

Case Officer: Mrs Alison Webster  
Gravesham Borough Council

Sent by email to:  
[Planning.reps@gravesham.gov.uk](mailto:Planning.reps@gravesham.gov.uk)

3<sup>rd</sup> December 2025

Dear Alison,

**2025992: Land at Wrotham Road, Meopham Gravesend Kent**

**Outline application for the erection of up to 350 residential dwellings, public open space and associated works. Approval is sought for the principal means of vehicular access from Wrotham Road and all other matters are reserved.**

Thank you for your recent consultation on the above. The following comments are on behalf of the Kent Downs National Landscape (NL) team and as such are at an officer level and do not necessarily represent the comments of the whole Kent Downs NL partnership. The legal context of our response and list of National Landscape/AONB guidance is set out at Appendix 1 below.

**On 22 November 2023, all designated Areas of Outstanding Beauty (AONBs) in England and Wales were renamed 'National Landscapes' (NLs). Accordingly, the Kent Downs AONB is now the Kent Downs National Landscape. Its legal designation and policy status remain the same.**

**Also of note is the changes introduced through the Levelling-Up and Regeneration Act 2023, which came into force on 26/December 2023. The Act amends the Countryside and Rights of Way Act, which is the primary legislation relating to AONBs and replaces the previous Duty of Regard to AONBs set out at S85 with a new, strengthened requirement that:**

***'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'. (Part 12 - Miscellaneous; Section 245. Protected Landscapes; paras (5) - (10).***

**This clearly places a much stronger duty on relevant authorities, which includes local authorities, to ensure that their actions and decisions seek to conserve and enhance AONBs, marking a significant change to the legal context of AONB policy.**

**Further guidance is provided in Appendix 2.**



**Kent Downs  
National  
Landscape**

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National Landscape**

The Granary  
Penstock Hall Farm  
Canterbury Road  
East Brabourne  
Ashford, Kent TN25 5LL  
01303 815170  
[mail@kentdowns.org.uk](mailto:mail@kentdowns.org.uk)  
[kentdowns.org.uk](http://kentdowns.org.uk)

Anglesey  
Arnside and Silverdale  
Blackdown Hills  
Cannock Chase  
Chichester Harbour  
Chilterns  
Clwydian Range  
Cornwall  
Cotswolds  
Gower  
Cranbourne Chase and  
West Wiltshire Downs  
Dedham Vale  
Dorset  
East Devon  
Forest of Bowland  
Howardian Hills  
High Weald  
Isle of Wight  
Isles of Scilly  
**Kent Downs**  
Lincolnshire Wolds  
Llyn  
Malvern Hills  
Mendip Hills  
Nidderdale  
Norfolk Coast  
North Devon  
North Pennines  
North Wessex Downs  
Northumberland Coast  
Quantock Hills  
Shropshire Hills  
Solway Coast  
South Devon  
Suffolk Coast and  
Heaths  
Surrey Hills  
Tamar Valley  
Wye Valley

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The application site lies in the setting of the Kent Downs National Landscape, by virtue of its proximity to the National Landscape (less than 300m to the east) and the fact that the site is visible in views from the Kent Downs. The application should therefore be tested against the purpose of the National Landscape designation, namely the conservation and enhancement of the natural beauty of the National Landscape, in line with paragraph 189 of the NPPF.

Under the Countryside and Rights of Way Act, local authorities are required to prepare an AONB Management Plan which must “formulate the policies for the management of the AONB and for carrying out their functions in relation to it”. The Kent Downs National Landscape team produces a Management Plan on behalf of the local authorities within the National Landscape. The Management Plan has been formally adopted by the local authorities in Kent in which the National Landscape occurs. The national Planning Policy Guidance confirms that Management Plans can be a material consideration in planning decisions.

