	Private Authorised	3	1	1
PrivAuth49	ME9 8NA	Keycol Farm, Keycol Hill	Newington	Private Authorised	1	3	0
PrivAuth50	ME9 8QE	Tiptree Farm, School Lane	Iwade	Private Authorised	5	1	1
PrivAuth51	ME9 8QE	Land Adjacent to Tiptree Bungalow, School Lane	Iwade	Private Authorised	2	2	2
PrivAuth52	ME9 8QH	Land Far East of Plantation Lodge, School Lane	Iwade	Private Authorised	1	0	0
PrivAuth53	ME9 8QP	Eden Top, Sheppey Way	Bobbing	Private Authorised	1	0	0
PrivAuth54	ME9 8RA	Horsford Orchard, Featherbed Lane	Sittingbourne	Private Authorised	1	2	1
PrivAuth55	ME9 8SP	Cricket Meadow, Old Ferry Road	Iwade	Private Authorised	5	1	1
PrivAuth56	ME9 9BB	Bakers Place, Lomas Road	Tonge	Private Authorised	1	1	1
PrivAuth57	ME9 9LD	Mockbeggar Farm, Lower Road	Norton	Private Authorised	1	1	0
PrivAuth58	ME12 4JJ	Brambles, Old Billet Lane, Minster	Eastchurch	Private Authorised	2	2	0
PrivAuth59	ME13 8AP	Orchard Place, Ashford Road	Leaveland	Private Authorised	3	3	0
Temp Auth1	ME12 4JB	Salvation Place, Bell Farm Lane	Minster	Private Temp Auth	2	1	1
Temp Auth2	ME13 OSP	The Meads Farm, Everland Lane	Ospringe	Private Temp Auth	1	1	1
Temp Auth3	ME9 0HF	Graces Place, Homestall lane	Doddington	Private Temp Auth	1	1	1
Temp Auth4	ME9 7TT	Land at Spade Lane	Hartlip	Private Temp Auth	8	8	8
TSPUnauth1	ME9 8SL	Circus Wintering Ground	Iwade	Private Unauthorised	1	1	1
Unauth1	ME10 OSP	Hill Top Farm, Everland Lane	Ospringe	Private Unauthorised	1	1	0
Unauth2	ME12 4JS	Dinky Cot, Sunset Avenue	Eastchurch	Private Unauthorised	1	1	1



Unauth3	ME13 0PJ	The Old Bindery, Almshouses Road	Throwley	Private Unauthorised	1	1	1
Unauth4	ME13 OSP	Horseshoe Farm, Everland Lane	Ospringe	Private Unauthorised	1	1	2
Unauth5	ME9 7AB	Ridgedale Riding School, Lower Halstow	Upchurch	Private Unauthorised	3	5	5
Unauth6	ME12 3SP	Land adjacent of The Goldfinch	Minster	Private Unauthorised	0	0	0
Unauth7	ME9 7HN	St Thomas Yard, Holywell Lane	Upchurch	Private Unauthorised	3	1	1
Unauth8	ME9 8AR	One Acre, Blind Marys Lane	Bredgar	Private Unauthorised	1	2	1
Site/Yard Code	Postcode	Address	Location	Ownership	Total Pitches	Households*	Achieved Interviews
Unauth9	ME9 0LH	Romany Rest, Newnham Lane	Eastling	Private Unauthorised	1	1	0
Unauth10	ME9 7DT	Chapel Orchard, Land off The Street	Lower Halstow	Private Unauthorised	1	1	1
Unauth12	ME13 OSP	The Retreat, Elverland Lane	Ospringe	Private Unauthorised	1	2	2
Unauth14	ME9 8SL	Raspberry Hill Park, Raspberry Hill	Iwade	Private Unauthorised	5	5	0
<b>Total</b>					<b>205</b>	<b>163</b>	<b>84</b>

Source: Swale Borough Council data 2018, site survey fieldwork 2018

\*Number of households present at site observation or understood to be living on the site/yard

### Note on Brotherhood Woodyard

Brotherhood Woodyard is defined as a Gypsy and Traveller Site. It was most recently granted planning permission to intensify to a total of 40 permanent pitches (plus 7 transit pitches) on 02/05/2018 (17/502338/FULL). However, there are issues around the occupancy and layout of the site and enforcement action is underway. Given that these issues are not yet resolved, the 40 pitches in this location cannot be included as part of the met need or supply at this time. The situation will be monitored and considered as appropriate in future updates to this report.

## 5. Household survey findings

- 5.1 This chapter presents the findings of the household survey, which was carried out to provide primary data to inform this GTAA. The survey aimed to reach as many Gypsy, Traveller, Travelling Showpeople and houseboat dweller households living within Swale as possible. It was conducted using the questionnaire which is set out in Appendix C.
- 5.2 The methodology is set out in Chapter 3.
- 5.3 There was a total of 84 responses to the household survey. Of these, 83 were Gypsies and Travellers living on pitches:
- 49 households were living on permanent authorised private sites;
  - 5 households were living on the local authority site (permanent authorised);
  - 17 households were living on temporary authorised private sites; and
  - 12 households were living on unauthorised sites.
- 5.4 In addition, one Travelling Showperson was living on an unauthorised yard.
- 5.5 The data collected has been used to establish the extent to which additional pitches and plots are required. This assessment is set out in Chapter 7.
- 5.6 It would not be appropriate to provide a detailed analysis of the survey information broken down by type of site, as this has the potential to identify individual responses. Broad summaries of household survey data are presented below in order to maintain respondent confidentiality.

### Gypsy and Traveller and Travelling Showpeople households living in Swale

- 5.7 A total of 84 households were interviewed living on pitches across the Council area. Of these households, 40.5% identified themselves as English Gypsy; 25.0% identified as English Traveller; 19.0% as Romany Gypsy; 12.1% as Irish Traveller; 1.2% as Circus Traveller and 1.2% as 'other' ethnicity.
- 5.8 Asked to identify their household form, 69.0% of respondents stated '*family*' or '*extended family*'. A further 7.1% identified as single parents, indicating that over three-quarters of households (around 76.2%) include children overall (although some of these may be adult children living at home). 15.5% of responding households identified as comprising a single adult and 4.8% identified as couples.
- 5.9 Of the 84 households interviewed, one-fifth (21.4%) identified as including one person; 23.8% comprised of two people; 23.8% were three people; 16.7% were four people and 14.3% included five or more people (of whom 7.1% comprised of five people, 4.8% six people, 1.2% eight people and 1.2% eleven people).
- 5.10 The household survey identified a total of 247 people living within the 84 households, indicating an average (mean) of 2.94 persons per household across all pitches.

- 5.11 Ages were provided for 225 people. A total of 47 children under the age of 13 years were identified. In addition, there were a further 33 young people aged 13-19 years and therefore likely to form households in the next 5 years (2017/18 to 2021/22).
- 5.12 Of the population for whom ages were supplied (225 persons), 20.9% were aged under 13 years, 14.7% were aged 13-19 years, 26.7% were aged 20-39 years, 29.8% were aged 40-59 years and 8.0% were aged 60 years or older.
- 5.13 Regarding bedspaces, from a base of 82 responding households, the majority of Gypsies, Travellers and Travelling Showpeople (42.7%) reported that they have three bedspaces available. A further 23.2% stated four bedspaces, 18.3% stated two bedspaces and 2.4% stated one bedspace. In terms of larger provision, 13.4% stated that they have five or more bedspaces.
- 5.14 In terms of duration of residence, from a base of 70 responses, 21.4% of respondents said 2 years or less; 12.9% stated 3-5 years; and 25.7% stated 6-10 years. 40.0% of households stated that they have lived on their current pitch for over ten years. The main reason for moving to the area was family.
- 5.15 When asked about overcrowding, 6 respondents said that their home is overcrowded, which represents 7.1% of households (base of 84). However, only one of the respondents felt that their pitch is overcrowded (1.3% from a base of 79).
- 5.16 65 respondents (or members of their household) stated that they had travelled in the preceding year, representing 77.4% of responding households (from a base of 84). 19 respondents (or members of their household) (22.6%) reported that they had not travelled in the preceding year.
- 5.17 66 respondents (or members of their household) stated that they had travelled previous to the past year. From a base of 84 respondents, this represents 78.6% of households. 18 respondents (or members of their household) (21.4%) said that they had not travelled previous to the past year.
- 5.18 62 households are planning to travel in the next year (76.5% from a base of 81 respondents), and 61 expect to travel each year for the next five years and beyond (74.4% from a base of 82).
- 5.19 The household survey asked about accommodation plans for the future. Eight respondents (from the total of 84) stated that they are planning to move within the next five years. One stated that they intend to move to another site within Swale. Two stated that they intend to live in a trailer.
- 5.20 11 respondents to the household survey said that there are people in their household who want to move to their own pitch in the next five years (i.e. emerging households). This represents 13.1% of households (from a base of 84). Of these 11 emerging households, nine intend to live on the same site as the HRP, one intends to live in the same area, and one did not specify. In terms of type of dwelling, six stated trailer and five stated static.
- 5.21 In terms of scope to expand provision at their current site, 25 respondents (34.3% from a base of 73) expressed the view that this is possible. A range of between one and six additional pitches was suggested as possible.

- 5.22 20 respondents felt that there was potential to intensify existing pitches, representing 25.3% of respondents (base of 79). Between one and four/five additional pitches were suggested as possible through intensification.
- 5.23 Gypsies and Travellers were asked whether they feel there is a need for transit pitches in Swale (for people stopping over temporarily). 68.6% of those responding to the question (base of 70) said yes and 31.4% said no. A range of between one and 12 transit pitches was suggested. A variety of views were expressed regarding preferred management; 14 respondents stated Council and 20 stated Gypsy, Traveller or 'Us'.
- 5.24 Two-thirds (66.7%) of respondents considered that there is a need for additional permanent pitch provision in the Swale Borough area (from a base of 69), compared with one-third (33.3%) who did not see a need for more permanent pitches in the area. A range of between one and four pitches was mentioned by respondents.

## 6. Stakeholder consultation

### Overview

- 6.1 A joint stakeholder consultation was undertaken in partnership with Ashford, Canterbury, Dover, Shepway and Thanet Councils as part of the GTAA process.
- 6.2 Key stakeholders were identified by each of the participating six local authorities. These individuals were invited by arc<sup>4</sup> to participate in an online survey to provide their views on a range of issues relating to Gypsy and Traveller and Travelling Showpeople community within the five council areas and the surrounding area.
- 6.3 A total of 49 separate responses (some only partial) to the stakeholder consultation were obtained from representatives from the county, district, borough and parish councils, utility and healthcare providers, natural and historic environment organisations, planning consultants and Gypsy, Traveller, Travelling Showpeople and Bargee Traveller representative organisations. Respondents were asked to answer only the questions that they felt were relevant to their knowledge and experience. This is a qualitative summary of the views expressed by stakeholders responding to the online survey.

