



Greater Ashford Borough – Environment & Land Mapping Commission

Minutes of the Inaugural Meeting held on 12 October 2021 at 1100 in the Council Chamber

Present

Commission Convener & Chair of Meeting

Cllr Gerry D Clarkson CBE Executive Leader of the Council

Commission Members

Cllr Paul Clokie OBE	Chair of Commission, ABC elected Member
Cllr Noel Ovenden	Vice Chair, ABC elected Member, & Leader of Ashford Independent Party
Christine Drury	Campaign for the Protection of Rural England (CPRE)
Michael Bax	Weald of Kent Protection Society (WKPS)
Chris Reynolds	Kent Downs AONB
Nick Fenton	Kent Housing & Development Group
Peter Dowling	River Stour Internal Drainage Board
Jeremy Smith	Kent Association of Local Councils (KALC), Ashford
David Robey	KCC Elected Member & Deputy Portfolio Holder for Economic Development
Cllr Neil Bell	ABC, Portfolio Holder, Planning & Development
Jo James	Kent Invicta Chamber of Commerce (KICC)

Professional Advisors

Lorna Ford	ABC Head of Corporate Policy, Economic Development & Communications
Jeremy Baker	ABC Principal Solicitor & Deputy Monitoring Officer
Simon Cole	ABC Head of Planning & Development
Tracey Butler	ABC Head of Environment & Land Management
Andrew Osborne	ABC Economic Development Manager
Tom Marchant	KCC Head of Strategic Planning & Policy

Also Present

Tracey Kerly	CEO, Ashford Borough Council
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Apologies

Toby Willison	Southern Water
Shona Johnstone	Homes England
Sam Loades	National Farmers Union, South East Land & Environment Advisor

Welcome & Introductions

The Executive Leader of the Council, Cllr Clarkson, welcomed the Commission members and the professional advisors and, acknowledging the significance of this important Commission, invited those present to introduce themselves.

The idea of a Commission of this nature brings different agencies together, along with their different spheres of knowledge and experience, to adopt a forward-thinking approach which will protect and nurture the borough's quality environment.

Background & Scene Setting

Cllr Clarkson explained that the idea of the creation of an Environment and Land Mapping Commission for the Greater Ashford Borough was catalysed by a variety of issues, all coming together at a similar point in time.

The need for green space to be provided, retained and maintained is a key factor and, although Ashford - as the largest borough in Kent, covering 224 square miles - has much green space, the importance of quality space with good accessibility is paramount.

The opportunity provided by COP 26, the UN conference on climate change, is a factor, as is the need for net zero carbon emissions and, following the government's commitment to protect the UK's countryside, ABC has set up the Greater Ashford Borough Environment & Land Mapping Commission to involve relevant groups and people across the borough, with the remit to:

- Ascertain, disseminate and understand relevant mapping information already held by various agencies
- Determine risk to the borough's land from various environmental factors, e.g. flood risk, pollution
- Conduct further relevant mapping
- Identify ameliorating measures – e.g. areas for wetland parks – to assist in mitigating the adverse effects of nitrates and phosphates and to assist in flood protection, whilst also contributing to the biodiversity and the quality of the environment

The Council will already hold some of this information, which exists primarily to contribute to and formulate statutory functions – e.g. various Planning remits, including the Local Plan and the Council's Corporate Plan.

Governance Issues for the Commission

The Principal Solicitor advised the Commission that his role was solely to give advice on governance matters. He circulated a paper and highlighted certain governance issues to the Commission. These included:

- To make clear that the Commission will, in no way, duplicate or direct the Council's statutory duties (e.g. on planning permissions or the Local Plan)
- The Commission's role is to assist the Council in shaping its future strategies and to provide its recommendations to the Council to help in this process
- The Commission will follow the Seven Principles of Public Life (determined by the Nolan Committee), a copy of which is attached to these Minutes
- A Register of Interests will be created and Commission members required to declare outside interests, any relevant relationships, etc., similar to that used in the Houses of Parliament
- Agencies and Advisors that submit evidence, professional advice or documents will be invited to make clear whether any information or advice is confidential and, if so, to state the reasons for this, and information that is genuinely confidential would be treated accordingly.
- Minutes of the Commission's meetings will be available and will be considered by the Cabinet and Principal Officers, along with a quarterly and, ultimately, a final report from the Commission, which will be put to the Full Council.

