

Kington Neighbourhood Plan

Landscape Review of Town Settlement Boundary & Local Green Spaces

August 2017

1. Introduction

- 1.1 In July 2017, I was commissioned to review and comment on landscape matters in relation to the current draft of the Kington Area Neighbourhood Plan (NP). I was instructed by members of the NP steering group.
- 1.2 At an informal meeting that I attended with members of the steering group and their NP advisor in early August, an update was provided about the emerging NP. At that time, the draft NP had been published and was the subject of a final round of public / community consultation before being submitted to a local referendum (probably in the autumn of 2017).
- 1.3 At this stage, it is therefore very important to ensure that what is proposed is not only supported by the community as far as possible, but that it complies with all the relevant requirements of national and local planning policy.
- 1.4 Responses to the Regulation 14 consultation have been received and are being reviewed, and a number of landscape-related matters have been raised which need to be addressed.
- 1.5 At the meeting it was agreed that in the light of these various matters and associated issues, the scope and main aims of the landscape review should be to analyse and provide the steering group with written comments on / recommendations for:
 - a) the proposed line of the town's future settlement boundary;
 - b) the draft indicative masterplan which had been produced for two potential development sites on land south of Kington; and
 - c) the location of areas proposed as Local Green Spaces (LGSs).
- 1.6 Although I was not involved in the preliminary studies which identified potential development sites and LGSs in and around the town itself, I did carry out in-depth landscape and visual assessments in the rest of the Kington Area, including sites on the edges of the town. The findings were used to inform and guide the emerging NP.
- 1.7 In 2015 I was asked to have an input into further possible development site selection, and I undertook further assessments. The studies identified two fields on the south-eastern edge of the town and categorised them as having 'moderate' sensitivity to change and thus potentially moderate capacity to accommodate new houses (albeit subject to certain constraints and criteria). The fields are adjacent to the existing settlement edge, and are divided by a hedge (the latter is a key landscape feature and potentially 'Important' as defined by the Hedgerow Regulations, which should be retained and protected / enhanced even if the sites were not developed).
- 1.8 The two fields were therefore included as potential sites for future residential development in the draft NP (they were originally numbered as sites K12 and K13, but subsequently - following the July 2017 draft NP consultation exercise and the August 2017 landscape review - were renumbered as sites K6 and K7).
- 1.9 A third and smaller field associated with the other two (originally site K15, although if included it would presumably logically be renumbered as K8) was considered to have lower capacity for development in landscape terms than the now-renumbered K6 and K7 sites, but following an earlier round of consultation it was decided to include it as well; however, this decision was later changed - see Section 3 below. Together, these sites were termed the 'Kington South' sites.

- 1.10 The landscape and visual studies that were carried out in November / December 2015 included the production of a draft strategic 'parameters plan' for the Kington South sites, and subsequently, an indicative masterplan (which was included in the July 2017 NP consultation draft documents) - see Section 3 below for more information about this.
- 1.11 Following the meeting with the steering group in August 2017, I carried out an analysis of the line of the proposed settlement boundary and the locations of the proposed LGSs, using the previous assessments and studies as a key source of reference. I then produced sketch plans to inform and illustrate the comments set out in this report (see drawings SK 01 - Settlement Boundary: Analysis, and SK 02 - Settlement Boundary Draft, attached separately). The plans were for discussion and consultation purposes, and were to be used to inform and guide final decisions about the proposed line of the town boundary and the location of the proposed LGSs.
- 1.12 Please note that the analysis was carried out, and the draft report was produced, in August 2017. Since then, some of the potential development sites have been reconsidered / omitted: the findings set out below, and the site numbering used, reflect the August 2017 position; for example, as mentioned above, sites K12 and K13 have now become K6 and K7, and if included in the NP, site K15 would in theory become site K8.
- 1.13 Also, following completion of the August 2017 landscape study it was noted that in certain cases, the old UDP boundary included areas that in fact lie outside the Kington Town Parish boundary; these were also shown on the draft landscape plans. The settlement boundary was therefore later redrawn to exclude them, but the August 2017 sketch plans that accompany this report have not been changed.