### General support for Gypsies and Travellers

- 6.4 Respondents were asked if they think that there is sufficient understanding and monitoring of the education, employment, health, accommodation and support needs of Gypsies, Travellers and Travelling Showpeople within the study area. There was a range of feedback. Some respondents felt that there was sufficient understanding and monitoring; the strategic role of Kent County Council was highlighted. However, there were several respondents who did not feel that there was adequate understanding and support for Gypsies, Travellers and Travelling Showpeople. One stakeholder felt that these groups are '*very misunderstood*' generally, and another that '*there has never been sufficient understanding*'. Another commented that '*there is a total lack of support in the areas of education, training and employment, through the lack of knowledge of the GRT community*'. They felt that there is a lack of consultation with NGOs who have full knowledge of the people involved, with local authorities failing to reach the communities themselves.
- 6.5 One respondent expressed their opinion that the community's needs are not considered except within the '*whole population perspective*'. Another noted that the needs of Gypsies and Travellers living in social rented bricks and mortar stock or on public sites are better understood than those in private housing; with those living on private Gypsy and Traveller sites it depends on the family ownership, with some being nervous of Council involvement. It was also noted that understanding of employment can be challenging.
- 6.6 In terms of additional support to assist Gypsy, Traveller and Travelling Showpeople families, the following were mentioned by stakeholders: more training, raising awareness, building better links between communities (particularly in villages and rural areas), helping the community engage with parish and town councils, making

information more available (in a variety of formats), employing liaison officers and providing education support such as Virtual Schools. A need for direct support to the Gypsy, Traveller and Travelling Showpeople community was emphasised by several respondents. The provision of more sites to meet accommodation needs was also mentioned, and the suggestion that there could be more information and assistance regarding site availability. One stakeholder emphasised the need for community trust and partnerships, with a need for change and commitment at the local level. However, another stakeholder highlighted that local services (particularly rural services) are already under pressure, with limited support from the Government and local authorities, so meeting all needs is a challenge.

- 6.7 Several respondents were concerned that there is not adequate awareness of the cultural, support and accommodation needs of Gypsies, Travellers and Travelling Showpeople. Some respondents mentioned concerns about racism and conflict with the settled community. It was noted by one stakeholder that most knowledge and awareness among settled communities have been formed via the media, and personal experience is often in the context of conflict over either transient encampments or unauthorised development. Suggestions to raise awareness included more training, including training officers to better understand the ways and traditions of Gypsies, Travellers and Travelling Showpeople; *'myth busting'*; establishing better links with existing Gypsy, Traveller and Travelling Showpeople community groups and seeking proactive solutions; engaging with the settled community and improving the attitudes and awareness of the general public through websites, public meetings and events.
- 6.8 In terms of specific actions that organisations have taken to raise awareness of the cultural, support and accommodation requirements of Gypsies, Travellers, Travelling Showpeople and Bargee Travellers, the following were mentioned: training for officers and members; arranging specific events to aid understanding of Gypsy and Traveller, Travelling Showpeople and Roma people; and showing respect and understanding for the traditions and cultures of these communities in dealing with and working with them. A lack of funding was highlighted as a problem in restricting opportunities at the present time.
- 6.9 Gypsy, Traveller and Travelling Showpeople organisations reported on a range of activities: fund raising; providing education support, training, employment, youth clubs and sports; putting on shows at the County Showground; building community centres; providing accommodation and a transit site; and providing advice to Government through a DCLG working group and Traveller Law Reform Unit.
- 6.10 Additional comments regarding these issues predominantly focused on concerns regarding stigma, bias and barriers that exist in some cases. The need for equality and inclusivity was highlighted, with organisations and communities working in partnership and consultation. In terms of support for the community, there was a suggestion of creating alternative educational facilities to give children practical skills.

## Provision of accommodation

- 6.11 Stakeholders were asked to respond to a series of questions relating to the need for new pitch provision (both permanent and transit), existing pitch provision, households

living in bricks and mortar accommodation, and unauthorised encampment activity. Their responses are summarised below.

### New Permanent sites

- 6.12 Stakeholders were asked whether or not they felt that there is sufficient provision of permanent pitches and plots for Gypsies, Travellers and Travelling Showpeople in the study area. One stakeholder made the general comment that national assessment suggests that there are insufficient permanent pitches/plots available. At the strategic level, across east Kent, several stakeholders raised concerns about a general lack of provision. Two mentioned an awareness of many applications and appeals on small site proposals, indicating a demand for more pitches. One stakeholder felt that there is an issue with being able to find suitable locations for sites in most of the local authority areas involved. Likewise, another noted that the community's birth rate is twice the average, meaning that there is a growing demand and an ongoing shortfall in supply. It was also mentioned that, whilst many existing sites are shown to have the potential to accommodate further pitches/plots, such plots will often be only filled by family members (when children or future children form their own household).
- 6.13 In relation to Swale, two stakeholders expressed the view that the provision of sites has met the level of need identified in previous research. They noted that there is a five-year supply of sites, no overcrowding, no unauthorised activity and few new applications, hence limited indication of further unmet need. One respondent expressed the view that there is not sufficient provision of permanent pitches. Another respondent commented that it is very difficult to make provision as many of the community don't want to settle permanently, and they often have complex needs in terms of families and cultural differences between families.
- 6.14 In terms of locations for new provision, the following points were made by respondents:
- New sites/yards should be located within reasonable reach of services such as schools, shops, health, training and employment;
  - One respondent felt that sites should not too close to residential properties, however another emphasised that they should not be '*pushed out on the periphery of society*';
  - New sites/yards need adequate transport links, with good quality access to the primary road network. More rural parts of the County were mentioned as being unsuitable for the types of vehicle that are used on a regular basis;
  - Brownfield sites in urban areas were suggested;
  - The challenge of Green Belt was also noted;
  - New sites/yards should not be placed in areas of Flood Zones 2/3 due to the risk to life and property. It was recommended that local planning authorities should carry out a Sequential Test (ST) for any proposed site, even for change of use. It must also pass the Exception Test (ET) at the planning application stage;

- A partnership working party was proposed, made up of local NGOs and local authorities, this working party could look at areas and consult with the community;
  - One stakeholder noted that Gypsies and Travellers seem to be moving further into east Kent, as it is harder to find sites closer to London. Along with a need arising from families already living in east Kent, new provision in Swale, Ashford and Dover was suggested.
  - With respect to Swale, one stakeholder suggested that if any new sites are needed then they should be located north of the M2 and close to urban areas where services are available without incurring long journeys. Another stakeholder noted that the settlement strategy directs development towards Sittingbourne, Sheerness and Faversham in the first instance. One respondent suggested that a piece of land should be made available for transit provision. The need for more consultation was also noted.
- 6.15 Stakeholders were asked if there are areas that should be avoided for new permanent pitch/plot provision, and the following suggestions were received as locations to avoid:
- Areas of Outstanding Natural Beauty (AONB) and Areas of High Landscape Value;
  - Locations within or immediately adjacent to Biodiversity Opportunity Areas (BOAs), designated wildlife sites, Sites of Special Scientific Interest (SSSI)/RAMSAR;
  - Sites adjacent to wastewater treatment works;
  - Other high risk areas, including rubbish dumps;
  - Town centres, village centres and hamlets;
  - Sites that have or require access to the high speed road network;
  - Rural areas served by narrow country roads;
  - Locations near to vulnerable people;
  - Affluent areas; and
  - With specific reference to Swale, the Kent Downs AONB was noted as a location that should be avoided. One stakeholder noted that these areas are remote from settlements and site development would compromise the objectives of the AONB designation and impact upon the remoteness and tranquillity of the area.
- 6.16 It was noted by one stakeholder that site locations should be sensitive to the historic environment and should be assessed for impacts on heritage assets. This does not mean that sites should not be located close to listed buildings, scheduled monuments, conservations areas, etc, but that if they are then their design and layout should take into account potential effects on the significance of the historic environment. Another respondent suggested that site selection should *'just follow good planning'*, whilst two expressed the view that locations unfit for general needs housing are equally poor for Gypsies, Travellers and Travelling Showpeople.
- 6.17 Respondents identified the following barriers to new site provision:



- Public opposition and an antipathy towards Travelling communities, partly due to a lack of understanding of the culture and partly due to negative experiences. This public pressure against development (NIMBYism) was mentioned by several respondents, although one respondent also noted that *'this works both ways'* in terms of seeking mutual understanding between different community groups;
- Two stakeholders considered that the main barriers are political, with an unwillingness of local authorities to address the issue and allocate sites. Constantly moving goalposts through policy change was noted as an issue;
- The availability of suitable sites and land ownership issues;
- The cost of land and a lack of funding for public/Council-run sites (including maintenance and management, as well as site development);
- Impacts of new sites on the road network, through traffic generation, were noted. This is particularly relevant where direct access to a trunk road is required;
- One stakeholder noted that many Gypsy families do not want to go onto larger sites and prefer family-related sites – so more small sites are likely to be required;
- Difficulties in assessing need, especially in terms of Government policy and definitions of 'Traveller', local connections etc; and
- With reference to Swale, one stakeholder noted a lack of engagement in the planning process by Gypsies and Travellers before starting development. However, another respondent noted that most Gypsy site applications are called-in and go to Planning Committee for determination, with many subsequently being refused permission.

### Transit sites

- 6.18 When asked whether transit sites are needed, there was a variety of responses. Some stakeholders were unsure, some said no, and others said yes. The change in PPTS definition and the nearness to Channel ports and the Channel Tunnel were given by one stakeholder as reasons for making additional transit provision in the wider east Kent area. Another stakeholder mentioned major transport routes along the A2, M2 and A299, linking the coast with London. They suggested that further work should be done to assist in identifying any work migration patterns linked to agricultural and seasonal work.
- 6.19 One respondent expressed the view that this form of provision should be addressed *'in a strategic manner across Kent'*. Another raised the possibility of a *'mid Kent'* transit pitch to help with unauthorised encampments, although they acknowledged that this could be difficult to manage. A further stakeholder suggested that there should be transit site provision in every area, otherwise the principle behind transit sites won't work.
- 6.20 The importance of consulting with the Travelling communities themselves in planning for transit provision was emphasised by two respondents. They felt that it is important that transit sites are created by the community themselves, and not used to allow Sections 62a to e (Direction Orders) to be implemented against Travellers.

- 6.21 In relation to Swale, one stakeholder suggested that transit provision should be made somewhere along the A2, between Rainham and Faversham. Another stakeholder suggested the possibility of a mid-Kent transit pitch to help with unauthorised encampments; although they suggested that this could be difficult to manage.
- 6.22 Several respondents identified that barriers to transit provision were similar to those relating to new permanent site provision. In addition, the following barriers were specifically mentioned regarding transit provision:
- Public opposition and lack of political will;
  - The challenge of making strategic transit provision without a strategic planning body;
  - Site maintenance and management;
  - Costs; and
  - Site access issues.
- 6.23 In terms of additional comments, one respondent suggested that transit provision could be encouraged on part of small sites.

### Public, affordable and social rented provision

- 6.24 The questionnaire asked stakeholders whether they thought that there is a need for public, affordable or social rented pitches within the study area.
- 6.25 At the general, strategic level, a number of respondents felt that this form of provision is required within Kent. One stated that there will always be a need for public provision, to meet the needs of those who will never be able to provide for themselves. Another commented that there needs to be a range of all types of provision, and that targets should not be so tight that they make extra provision difficult to achieve.
- 6.26 Two stakeholders reported that the County Council has a long waiting list for pitches on the publicly-run sites in east Kent. Another reported that the existing public sites in the wider east Kent area are all old, under-developed and overcrowded and as a result the community is being forced into housing (bricks and mortar) away from their community and support, with a negative impact on lifestyle and wellbeing.
- 6.27 With reference to Swale, one stakeholder felt that there is a need for public, affordable or social rented pitches in the area, in order to meet the needs of those who cannot afford to buy their own sites. Another stakeholder agreed, noting that the County Council has a long waiting list for affordable pitches. However, one respondent did not consider this to be particularly necessary, noting that there is an adequate homeless service provided jointly with a local housing provider.
- 6.28 In terms of additional comments, one stakeholder suggested that a public forum should be set up, including local NGOs who work within the community.

