

COUNCIL UPDATE 5.2022

A20 ORCHARD HEIGHTS



I have asked for pedestrian warning signs to be installed either side of Orchard Heights roundabout. This is because there are two pedestrian crossing points on the A20 in the vicinity of Orchard Heights and The Warren. Both are clearly signed to pedestrians by lowered kerbs but lack any warning signs for drivers. The designated speed restriction is set at 40mph at both points, but these are regularly ignored by vehicles travelling in both directions. Speeds are frequently excessive. The crossings serve (east of the Orchard Heights Roundabout) adults and children of all ages crossing to access, and return from, Warren Woods, and (west of the roundabout) residents, including school children, crossing to and from bus stops at this point, as well as walkers accessing, and returning from, Warren and Hoads Woods. Vision is limited for pedestrians and for drivers travelling in excess of 40mph. The signage normally takes 90 days to be delivered and installed.

ALDI – WATERBROOK AND CANTERBURY ROAD

The new store at Waterbrook is awaiting a resolution from KCC Highways on the diversion of the bridleway to the east of the new store. Aldi have ensured the oak tree on site will be protected.

The proposal for a store in Canterbury Road envisages additional traffic lights at Cemetery Lane which would allow traffic to access and egress the new store without traffic lights at the store itself, I have asked to see a plan of how these changes interacts with the proposal's links with Great Burton Farm. The concern is that this would delay traffic on the A28.

The development must yield improvements to the walking / cycling in the area to enable more sustainable travel. The footway to the south-east of the A28 will be widened to incorporate a shared off-road footway/cycleway between the Kinney's Lane bus stop and Aldi access. This footway/cycleway will extend into the Aldi site via the main vehicle access, providing a connection between Canterbury Road and the store. I have also asked for a link to the footpath along the Stour to the rear of the property and Aldi do seem

amenable to the idea. This would allow easier access on foot from Little Burton and other areas through Queen Mothers Park.

The link to the consultation portal is [Aldi – Kennington, Ashford \(aldiconsultation.co.uk\)](https://aldiconsultation.co.uk).



NO-MOW MAY



This is how Queen Mothers Park looks following the application of “No-Mow May”. Substantial areas of the park have been cut.

MULLBERRY HOMES, WATERBROOK

KCC Ecology have done a good job and have picked up that the area where the barn owl boxes, funded by the Parish Council, is also proposed to be used for reptile mitigation. KCC therefore ask, if they plan to then use that area for a wetland for Nutrient Neutrality, how do they propose for the area to be used as reptile mitigation? Natural England has said the area needs to be 2 Hectares to be effective and currently it doesn't meet that criterion. ABC have identified an area North of Conningbrook for NN mitigation, so I would have hoped that Waterbrook would be paying into that rather than try and squeeze out the out areas earmarked for reptile mitigation / barn owls.

FOOTPATH AU42 BARRIERS



I have looked into the installation of the barriers on Public Footpath AU42, South Willesborough. KCC receive many requests to install barriers and decline many on the basis that their introduction would not prevent the nuisance use or because the impact on legitimate users would be too great. KCC consider the needs of all users and try to find the right balance to secure the best solution for the majority of users. The barriers were installed in South Willesborough in response to requests from and following consultation with, Kent Police, Ashford Borough Council and South Willesborough and Newtown Community Council. They are intended to address the issue of illegal use by motorbikes and the dangers that poses to legitimate users. Given the purpose of barriers installed was to prevent motorcycle access, it was accepted that some legitimate users will be inconvenienced and could provoke a negative reaction. The PRoW and Access Service are reported to the Environment and Transport Cabinet Committee. Decisions in respect of the installation or removal of barriers can be taken under delegated powers reflecting the high number of such decisions, the low level of expenditure, low risk and the application of clear, well-established policies since 2012.

BYBROOK ROAD SPEED REDUCTION

The below was sent to the 12 objectors of the Traffic Regulation Order for the proposed 20mph speed limit for Bybrook Road. There were 24 responses of support.

"Thank you for taking the time to respond to the consultation for the following Traffic Regulation Order (TRO): "The Kent County Council (Various Roads, Ashford) (Speed limits) (Consolidation) Order 2020 (Amendment No. 8) Order 2022". The intent of which is to reduce the existing 30mph speed limit to a 20mph speed limit on Bybrook Road and adjoining roads in Kennington, Ashford.