The Kent Downs Management Plan 2021 to 2026 sets out the policy for the conservation, enhancement and management of the National Landscape in a series of aims, actions and Principles. The following principles from the Management Plan are considered to be of particular relevance to the current application:

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

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

The National Planning Policy Framework (NPPF) paragraph 189 requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to landscape and scenic beauty. The NPPF includes reference to setting in the context of National Landscapes advising at paragraph 189 ‘...*while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*’ An appeal decision has confirmed that where a proposal is outside of a National Landscape, the effect on views outside of the National Landscape, but gained from within the National Landscape would result in NPPF paragraph 189 being relevant.<sup>1</sup>

Advice on how to approach development within a National Landscape setting is expanded on in the nPPG at [Paragraph: 042 Reference ID: 8-042-20190721](#). This advises:

*Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.*

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

The setting of the Kent Downs National Landscape has enormous value. It was a principal reason why the Kent Downs was designated as an AONB. The importance of setting has been supported by the Planning Inspectorate in dismissed appeal decisions. These include a proposed housing development at Harrietsham and commercial developments at Waterside Park, adjacent to Junction 8 of the M20 near Maidstone. In respect of the appeal at Harrietsham, the Inspector concluded that *“the unacceptable effects of the proposal on the landscape character of the area, including its SLA categorisation and its position at the edge of the AONB significantly and demonstrably outweigh the benefits that would arise from the proposal”*. (APP/U2235/W/15/3119223).

In respect of the Waterside Park appeals it was concluded that “considerable environmental harm would result from the loss of this area of countryside to development through the combined impact on the landscape setting of the AONB and the heritage assets. The developments would fail to protect the setting of the AONB and therefore also conflict with the aims of Section 85 of the Countryside and Rights of Way Act 2000”. (APP/U2235/A/14/2224036 & APP/U2235/A/14/2229271).

Further guidance on Setting is provided in the Kent Downs National Landscape adopted [Position Statement on Setting](#)

### **Impacts on the Kent Downs National Landscape**

The application site lies approximately 250m from the boundary of, and, as the LVIA submitted as part of this application confirms, is visible from, the Kent Downs National Landscape. For these reasons it is considered to lie within its setting. The application should therefore be tested against the purpose of the National Landscape designation, to conserve and enhance the natural beauty of the National Landscape, in line with paragraph 189 of the NPPF.

As set out above, the National Planning Policy Framework paragraph 189 requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to landscape and scenic beauty. This requirement applies to any proposals to locate development within the National Landscape but also to those proposals which would be in its setting and therefore would affect the National Landscape and where the NPPF is clear that development should be sensitively located and designed to avoid or minimise adverse impacts on the National Landscape.

This is an outline application for the creation of a new vehicular access from Wrotham Road to serve a development of up to 350 residential dwellings, public open space and associated works. The application site is a significant area of undeveloped farmland, lying between the built confines of the rural settlements of Hook Green and Meopham. It plays an important role in establishing and supporting the rural and nucleated character and appearance of both villages. The land is characteristic of the setting of the National Landscape here which is comprised of clearly defined scattered settlements set amidst open farmland.

While Hook Green is one of the more sustainable rural settlements in Gravesham borough, national planning policy is clear that sustainable development has three interdependent elements including the protection and enhancement of natural environment. Sustainable locations for development are therefore not only about access to facilities and services but also about protecting and enhancing valued landscapes.

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Development of this open greenfield site would fail to protect or enhance the setting of the National Landscape, and would seriously erode the open agricultural setting of the villages of Hook Green and Meopham, resulting in the creation of one large linear settlement extending for approximately 3km south from Meopham Station. The amalgamation of these two settlements would fundamentally change the character of landscape that currently makes a positive contribution to the setting of the National Landscape resulting in an abrupt change in land management just outside the boundary of the National Landscape.

Such concerns were raised in the Gravesham Landscape Sensitivity and Capacity Study that formed part of the evidence base for the Gravesham Local Plan Reg 18 Draft (2020)

*“Any extensive development within the parcel would affect the sense of rural openness which contributes towards the settings of Camer Park, the Kent Downs AONB and Meopham The Street Conservation Area, and would be likely to have a significant adverse impact on landscape character and potentially also on cultural heritage value”.*

In addition to the harmful impact of settlement coalescence on landscape character, residential development of this scale will result in adverse impacts on the adjoining National Landscape as a result of including increased recreational pressure and higher volumes of traffic on its network of narrow rural lanes which will threaten the landscape and scenic beauty of this protected landscape.

It is therefore our view that this development will have an adverse effect on the setting of the National Landscape, by virtue of its incursion into and erosion of the open rural character of both Hook Green and Meopham villages and the resultant abrupt change in land management just outside the boundary of the National Landscape. It would therefore be contrary to paragraph 189 of the NPPF which requires that development within the setting of National Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the National Landscape and principle SD8 of the Kent Downs AONB Management Plan, which requires that “proposals which negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the AONB will be opposed unless they can be satisfactorily mitigated”.