## Existing permanent sites

- 6.29 There was limited response from stakeholders in relation to survey questions regarding existing sites and their facilities. One stakeholder stated that most sites throughout Kent are under-managed and out-of-date. Another respondent expressed the view that private sites are generally OK, but Council sites are poor.
- 6.30 In terms of the management of existing public sites, three stakeholders made general (strategic-level) comments indicating that public sites are poorly, badly and under-managed. One stakeholder said that few people want to go to the public pitches, but some have no choice. Another was concerned that the sites managers operate '*more like enforcement officers*' with limited knowledge of the community and their real needs. Lack of public funds was highlighted as an issue, although the Gypsy Council/Gypsy Cooperative stated that they are willing to talk to local authorities to create privately-funded pitches.
- 6.31 With reference to Swale, one of the responding stakeholders commented that there are only two public sites in the area, one managed by the Borough and one managed by Kent County Council. They noted that both are well managed.
- 6.32 Regarding the management of existing private sites, one stakeholder noted that there are variable management styles and quality. Another stakeholder expressed the view that private sites are well laid out with more space and amenities, and seem to cater for the future needs of family. They said that local authorities put restrictions on commercial use which can impact employment prospects.
- 6.33 Stakeholders were asked if they were aware of issues or tensions between Gypsies, Travellers and Travelling Showpeople and the settled community. There was some awareness of tensions. Gypsy and Traveller representatives expressed concern that there is inadequate support for the community, especially in terms of education and employment. One stakeholder felt that local councillors need to be more engaged in integrating the local Gypsy and Traveller communities, rather than encouraging negativity within local communities and the local press. Another stakeholder commented on the need for the whole community to understand what behaviour is acceptable.
- 6.34 Stakeholders in Swale reported on tensions between the settled and Travelling communities. It was noted that there remains considerable objections to planning applications, as well as enforcement queries from members of the public. The need for accurate accommodation assessments so that the most appropriate sites can be planned for was mentioned. In addition, better awareness to reduce prejudice on both sides was recommended. Another respondent stated that they have tried to address this by supporting small site provision in suitable locations.
- 6.35 Additional comments from stakeholders on these issues included reiterating the need for more positive aspirations, rather than negative actions from the authorities and service providers. The Gypsy Council/Gypsy Cooperative reported that they have created a forum of local GRTS business men and women who are willing to invest but stated that this requires the cooperation and support of county and local authorities.

## Bricks and mortar

- 6.36 Two strategic-level stakeholders confirmed that they are aware of members of the Gypsy, Traveller and Travelling Showpeople community living in bricks and mortar accommodation across Kent. One respondent stated that there are *'many GRTS'* living in bricks and mortar, but living there because of the lack of alternative provision. The other respondent stated that *'massive dwelling occupation'* has resulted from the lack of [pitch] provision since the 1970s, with significant negative impacts as people have been separated from their community. Problems specified include anti-social problems, bullying, depression, drug and alcohol dependency. Both of these stakeholders felt that there is a need for additional pitch provision to cater for members of the community living in bricks and mortar who would prefer to live on a site. They also noted that this would free-up bricks and mortar accommodation to help in meeting wider housing needs within the local community. Two further respondents acknowledged that it is *'likely'* that some of those currently living in bricks and mortar would prefer to live on a pitch, but they were uncertain as to the proportion. Another respondent stated that *'consultation is needed'*.
- 6.37 One stakeholder in Swale reported an awareness of Gypsies, Travellers and Travelling Showpeople living in bricks and mortar accommodation within the Borough. They stated that many are living in social housing.
- 6.38 Asked if there is sufficient support available to Gypsies, Travellers and Travelling Showpeople living in settled accommodation in the study area to help them manage their housing effectively, there was limited feedback from stakeholders. One representative noted that *'there are those who manage, but a great number who cannot'*, with evictions resulting from a lack of knowledge of how to cope. The Gypsy Council/Gypsy Cooperative commented that they are constantly signposting people to organisations who deal with rents, health, training and employment but it is difficult to measure success; this is why the organisation is investing in its own community centre. Another stakeholder noted that some Gypsies and Travellers living in houses prefer not to identify their ethnicity due to fears of discrimination.
- 6.39 Stakeholders were asked if they were aware of whether Gypsies, Travellers and Travelling Showpeople feel safe in bricks and mortar accommodation in the study area, and if they have specific cultural needs. One strategic stakeholder expressed the view that those in owner-occupied bricks and mortar accommodation are usually happy, having chosen to live in their home. However, many in *'public'* accommodation have been *'forced into it'* and are unhappy. With limited choices, they may end up on troubled estates, with negative consequences.
- 6.40 The only additional comment received was that there is a need for a greater understanding of community needs and the suggestion of a county working group to include local NGOs.

## Unauthorised encampments

- 6.41 Several of the local authority respondents provided information on unauthorised encampments in their relevant area.

- 6.42 At the strategic level, one stakeholder noted that there are a large number of unauthorised incursions across the County, and the number increases each year.
- 6.43 Another stakeholder stated that *'unauthorised encampments are symptomatic of a lack of provision'* and suggested that the situation could be managed if there was a functioning Transit Site Network, as recommended by the previous SEERA Study.
- 6.44 Several respondents were aware of negative impacts arising from unauthorised encampment activity. This includes litter problems, social nuisance, officer time, police time and upset for local residents. In addition, road safety concerns were raised, particularly in relation to encampments adjacent to the strategic road network or on highway verges.
- 6.45 With specific reference to Swale, one stakeholder reported that they are not aware of any unauthorised encampments. However, two respondents reported on low levels of unauthorised activity within the Borough. These were identified as follows:
- 2013 – 3
  - 2014 – 5
  - 2015 – 1
  - 2016 – 8
  - 2017 – 9
- 6.46 In terms of problems associated with unauthorised encampment activity within Swale, one respondent stated that there are no problems at the present time; another expressed concern that unauthorised encampments cost time and money. One stakeholder noted that the figures indicate an increase in unauthorised activity during the five-year period. Another suggested that unauthorised encampments could be managed if there was a functioning Transit Site Network, as proposed in the previous SEERA study. They commented further that unauthorised encampments are symptomatic of a lack of provision.

## Planning policy

- 6.47 The survey asked stakeholders whether they felt that there were any areas within planning policy that have restricted the provision of new pitches/plots for the Travelling community. Uncertainty and issues over the definition of 'Traveller' was mentioned, including a lack of understanding within the community themselves and the need to prove regular travel, which isn't possible for older or sick people. In addition, a lack of clarity in the NPPF was noted, leading to *'planning policy by appeal'* (please note this consultation was undertaken prior to the publication of Draft Revised NPPF<sup>24</sup>). One strategic-level stakeholder expressed the view that current policy is not as positively drafted as previous policy under Circular 1/2006 and does not challenge the failures of local planning authorities. There were also concerns raised regarding

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<sup>24</sup> Ministry of Housing, Communities and Local Government, *National Planning Policy Framework, Draft text for consultation*, March 2018

- pitch numbers, under-counting in the assessment of need and whether or not supply could be demonstrated (for five years or the relevant plan period).
- 6.48 Some representatives mentioned restrictions such as Green Belt, environmental designations and considerations such as transport sustainability. However, they noted that these planning policies are necessary to protect the environment and to ensure that sites are suitable.
- 6.49 One stakeholder made the following comment:  
*'The Gypsy status description/definition is seldom understood by members of the Gypsy Traveller community in Swale. Sometimes if people travel a lot that then held against them for not being on site.'*
- 6.50 The online survey asked stakeholders if they feel that more could be done through planning policies and site allocations in Local Plans to identify and bring forward new sites for the provision of pitches/plots. Of those who responded to this question, the overall feeling was that land is not usually identified, or allocated, for Gypsy and Traveller sites or Travelling Showpeople yards. Instead, provision is made through policies and planning applications/appeals, although one stakeholder stated:  
*'It's getting harder to gain planning permissions within Kent and the South East, through policy and political will. Along with the media.'*
- 6.51 Several stakeholders felt that Local Plans should seek to identify sites to meet local need, rather than putting this off. One stakeholder suggested that *'sites allocations should include details on how the sites would be delivered and highlight any gaps in funding or delivery'*. The use of local authority land for new sites was proposed, along with intensification on existing private sites.
- 6.52 When asked what impact they think the August 2015 changes to PPTS are having on provision, views expressed include:
- Lack of clarity, uncertainty and a variety of interpretations, particularly regarding how to apply changes in definitions;
  - Concern that PPTS 2015 has *'eroded some of the previous rights or status of the Gypsy Traveller community'*;
  - Concern that PPTS 2015 has *'reduced the need for sites'* and that *'some authorities are now producing two sets of figures – for the old and new definitions, with a political decision being made as to which to use'*;
  - Criticism that the *'main impact is to give LPAs excuses for doing nothing'*;
  - Understanding that it should ease the pressure on designated areas such as AONB, for social and environmental long-term benefit and sustainability, but concern that a reduced area of search for sites means competing for housing land.
- 6.53 In terms of additional comments on these issues, the need for partnership working was again stressed by one strategic stakeholder, including the involvement of local representatives within the community. With respect to the Swale area, one stakeholder stressed that there are potential sites outside of the AONB area that are accessible and more appropriate than land within the designated AONB.

## Cross-boundary issues

- 6.54 In terms of the movement of Gypsies, Travellers and Travelling Showpeople within East Kent and to/from neighbouring areas, the vast majority of stakeholders were not aware of any regular movements. One stakeholder said that *'there is no clear pattern, it's wherever you can get a stop'*.
- 6.55 Stakeholders were also asked if they are aware of any sites or locations close to the boundary of the study area where difficulties have or may arise. Only one respondent said yes; this relates to a concern that the Gypsy Site at Abbey Wood may be closed, which would result in a loss of 40+ pitches. The stakeholder expressed concern about this possible change and the need for this impact to be considered in assessing need. This respondent stated that *'there is already significant inward migration from Greater London'* and *'there has been, and will continue to be inward migration from Ireland'*. By contrast, *'there is zero chance of outward migration to London'*.
- 6.56 In terms of cross-boundary issues, one strategic stakeholder expressed concern regarding repeated applications for planning permission for Gypsy, Traveller and Travelling Showpeople developments within flood zones and adjacent to watercourses, both in terms of the potential risk to life and property and the potential impact on watercourses and biodiversity. As there are a lack of alternative sites, there is concern that Inspectors allow temporary planning permission but, in the meantime, these are inappropriate locations according to national policy.
- 6.57 Another stakeholder felt that the main cross-boundary issue is 'the forced movement across boundaries', as 'local authorities and police push people back and forth between them'.
- 6.58 Overall, stakeholders considered that the key outcomes of the study should be:
- An accurate and detailed needs assessment, providing objective evidence of the need for provision;
  - More emphasis on provision, public and private;
  - Guidance on what type of locations should be considered for site allocations;
  - The identification of appropriate areas, suitable land and potential locations (either permanent or temporary) for provision;
  - A consideration for how the provision of sites relates to the historic environment, including both the impact of development on heritage assets and an understanding of the cultural heritage and customs of Romany Gypsies and Irish Travellers, for example recognising the location of traditional stopping sites where they continue to exist;
  - Constant monitoring of existing facilities;
  - A more informed understanding of the challenges and the development of an inclusive action plan better reflecting community needs;

- Community involvement in local and county decisions, with joined-up problem solving and cross-party and NGO partnership in seeking solutions;
  - Raising public awareness; and
  - With specific reference to Swale, one stakeholder stated that there should be a more realistic unmet need figure for the Borough.
- 6.59 Stakeholders were asked if they agree that the stakeholder survey contributes to the requirement under the Duty to Cooperate with neighbouring authorities. There was limited response to this question, but the vast majority of responses were positive agreement that the consultation contributes in the Duty to Cooperate. Additionally, one stakeholder stressed the important of better working partnerships to contribute to better outcomes



## 7. Gypsy and Traveller pitch, Travelling Showperson plot and transit site requirements

### Introduction

- 7.1 This section reviews the overall pitch and plot requirements of Gypsies and Travellers and Travelling Showpeople across the Swale Borough. It takes into account current supply and need, as well as future need, based on modelling of data, as advocated by the DCLG. This chapter also considers transit pitch requirements for Gypsies and Travellers. Finally, it presents planning policy recommendations.
- 7.2 The calculation of pitch requirements is based on DCLG modelling as advocated in *Gypsy and Traveller Accommodation Assessment Guidance* (DCLG, 2007). Although now formally withdrawn, the DCLG Guidance still provides the best-practice approach towards the assessment of pitch and plot needs (see chapter 2 for further discussion).
- 7.3 This approach requires an assessment of the current needs of Gypsies and Travellers and a projection of future needs. It advocates the use of a survey to supplement secondary source information and derive key supply and demand information.
- 7.4 The GTAA has modelled current and future demand and current and future supply separately for Gypsies and Travellers and Travelling Showpeople. For this study, the model has assumed a cultural definition of Gypsies and Travellers and Travelling Showpeople but also takes account of the PPTS planning definition as an element of the modelling.