2. Settlement Boundary Analysis

SETTLEMENT BOUNDARY: OVERVIEW

- 2.1 At present (August 2017), the proposed NP settlement boundary (SB) broadly reflects the now-superseded Unitary Development Plan (UDP) SB, with the line adjusted to accommodate the new sites (K12, K13, K15, and K20, at the south-western edge of the town). However, it departs from the UDP SB in certain places.
- 2.2 At the meeting, the reasons for the 'departures' (other than for new sites) were explained by the NP steering group.
- 2.3 The majority were minor deviations from the UDP boundary. For example, on the east side of the town, the NP SB follows the line of the A4111, whereas the UDP SB follows the brook; to the north west, the NP extends the SB line slightly further along a narrow slither of land adjacent to the A44. In these cases, it seems more logical to align the new SB line with that of the old UDP, as the criteria on which it was based are considered to be robust and still applicable (see East of Bridge Street section below).
- 2.4 North east of the town, the NP SB excludes the units on Barton Lane, but it would be better to include them as per the UDP. The NP boundary includes the sewage works unlike the UDP - in this case it seems logical and consistent to include them, along with the long garden of the property north of the river.
- 2.5 A further suggested change is to adjust the draft NP SB where it has been extended to accommodate a potential development site at the town's south-western tip (K20).
- 2.6 K20 itself only occupies half of the area shown within the draft NP SB; the rest of the area comprises Hergest Mill (two listed buildings), associated gardens with mature trees, a well-wooded watercourse, and a small area of partially-wooded land in between Hergest Mill and the River Arrow. None of the area was previously included within the UDP SB.
- 2.7 Whilst K20 appears to have the capacity to accommodate some new development, it is highly unlikely that the area to the east of it would. This is due to the listed buildings and the ecological designation which covers the trees to the south (Priority Habitat Inventory (PHI) site (Deciduous Woodland)) - they are also included on the National Forest Inventory (Broadleaved Woodland). All these are constraints to development¹.

¹ A good source of reference for the criteria which are applied to matters such as landscape and biodiversity value and sensitivity in decisions about new housing (and other) development can be found in HC's Strategic Housing Land Availability Assessment - Rural Report November 2015. See for example para. 2.11: PHI sites are classified as having 'No Potential' for development.

- 2.8 It is recommended that the new town boundary is drawn more tightly around K20.
- 2.9 The most significant change to the old UDP SB was made following preliminary public consultation about the NP. As a result of the findings and recommendations of the evidence-based studies which had been carried out, and having been informed by them, the decision was taken to include the fields north and south of the River Arrow - from Hergest Road south west of the town to the A4111 which forms its eastern edge - within the SB. This is what is shown in the published consultation draft NP (July 2017).
- 2.10 I deal with the areas west and east of Bridge Street separately, as the issues involved are somewhat different.

WEST OF BRIDGE STREET

- 2.11 West of Bridge Street, the old UDP SB was drawn north of the River Arrow. It included school grounds and formal recreation areas, but not the caravan park or small strip of land west of Bridge Street (see drawing no. SK 01 Settlement Boundary: Analysis).
- 2.12 The draft NP currently draws the boundary line along a footpath south of the river meadows which lie in between Newburn Farm and Arrow Grange (and includes the Newburn Farm complex). The fields are also proposed LGS - see LGS section below.
- 2.13 In my opinion, west of Bridge Street, there is no justification for the NP settlement boundary to deviate from the UDP boundary (the reasons are explained more fully under the East of Bridge Street section below), apart from a) where it accommodates site K9, and b) between the weir and Bridge Street, where it would be more logical and consistent to redraw the line on the north side of the river (see SKs 01 and 02).
- 2.14 Notwithstanding the above, it is important to understand and consider the implications of deciding to include land within a settlement boundary: it must be accepted that in principle, any land lying *within* the settlement boundary is deemed to be a potential candidate for new development. Clearly, that would be subject to any baseline constraints (e.g. designations and flood zones), and compliance with relevant planning policies. Certain landuses are constraints, for example land in formal educational / educational use (although such land is normally protected by planning policy anyway). However, it is not unreasonable to conceive of the current use ceasing at some point in the future, in which case both the planning authority and developers would almost certainly take an interest in the land - perhaps not with a view to building within the current plan period, but perhaps during the following one.