I write with further information that may better help you to understand why we are proposing to reduce the speed limit and how this fits in with additional highway improvements here.

This scheme was put forward by Kennington Community Council and is supported by County Councillor Paul Bartlett and Ashford Borough Council. The Community Council provide a community voice for residents of Kennington and after listening to local residents the aspiration to create a 20mph zone in the Bybrook area was added to Kennington's Highway Improvement Plan.

The objective of the scheme is to improve health and wellbeing, and perception of road safety in a residential area with a primary school, play park, local shop, community hall and library. The scheme also seeks to encourage safer routes to schools, offering an alternative to the A28 Canterbury Road and A2042 Faversham Road.

Speed data supports the implementation of a 20mph zone on the proposed roads with existing speeds being within reasonable tolerance to give confidence that a 20mph speed limit will be well observed by the majority with some minor additional improvements.

The proposed scheme includes:

- *20mph zone (with 20 roundels marked on the carriageway) for Bybrook Road, The Pasture & adjoining roads;*
- *An on road advisory cycle lane (south western side) between Rylands Road and Old School Mews;*
- *A raised table at the site of the existing zebra crossing on Bybrook Road (near Belmont Road).*

By introducing the 20mph speed limit as a zone across the wider area, signage can be reduced to the entry points only. A 20mph speed limit over fewer selected roads would result in considerably more signage and add to street clutter.

Kennington Community Council and Mr Paul Bartlett carried out a community consultation during August 2021 to establish the level of support locally before this point. There were a total of 96 responses to the consultation with 85% in support of the proposals.

The scheme is to be jointly funded by Kent County Council, Mr Paul Bartlett's Combined Members Grant, Kennington Community Council and Ashford Borough Council.

When proposing new or alterations to existing Traffic Regulation Orders there is a legal requirement to advertise and consult upon the intent, in this case for the introduction of a 20mph speed limit restriction. It is hoped that the additional information provided in this email provides context to the proposal and I apologise if this was not made clearer through the TRO advertisement process.

In light of the additional information it is hoped that the grounds for your objection are no longer upheld."

ORTHAPEDIC "BARN" THEATRE FOR KENT



The KCC Health Overview Scrutiny Committee heard about a £31.6m plan to increase capacity in Kent's elective surgery capacity by 2024. This will be achieved by building four new bespoke orthopaedic operating theatres at Maidstone hospital. It will include a 20-bed inpatient ward and a 16 -bed day case ward. It will treat 3,300 orthopaedic cases per year to reduce regional backlog and some of the capacity will be ring-fenced to east Kent patients. A second elective unit is proposed for east Kent. A barn theatre refers to the open plan design of the main surgical area, where each patient is treated in a designated space alongside the next patient, with a specialised air canopy over each station to prevent the spread of infections. The barn theatres have adjoining anaesthetic rooms and traditional recovery areas.

IBF

Checks on EU goods being brought into the UK have been delayed.....again. The decision to move checks into 2023 risks a row with those who have spent millions creating the new facilities, staffing and systems to inspect goods. Port operators may worry that the new facilities they have created will be highly bespoke white elephants. The government's move puts at risk ministers' commitment to preserve high levels of animal and human health in the UK at a time when diseases such as African swine fever had already had a catastrophic impact in parts of the EU. This could cause significant damage to food and farming industries similar to that from the horse meat scandal and foot and mouth.

IBF FOOTPATH (AE639, 338 &337A)

I was pleased to hear that the decision to permanently close the footpath through the middle of the IBF has been referred to the Planning Inspectorate. This will mean that we will have the opportunity to make our arguments to keep it open to the planning inspector in an open meeting.



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Our booklet is available online at <https://www.gov.uk/government/publications/rights-of-way-guidance-booklet>. Hard copies are available on request.

For the reasons set out in paragraph 4.7 of our booklet, should you be aware in advance of any dates you are unavailable over the next 11 months, you should notify us by 19 May 2022. Whilst we will do our best to avoid any dates you provide to us, we are unable to give any guarantees.