### Pitch requirement model overview

- 7.5 Pitch requirements are assessed over an initial five-year period (2017/18 to 2021/22) (the 5-year model) and then longer-term need is based on the expected number of households likely to form over the period to 2037/38 based on the age profile of children under 13 living in Gypsy and Traveller households on pitches (the longer-term model). The modelling is based on the cultural need for pitches but the impact of the PPTS definition on need is also considered.
- 7.6 In terms of **cultural need**, the 5-year model considers:
- The baseline number of households on all types of site (authorised, unauthorised and temporary authorised sites) as at February 2018;
  - Existing households planning to move in the next five years (currently on sites and also from bricks and mortar and where they are planning to move to; and
  - Emerging households currently on sites and planning to emerge in the next five years and stay within the study area on a pitch; to derive a figure for
  - Total pitch need.
- 7.7 In terms of **supply**, the model considers:
- Total supply of current pitches on authorised sites; and

- Vacant pitches on authorised sites
- 7.8 The model then reconciles total need and existing authorised supply over the next 5 years by summarising:
- Total need for pitches; and
  - Total supply of authorised pitches.
- 7.9 The longer-term element of the model then considers the cultural need over the period to 2037/38.
- 7.10 Note that this GTAA excludes Brotherhood Woodyard from any calculations of future need or authorised supply.

## Description of factors in the 5-year need model

- 7.11 Table 7.1 provides a summary of the 5-year pitch need calculation. Each component in the model is now discussed to ensure that the process is transparent and any assumptions clearly stated.

### Need

#### 7.12 **Current households living on pitches (1a to 1e)**

These figures are derived from local authority data, site observation and household survey information. Note that no households stated they were doubled up or included concealed households. Site observation data indicates there are 123 households of whom 90 live on authorised pitches, 11 on temporary authorised pitches and 22 on unauthorised pitches. None of the authorised pitches were vacant.

#### 7.13 **Current households in bricks and mortar accommodation (2)**

The 2011 Census suggested there were 149 households living in bricks and mortar accommodation. On the basis of 41 arc<sup>4</sup> studies, it is estimated that 5.3% of households living in bricks and mortar would prefer to live on a site which would equate to 8 households. A need for 8 pitches is therefore included within the modelling at 3e.

#### 7.14 **Existing households planning to move in the next five years (3)**

This was derived from information from the household survey for respondents currently on authorised pitches. To account for non-response, the data in the model has been weighted by a factor of 1.46<sup>25</sup>.

Overall, there is a need from 6 household planning to move to another pitch within Swale Borough.

An allowance for in-migration has been within the model based on household survey evidence. This indicates that 9 households had moved into Swale in the preceding 5

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<sup>25</sup> 84 responses from 123 households on pitches results in a weighting factor of  $123/84 = 1.4642$

years from out of the area and when weighted up results in a need from 13 households.

This results in an overall net requirement of +27 pitches (weighted) from existing households planning to move in the next 5 years.

#### 7.15 **Emerging households (4)**

This is the number of households expected to emerge in the next 5 years based on household survey information. The total number is +22 (weighted).

If children old enough to form their own household were living with family and have not specified that they want to form a new household, this is assumed to be through choice and the model does not assume they want to form a new household.

#### 7.16 **Total need for pitches (5)**

This is a total of current households on authorised pitches, households on pitches planning to move in the next five years and demand from emerging households currently living on pitches. This indicates a total need for 172 pitches.

## Supply

#### 7.17 **Current supply of authorised pitches (6)**

This is a summary of the total number of authorised pitches and the number of vacant authorised pitches. This shows a total supply of 133 authorised pitches (excluding 40 pitches on Brotherhood Woodyard) and zero vacant pitches resulting in a total supply of 133 authorised pitches.

## Reconciling supply and demand

7.18 There is a total need over the next five years (2017/18 to 2021/22) for 172 pitches in Swale Borough (Table 7.1) compared with a supply of 133 authorised pitches. The result is an overall cultural shortfall of 39 pitches.

<b>Table 7.1 Summary of demand and supply factors: Gypsies and Travellers – 2017/18 to 2021/22</b>				
<b>CULTURAL NEED</b>			<b>Swale Borough</b>	
<b>1</b>	<b>Total households living on pitches</b>	1a. On LA Site	11	
		1b. On Private Site – Authorised	79	
		1c. On Private Site - Temporary Authorised	11	
		1d. On Private Site – Tolerated	0	
		1e. Unauthorised	22	
		<b>1f. Total (1a to 1e)</b>	<b>123</b>	
<b>2A</b>	<b>Estimate of households in bricks and mortar accommodation</b>	<b>2a. TOTAL (2011 Census)</b>	149	
<b>Weighting applied to stages 3 and 4 = 1.46 to account for G&amp;T household no-response</b>				
<b>3</b>	<b>Existing households planning to move in next 5 years</b>	<b>Currently on sites</b>		
		3a. To another pitch/same site	0	
		3b. To another site in Swale	6	
		3c. From site to Bricks and Mortar	0	
		3d. To a site/bricks and mortar outside Swale	0	
		<b>Currently in Bricks and Mortar</b>		
		3e. Planning to move to a site in LA	8	
		3f. Planning to move to another B&M property	0	
		<b>In-migrant households</b>		
		3g. Allowance for in-migration	13	
<b>3h. TOTAL Net impact (3a+3b-3c-3d+3e+3g)</b>		<b>27</b>		
<b>4d. 4</b>	<b>Emerging households (5 years)</b>	4a. Currently on site and planning to live on current site	16	
		4b. Currently on sites and planning to live on another site in LA	6	
		4c. Currently on site and planning to live on site outside the study area	0	
		4d. Currently in B&M planning to move to a site in LA	0	
		4e. Currently in B&M and moving to B&M (no net impact)	0	
		4f. Currently on Site and moving to B&M (no net impact)	0	
		<b>4g. TOTAL Net impact (4a+4b-4c+4d)</b>		<b>22</b>
		<b>5</b>	<b>Total Need</b>	<b>1f+3h+4g</b>
<b>SUPPLY</b>				
<b>6</b>	<b>Current supply of authorised pitches</b>	6a Current authorised pitches	133	
		6b Current unoccupied authorised pitches	0	
		<b>6c. Total current authorised supply (6a+6b)</b>	<b>133</b>	
<b>RECONCILING NEED AND SUPPLY</b>				
<b>7</b>	<b>Total need for pitches</b>	<b>5 years (from 5)</b>	<b>172</b>	
<b>8</b>	<b>Total supply of authorised pitches</b>	<b>5 years (from 6c)</b>	<b>133</b>	
<b>5 YEAR AUTHORISED PITCH SHORTFALL 2017/18 TO 2021/22</b>			<b>39</b>	

## Longer-term pitch requirement modelling

- 7.19 Longer-term pitch need modelling has been carried out using known household structure information from the household survey of households living on pitches. On the basis of the age of children in households, it is possible to determine the extent of 'likely emergence', which assumes that a child is likely to form a new household at the age of 18.
- 7.20 The year when a child reaches 18 has been calculated and it is possible to assess how many newly forming households may emerge over the period 2022/23 to 2037/38. A reasonable assumption is that half of these children will form new households, bearing in mind culturally women tend to move away on marriage and men tend to stay in close proximity to their families on marriage. The model therefore assumes that 50% of children will form households when they reach 18 and that these households remain in Swale Borough<sup>26</sup>. Analysis would suggest a total cultural need for 37 additional pitches over the period 2022/23 to 2037/38 (Table 7.2).

**Table 7.2 Future pitch requirements based on the assumption that 50% of children form households on reaching 18**

Time period	No. children (unweighted figure in brackets)	Expected household formation (unweighted figure in brackets)
2022/23 – 2026/27	37 (25)	18 (13)
2027/28 to 2031/32	15 (10)	7(5)
2032/33 to 2037/38	24 (16)	12 (8)
<b>Total (2022/23 to 2037/38)</b>	<b>76 (51)</b>	<b>37(26)</b>

## Planning Policy for Traveller Site definition

- 7.21 Analysis of household survey data establishes that 77.1% of Gypsies and Travellers living on pitches across Swale Borough satisfy the PPTS definition of Gypsies and Travellers. The figure varies by type of site, with 77.6% of households on permanent authorised sites meeting the definition, 72.7% of those on temporary authorised sites and 78.6% on unauthorised sites.
- 7.22 When interpreting PPTS need, modelling is generally used to translate the cultural need to a PPTS need. However, it has been considered appropriate to identify those households living on unauthorised and temporary authorised and tolerated sites as an immediate need to be addressed over the next 5 years where they meet the PPTS definition. Table 7.3 summarises this data and indicates there is an immediate need

<sup>26</sup> This approach has been tested at inquiry including Worcestershire and Shropshire.

from 26 households living on unauthorised sites. The overall PPTS need for the first five years is 30 pitches.

**Table 7.3 Number of households in cultural need who meet the PPTS definition**

Current location	Meet definition	Do not meet definition	Total
Live on unauthorised sites	20	6	26
Live on authorised sites	45	13	58
Total	65	19	84

## Plan Period pitch need

7.23 Table 7.4 summarises the overall need for pitches across Swale Borough over the Plan Period to 2037/38. It presents the overall cultural need based on households identifying as Gypsy and Traveller and a PPTS need which is a subset of the cultural need and is based on those households who meet the PPTS definition of need. Assuming a 20-year period (2017/18 to 2037/38), this results in an overall need for the Plan Period for 76 pitches (cultural) and 59 (PPTS). This gives an annualised cultural need for 3.8 pitches and an annualised PPTS need for 2.9 pitches.

**Table 7.4 Remaining plan period Gypsy and Traveller pitch need**

	Cultural need	Of which: PPTS need
5-year pitch need (2017/18 to 2021/22)	39	30
Longer-term need (2022/23 to 2037/38)	37	29
TOTAL pitch need to 2037/38	76	59

7.24 It is recommended that the Borough Local Plan recognises there is a cultural need for 76 pitches over the plan period to 2037/38 and of this number a need for 59 pitches under the PPTS definition.