I hope this is of assistance to you.

Yours sincerely,

A black rectangular box redacting the signature of Catherine Hughes.

Catherine Hughes  
Planning and Place Manager, Kent Downs National Landscape team

## APPENDIX 1

### Planning consultations with the Kent Downs National Landscape Team

#### **Background and context:**

The Kent Downs National Landscape partnership (which includes all the local authorities within the National Landscape) has agreed to have a limited land use planning role. In summary this is to:

- Provide design guidance in partnership with the Local Authorities represented in the National Landscape.
- Comment on forward/strategic planning issues-for instance Local Development Frameworks.
- Be involved in development management (planning applications) in exceptional circumstances only, for example in terms of scale and precedence.
- Provide informal planning advice/comments on development control (planning applications) at the request of a Kent Downs National Landscape Joint Advisory member and /or Local Authority Planning Officer.

#### **The Countryside and Rights of Way Act 2000**

The primary legislation relating to AONBs is set out in the Countryside and Rights of Way Act 2000. Section 85 of this Act, as recently amended by the Levelling Up and Regeneration Act, requires that in exercising any functions in relation to land in an AONB, or so as to affect land in an AONB, relevant authorities, which includes local authorities, must seek to further the purpose of conserving and enhancing the natural beauty of the AONB. Compliance with this requirement can be demonstrated in part by testing proposals against the policies set out in the Kent Downs AONB Management Plan and its supporting guidance (see below).

#### **Relationship of the AONB Management Plan and Development Management**

The CRoW Act requires that a management plan is produced for each AONB, and accordingly the first Kent Downs AONB Management Plan was published in April 2004. The third revision Management Plan (2021-2026) has been formally adopted by all the local authorities of the Kent Downs. The Management Plan may be viewed on the Kent Downs website [\[link\]](#).

Under the CRoW Act, the Management Plan is required to 'formulate the (Local Authority) policies for the management of the AONB and for carrying out their functions in relation to it'. The policies of the Kent Downs AONB Management Plan are therefore the adopted policies of all the Local Authorities in the Kent Downs.

The national Planning Policy Guidance, 2019, confirms that Management Plans can be a material consideration when assessing planning applications ([Paragraph: 040 Reference ID: 8-040-20190721](#)) and this view is confirmed in previous appeal decisions, including APP/U2235/W/19/3232201, Cossington Fields Farm North, Bell Lane, Boxley, Maidstone where at paragraph 5 of the Inspectorate's decision letter it is stated that "I am mindful of the policies

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contained within the Kent Downs AONB Management Plan (2014-2019) requiring development to conserve and enhance natural beauty of AONB to which I attach substantial weight.” The decision can be downloaded at:

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

Any Kent Downs National Landscape team response to consultations on planning applications will reflect the policies of the Management Plan along with other Kent Downs National Landscape produced guidance which help support the delivery of the principles of the Management Plan, as set out below.

## **Other Kent Downs AONB/National Landscape Guidance**

### [Kent Downs AONB Guidance on the selection and use of colour in development – Guidance](#)

The purpose of this guidance is to provide guidance on the selection and use of colour for building development within the National Landscape and its setting. ‘Development’ includes any building work, ranging from home extensions and conversions through to house building, agricultural and industrial premises, and retail and office buildings. It also includes infrastructure developments associated with transport, flood defences, power generation and distribution, communications and other utilities.

### [Kent Downs Landscape Design Handbook](#)

Design guidance based on the 13 landscape character areas in the Kent Downs. Guidance is provided on fencing, hedges, planting, gateways etc. to help the conservation and enhancement of the National Landscape.

### [Kent Downs Renewable Energy Position Statement](#)

Provides a clearly articulated position for the Kent Downs National Landscape partnership with regards to renewable energy technologies. It recognises that each Local Planning Authority must balance the impact of proposals for renewables on the National Landscape with all the other material planning considerations.

### [Kent Rural Advice Service Farm Diversification Toolkit](#)

Guidance on taking an integrated whole farm approach to farm developments leading to sound diversification projects that benefit the Kent Downs.

### [Kent Downs Land Manager's Pack](#)

Detailed guidance on practical land management from how to plant a hedge to creating ponds and enhancing chalk grassland.

### [Rural Streets and Lanes - A Design Handbook](#)

Guidance on the management and design of rural lanes and streets that takes the unique character of the Kent Downs into account. This document discusses the principle of shared space and uses examples from around the UK and Europe. The Handbook has been adopted by Kent County Council as policy.