EAST OF BRIDGE STREET

- 2.15 East of Bridge Street, the fields north and south of the river between Bridge Street and the A4111, north of Headbrook, were included within the UDP SB. In this respect, the NP SB is consistent with the UDP's.
- 2.16 The fields are also proposed LGS (see Section 4 below).
- 2.17 It is my understanding that this area's potential for inclusion as a future development site / sites was considered during the NP consultation process, but apart from K6, the proposal was rejected.
- 2.18 My recommendation is that these fields should not be included as part of the settlement, (i.e. the boundary should conform to the line shown on draft SK 02), for the reasons set out below.
- 2.19 Two of the most important aspects of determining the line of a settlement boundary are a) producing and applying robust, objective and appropriate criteria (especially with regard to planning policy), and b) consistency throughout.
- 2.20 Whilst the fields north of Headbrook were included within the UDP's area of 'settlement', they were also well-protected under the UDP's Green Space Policy HBA9, which was as follows:

HBA9 Protection of open areas and green spaces

Proposals which would result in the loss of important open areas or green spaces which contribute to the distinctive spatial character, form and pattern of a settlement or neighbourhood will not be permitted. In particular the following such elements are worthy of protection. Land/open areas which:

1. **provide relief within an otherwise built up frontage or within developments;**
 2. **create and maintain a well defined edge to the settlement;**
 3. **provide a buffer between incompatible uses;**
 4. **provide important views into or out of settlements and of attractive buildings and their settings, or of attractive landscapes;**
 5. **provide an important amenity of value to the local community;**
 6. **represent a familiar or distinctive element within an attractive street scene;**
 7. **represent an historic element within the origins or development of the settlement or area; or**
 8. **provide wildlife corridors or stepping stones within built up areas.**
- 2.21 This meant that whilst the fields did not (and still do not) offer formal recreational provision or public access (this almost certainly being due to the land's liability to flood - no trackways are shown on 19th century maps), they fulfilled the above criteria and still do (this is further justification for their inclusion in the NP as LGS - see LGS section below).
- 2.22 Clearly, this protection meant that it was not necessary to exclude the land from the SB, as it was highly unlikely that planning permission would be granted for new development if applied for.
- 2.23 Now, the situation is different. UDP Policy HBA9 has been replaced by Core Strategy Policies SS6 - Environmental Quality and Local Distinctiveness; OS3 - Loss of open space, sports or recreation facilities; LD1 - Landscape and townscape; LD2 - Biodiversity and geodiversity; LD3 - Green infrastructure; and LD4 - Historic environment and heritage assets. None of these policies provide protection for specific sites, and do not preclude development.
- 2.24 In the light of the above, I recommend that the following matters are considered when determining the line of the future SB east of Bridge Street:
- a) The option shown on SK 02 applies the UDP and other SB criteria consistently - for example, the fields at the south-western end of the town north and south of the river are excluded from the settlement in both the NP and the UDP versions, which is more logical.
 - b) The fields are no longer protected under planning policy, and so development is no longer precluded in that respect.
 - c) The LGS designation does not preclude development, although it is a constraint - see LGS section below.
 - d) This land does not perform any formal recreational functions or provide public access (at least, at present - see LGS below). If included within the SB, there is no justification for refusal of planning permission on the grounds of it being in 'open countryside' (the term used to define land outside the settlement boundary, even if adjacent). Of course, there may be other factors / constraints which would mean that development was not feasible / viable, or which would result in refusal - see West of Bridge Street section above.

SETTLEMENT BOUNDARY: KINGSWOOD ROAD

- 2.25 As part of the review process I was also asked to comment on the future line of the settlement boundary south east of the town, especially along Kingswood Road and in the vicinity of sites K12 and K13.
- 2.26 I briefly addressed this in my 2015 assessment. My analysis concluded that the land west of Kingswood Road - from the existing houses opposite Kingswood Hall to Arrow Grange - had low capacity for new development, in the light of the high levels of adverse effects on landscape character and visual amenity that would arise (this part of Kington is particularly visible from Hergest Ridge and elevated areas west of the town, and it is unlikely that it would be possible to fully screen views from higher ground). I advised that it had no potential, and it was not included in the NP.
- 2.27 I concluded that Kingswood Road itself would form a logical, strong, physical and defensible future boundary to the town at this point. However, I felt that this was such an important boundary that it should be as robust and resilient as possible. For that reason, the parameters plan I drew up showed a strong woodland buffer between the road and the 'development zone', in order to

reinforce the boundary. This would have the additional benefit of helping to screen elevated and highly sensitive views from the west (the buffer is not shown on the NP indicative masterplan - see Masterplan section).

- 2.28 I also suggested that a new footpath could be created through the buffer zone which would link the existing footpaths lying to the north and south. These would contribute to the wider strategic Green Infrastructure (GI) assets and functions which both exist and are starting to develop in and around the town, as set out in the sections below.