## Turnover on sites

7.25 Turnover relates to the number of pitches that are expected to become available for occupancy. Analysis only includes expected turnover on public sites as this is referenced in (former) CLG guidance and more accurate data on changes in pitch occupancy is likely to be available. Although there is likely to be turnover on private sites, the ability of households to move onto private sites may be more restrictive (for instance the site may be restricted to a particular family) and less likely to be recorded.

7.26 Household survey data indicates that 4 out of 5 respondents had lived on their pitch on the local authority site for less than 5 years but only one stated that they moved

onto a vacant pitch. An analysis of households planning to move would suggest that only a small number of households plan to move in the next 5 years. Therefore, it is suggested that turnover on local authority sites is expected to be low and an estimated 2 pitches will become available for occupancy in the next 5 years, resulting in a 3.6% annual turnover of pitches. This translates to a 0.4 pitch annual turnover which in turn translates to a turnover of 8 pitches over the remainder of the Plan Period.

- 7.27 Table 7.5 illustrates the impact of an 8-pitch turnover over the Plan Period on overall pitch need. The result of including expected turnover is a reduction in cultural need to 68 pitches and PPTS need is reduced to 51 pitches.

Table 7.5 Addressing Gypsy and Traveller pitch need		
	Cultural need	Of which: PPTS need
<b>TOTAL pitch need for plan period 2017/18 to 2037/38</b>	<b>76</b>	<b>59</b>
Pitches expected to become available through turnover on pitches on Council sites 2017/18 to 2037/38	8	8
Residual pitch requirement after factoring in expected turnover	68	51

## Potential capacity for Gypsy and Traveller pitches and tolerated sites

- 7.28 The household survey asked respondents if there was opportunity to expand or intensify existing sites to accommodate more pitches. Responses suggested that there was potential for a considerable increase in pitches from expansion and intensification of existing sites as summarised in Table 7.6.

Table 7.6 Scope to expand and intensify sites			
	Expand	Intensify	Total
On Authorised Sites	34	20	54
On Temporary Authorised sites	2	1	3
On Unauthorised sites	7	13	20
Total	43	34	77

- 7.29 Note that the potential expansion of sites was based on the views of respondents and not a technical appraisal of sites. Further work would be necessary to confirm the potential for expansion.

## Addressing need

- 7.30 Although a considerable need for additional pitches has been evidenced for Swale Borough, there is also significant potential to address need through the expansion and intensification of existing sites. The Council should also consider regularising temporary authorised and unauthorised sites to increase authorised site provision.

## Travelling Showperson need

- 7.31 There is one Travelling Showperson's yard in Swale (Circus Wintering Ground) which accommodates one family. This yard is currently rented and the owner is very keen to develop a yard elsewhere in the Borough for the use of his immediate family, with scope to accommodate wider family during peak travelling periods. The GTAA therefore recognises a need for one permanent Travelling Showperson plot on the basis of the interview with this household.

## Comparison with previous GTAA

- 7.32 The previous 2013 GTAA identified a plan period need for 61 pitches based on the PPTS definition of need over the period 2013/14 to 2030/31. The current GTAA establishes a PPTS need for 80 pitches over the period 2017/18 to 2037/38. The Council currently have a local plan in place and pitch need was informed by the previous study. The 2018 GTAA indicates that the level of need has increased from an annualised need of 3.4 (2013 GTAA) to 4.4 (2018 GTAA) over respective plan periods.

## Transit site requirements

- 7.33 The household survey found that 68.6% of Gypsies, Travellers and Travelling Showpeople felt that transit provision should be made in Swale although there were a range of views regarding who should manage this form of provision. A transit pitch normally has a hard standing, electric hook up and amenity shed. A good indicator of transit need is unauthorised encampment activity.
- 7.34 The Council report a total of 23 incidences of unauthorised encampment activity over the five-year period 2013 to 2017. In 2016 and 2017, the number of incidences had increased to around 9.
- 7.35 Given that the scale of unauthorised encampment is limited, it is not recommended that Council considers the development of transit pitches within the Swale Borough. That said, temporary stop-over locations should be considered for short-term use.



## 8. Conclusion and strategic response

- 8.1 This concluding chapter provides a brief summary of key issues emerging from the research; advice on the strategic responses available, including examples of good practice; and recommendations and next steps.

### Meeting permanent Gypsy and Traveller pitch requirements

- 8.2 There are currently 124 Gypsy and Traveller households (including Showpeople) living on pitches across the Swale Borough area.
- 8.3 The GTAA 2018 has evidenced a cultural need for 76 pitches, and of this number a PPTS-defined need for 59 pitches, within Swale over the period to 2037/38.
- 8.4 In considering how this need can be addressed, the report has considered potential turnover on Local Authority sites and the potential expansion/intensification of existing authorised sites. Regarding turnover, the GTAA modelling anticipates a 3.6% annual turnover on the local authority sites during the Plan Period. This translates into a 0.4 pitch annual turnover, which in turn translates to a turnover of 8 pitches over the Plan Period. This would result in a reduction in the cultural need to 68 pitches and PPTS need to 51 pitches. Potential expansion/intensification of existing sites could result in a further supply of up to 54 pitches on authorised sites.
- 8.5 It is recommended that the Local Plan acknowledges this range of need. It is also recommended that the Council considers further technical work to confirm the potential for the expansion of existing sites in the Borough area. In addition, the Council should consider future applications for the expansion of existing sites to help address the needs identified. Furthermore, the Council should consider applications for small sites to meet the needs of families who may emerge over the Plan Period.

### Meeting permanent Travelling Showperson requirements

- 8.6 There is currently one Travelling Showperson households living in the Swale Borough area. A need for one Travelling Showperson's yard was identified through the GTAA.

### Meeting transit site/stop over requirements

- 8.7 Given the level of unauthorised encampment, the development of a transit site is not recommended. However, the Council may consider tolerated stop-over locations to help manage unauthorised encampment activity

### Good practice in planning for Gypsy and Traveller provision

- 8.8 There are a number of resources available to local planning authorities to assist them in planning for Gypsy and Traveller provision, including resources from the Planning Advisory Service (PAS) and the Royal Town Planning Institute (RTPI), which are presented in Appendix B. In addition, the Local Government Agency and Local

Government Association have resources available for local authorities working with Traveller communities to identify sites for new provision, these include dedicated learning aids for elected members<sup>27</sup>.

- 8.9 Work undertaken by PAS<sup>28</sup> identified ways in which the planning process can increase the supply of authorised Gypsy and Traveller pitches. The RTPi has developed a series of Good Practice Notes for local planning authorities. Both are summarised at Appendix B.

## Concluding comments

- 8.10 The overarching purpose of this study has been to identify the accommodation requirements of Gypsies, Travellers and Travelling Showpeople across Swale Borough area. The overall pitch need is 76 over the plan period to 2037/38 (of which the PPTS need is 59 as 77.1% of households meet the definitions set out in PPTS). As set out in Table 8.1, the residual need which factors in potential turnover on public sites would reduce that need to 68 (cultural) and 51 (PPTS). The Council should also consider the expansion and intensification of existing private authorised sites to help deliver additional pitches over the plan period.

	<b>Cultural need</b>	<b>Of which, PPTS need</b>
5-year pitch need (2017/18 to 2021/22)	39	30
Longer-term need (2022/23 to 2037/38)	37	29
<b>TOTAL pitch need to 2037/38</b>	<b>76</b>	<b>59</b>
Pitches expected to become available through turnover on pitches on Council sites 2017/18 to 2037/38	8	8
<b>Residual pitch requirement to 2037/38 after factoring in expected turnover</b>	<b>68</b>	<b>51</b>

- 8.11 It is recommended that this evidence base is refreshed on a five-yearly basis to ensure that the level of pitch and pitch provision remains appropriate for the Gypsy, Traveller and Travelling Showpeople population across Swale Borough.

<sup>27</sup> I&DeA (now Local Government Agency) local leadership academy providing Gypsy and Traveller sites

<sup>28</sup> PAS spaces and places for gypsies and travellers how planning can help

## Appendix A: Legislative background

- A.1 The **1960 Caravan Sites and Control of Development Act** enabled councils to ban the siting of caravans for human occupation on common land, and led to the closure of many sites.
- A.2 The **Caravan Sites Act 1968 (Part II)** required local authorities '*so far as may be necessary to provide adequate accommodation for Gypsies residing in or resorting to their area*'. It empowered the Secretary of State to make designation orders for areas where he was satisfied that there was adequate accommodation, or on grounds of expediency. Following the recommendations of the Cripps Commission in 1980, provision began to grow rapidly only after the allocation of 100% grants from central government. By 1994 a third of local authorities had achieved designation, which meant that they were not required to make further provision and were given additional powers to act against unauthorised encampments. The repeal of most of the Caravan Sites Act under the Criminal Justice and Public Order Act in 1994 led to a reduction in provision, with some sites being closed over a period in which the Gypsy and Traveller population was increasing.
- A.3 The **1994 Criminal Justice and Public Order Act (CJ&POA)**:
- Repealed most of the 1968 Caravan Sites Act;
  - Abolished all statutory obligation to provide accommodation;
  - Discontinued government grants for sites; and
  - Under Section 61 made it a criminal offence to camp on land without the owner's consent.
- A.4 Since the CJ&POA the only places where Gypsies and Travellers can legally park their trailers and vehicles are:
- Council Gypsy caravan sites; by 2000 nearly half of Gypsy caravans were accommodated on council sites, despite the fact that new council site provision stopped following the end of the statutory duty;
  - Privately owned land with appropriate planning permission; usually owned by Gypsies or Travellers. Such provision now accommodates approximately a third of Gypsy caravans in England; and
  - Land with established rights of use, other caravan sites or mobile home parks by agreement or licence, and land required for seasonal farm workers (under site licensing exemptions).
- A.5 By the late 1990s the impact of the 1994 Act was generating pressure for change on both local and national government. There was a major review of law and policy, which included:
- A Parliamentary Committee report (House of Commons 2004).
  - The replacement of Circular 1/94 by Circular 1/2006 (which has since been cancelled and replaced by the *Planning policy for traveller sites* 2012 and updated in 2015).

- Guidance on accommodation assessments (ODPM 2006).
- The Housing Act 2004 which placed a requirement (s.225) on local authorities to assess Gypsy and Traveller accommodation needs.

A.6 **Section 225: Housing Act 2004** imposed duties on local authorities in relation to the accommodation needs of Gypsies and Travellers:

- Every local housing authority was required as part of the general review of housing needs in their areas under section 8 of the Housing Act 1985 assess the accommodation needs of Gypsies and Travellers residing in or resorting to their City;
- Where a local housing authority was required under section 87 of the Local Government Act 2003 to prepare a strategy to meet such accommodation needs, they had to take the strategy into account in exercising their functions;
- A local housing authority was required to have regard to section 226 ('Guidance in relation to section 225') in:
  - carrying out such an assessment, and
  - preparing any strategy that they are required to prepare.
- Section 124 of the Housing and Planning Act 2016 deletes sections 225 and 226 of the Housing Act 2004 (see below). Additional requirements have been inserted into Section 8 of the Housing Act 1985 to include an assessment of the need for sites for caravans and moorings for houseboats within the periodical review of housing needs.

A.7 The **Planning and Compulsory Purchase Act 2004** set out to introduce a simpler and more flexible planning system at regional and local levels. It also introduced new provisions which change the duration of planning permissions and consents, and allow local planning authorities to introduce local permitted development rights using 'local development orders'. It made the compulsory purchase regime simpler, fairer and quicker, to support major infrastructure and regeneration initiatives.