### [Managing Land for Horses](#)

A guide to good practice on equine development in the Kent Downs, including grassland management, fencing, trees and hedges, waste management and basic planning information.

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### [Kent Farmstead Guidance and Kent Downs Farmstead Guidance](#)

Guidance on the conservation, enhancement and development change of heritage farmsteads in the Kent Downs based on English Heritage's Kent and National Character Area Farmstead Statements. Includes an Assessment method and Design Guidance.

### [Kent Downs Setting Position Statement](#)

An advisory document providing guidance on issues of setting including the legislative basis for considering setting, identification of where setting is likely to be an issue and provision of advice on how to mitigate potential impacts.

### [The Kent Downs Landscape Character Assessment Update 2020](#)

An update of the original Landscape Character Assessment of the Kent Downs that was published by the Countryside Commission, that identifies 13 different landscape character areas in the Kent Downs, describes their key characteristics and identifies recommended actions, investments and priorities to help with the conservation and enhancement of the Kent Downs National Landscape.



## APPENDIX 2 : ADVICE ON THE NEW STATUTORY DUTY ON RELEVANT AUTHORITIES, SECTION 245 OF THE LEVELLING UP AND REGENERATION ACT 2023

The Levelling-up and Regeneration Act (2023) amended section 85 of the CRow Act, to create a new duty on public bodies to *'seek to further the purpose of conserving and enhancing the natural beauty of the area'* when discharging their functions in Areas of Outstanding Natural Beauty (now known as National Landscapes). The single purpose of AONB designation is *'the conservation and enhancement of natural beauty'*.

On 16 December 2024 the Department for Environment, Food and Rural Affairs published ["Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes"](#). This *"sets out how the Protected Landscapes duty is intended to operate and provides broad principles to guide relevant authorities in complying with it"*. The guidance advises that the new duty is decision making in respect of development management, planning applications and nationally significant infrastructure projects. When seeking to further the purposes, relevant authorities should consider the information contained in a Protected Landscape's Management Plan.

The Guidance confirms that the duty is an active, not passive one which means that:

- a relevant authority should take appropriate, reasonable, and proportionate steps to explore measures which further the statutory purposes of Protected Landscapes
- as far as is reasonably practical, relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes
- a relevant authority should be able to demonstrate with proportionate, reasoned, and documented evidence the measures to which consideration has been given when seeking to further the statutory purposes of Protected Landscapes
- for development management decisions affecting a Protected Landscape, a relevant authority should seek to further the purposes of the Protected Landscape - in so doing, the relevant authority should consider whether such measures can be embedded in the design of plans and proposals, where reasonably practical and operationally feasible.

It is also advised that the decision maker should consider:

- Whether measures which would further the purposes align with and help to deliver the targets and objectives in the Protected Landscape's Management Plan?
- Are such measures appropriate and proportionate to the type and scale of the function and its implications for the area? For instance, are measures in keeping with the natural beauty, the special qualities and key characteristics of the Protected Landscape?
- Could the measures contribute to the conservation and enhancement of the Protected Landscape's wildlife, ecological value and quality, geological and physiographical features, water environment, cultural heritage, dark skies, tranquillity, opportunities for access to nature, and landscape character for which the area was designated?

The Guidance specifies that the duty also applies to functions undertaken outside of the designation boundary which affects land within the Protected Landscape. It is advised that natural beauty, special qualities, and key characteristics can be highly dependent on the contribution provided by the setting of a Protected Landscape. Aspects such as tranquillity, dark skies, a sense

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of remoteness, wildness, cultural heritage or long views from and into the Protected Landscape may draw upon the landscape character and quality of the setting.

Functional connectivity is also important where there are flows or close interconnection between the Protected Landscape and its setting.

In determining this application, the local planning authority should be able to demonstrate how they have actively sought to further the purpose of conserving and enhancing the natural beauty of this National Landscape. The way in which the purpose of designation might be furthered, or the evidence of the genuine attempt to seek to do so, should be open to scrutiny and therefore documented.

Further guidance can be found in an [Interim Advice Note](#) produced by the Kent Downs National Landscape team for LPAs on the new duty and in a Guidance Note by the National Landscapes Association [Applying the CroW Act section 85 duty to 'seek to further the purpose in National Landscapes \(AONBs\)](#).