

COUNCIL UPDATE 5/2021

THE HIGH FIELD

DfT submitted a biodiversity strategy to MHCLG on 31 March 2021 to meet one of the SDO planning approval conditions. I understand the report is mostly about the measures that are being taken on the IBF site to enhance biodiversity (in terms of planting, bird and bat boxes etc). The strategy sets out how these works will deliver a Biodiversity Net Gain. There is also reference to the opportunity that the eastern part of the site represents to provide environmental and community benefits but also an acknowledgement that further work in this area needs to be carried out.

A strategy for the topsoil is required to be submitted to MHCLG before completion of the Day 200 works. This is still 1 July 2021 but it is conceivable that the completion of the Day 200 works will be pushed back because the requirement to test animal feeds and food stuffs of animal origin is now delayed until September 2021. In the meantime, some topsoil is being moved from east of Highfield Lane to the south west part of the IBF via Church Road (Sevington).

The DfT advise they remain committed to discussing the possible sale to ABC. A possible way forward is for the PC to say what it wants to do with the site and topsoil as soon as the KWT report is finalised. Hopefully, if the DfT get that before 1 July (when they are due to report to MHCLG), the DfT can advise MHCLG that the local community has set out how it wishes to see the land used for community benefit.

IBF STAKEHOLDER ENGAGEMENT

The key issues covered in ABC's response to the latest round of SDO engagement on 14th March were as follows:

- The reduction on number of lorry parking spaces should not be at the expense of the facility being able to function and impacting local road network.
- Periodic review of COVID-19 testing facilities to be carried out as government requirements change.
- Refrigerated DEFRA containers to be grouped and powered by low noise generators.
- The central corridor to contain stronger planting in line with reserve matters application 19/00579/AS, i.e. native trees and shrubs, rather than amenity grassland.
- Concerns raised about lighting impact including light spillage, duration and use in unused parking areas.

PERMITTED DEVELOPMENT RIGHTS

New permitted development rights introduced to allow commercial, business and service change of use to dwelling houses from 1 August 2021

- Building must have been vacant for at least 3 months prior to the application for change of use
- Building must have been in commercial, business or service use for at least 2 years
- Not applicable for buildings in the AONB
- Not applicable for listed buildings
- Impact of the change on the Conservation Area and any loss of health services to be considered as part of prior approval application

Impact

- It will be easier to change between certain uses, e.g. from a shop/office to a dwelling.
- Could have an impact on the high street frontages in Ashford, decreasing commercial and service buildings, e.g. shops

Physical alterations to any building would still require a separate planning application for those changes if the prior approval application for the change of use were approved by the Council.

STODMARSH LAKE

Most development sites in the east of Ashford borough, including S2 in Kennington, are now effectively on hold until a mitigation strategy for nutrient pollution of phosphates and nitrates is agreed.

It is not clear what caused the pollution at the lake, but an environmental impact assessment is being carried out. Nutrient pollution of phosphates and nitrates are both recorded; these nutrients run into the Stour and then into Stodmarsh Lake. The nitrates are from fields; the phosphates are from detergents that run into the sewers. Treatment at sewage works does not remove the phosphates which are, therefore, discharged into the Stour. Southern Water (SW) holds the current waste water licence and cannot readily be required to change their operations. The phosphates problem could be solved by installing tertiary treatment plants by SW, which will strip out phosphates. Water resource management plans would therefore be required to be amended to include nutrient removal, and these are up for renewal in 2022.

The Planning Advisory Service hosted three workshops including all the players SW, ABC and the Environment Agency. It was noted that Southern Water attended but not wholly engaging. Canterbury City Council is leading on this project for east Kent and are trying to secure improvements to wastewater treatment through government lobbying.

A 'nutrient credits' scheme is also to be introduced, but details are awaited. There is a suggestion that the land at Mersham east of Highfield Lane (the High Field, purchased by the DfT) could be planted with trees to encourage biodiversity and may become part of the nutrient credit scheme.

BYBROOK WASTE WATER TREATMENT WORKS (WWTW)

Katy Pauley, Andrew Buchannan and I met with Trevor Ford of ABC for an update.

Since the service of the odour abatement notice by ABC in November 2020 to Southern Water (SW), SW have been working on the draft Odour Management Action Plan, a draft of which was submitted to ABC by 31 March 2021, the required deadline.

This involved some very detailed technical work including determining the odour contributions from each part of the WWTW and waste process operated on site. Consideration has had to be given to the wide variety of control options for each odour contributor including the technical issues, planning consent issues, safety issues, costs, efficiency etc. and finally working down to a shortlist of options from the range of 'do nothing' to 'do everything'.