The Act introduced major changes to the way in which the planning system operates. Local planning authorities are required to prepare a Local Development Framework; however, the term Local Plan was reintroduced following the National Planning Policy Framework in March 2012.

Part 8 of the Act contains a series of measures to reform the compulsory purchase regime and make it easier for local planning authorities to make a case for compulsory purchase orders where it will be of economic, social or environmental benefit to the area. This Act was subsequently amended to a Local Plan document with the introduction of the NPPF in March 2012. This section also brings in amended procedures for carrying out compulsory purchase orders, including a widening of the category of person with an interest in the land who can object, and deals with ownership issues and compensation.

A.8 **The Localism Act 2011** introduced a number of reforms, including changes to planning enforcement rules, which strengthen the power of local planning authorities to tackle abuses of the planning system. The changes give local planning authorities the ability

to take actions against people who deliberately conceal unauthorised development, and tackle abuses of retrospective planning applications. The Act also introduced the Duty to Co-operate (see Section 3) on all local planning authorities planning sustainable development. The Duty requires *'neighbouring local authorities, or groups of authorities, to work together on planning issues in the interests of all their local residents. ... the Government thinks that local authorities and other public bodies should work together on planning issues in ways that reflect genuine shared interests and opportunities to make common cause. The duty requires local authorities and other public bodies to work together on planning issues.'*<sup>29</sup> The provision of Gypsy and Traveller sites falls within the Duty to Co-operate; which aims to ensure that neighbouring authorities work together to address issues such as provision of sites for Gypsies and Travellers in a planned and strategic way.

A.9 **Statutory Instrument 2013 No 830 Town and Country planning Act, England (Temporary Stop Notice) (England) (Revocation) Regulations 2013** came into force on 4<sup>th</sup> May 2013. This Instrument revoked the regulations governing Temporary Stop Notices, which were in place to mitigate against the disproportionate impact of Temporary Stop Notices on Gypsies and Travellers in areas where there was a lack of sufficient pitches to meet the needs of the Travelling community.

A.10 **Section 124: Housing and Planning Act 2016** has two parts:

- 124(1) amends section 8 of the Housing Act 1985, inserting an additional reference to include a duty to consider the needs of people residing in or resorting to local authority Cities with respect to the provision of sites for caravans and moorings for houseboats when undertaking housing needs assessments.
- 124(2) deletes sections 225 and 226 of the Housing Act 2004 (as set out above).

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<sup>29</sup> DCLG A plain English guide to the Localism Act Nov 2011

## Appendix B: Review of policy, guidance and best practice

B.1 As part of this research, we have carried out a review of literature, which is presented in this Appendix. A considerable range of guidance documents has been prepared by Central Government to assist local authorities discharge their strategic housing and planning functions. In addition, there is considerable independent and academic research and guidance on these issues; some of the key documents are summarised here. The documents are reviewed in order of publication date.

B.2 **A Decent Home: Definition and Guidance for Implementation Update, DCLG, June 2006**

Although not primarily about the provision of caravan sites, facilities or pitches, the June 2006 updated DCLG guidance for social landlords provides a standard for such provision. The guidance is set out under a number of key headings:

- Community-based and tenant-led ownership and management;
- Delivering Decent Homes Beyond 2010;
- Delivering mixed communities;
- Procurement value for money; and
- Housing Health and Safety.

The guidance defines four criteria against which to measure the standard of a home:

- It meets the current statutory minimum standard for housing;
- It is in a reasonable state of repair;
- It has reasonably modern facilities and services; and
- It provides a reasonable degree of thermal comfort.

B.3 **Guide to Effective Use of Enforcement Powers - Parts 1 (Unauthorised Encampments, ODPM, 2006) and 2 (Unauthorised Development of Caravan Sites, DCLG, 2007)**

The Guide (now cancelled) was the Government's response to unauthorised encampments which cause local disruption and conflict.

B.4 **Common Ground: Equality, good race relations and sites for Gypsies and Irish Travellers, Commission for Racial Equality, May 2006**

This report was written four years after the introduction of the statutory duty on public authorities under the Race Relations (Amendment) Act to promote equality of opportunity and good race relations and to eliminate unlawful racial discrimination. The CRE expressed concerns about relations between Gypsies and Irish Travellers and other members of the public, with widespread public hostility and, in many places, Gypsies and Irish Travellers leading separate, parallel lives. A dual concern about race relations and inequality led the Commission in October 2004 to launch the inquiry on which this report was based.

The Report's recommendations include measures relating to Central Government, local authorities, police forces and the voluntary sector. Among those relating to Central Government are:

- developing a realistic but ambitious timetable to identify land for sites, where necessary establishing them, and making sure it is met;
- developing key performance indicators for public sites which set standards for quality and management that are comparable to those for conventional accommodation;
- requiring local authorities to monitor and provide data on planning applications, outcomes and enforcement, and on housing and homelessness by racial group, using two separate categories for Gypsies and Irish Travellers; and
- requiring police forces to collect information on Gypsies and Irish Travellers as two separate ethnic categories.

Strategic recommendations affecting local authorities include:

- developing a holistic corporate vision for all work on Gypsies and Irish Travellers,
- reviewing all policies on accommodation for Gypsies and Irish Travellers,
- designating a councillor at cabinet (or equivalent) level, and an officer at no less than assistant director level, to coordinate the authority's work on all sites;
- emphasising that the code of conduct for councillors applies to their work in relation to all racial groups, including Gypsies and Irish Travellers;
- giving specific advice to Gypsies and Irish Travellers on the most suitable land for residential use, how to prepare applications, and help them to find the information they need to support their application;
- identifying and reporting on actions by local groups or individuals in response to plans for Gypsy sites that may constitute unlawful pressure on the authority to discriminate against Gypsies and Irish Travellers; and
- monitoring all planning applications and instances of enforcement action at every stage, by type and racial group, including Gypsies and Irish Travellers, in order to assess the effects of policies and practices on different racial groups.

Among other recommendations, the Report states that police forces should:

- include Gypsies and Irish Travellers in mainstream neighbourhood policing strategies, to promote race equality and good race relations;
- target individual Gypsies and Irish Travellers suspected of anti-social behaviour and crime on public, private and unauthorised sites, and not whole communities;
- treat Gypsies and Irish Travellers as members of the local community, and in ways that strengthen their trust and confidence in the police;
- provide training for all relevant officers on Gypsies' and Irish Travellers' service needs, so that officers are able to do their jobs more effectively;

- review formal and informal procedures for policing unauthorised encampments, to identify and eliminate potentially discriminatory practices, and ensure that the procedures promote race equality and good race relations; and
- review the way policy is put into practice, to make sure organisations and individuals take a consistent approach, resources are used effectively and strategically, all procedures are formalised, and training needs are identified.

Other recommendations relate to Parish and Community councils the Local Government Association, the Association of Chief Police Officers and the voluntary sector.

#### B.5 **Planning Advisory Service (PAS) *Spaces and places for Gypsies and Travellers: how planning can help* (2006)**

PAS list the following as key to successful delivery of new provision:

- **Involve Gypsy and Traveller communities:** this needs to happen at an early stage, innovative methods of consultation need to be adopted due to low levels of literacy and high levels of social exclusion within Gypsy and Traveller communities and members of the Gypsy and Traveller community should be trained as interviewers on Accommodation Assessments (Cambridgeshire, Surrey, Dorset and Leicestershire). Other good practice examples include distribution of material via CD, so that information can be ‘listened to’ as opposed to read. The development of a dedicated Gypsy and Traveller Strategy is also seen to be good practice, helping agencies develop a co-ordinated approach and so prioritise the issue. The report also recommends the use of existing Gypsy and Traveller resources such as the planning guide published in Traveller’s Times, which aims to explain the planning process in an accessible way to members of the Gypsy and Traveller community. As well as consulting early, PAS also flags the need to consult often with communities;
- **Work collaboratively** with neighbouring authorities to address the issues and avoid just ‘moving it on’ to a neighbouring local authority area. With the new Duty to Co-operate established within the NPPF, working collaboratively with neighbouring local authorities has never been more important. Adopting a collaborative approach recognises that local authorities cannot work in isolation to tackle this issue;
- **Be transparent:** trust is highly valued within Gypsy and Traveller communities, and can take a long time to develop. The planning system needs to be transparent, so that members of the Gypsy and Traveller community can understand the decisions that have been taken and the reasoning behind them. PAS states that *‘ideally council work in this area should be led by an officer who is respected both within the Council and also within Gypsy and Traveller communities: trust is vital and can be broken easily.’*<sup>30</sup> Local planning authorities also need to revisit their approach to development management criteria for applications for Gypsy and Traveller sites *‘to ensure that criteria make it clear what applications are likely to be accepted by the*

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<sup>30</sup> PAS *Spaces and places for gypsies and travellers how planning can help*, page 8



*council. Authorities need to ensure that these are reasonable and realistic. Transparent and criteria-based policies help everyone to understand what decisions have been made and why.*<sup>31</sup> Kent and Hertsmere councils are listed as examples of good practice in this regard.

- **Integration:** accommodation needs assessments need to be integrated into the Local Plan evidence base, with site locations and requirements set out within specific Development Plan Documents (DPDs); dedicated Gypsy and Traveller DPDs are advocated as a means of ensuring that the accommodation needs of Gypsies and Travellers are fully considered and addressed within the local planning process; and
- **Educate and work with councillors:** members need to be aware of their responsibilities in terms of equality and diversity and *'understand that there must be sound planning reasons for rejecting applications for Gypsy and Traveller sites'*<sup>32</sup>. It is helpful for members to understand the wider benefits of providing suitable accommodation to meet the requirements of the Gypsy and Traveller community, such as:
  - An increase in site provision;
  - Reduced costs of enforcement; and
  - Greater community engagement and understanding of community need.

#### B.6 RTPI Good Practice Note 4, *Planning for Gypsies and Travellers (2007)*

The RTPI has developed a series of Good Practice notes for local planning authorities 'Planning for Gypsies and Travellers'; the notes cover four key areas:

- Communication, consultation and participation;
- Needs assessment;
- Accommodation and site delivery; and
- Enforcement.

Whilst the notes were developed prior to the NPPF and the introduction of PPTS 2012 and 2015, some of the key principles remain relevant. and it is worth considering some of the papers' key recommendations.