SETTLEMENT BOUNDARY KINGTON SOUTH

- 2.29 The 2015 landscape and visual studies I carried out included the production of a draft strategic masterplan for the 'Kington South' sites.
- 2.30 This took into account the baseline studies and constraints, and the emerging NP. It also identified potential future strategic GI opportunities, including the creation of a strong multi-functional landscape framework south of the town, with inter-connected green / public open spaces; community, educational, agricultural and commercial uses; new footpaths which link to the town, local facilities and the wider footpath network; and a wide variety of habitats such woodland, meadows and ponds.
- 2.31 At that time, the settlement boundary was not an issue, as its future line would depend on which sites were selected. However, I did recommend that a strong and wide landscaped buffer zone should be established between the K13 and K15 sites and the ridgeline to the south, running west - east between Kingswood Road and the A4111.
- 2.32 This was because it was clear from the baseline analysis that the ridgeline formed an important physical and visual edge to this part of the town, and that this was a very good opportunity to a) strongly define and defend the town's southern edge, and b) improve existing / establish future GI functions and assets (habitats for flora and fauna, footpaths, informal recreation etc.).

3. Masterplan - Sites K12, K13 & K15

- 3.1 In accordance with good practice and Herefordshire Council (HC)'s advice, the approach to new development - both in terms of feasibility and design - has been 'landscape-led' and 'iterative'. The 2015 landscape and visual assessments' recommendations shown on the draft landscape parameters plan were broadly carried through to the indicative masterplan which forms part of the current (July 2017) NP consultation documents. However, some, which I consider to be important elements of the town's strategy for future growth in terms of both new development and GI, were not.
- 3.2 Part of this commission was therefore to comment on the indicative masterplan in the NP, and note where changes should be considered.
- 3.3 The recommended changes mainly involve reinstating the green buffers around the site's periphery: these buffers have many benefits and functions (and are often called 'multi-functional linear green open spaces').
- 3.4 In this case, they could accommodate pedestrian and cycle routes (which would provide improved links to the wider area from the town via the site, but not through the middle of a housing estate), informal recreation / fitness trails, habitats for flora and fauna, and SUDS.
- 3.5 Local authorities tend to support this solution, especially as it makes public open spaces easier to manage and control.
- 3.6 Because they perform several important functions (see Settlement Boundary Kington South above, for example), including strategic GI, I would also advise protecting the buffer zones through LGS designation in the NP.
- 3.7 Drawing SK 01 shows the above; this would form the basis of a plan which would set clearly-defined parameters for any future development on K12 and 13.
- 3.8 It should be noted that draft plan SK 01 was produced for discussion purposes only, and does not reflect any adjustments that may be made after it was produced. Drawing SK 02 shows the suggested amendments to the currently-proposed line of the NP settlement boundary, the sites, and the proposed LGSs.

- 3.9 During the course of the August 2017 studies, it was agreed that the new SB should be drawn along the west side of K12 and K13, and that K15 should not be included as a site for future development, as recommended in my 2015 assessment (due to the lower levels of landscape capacity in this area).
- 3.10 K15 should be designated as LGS instead. This would help to further reinforce the strong buffer which is required along the west side of this 'new' part of the town; the area would also provide good amenity space for existing and future residents, and perhaps a new public footpath could be created from Kingswood Road through K15, around the south side of K13, and on to the east side of the town via the existing greenspace. It could also have potential as a site managed for its nature conservation interest.
- 3.11 Incidentally, I note the consultation comments about the indicative masterplan for sites K12 and K13 made by individuals such as Mr. Raven, and with which I entirely agree.
- 3.12 As mentioned above, HC now expects new developments to be 'landscape-led', and the approach to siting, layout and design to be 'iterative'. It emphasises that new development should take account of, respect and reflect its receiving environment's 'local distinctiveness' and 'sense of place', and that what is proposed 'protects' and 'enhances' landscape and townscape character.
- 3.13 The above approach can also have wider benefits, for example for the local economy - evidence shows that high quality places are more likely to attract inward investment. However, HC also recognises that there is scope for contemporary and innovative solutions to constraints and opportunities, and mimicking the local vernacular is not always necessarily the only, or the most appropriate response.