The Way Forward

The Chief Executive endorsed the Commission as an important example of partnership working, resulting in working together to achieve better outcomes for Ashford, and the potential for 'spin-off' programmes which may, in turn, create unexpected opportunities and benefits.

The next meeting (Tuesday 9 November 2021) will receive a presentation from ABC's Head of Planning & Development, covering both the Stodmarsh SSSI area and why it is important to Ashford; as well as a demonstration of the pilot that is currently being undertaken in digital mapping for the Local Plan. (SC)

The Head of Environment & Land Management is taking a paper to Cabinet in October on the use of land (entitled The Creation of Meadows and enhanced Land Management Plans), which includes a programme of planting trees to improve biodiversity. It is part of a 25-year environmental plan which will help to ensure sustainable use of land, improve health and wellbeing and assist in local nature recovery strategies. It was agreed that the Commission would benefit from understanding what has already been mapped, what it means for the future, and what else might be needed. (TB)

Various Commission members voiced support for the setting up of the Commission and its remit, agreeing that it was important to understand the existing landscape and other protections and the connectivity between different types of programmes, as well as to look forward and plan for the future. It was also noted that, although

Ashford is a borough full of green spaces, it should be remembered that there is a substantial population living in the borough's towns and that urban space for leisure and recreation should also be championed. Commission members will be invited to submit relevant agenda items for future meetings.

The Chairman finished the meeting by thanking everyone for their time and expertise and wished the Commission well in its progress and in establishing positive outcomes.

The meeting ended at 1310 hours.

Circulation: 22.10.21

All Commission Members + Executive Leader of the Council

All Professional Advisors + Chief Executive

Secretariat:	Linda Stringer	ABC Senior Executive Assistant
	Jeff Simms	ABC Senior Communications Officer
	Danny Sheppard	ABC Member Services Manager
	Jennifer Shaw	ABC Strategy & Policy Development Manager*
	Kirsty Hogarth	ABC Head of Secretariat

(* denotes not in attendance for meeting)

KH/ELMC/12/10/21



Greater Ashford Borough – Environment & Land Mapping Commission

NOTES of the 2nd Meeting held on 9 November 2021 at 1030 in the Council Chamber

Present

Commission Members

Neil Bell	Chair of Commission & ABC Portfolio Holder Planning & Development
Noel Ovenden	Vice Chair of Commission & Leader of Ashford Independent Party & ABC Chair of Overview & Scrutiny
Michael Bax	Weald of Kent Protection Society (WKPS)
Peter Dowling	River Stour Internal Drainage Board
Christine Drury	Campaign for the Protection of Rural England (CPRE)
Nick Fenton	Kent Housing & Development Group
Jo James	Kent Invicta Chamber of Commerce (KICC)
Shona Johnstone	Homes England
Chris Reynolds	Kent Downs AONB
David Robey	KCC Elected Member & Deputy Portfolio Holder for Economic Development
Jeremy Smith	Kent Association of Local Councils (KALC)

Professional Advisers

Jeremy Baker	ABC Principal Solicitor & Deputy Monitoring Officer
Tracey Butler	ABC Head of Environment & Land Management
Simon Cole	ABC Head of Planning & Development
Lorna Ford	ABC Head of Corporate Policy, Economic Development & Communication
Tom Marchant	KCC Head of Strategic Planning & Policy
Andrew Osborne	ABC Economic Development Manager

Not present:

Sam Loades	NFU, South East Land & Environment Advisor
Toby Willison	Southern Water

Welcome & Apologies

The new Chair of the Commission, Cllr Neil Bell, welcomed everyone to the second meeting of the Commission. No apologies had been received.