In terms of **communication, consultation and participation** the RTPI highlight the following good practice:

- **Define potentially confusing terminology** used by professionals working in the area;
- **Use appropriate methods of consultation:** oral exchanges and face-to-face dealings are essential to effectively engage with Gypsy and Traveller communities, whilst service providers tend to use written exchanges;

<sup>31</sup> PAS spaces and places for gypsies and travellers how planning can help page 8 & 14

<sup>32</sup> PAS spaces and places for gypsies and travellers how planning can help page 10

- **Consultees and participants need to be involved in the entire plan making process;** this includes in-house participants, external organisations, Gypsy and Traveller communities, and settled communities. The RTPI concludes that:
  - *‘Local authorities should encourage Gypsy and Traveller communities to engage with the planning system at an early stage. However, they may request other agencies that have well-established relationships with members of Gypsy and Traveller communities to undertake this role.’* and
  - *‘In the past, settled communities have often only become aware of the intention to develop Gypsy and Traveller accommodation when the local authority issues a notice or consultation. ... cultivating the support of the settled community for the development of sites should start as soon as possible. ... There is a sound case for front-loading and sharing information with small groups in the [settled] community, rather than trying to manage large public gatherings at the start of the process. Again, it may be beneficial for the local authority to work in partnership with organisations with established links in the community. The settled community is not a homogeneous whole. There will be separate groups with different perceptions and concerns, which the local authority must take account of.’<sup>33</sup>*
- **Dialogue methods:** the RTPI correctly identify that the experience of many Gypsies and Travellers of liaising with both public sector agencies and the settled community is both frightening and negative. As a result *‘there should be no expectation that Gypsies and Travellers will participate in open meetings. Stakeholders should investigate suitable methods of bringing together individuals from the respective communities in an environment that will facilitate a constructive exchange of information and smooth the process of breaking down animosity and hostility.’<sup>34</sup>* The use of public meetings is discouraged, and the use of organisations with experience of working within both Gypsy and Traveller, and settled communities encouraged – advice and support groups, assisted by the latter, holding regular local meetings can be an effective means of engaging constructively with both communities. Representatives from these groups can also be included on appropriate forums and advisory groups. The location and timing of meetings needs to be carefully considered to maximise participation, with a neutral venue being preferable.
- **The media** has an important role to play in facilitating the delivery of sites locally, with past reporting being extremely damaging. Positive media liaison is important and requires:
  - A single point of contact with the local authority;
  - A liaison officer responsible for compilation and release of briefings, and for building positive relationships with editors, journalists, radio and television presenters;

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<sup>33</sup> RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 8

<sup>34</sup> RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 13

- All stakeholders to provide accurate and timely briefings for the liaison officer;
  - Provision of media briefings on future activities;
  - Officers to anticipate when and where the most sensitive and contentious issues will arise and use of a risk assessment to mitigate any negative impact;
  - Use of the media to facilitate engagement with both settled and Gypsy and Traveller communities; and
  - Stakeholders to provide politicians with clear, accurate and comprehensive briefings.
- **On-going communication, participation and consultation** are important. The continued use of the most effective methods of engagement once an initiative is completed ensures the maximum use of resources:
    - *‘The delivery of some services, such as the identification of sites in development plan documents, is the end of one process and the start of another. The various committees and advisory groups established to participate in the process of site identification and the accommodation needs assessment will have considerable background information and expertise embedded in their membership. This will prove useful in the management and monitoring of subsequent work. ... Whilst on-going engagement with all service users is important, it is especially important with regard to Gypsies and Travellers, given their long history of marginalisation.’<sup>35</sup>*

Whilst the RTPI’s Good Practice Note Planning for Gypsies and Travellers predates the NPPF, the principles that it establishes at Part C remain largely relevant in terms of the role of local plan making. The Note advises that whilst the use of the site specific DPDs to identify sites for Gypsy and Traveller accommodation may seem less divisive, subsequent to identification of sufficient sites to meet identified need, local planning authorities should seek to integrate provision for Gypsies and Travellers within their general housing strategies and policies. Early involvement of stakeholders, the community and special interest groups will help achieve a consensus.

However, the RTPI point out that, due to the contentious nature of Gypsy and Traveller provision, the use of a criteria based approach to the selection of development sites is unlikely to be *successful ‘in instances where considerable public opposition to the development might be anticipated.’* The paper concludes that it is not appropriate to rely solely on criteria as an alternative to site allocations where there is an identified need for the development.<sup>36</sup>

The RTPI advocate adopting a pragmatic approach, whereby local planning authorities work with the Gypsy and Traveller communities within their areas to identify a range of potentially suitable sites:

*‘The local authority and Gypsy and Traveller communities are both able to bring forward their suggested sites during this process, and the distribution and location*

<sup>35</sup> RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 18

<sup>36</sup> RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part C page 11

*of transit as well as permanent sites can be covered. The practicable options would then go forward for discussion with the local community, interest groups, and other stakeholders before the selection of preferred sites is finalised. The advantages of this approach are its transparency and the certainty it provides both for Gypsies and Travellers and for settled communities.<sup>37</sup>*

The RTPI also advocates the use of supplementary planning guidance to provide additional detail on policies contained within a Local Plan; in terms of Gypsies and Travellers this could include:

- Needs assessment evidence base;
- Design principles; and
- A design brief for the layout of sites.

#### **B.7 Guidance on Gypsy and Traveller Accommodation Needs Assessments, DCLG, October 2007**

This Guidance (formally cancelled in December 2016) sets out a detailed framework for designing, planning and carrying out Gypsy and Traveller accommodation needs assessments. It includes the needs of Showpeople. It acknowledges that the housing needs of Gypsies and Travellers are likely to differ from those of the settled community, and that they have hitherto been excluded from accommodation needs assessments.

The guidance stresses the importance of understanding accommodation needs of the whole Gypsy and Traveller population; and that studies obtain robust data. It recognises the difficulty of surveying this population and recommends the use of:

- Qualitative methods such as focus groups and group interviews;
- Specialist surveys of those living on authorised sites that are willing to respond; and
- Existing information, including local authority site records and the twice yearly caravan counts.

The Guidance recognises that there are challenges in carrying out these assessments, and accepts that while the approach should be as robust as possible it is very difficult to exactly quantify unmet need.

#### **B.8 Designing Gypsy and Traveller Sites Good Practice Guide, DCLG, May 2008**

The Guide (now cancelled) attempted to establish and summarise the key elements needed to design a successful site. In particular, the guidance intended to assist:

- Local authorities or Registered Providers looking to develop new sites or refurbish existing sites;
- Architects or developers looking to develop sites or refurbish existing sites; and
- Site residents looking to participate in the design/refurbishment process.

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<sup>37</sup> RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part C page 11

**B.9 The National Planning Policy Framework, March 2012**

The National Planning Policy Framework (NPPF) came into effect in March 2012 and sets out the Government's planning policies for England. It condenses previous guidance and places a strong emphasis on 'sustainable development'. It provides more focussed guidance on plan-making and refers to 'Local Plans' rather than Local Development Frameworks or Development Plan Documents. Despite the difference in terminology it does not affect the provisions of the 2004 Act which remains the legal basis for plan-making.

**B.10 DCLG Planning policy for traveller sites, March 2012 (subsequently updated August 2015)**

In March 2012 the Government also published *Planning policy for traveller sites*, which together with the NPPF replaced all previous planning policy guidance in respect of Gypsies and Travellers. The policy approach encouraged provision of sites for Gypsies and Travellers where there is an identified need, to help maintain an appropriate level of supply. The policy also encouraged the use of plan making and decision taking to reduce unauthorised developments and encampments. This policy document was replaced by updated PPTS in August 2015 (see below).

**B.11 Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers, April 2012**

In April 2012 the Government published a Progress Report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers, which summarised progress in terms of meeting 'Government commitments to tackle inequalities and promote fairness for Gypsy and Traveller communities.'<sup>38</sup> The report covers 28 measures from across Government aimed at tackling inequalities, these cover:

- Improving education outcomes;
- Improving health outcomes;
- Providing appropriate accommodation;
- Tackling hate crime;
- Improving interaction with the National Offender Management Service;
- Improving access to employment and financial services; and
- Improving engagement with service providers.

**B.12 Dealing with illegal and unauthorised encampments: a summary of available powers, DCLG August 2012**

This guidance note (now superseded, March 2015) summarised the powers available to local authorities and landowners to remove encampments from both public and private land.

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<sup>38</sup> [www.communities.gov.uk/news/corporate/2124322](http://www.communities.gov.uk/news/corporate/2124322)

- B.13 **Statutory Instrument 2013 No.830 Town and Country Planning (Temporary Stop Notice) (England) (Revocation) Regulations 2013:** Made on 11<sup>th</sup> April 2013 and laid before Parliament on 12<sup>th</sup> April 2013 this Instrument revoking the regulations applying to Temporary Stop Notices (TSNs) in England came into force on 4<sup>th</sup> May 2013. The regulations were originally introduced to mitigate against the likely disproportionate impact of TSNs on Gypsies and Travellers in areas where there is a lack of sites to meet the needs of the Travelling community. Under the regulations, TSNs were prohibited where a caravan was a person's main residence, unless there was a risk of harm to a serious public interest significant enough to outweigh any benefit to the occupier of the caravan. Under the new arrangements local planning authorities are to determine whether the use of a TSN is a proportionate and necessary response.
- B.14 **Ministerial Statement 1<sup>st</sup> July 2013 by Brandon Lewis**<sup>39</sup> highlighted the issue of inappropriate development in the Green Belt and revised the appeals recovery criteria issued on 30<sup>th</sup> June 2008 to enable an initial six-month period of scrutiny of Traveller site appeals in the Green Belt. This was so that the Secretary of State could assess the extent to which the national policy, *Planning policy for traveller sites*, was meeting the Government's stated policy intentions. A number of appeals have subsequently been recovered. The Statement also revoked the practice guidance on 'Diversity and equality in planning'<sup>40</sup>, deeming it to be outdated; the Government does not intend to replace this guidance.
- B.15 **Dealing with illegal and unauthorised encampments: a summary of available powers 9<sup>th</sup> August 2013.** This guidance (now superseded, March 2015) replaced that published in August 2012, and updated it in respect of changes to Temporary Stop Notices.
- B.16 **DCLG Consultation: Planning and Travellers, September 2014.** This consultation document sought to:
- Amend the Planning policy for Traveller sites' definition of Travellers and Travelling Showpeople to exclude those who have ceased to travel permanently;
  - Amend secondary legislation to bring the definition of Gypsies and Travellers, set out in the Housing (Assessment of Accommodation Needs)(Meaning of Gypsies and Travellers)(England) Regulations 2006 in line with the proposed changed definition set out above for the Planning policy for Traveller sites;
  - Make the intentional unauthorised occupation of land be regarded by decision takers as a material consideration that weighs against the granting of planning permission. In other words, failure to seek permission in advance of occupation of land would count against the grant of planning permission;
  - Protect 'sensitive areas' including the Green Belt;
  - Update guidance on how local authorities should assess future Traveller accommodation requirements, including sources of information that authorities

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<sup>39</sup> <https://www.gov.uk/government/speeches/planning-and-travellers>

<sup>40</sup> ODPM Diversity and Equality in Planning: A good practice guide 2005

should use. In terms of future needs assessments the consultation suggests that authorities should look at:

- The change in the number of Traveller households that have or are likely to have accommodation needs to be addressed over the Plan period;
  - Broad locations where there is a demand for additional pitches;
  - The level, quality and types of accommodation and facilities needed (e.g. sites and housing);
  - The demographic profile of the Traveller community obtained from working directly with them;
  - Caravan count data at a local level; and
  - Whether there are needs at different times of the year.
- The consultation closed on 23<sup>rd</sup> November 2014.

**B.17 Dealing with illegal and unauthorised encampments: a summary of available powers, March 2015.** This Guidance sets out the robust powers councils, the police and landowners have to deal quickly with illegal and unauthorised encampments. The Guidance lists a series of questions that local authorities will want to consider including:

- Is the land particularly vulnerable to unlawful occupation/trespass?
- What is the status of that land? Who is the landowner?
- Do any special rules apply to that land (e.g. byelaws, statutory schemes of management, etc.) and, if so, are any of those rules relevant to the occupation/trespass activity?
- Has a process been established for the local authority to be notified about any unauthorised encampments?
- If the police are notified of unauthorised encampments on local authority land, do they know who in the local authority should be notified?
- If the power of persuasion by local authority officers (wardens/park officers/enforcement officers) does not result in people leaving the land/taking down tents, is there a clear decision making process, including liaison between councils and local police forces, on how to approach unauthorised encampments? At what level of the organisation will that decision be made? How will that decision-maker be notified?