Yours faithfully,

Clive Richards
Clive Richards

(Rights of Way Section)

INQ 5

[See Obj Details](#)

05 May 2022

Dear Sir/Madam,

Highways Act 1980 - Section 26

Order Making Authority:

Title of Order: Wildlife & Countryside Act 1981 S53

(Public Footpaths AE639 (PART), AE338 and AE337A Sevington) PPO & OMMO 2021

I refer to the above-mentioned Order which has been submitted to the Secretary of State for confirmation following receipt by the Authority of objections/representations. In accordance with the Act (Paragraph 10 of Schedule 15 to the Wildlife and Countryside Act 1981; paragraph 2A of Schedule 6 to the Highways Act 1980; or paragraph 4(1)(2) of Schedule 14 to the Town and Country Planning Act 1990) the Order is to be determined by an Inspector appointed by the Secretary of State.

The Inspectorate considers that it is in everyone's interest for all objections and representations to be publicly available. I have therefore asked the Council to make all objections/representations, along with any others made in relation to this case, available for viewing at their offices. They have also been asked to ensure that all statements of case and any other document submitted in relation to this case be made available for public inspection in due course.

Having examined this Order and associated documentation, it is proposed to hold a local inquiry. Arrangements for an inquiry are now being made and details will be sent to you in due course.

All parties to the local inquiry procedure are expected to abide by The Rights of Way (Hearings and Inquiries Procedure) (England) Rules 2007, which can be found at Annex A of our booklet **Guidance on procedures for considering objections to Definitive Map and Public Path Orders in England**. The procedure, which is also summarised in section 4 of the booklet, sets out the timetable for the submission of statements of case and proofs of evidence. Guidance on how to prepare statements of case and proofs of evidence can be found at Annex E. Your attention is also drawn to section 6 of the booklet which identifies the various matters to be considered by the Secretary of State or Inspector in deciding whether or not to confirm an order.

RUTLEDGE AVE



For some time there has been the black plastic fence lines alongside Rutledge Ave which were originally put in to prevent wildlife encroaching when TW/Persimmon were building the southern link road. I have asked that the developers now remove it.

PLANNING UPDATE

The Government has reaffirmed its commitment to 300,000 new being built each year but has dropped its proposal to zone land into “growth, renewal or protection” (the “Jenrick” proposals) which would have resulted in defacto planning consent outside the current application process.

Some modest planning reforms to support housebuilding and bring empty commercial premises back into use have been announced on the Queens Speech. These powers could include initiating rental auctions of vacant commercial properties in town centres and high streets. 'Street votes' are proposed to allow most loft conversions, conservatories and extensions to be built quicker, without full planning permission, as long as a third of locals do not object. These votes will give communities more say on new developments and make sure "beautiful" homes are "built in the right place", rather than "shoddy" properties in the wrong areas.

Heritage protection is now to be set at a national level (but a duty to maintain an historic asset register will be created for the LPA). There will be greater powers for healthcare providers and the police to make s106 claims (to be called a development levy)

Other initiatives to boost home ownership include a new version of Margaret Thatcher's Right to Buy scheme granting people the right to buy the homes they rent from housing associations (not Real Estate Investment Trusts) - at a discounted price. A connected idea for Government payments of housing benefit to be used to help recipients secure mortgages by banks taking the regular flow of housing benefit money into account for households seeking a home loan.

Separately on planning, ABC planning officers set aside 23rd to 27th May to clear a backlog of 425 unresolved planning applications.

A2070 NOISE

There has been a reduction in noise (and accident) reports from the A2070 following three consecutive weekends of action from Kent Police. The road did not have a reported collision for 10 weeks to 12 May 2022. Kent Police actions include covert unmarked police cars and bikes and a vehicle inspection team. A few fixed penalty notices were issued.

FRAMING KENT'S FUTURE – COUNCIL STRATEGY

The new strategy was adopted at the KCC meeting on 26th May. It sets out the challenges and opportunities Kent is faced with and the actions your Council will take to address them over the next 4 years. The key issues are:

- Address the border/gateway issues that we face in Kent, reducing the impact on Brock on getting around the Council.
- Protect productive farmland from development. Resolve the disconnect between planning control and the delivery of infrastructure and new homes. Challenge inappropriate development that does not have appropriate physical or social infrastructure necessary to maintain the quality of life for new and existing Kent communities. Champion reform to the national system of developer contributions to make it entirely fit for purpose.
- Enhance the regeneration of our town centres – levelling up presents a renewed opportunity to address those areas with long standing economic and social issues catch up with the rest of the South East
- Support Building Digital UK on their rollout of £200m “Project Gigabit” programme in Kent to connect around 100,000 properties.
- Work with partners to support how people cope in the current cost of living crisis as we did through the “helping hands” initiative for households in financial hardship to stop them falling into crisis.
- Seeking a specific national infrastructure assessment by the National Infrastructure Commission including restarting Eurostar services from Ashford
- Develop the Employment Task Force to give local businesses a stronger voice in local skills planning
- Explore opportunities arising from the Schools White Paper including the potential for KCC to sponsor a Multi Academy Trust
- Extend and improve CrowdFund Kent offer to enable local voluntary and community groups to take forward projects that will meet the specific needs of small local community groups. Enable a coordinated, properly resourced and sustainable volunteering infrastructure across Kent.

- Explore new models of delivering highways maintenance to invest in the condition and safety of Kent's highways. Prevent excessive or unnecessary damage and disruption from utility repairs.
- At as lobbying for the re-introduction of international rail stops at Ashford and Ebbsfleet
- Developer stronger action plans for air quality action plans, deliver 1.5m trees and a 19% canopy cover over the next 10 years. Develop a Local Nature Recovery Strategy to restore biodiversity.
- Work within the East Kent health partnership to analyse the local issues and publish a health needs assessment focusing initially on coastal communities which will form a template for future work with other areas. Develop a shared analytics function across the Integrated Care System, building on the strength of the Kent Public Health Observatory.

STONESTREET SOLAR

Here are the key issues I raised in the comments to the statutory consultees on the Stonestreet Solar project in Aldington & Mersham.

Background

Development, if consented, will commence in 2025 and construction will last 12 months. Operational lifespan is 40 years which is a long period of servicing equipment and vegetation management.

Agricultural Land and Soils

Agricultural Land Classification is 18.23% is Subgrade 3a and 75.09% is Subgrade 3b. National Planning rules says that the preference is for solar development on brownfield and non-agricultural and should avoid the use of Best and Most Versatile Land which includes Subgrade 3a. ABC local plan seeks to monitor the loss of Subgrade 1 & 2 to major development

The Applicant has not sought to avoid the use of Best and Most Valuable land where it is possible. Any loss of viability to Subgrade 3a land and mineral resources would be highly significant.

The PV panels are 0.8m above the ground and it is proposed that this would allow grass to grow and sheep livestock to graze and so agricultural use will continue. An assessment is required to determine the validity of this statement as the average height of a sheep is 120cm. In addition, an assessment on grass growth is required as the statement by the application that it will retain agricultural use with "negligible to minor magnitude of change" does not seem feasible. The statement "that 95% of land will remain available for agricultural use" seems disingenuous.

Air Quality

The size of the development and the limited time allowed for the development of 12 months suggests a very intense period of construction so the dust and noise assessment during construction is essential. The proximity of CTRL and M20 (both sources of dust) means that the cumulative effect of dust must be taken into account.

Noise and vibration

It is unclear at this stage whether the solar panels will be “fixed tilt” or whether the PV modules will track the sun and adjust throughout the day. This is important as there could be noise and vibration impact from tracking motors on local receptors including before 7am between March and September. Also, there is a question as to how noisy the inverters are to convert the power from DC to AC.

Glint and Glare

It is noted that Glint and Glare is only being assessed on road, rail and aircraft. However, glint and glare should be assessed on local residents and from vantage points from PROWs including North Downs ANOB. Long distance views of the site from the Kent Downs ridgeline mean that views of the application site are visible. There is potential for adverse glint and glare on nearby residential properties so a detailed assessment is required.

Cultural Heritage

There are 77 listed properties near the application site and although there is no list of non-designated heritage assets maintained by ABC / PC’s an investigation of these is essential to allow proper assessment. The Zone of Theoretical Visibility should include the Mersham conservation area which is nearer than the Bilsington conservation area which is listed in the assessment.