One of the main principles of odour control in sewage works is 'cover and contain'. A simple principle complicated by the need to extract odorous and potentially explosive gases to abatement plant, further complicated by the fact that at different stages of treatment the constituents of the odour change and therefore one odour control unit (OCU) will not work for all processes. As such each mention of an OCU may need separate investigation, design, and installation. Some of agreed measures will be quicker to implement than others, but a recent tragedy at Avonmouth WWTW highlights the risks in getting these processes wrong.

The draft plan has raised a number of further questions from ABC and the Environment Agency (EA), who have requested some further refinement /clarification to ensure that the plan is tweaked so as to be clear in terms of the actions to be taken and timescale for their implementation. Additional refinement is expected by 17 April 2021, after which ABC/EA should be in a position to properly review and agree prior to Southern Water progressing the implementation.

As such, whilst ABC are not in a position as to confirm the detail of any agreed action plan prior to the April Kennington Community Council meeting, they have however confirmed that what is proposed is liable to be a two-year multi-million pound project covering varying processes on site. Some of those

measures will be delivered relatively quickly - hopefully seeing a more immediate reduction in odour impacts - whilst other more technical areas which require further technical design and permissions will be completed towards the end of the plan.

As soon as the plan is agreed details of the actions that will be taken and the phasing of those actions over the project period will be provided. SW will be pushed to write directly to residents to outline the project. A planning application (to KCC) is inevitable for the work which will give the opportunity for ABC, the community council and residents the opportunity to comment.

CONNINGBROOK LAKES COUNTRY PARK

Signage is planned to direct pedestrians from the Julie Rose car park to the country park. Work will start in autumn 2021 to complete the country park's own car park. Trees will have to be felled and this will mean avoiding the bird nesting season (March to September) and obtaining a felling licence. It is anticipated that the completion of the car park and pathways will therefore be until December 2021.

BYBROOK ROAD "20 IS PLENTY"

The safety audit on my proposed new 20mph zone to cover Bybrook Road and surrounds including the Phoenix CP School has passed its safety audit. The auditors have recommended to lengthen the area of the raised crossing to reduce discomfort for bus drivers and passengers next to the location of the planned Community Centre development. Other recommendations relate to minor alterations to the proposed signing and lining and the point at which the advisory cycle lane terminates (this will now be shortened to terminate just before the layby rather than just after it). KCC will now make these amendments as they progress the detailed design.

TOWN CENTRE RESET

The new design team, Milligans, are making progress with their design for Vicarage Lane / former Mecca Bingo Hall. The Kent Design Panel has reviewed and amended the plans to facilitate a view to the Church from Station Road. The Vicarage Lane Redevelopment Advisory Committee (which has replaced the Ashford Town Centre Place Making Board) is expected to meet in April (a closed meeting, not open to the public). There should then be a Cabinet Meeting (held in public) on 29th April. Jo Fox has agreed to present the scheme as party of the Central Forum's AGM, planned to be in June 2021.

The Council will drive a reset of the traditional Town Centre area by focusing resources towards the defined 'Investment Corridor' of Bank Street and Elwick Road (see Strategic Diagram below). It will become a quality place that has a

clearly defined new role, meets the needs of the existing and future communities and reflects the trends of the local retail/leisure market to provide a place which complements the nearby areas.

Strategic Diagram



The Council are well placed to facilitate the reset by influencing both private and public sector stakeholders. In addition, the Council holds significant land in the town centre as illustrated below.



The Council will:

- Act as community champion and influencer as the planning authority, significant employer, service deliverer and cultural champion,
- Promote key destinations (Coachworks, St Mary's, Park Mall, Middle Row, Elwick Square and County Square)
- Encourage retail that caters for the everyday needs of the residents and workers such as independent retailers that can be fleet of foot to swift changes in consumer demand and require a smaller footprint.
- Council can directly influence the residential concentration of the Vicarage Lane and Park Mall areas, given their role as landowner and developer. These are areas on the periphery of the investment corridor, but by extension provide that 'buffer' and will generate significant footfall movements to support aspirations.
- Deliver public realm improvements, and key cultural facilities to create an attractive thoroughfare. In doing so, it will increase the likelihood of movements and links between the McArthur Glen Designer Outlet, Newtown Works and Bank Street.
- Ensure the Lower High Street, with the market, plays a key role with a wider community focus in the form of everyday facilities being located here and potentially a new community space.
- Underdeveloped sites along Elwick Road could provide some opportunities for temporary uses promoting an enhanced art and cultural offer through a variety of events and exhibitions or 'pop up' facilities and attractions.
- Create enhanced pedestrian and cycle routes to ensuring that routes are created that connect Bank Street, the Station, the McArthur Glen Designer Outlet and Newtown Works.
- the frequency of car based journeys needs to be factored in, as the traditional town centre area becomes more pedestrian focused in the future.
- Alternative drop off points for buses are required so that a solution can be found that allows the aspirations for Bank St to be delivered.