The Guidance also states that to plan and respond effectively local agencies should work together to consider:

- Identifying vulnerable sites;
- Working with landowners to physically secure vulnerable sites where possible;
- Preparing any necessary paperwork, such as applications for possession orders or injunctions, in advance;

- Working with private landowners to inform them of their powers in relation to unauthorised encampments, including advance preparation of any necessary paperwork;
- Developing a clear notification and decision-making process to respond to instances of unauthorised encampments;
- The prudence of applying for injunctions where intelligence suggests there may be a planned encampment and the site of the encampment might cause disruption to others;
- Working to ensure that local wardens, park officers or enforcement officers are aware of who they should notify in the event of unauthorised encampments;
- Working to ensure that local wardens or park officers are aware of the locations of authorised campsites or other alternatives; and
- Identifying sites where protests could be directed / permitted.

#### B.18 **DCLG Planning policy for traveller sites, August 2015**

To be read alongside the NPPF (March 2012), this national planning policy document replaces the original document of the same Swale (published in March 2012). *Planning policy for traveller sites* sets out that, “the Government’s overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.”<sup>41</sup>

The document sets out a series of nine policies (Policy A to Policy I), which address different issues associated with traveller sites:

- Policy A: Using evidence to plan positively and manage development,
- Policy B: Planning for traveller sites,
- Policy C: Sites in rural areas and the countryside,
- Policy D: Rural exception sites,
- Policy E: Travellers sites in Green Belt,
- Policy F: Mixed planning use traveller sites,
- Policy G: Major development projects,
- Policy H: Determining planning applications for traveller sites, and
- Policy I: Implementation.

#### B.19 **DCLG Planning policy statement on Green Belt protection and intentional unauthorised development (31<sup>st</sup> August 2015)**

Issued as a letter to all Chief Planning Officers in England, this planning policy statement sets out changes to make intentional unauthorised development a material

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<sup>41</sup> DCLG *Planning policy for traveller sites*, August 2015, paragraph 3



consideration in the determination of planning applications, and also to provide stronger protection for the Green Belt. The statement explains that the Planning Inspectorate will monitor all appeal decisions involving unauthorised development in the Green Belt, and additionally the DCLG will consider the recovery of a proportion of relevant appeals for the Secretary of State's decision *"to enable him to illustrate how he would like his policy to apply in practice"*, under the criteria set out in 2008.

In addition, the planning policy statement of 31<sup>st</sup> August 2015 announced that the Government has cancelled the documents *Guide to the effective use of enforcement powers, Part 1* (2006) and *Part 2* (2007) and *Designing Gypsy and Traveller Sites – Good Practice Guide* (2008).

**B.20 DCLG Draft guidance to local housing authorities on the periodical review of housing needs: Caravans and Houseboats, March 2016**

This draft guidance was published to explain how the Government wants local housing authorities to interpret changes to accommodation needs assessments (as required by Section 8 of the Housing Act 1985), specifically in relation to caravans and houseboats. It makes reference to Clause 115 of the Housing and Planning Bill, which has subsequently received royal assent and became legislation on 12 May 2016. The relevant clause has become Section 124 of the Housing and Planning Act 2016.

The draft guidance explains how Government wants local housing authorities to interpret changes to accommodation needs assessments (as required by Section 8 of the Housing Act 1985), specifically in relation to caravans and houseboats.

In the carrying out of accommodation needs assessments, the draft guidance stresses the importance of close engagement with the community. The use of existing data along with conducting a specialist survey is recommended.

**B.21 Ministry of Housing, Communities & Local Government Draft Revised National Planning Policy Framework, March 2018**

Draft Revised NPPF was published for public consultation in March 2018. Chapter 5 deals with *'Delivering a sufficient supply of homes'*. Paragraph 62 states:

*'Within this context, policies should identify the size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers\*, people who rent their homes and people wishing to commission or build their own homes).'*

The footnote states as follows:

*'Travellers who do not fall under the definition of 'traveller' in Annex 1 of the Planning Policy for Traveller Sites. The latter sets out how travellers' accommodation needs should be assessed for those covered by the definition in Annex 1 of that document.'*

## Appendix C: Fieldwork questionnaire for household survey

	Date and Time			
	Site Reference			
	Address			
1	Pitch/Property Type			
2	No. Statics/mobiles/bricks and mortar			
3	No. tourers			
4	Description of pitch occupancy			
5	No. households			
Page 2 of 46	No. concealed households			
	No. doubled up households			
	Does anyone else use this pitch as their home?			
	Household characteristics			
		Gender	Age	Relationship to respondent
	Respondent			
	Person 2			
	Person 3			
	Person 4			
	Person 5			
	Person 6			
	Person 7			
	Person 8			

10	Ethnicity	
11	How many bedspaces are there on your pitch?	
12	Overcrowding of home	Y / N
13	Overcrowding of pitch	Y / N

### Travelling questions

14	In the last year have you or someone in your household travelled	Y / N
15	Previous to the last year, did you or someone in your household travel?	Y / N
16	Reason(s) for travelling	
17	Do you or a member of your household plan to travel next year?	Y / N
18	Do you think you or a member of your household will travel each year for the next five years and/or beyond	Y / N
19	What reasons do you have for not travelling now or in the future?	

### Future moving intentions

20	Are you planning to move in the next 5 years?	Y / N
21	Where are you planning to move to? ( <b>Same Site</b> , <b>Other Site</b> in District, <b>Outside</b> District (if so where))	
22	What type of dwelling (caravan, trailer, house, flat, bungalow)	

23	<b>Emerging households:</b> Are there any people in your household who want to move to their own pitch in the next 5 yrs?	Y / N			
		HH1	HH2	HH3	HH4
24	Where are you planning to move to? ( <b>Same Site, Other Site</b> in District, <b>Outside</b> District (if so where)				
25	What type of dwelling (caravan, trailer, house, flat, bungalow)				
26	Have they travelled / plan to travel	Y/N	Y/N	Y/N	Y/N
27	Scope to expand site	Y / N			
28	No. additional pitches				
29	Scope to intensify pitches	Y / N			
30	No. additional pitches				
31	Is there a need for transit pitches (for people stopping over temporarily) in the district?	Y / N			
32	If so, now many are needed?				
33	Who should manage them (Council, Traveller Community)				
34	Is there a need for more authorised pitches (for people to live on all the time?)	Y / N			
35	If so, now many are needed?				
36	How many years have you lived here?				

If less than 6 years, please ask supplementary questions

**Supplementary questions if relevant**

37	Where did you move from? <b>(District)</b>	
38	When you moved here, was the pitch vacant, a new pitch or was the pitch sub-divided	
39	What were the reasons for moving here?	
40	Did you already have a connection with the area (e.g. family or friends living here; or you used to live here?)	
41	Do you know anyone in bricks and mortar housing looking to live on a site? If so, can you provide contact details	
Page 249	Are there any vacant pitches on the site which could be used by another family? If so how many pitches	

## Appendix D: Glossary of terms

**Caravans:** Mobile living vehicles used by Gypsies and Travellers; also referred to as trailers.

**CJ&POA:** Criminal Justice and Public Order Act 1994; includes powers for local authorities and police to act against unauthorised encampments.

**CRE:** Commission for Racial Equality.

**DCLG:** Department for Communities and Local Government; created in May 2006. Responsible for the remit on Gypsies and Travellers, which was previously held by the Office of the Deputy Prime Minister (O.D.P.M.).

**Gypsies and Travellers:** Defined by DCLG *Planning policy for traveller sites* (August 2015) as “Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such”. The planning policy goes on to state that, “In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters: a) whether they previously led a nomadic habit of life b) the reasons for ceasing their nomadic habit of life c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances”.

**Irish Traveller:** Member of one of the main groups of Gypsies and Travellers in England. Irish Travellers have a distinct indigenous origin in Ireland and have been in England since the mid nineteenth century. They have been recognised as an ethnic group since August 2000 in England and Wales (O’Leary v Allied Domecq).

**Mobile home:** Legally a ‘caravan’ but not usually capable of being moved by towing.

**Pitch:** Area of land on a Gypsy/Traveller site occupied by one resident family; sometimes referred to as a plot, especially when referring to Travelling Showpeople. DCLG *Planning policy for traveller sites* (August 2015) states that “For the purposes of this planning policy, “pitch” means a pitch on a “gypsy and traveller” site and “plot” means a pitch on a “travelling showpeople” site (often called a “yard”). This terminology differentiates between residential pitches for “gypsies and travellers” and mixed-use plots for “travelling showpeople”, which may / will need to incorporate space or to be split to allow for the storage of equipment”.

**Plot:** see pitch

**PPTS:** Planning Policy for Traveller Sites (DCLG, 2012 and 2015 editions)

**Roadside:** Term used here to indicate families on unauthorised encampments, whether literally on the roadside or on other locations such as fields, car parks or other open spaces.

**Romany:** Member of one of the main groups of Gypsies and Travellers in England. Romany Gypsies trace their ethnic origin back to migrations, probably from India, taking place at intervals since before 1500. Gypsies have been a recognised ethnic group for the purposes of British race relations legislation since 1988 (CRE V Dutton).

**Sheds:** On most residential Gypsy/Traveller sites 'shed' refers to a small basic building with plumbing amenities (bath/shower, WC, sink), which are provided at the rate of one per pitch/pitch. Some contain a cooker and basic kitchen facilities.

**Showpeople:** Defined by DCLG *Planning policy for traveller sites* (August 2015) as “Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above”.

**Site:** An area of land laid out and used for Gypsy/Traveller caravans; often though not always comprising slabs and amenity blocks or ‘sheds’. An authorised site will have planning permission. An unauthorised development lacks planning permission.

**Slab:** An area of concrete or tarmac on sites allocated to a household for the parking of trailers (caravans)

**Stopping places:** A term used to denote an unauthorised temporary camping area tolerated by local authorities, used by Gypsies and Travellers for short-term encampments, and sometimes with the provision of temporary toilet facilities, water supplies and refuse collection services.

**Tolerated site:** An unauthorised encampment/site where a local authority has decided not to take enforcement action to seek its removal.

**Trailers:** Term used for mobile living vehicles used by Gypsies and Travellers; also referred to as caravans.

**Transit site:** A site intended for short-term use while in transit. The site is usually permanent and authorised, but there is a limit on the length of time residents can stay.

**Unauthorised development:** Establishment of Gypsy and Traveller sites without planning permission, usually on land owned by those establishing the site. Unauthorised development may involve ground works for roadways and hard standings. People parking caravans on their own land without planning permission are not Unauthorised Encampments in that they cannot trespass on their own land – they are therefore Unauthorised Developments and enforcement is always dealt with by Local Planning Authorities enforcing planning legislation.

**Unauthorised encampment:** Land where Gypsies or Travellers reside in vehicles or tents without permission. Unauthorised encampments can occur in a variety of locations (roadside, car parks, parks, fields, etc.) and constitute trespass. The 1994 Criminal Justice and Public Order Act made it a criminal offence to camp on land without the owner’s consent. Unauthorised encampments fall into two main categories: those on land owned by local authorities and those on privately owned land. It is up to the land owner to take enforcement action in conjunction with the Police.

**Wagons:** This is the preferred term for the vehicles used for accommodation by Showpeople.

**Yards:** Showpeople travel in connection with their work and therefore live, almost universally, in wagons. During the winter months these are parked up in what was traditionally known as ‘winter quarters’. These ‘yards’ are now often occupied all year around by some family members.

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