Minutes/Notes of the Previous Meeting

The Minutes/Notes of 12 October were agreed as a true record, the corrected title of the Head of Environment & Land Management's October paper to Cabinet having been noted.

Chairman's Update

The Chairman emphasised that the Commission's work would need to be carried out swiftly as there was only a 12-month period to establish some concrete outcomes. To this end, it is important to establish what outputs from the Commission would be useful for the Local Plan process; consequently, he has requested a paper from the Council's Spatial Planning Manager so that the next Commission meeting can consider it and develop a timetable.

Presentation on Blue Sky Mapping for Tree Planting Project for ABC's Grounds Maintenance Service (TMA Consultants & Tracey Butler, ABC Head of Environment & Land Management)

A presentation by Alice McAuley, Managing Director of TMA Consultants, was warmly welcomed by the Commission, particularly as it showed the ameliorating action (in terms of climate change) that ABC is taking across the borough in planting trees. Under the Queen's Green Canopy Initiative, ABC will be planting (to 2024) one tree for every member of the Borough's population; and it also showed the possibilities for using technology to map the present and plan for the future.

TMA had originally been appointed by ABC to map trees for condition and for risk but, to ensure the right trees are being planted in the right place going forwards, an analysis of the planting opportunities has been undertaken across the whole borough. This considers *where* to plant sustainably and to create a useable tool to aid the decision-making process.

The Commission was shown the seven vector layers (datasets) used by TMA to build the data picture and, by dividing the whole borough into squares of 10m², to enable a scoring mechanism to be employed

Various criteria had been applied in terms of decision making on where to plant trees; although not exhaustive, some examples of the criteria were:

- The grading of agricultural land (Grades 1 & 2 not being considered as they are top quality land for food production);
- Constraints of existing tree cover
- Infrastructure constraints (road, rail, water, etc.)
- Areas to create habitat connectivity
- Issues of natural regeneration

In response to various questions, Commission members were reassured of:

- the need to ‘ground-proof’ sites to ensure that they are available and suitable for planting;
- the ability to overlay different situations – e.g. play areas, football grounds, etc., – so they are not considered as part of the possible planting area;
- the consideration of species diversity and how well various types of trees would survive different ground conditions and soils as well as diseases they might be prone to;
- the need, ultimately, to consider sites individually to ensure they are suitable for both planting and survival and would support public accessibility.

It was confirmed that the system currently maps areas with planting opportunities, but that the issues of what communities need/want is also considered. In all planting schemes, it was confirmed that conversations with the Planning department were always part of every assessment, to ascertain how the proposed schemes would fit with current and future needs and aspirations.

It was also confirmed that areas for future prioritised planting would be considered after an assessment of the first year’s planting had been concluded.

A copy of the slides is attached for information.

Stodmarsh SSSI Area and why it is important to Ashford (Simon Cole, ABC Head of Planning & Development)

The second presentation to assist the Commission in understanding the problems being experienced in the borough (and elsewhere) was that of the Stodmarsh SSSI and why it is important to Ashford Borough.

As of July 2020, when Natural England issued formal Advice, five councils in East Kent were experiencing impacts on future development – particularly in terms of not being able to grant planning permission for developments with overnight accommodation. As well as Ashford, the districts of Canterbury, Folkestone & Hythe, Dover and Maidstone were also being limited in terms of what they could do, because of the combined effects of nitrates and phosphates affecting the Stodmarsh site via water from the River Stour catchment.

It is important that the Commission understands the effects of this ... not simply in terms of not being able to grant planning permissions for new residential development in affected parts of the borough, but also the consequential effects in these areas, such as:

- No additional affordable housing as part of new developments
- No S106 infrastructure contributions
- No infrastructure contributions
- No New Homes Bonus

With nearly half the borough affected, the issue also contributes to the difficulty ABC (and other councils) have in achieving their five-year housing land supply, as well as achieving a Local Plan review.