A further round of visioning workshops will be undertaken to feed into the wider visioning work which for the Ashford Ambition to 2030 and the Council's COVID-19 Recovery Plan 2020. An SPD can be produced to give some guidance to the market on future uses, storey heights, design aspirations and public realm improvements to be delivered through development. Work could also include an investment strategy that explores opportunities at Bank Street, including whether some of the independent shops at Park Mall could be relocated.

LOCKHOLT CLOSE / LOUDON COURT

Tree surgeons were on site on 8th April to prune the trees adjoining Loudon Court. This work was necessary to avoid possible damage to nearby property. Identifying ownership has been quite a journey as responsibility had to be agreed between Kent Highways, Education or Property Services.

RECYCLING

In spite of all the challenges faced over the past year, Ashford has stayed the highest recycling authority in Kent. The latest figures published shows that Ashford recycling rate remains comfortably above the national target of 50%. Recycling can sometimes be confusing so over the coming months ABC will be trying to clear up some of the misunderstandings surrounding what you can recycle.

COVID-19 LOCAL RECOVERY SCHEME

Each KCC member will have £6,000 during 2021/22 municipal year to support COVID-19 recovery projects in their division. The key objectives of the scheme are to provide funding to local community and smaller voluntary sector organisations that are undertaking projects that respond to local need.

Awards must be between £300 and £2,000. Setting these limits will ensure that a wide range of projects can be supported. Applicants to the Covid-19 Local Recovery Fund will be required to demonstrate how their project responds to the pandemic. These objectives are broad in scope and will enable a wide range of organisations and projects to be eligible for an award.

- Improve the health and wellbeing of our population.
- Improve access to emotional and mental health support for children and young people.
- Support households in financial crisis, food and fuel poverty.
- Enable the necessary physical, social and cultural infrastructure to make Kent an attractive place to live, work and invest in.
- Support people to learn and retrain throughout their life so that individuals, are well-equipped to seize economic opportunities.
- Work with local communities to promote access to safe places to walk and cycle as an alternative to travelling by car.
- Consider opportunities for providing support and activities for young people online, including youth outreach work.

CROWDFUNDING

A new digital crowdfunding drive is being launched in Kent to enable community-led ideas to become more vibrant, resilient and connected post-COVID19. Crowdfund Kent is a KCC initiative, working in partnership with Spacehive, that will help community and voluntary organisations to raise money for projects that help their local area.

KCC is injecting £500K into the programme, with up to a maximum of £20K available per project to boost fundraisers towards their funding target. The first deadline to put forward an idea is 28 April 2021.

A launch event was held on 17 March with follow up workshops to discuss potential project ideas.

KCC CARBON EMISSIONS

KCC has received an award of over £21 million in funding to reduce carbon emissions. The grant money comes from the Public Sector Decarbonisation Fund from Salix Finance on behalf of the Department of Business, Energy, and Industrial Strategy.

KCC committed in July 2020 to reach net-zero carbon emissions by 2030 for its own services and buildings. Major energy projects have been identified as the way to achieve this goal. These projects include two solar parks, solar panels on KCC buildings, further funding for a Maidstone Heat Network, heat pumps and switching more lights to LED. Together, these will reduce carbon emissions from KCC's estate by 40%, removing 7,097 tonnes of CO₂. KCC successfully reduced carbon emissions by 50% between 2010 and 2020.

As well as reducing CO₂, KCC will lower its energy spend by around £226,000 a year and will receive an income from the two solar parks, providing £51 million over the next 30 years. KCC also expects these projects to stimulate the low carbon economy in Kent, creating 125 local jobs as well as creating key development infrastructure to meet future energy challenges such as security of supply. A further £1.2m will be sourced for energy saving projects at Kent's schools.

KCC has installed over 1,000 solar panels on buildings including the Highways Depot at Ashford. Last year, a further 1,300 solar panels went into operation at five KCC buildings taking the total to nearly 2,500.

MAIDSTONE HEAT PROJECT

This is a low carbon heat network in Maidstone including a water source heat pump and gas boiler system supported by a local solar farm.