4. Local Green Space (LGS)

- 4.1 The NP consultation process has resulted in several areas of land in and around the town being proposed as LGS². This designation affords land a similar level of protection to that of Green Belts, in that development is 'restricted' (see for example National Planning Policy Framework (NPPF) para. 14 and footnote 9, and paras. 76 - 78). It does not preclude future development, but it does increase the 'value' of the land in terms of its function and benefit to the community and the environment (see also NPPF para. 109 and the requirement to protect and enhance 'valued landscapes').
- 4.2 Since then, a new LGS site has been identified - the allotments which are situated east of the A4111, in between the A44 to the south and Hatton Gardens to the north. Allotments are a valuable community resource and GI asset, and in my opinion, this is a very good candidate for LGS designation. It is shown as LGS on drawing no. SK 01.
- 4.3 As explained above, site K15 is no longer recommended for inclusion as a site with future development potential in the NP, and is instead proposed as new LGS. This would reinforce both the strong buffer which is required along the west side of this 'new' part of the town, and the strategic approach to GI which is being adopted.
- 4.4 The consultation process has provided justification for why the community wish to protect the land along the river corridor - which forms the southern boundary of the town centre from west (Hergest Road) to east (A4111) - and designate it as LGS through the NP.
- 4.5 I entirely agree that this part of the river corridor is a good candidate for LGS. It functions very well as a linear multi-functional green corridor in many respects, and makes a significant contribution to both local and wider GI.
- 4.6 The corridor and associated land's other key functions include a) protecting the historic setting of the southern edge of the town, especially from further encroachment, and b) preventing further coalescence between Kington South and the town centre, north of the river.
- 4.7 Importantly, there is also scope for improvement to the river corridor, especially in terms of its environmental health and quality, its landscape character and visual qualities, and its contribution to both local and wider social amenity: if the designation was confirmed, these could become

² For further information on Local Green Spaces see <http://planningguidance.communities.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

future initiatives (ideally, enshrined in NP policies) for the town and / or other stakeholders (including future developers) to pursue.

- 4.8 As set out above, I do recommend that consideration is also given to excluding the river meadows and grassed valley slopes north of Headbrook from the settlement boundary, in particular taking into account the high level of adverse landscape and visual effects likely to arise if this area was developed.
- 4.9 This matter requires further and wider discussion. One extremely important point to note is that LGS must comply with the requirements of NPPF 77. 'Locality's guidance document *Neighbourhood Planning: Local Green Spaces* states: '*... it would not be appropriate to try to use Local Green Space designation to attempt to impose green belt type protection of land around an urban area. This would be a misuse of the designation and would be likely to result in the neighbourhood plan running into difficulties in meeting the basic conditions at the independent examination stage*'³.
- 4.10 However, if the settlement boundary was moved north of the river as suggested, it may not be necessary for the fields south of the river to be designated as LGS. Unless, of course, the environmental / recreational / heritage and other factors, as well as the community's wishes, justify their inclusion as LGS in the NP.
- 4.11 If this is the case, then in order to be consistent (a key factor that must be demonstrated throughout the NP process and should inform decisions made), consideration should be given to continuing the proposed LGS designation over the swathe of the land which lies south of the River Arrow, from west of Newburn Farm to just below Hergest Mill (this option is not shown on SK 01, although it could be updated if required). This is of course on the assumption that the land fulfils the same criteria for LGS as the rest of the river corridor LGS areas.
- 4.12 It must also be borne in mind that at the 'Regulation 16' stage of the NP process, the inspector may decide that not all of the areas proposed for designation as LGS are appropriate, and / or, landowners may successfully object.
- 4.13 In this scenario, the alternative option is to 'demote' these LGSs to a status which does not confer protection under planning policy, but which nonetheless is a clear and objectively-quantified statement made by the local community that these areas / landscapes are at least of high local value (any national or local designations would increase value levels further).
- 4.14 These areas would be identified on the NP maps and plans as Locally-Important, or Locally-Valuable Green Spaces (LVGSs), and would be the subject of specific NP policy (for example, note that they are considered to have 'low capacity' for new development, but if the principle is acceptable then the development must be in accordance with site-specific design codes / parameters established by HC / KTC / others).

5. Planning Policy

- 5.1 In my experience of and involvement with NPs, which includes some that have been through Regulation 16 and beyond, if the policies don't link back to and fulfil the requirements of the local and national planning policies that underpin them, and don't take relevant guidance into account, they are likely to have to be changed to suit (see reference to NPPF para. 77 and Locality's comment above).
- 5.2 I recommend that the justification for, and wording of, landscape-related policies in both the NPPF (especially paragraphs relating to LGS and 'valued landscapes') and in HC's Core Strategy, are fully considered in the drawing up of the NP policies. The NP policies should clearly reflect the 'mother' policies' aims, objectives and intentions, although they should also be based on locally-specific / locally-important factors and issues.

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³ https://mycommunity.org.uk/wp-content/uploads/2017/02/NP_Green-Space_0217.pdf