Biodiversity

The biodiversity gain that a project such as this should deliver should be an overall 20% improvement on the current baseline as set out in KCC’s aspirations. Heritage assets derive their significance not just from their physical presence but also from their setting. The hedgerows on the development site provide landscape features that helps to create and distinguish the local character. There is a strong sense of enclosure with the local landscape. Planting is proposed to provide visual screening to sensitive heritage assets must be natural regeneration, not just planted trees. Two examples are shown below in Sevington:



The one on the right has nightingales, barn owls, whitethroat and lots of lizards and slow worms; it is rich in actual demonstratable biodiversity and rare species. Removing valuable hedgerows must be kept to a minimum and any that are removed or altered should require clear and convincing justification. A maintenance plan is required to ensure that new planting gets properly established. It is stated that Backhouse Wood and the East Stour River will be robustly buffered so these comments apply here specifically.

It is inappropriate to scope out the East Stour River in view of its significance (a Habitat of Principal Importance). The risk of increased run off from now exposed ground can cause erosion and pollution into the East Stour with resultant downstream flooding risk. The Stodmarsh assessment must include the fact that proposed livestock grazing will require fertilizer to encourage grass growth and there will be run-off from that and from the livestock itself near to the East Stour. Some horizontal direction drilling will be required to cross the East Stour river details on what this involves are essential.

If there is any sort of decent hectarage given for a nature space away from the PVs, the ability to graze it with cattle would bring huge benefits for biodiversity and ease of management going forwards (please can we have livestock proof fencing).

It would be good if the scheme was designed with specific species in mind. Brown hare enjoy fallow or short short grassy areas, and if there is no problem with the PV panels, can the scheme facilitate some sort of targeted beneficial recovery scheme for brown hares? Skylarks could also benefit too, if some wider spacing and corridors were given. The developer should put in some decent habitat and then had a proper bird hide installed as an asset for locals to watch wildlife, brown hares, birds etc.

Socio-economics

Some sort of benefit for the people of Ashford and Folkestone in terms of access as well as biodiversity would be welcome. Where the development creates biodiversity areas, it would be good if people can then enjoy them and experience it via a footpath etc. Can we see a circular route created or at least some sort of sensible connection somewhere to existing PROW? All too often, the paths either lead out onto a road that you don't want to walk down, or you have to go back on yourself, which is just frankly boring, so it would be good if there was a circular route as a gain out of this or perhaps some sensible links/new paths to create circular walks and connections to the current PROW system.

It is important that we use this as an opportunity to support the local tourism industry as there will be a significant effect on the socio-economic system locally. There will be a loss of local activity in the Agri economy from the loss of a poultry farm and arable crops which will have a knock-on effect on local support businesses. Tourism is a significant driver to the area but will people want to visit when the landscape changes? There will be adverse effects on existing residential, community, tourism and recreation if there is diverted access to PROWs and this must be compensated for by the circular route and viewing opportunities that I refer to above.

Traffic and Access

The proposed access route during construction via A20 / Station Road junction needs to be assessed carefully due to the crash history at that crossroads. A number of abnormal traffic movements can be expected and speed of traffic movements at that junction can be problematic at times.

Final Thoughts

There is a lot of support for renewable energy but the key is making sure this is done in the most effective way and takes into account the views of local people. Villages around proposed solar farms aren't being offered any sort of benefit in terms of their own energy needs, so it's unsurprising there isn't a community buy-in.

AE360

I have reported the overgrown state of AE360 from Kingsford Street to the footpath leading up to the shop



HALSTOW WAY AFFORDABLE HOUSING – THE BRICKWORKS

I was pleased to see the 17 affordable housing units (6x1 bed, 7x2 bed and 4x3 bed) completed in South Ashford on 24th May. There are 30 car parking spaces, some with electric charging point. A contribution of £60k per units was received from Homes England meaning they are truly affordable for those on the Council's housing list



Coming next... some of our pipeline

Cuthbert House
 • 47 houses for independent living
 • including 19 (2) homes

Thorne Estate (3 homes)

Land in Rolandsden (10 homes)

Milton (200, land acquisition)
 • Primary care facility (peds)
 • 20 flats

The Kilo Road (18 homes)

Chilmington (106 apartments)
 • 4 houses for affordable rent
 • 2 houses for shared ownership

Coming next... Henwood

- 23 units of temporary accommodation
- Modular construction (ZedPods)
- Zero-carbon in operation
- Making use of under-used council car park
- Reducing cost of TA to the Council
- Better living conditions for homeless households
- For homeless households with low-level needs
- Currently in planning
- Anticipated total capital cost of £4.7m

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