The opportunity for heat networks within Maidstone has not yet been fully exploited and it is hoped this pioneering project will encourage their wider use. The Scheme has potential to connect over 24GWh of heat demand as it extends north and south into the town.

Energy generated from the Heat Pump is essentially zero carbon. The network has been designed with an oversized thermal store to balance periods of low carbon heat generation and heat demand. If successful Ashford is well placed to explore the opportunities to exploit the Stour.

ZERO FATALITIES ON KENT'S ROADS

KCC is taking the ambitious step of aiming for zero fatalities on Kent's roads each year by 2050. The strategy promotes shared responsibility for reducing road injuries. The strategy will only succeed if everyone in Kent shares the responsibility to reduce road danger, the fear it creates and the casualties that result.

KCC will adopt the 'Safe Systems' approach, which is rooted in the belief that every traffic death reflects a failure in the system, and that none are acceptable. Safe Systems puts the human being at its core, accepting that even the most conscientious person may make a mistake at some point. The goal of Safe Systems is to ensure that these mistakes do not lead to a crash or, if a crash does occur, it is sufficiently controlled to not cause a death or a life-changing injury. Safe Systems includes five pillars which are all linked:

- Safe roads and streets – designing highways to reduce the chances and consequences of collisions.
- Safe speeds – designing roads and enforcing speed limits appropriate to the usage and environment.
- Safe behaviours – road safety education, training, promotion, engineering, enforcement, and technology to improve the way people use Kent's roads and streets.
- Safe vehicles – ensure the vehicles on the Kent network are as safe as they can be by promoting safer technology for cars, vans and lorries.
- Post Collision Response – react as quickly as possible to crashes, study the causes of the most serious collisions, and provide support for the victims of road crashes.

This shared responsibility among those designing and using the transport system means if Vision Zero is to succeed, it will depend on Kent's public sharing Kent County Council's ambition. Community Circle is KCC's approach to help achieve Vision Zero in Kent, proactively engaging with communities and it includes:

- Aligning injury collision data with factors that strengthen the case for intervention, such as concerns about speed, air quality and noise.
- Injury reduction will remain a priority but feeling safe and quality of life are also important.
- Research and pilot new approaches including average speed camera corridors and other initiatives.
- Common responsibility for safety including road users, the local community and highway authority.

- Localised campaigns focused on casualty cluster sites.
- Engagement with the community at cluster sites to discuss solutions together.

Vision Zero works. It was adopted some years ago by Scandinavian countries and in Oslo and Helsinki last year, there were NO road fatalities.

MOBILE LIBRARIES

The first of Kent's new mobile library vehicles with wheelchair access have entered service. KCC has invested in five new vehicles to cover all the routes across Kent - including the surrounding areas of Ashford. The vehicles carry a greater range of books and crucially offer greater reliability, reduced maintenance costs, and are more economical to drive than older vehicles. Wheelchair access is available thanks to the access steps being part of the wheelchair lift and, teamed with the rear air suspension, the entry and exit is kept comfortable for all customers. The most recent figures available, for 2019-20, record that KCC's mobile libraries assisted more than 28,000 visitors and issued nearly 80,000 items.



RIGHT TO MANAGE

Tenants may be able to change the management of their flat building if they are unhappy with the way it's being run, and they live in a leasehold flat.

Tenants can either (i) ask a tribunal to appoint a new manager, or (ii) take over the management responsibilities, known as "Right to Manage".

Tenants can only apply to the tribunal if they have sent the landlord a "Section 22 notice" which gives them a chance to fix the problems.

To appoint a new manager, tenants must prove bad management, for example, unreasonable service charges or the landlord has not complied with an approved code of management practice. Instead of appointing a new manager, the Right to Manage lets leaseholders take over certain management responsibilities from the landlord *without having to prove bad management*. The Leasehold Advisory Service (Government funded, independent advice for residential leaseholders and park home residents) can

provide advice. Tenants can then manage the building themselves or pay a managing agent (as opposed to a manager) to do it.

These rights require (i) at least 50% of the apartment-owners willing to subscribe to the process, (ii) at least 2/3rds of the apartment-owners must have “long leases” (greater than 21 years at the time of issue), and (iii) at least 75% of the floor area of the block must be used for residential purposes.

This Right To Manage does not apply if you own a freehold home where there is a manager or managing agent to look after the public areas. Concerns have been raised over the amount charged by some managers and the quality of services provided. ABC has generally included conditions in the planning consent for developments that gives residents a say in the way that the manager operates. It is important that these conditions are monitored and the developer held accountable where this are not being carried out as expected.

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