What is needed, therefore, is a borough mitigation strategy, identifying sites to achieve nutrient neutrality by means of new wetlands which could provide 'credits' to enable planning permissions to be granted. Any wetlands that are created for this purpose do, however, require to be installed and *established* (i.e. for at least a year, to prove that they are sustainable) before any dwellings granted permission under this system are able to be occupied. Consequently, a significant level of information will now be required from applicants.

Natural England is part of the consultation process for such permissions, although that is in an advisory, and not a regulatory, capacity. Lawful permission will, however, only be granted if nutrient neutrality can be achieved, (i.e. secured and delivered), and management and maintenance secured in perpetuity.

To assist the process, ABC's Cabinet agreed earlier this year to the principle of acquiring land for future strategic wetlands. They also agreed that rewilding agricultural land – particularly along the Stour Corridor – should be a priority. This would also ensure a net gain in biodiversity, the creation of new habitats, and improvements to water quality.

A question was raised as to whether it would be helpful if the Secretary of State was made aware of the urgency in unlocking this situation to provide a way/ways forward.

Further questions were raised as to whether wastewater companies were working to improve wastewater treatment works' outflows, and if (and how) Government could be encouraged or persuaded to change the current statutory approach to water regulation. East Kent is not alone in this situation: the Solent and the Somerset Levels are amongst growing numbers of locations across the country suffering similar pollution issues, resulting in constraints on new developments coming forward.

Homes England are looking at possible options in other areas; the possibility of 'offline options' (those that require no pumping from the river) was highlighted; it was suggested that OFWAT (rather than the water companies) might provide the key to unlocking the problem; and that putting the cost of mitigation on to developers would cause some developments to become unviable. It was generally agreed that a 'road map' was needed to provide a solution as there were various strands and organisations involved.

A copy of the slides is attached for information.

Digital Mapping for the Local Plan

Two months ago, ABC was invited to become part of the Government's Planning Pathfinder Pilot scheme to test digital tools in the planning process.

Three types of zones were identified, which Local Plans are expected to focus upon. These were: Growth Areas; Renewal Areas; and Protected Areas, derived from the 2020 Planning White Paper. Indications are that these 'zones' may be amended in their titles, but will still be along similar lines.

In theory, zoning areas makes for a simplified and more accessible approach, with Local Plans to be visual, map-based and standardised. There is a question of how to deal with exceptions, although there is support for the broad direction of travel as far as Local Plans are concerned.

This is potentially where the Environment & Land Mapping Commission can assist, however, by receiving 'evidence' as to where some of these specific zones may be within the borough, building up a picture of area availability and non-availability. ABC's Head of Planning & Development stated that letters would be sent to appropriate stakeholders, but that the detail of this would form a part of the presentation at the next meeting, so that the whole context was understood.

In summary

The Chairman said that the three presentations had formed a useful introduction to the issues facing the Council. He confirmed that the Commission should look at the parameters of its remit, and potential outputs, (i.e. what the Commission could usefully produce), along with what type of 'evidence' is required from parish and other local councils, and a workable timetable.

It was agreed that the basis of next month's presentation, which would be given by ABC's Spatial Planning Manager, should be sent to the Commission members in advance of the meeting so that they could give some forethought to developing useful questions to put to stakeholders when asking for their evidence.

The meeting finished at 12.40 p.m.

Circulation: 29.11.21

All Commission Members + Executive Leader of the Council

All Professional Advisors + Chief Executive

Secretariat:	Linda Stringer	ABC Senior Executive Assistant
	Jeff Simms	ABC Senior Communications Officer
	Danny Sheppard	ABC Member Services Manager*
	Kirsty Hogarth	ABC Head of Secretariat

(* denotes not in attendance for meeting)

KH/ELMC/9/11/21