

From: Susan Carey, Cabinet Member for Environment
Barbara Cooper, Corporate Director, Growth, Environment and Transport

To: **Environment and Transport Cabinet Committee – 15 September 2020**

Decision No: **N/A**

Subject: **Review of the Kent Downs Area of Outstanding Natural Beauty (AONB) Management Plan – proposed consultation response**

Classification: **Unrestricted**

Past Pathway of Paper: Environment and Transport Cabinet Committee (23 January 2020)

Future Pathway of Paper: Environment and Transport Cabinet Committee – for Kent County Council adoption (date tbc)

Electoral Division: Countywide, with the exception of all electoral divisions within Dartford Borough, Tunbridge Wells Borough and Thanet District administrative areas.

Summary: This report sets out the context and details of the Kent Downs Area of Outstanding Natural Beauty (AONB) draft Management Plan 2020-2025 and the details of the draft KCC response to the consultation.

Recommendations: The Environment and Transport Cabinet Committee is asked to consider, endorse and make recommendations to the Cabinet Member for Environment on the proposed Kent County Council response to the Kent Downs AONB draft Management Plan consultation.

1. Background

- 1.1. The Kent Downs Area of Outstanding Natural Beauty (AONB) is a nationally designated protected landscape and covers about a quarter of the County. It stretches from the White Cliffs of Dover to the Surrey and London Borders and focuses on the North Downs and the Greensand Ridge.
- 1.2. The primary purpose of AONBs is to conserve and enhance the natural beauty of the landscape. The County Council has a statutory requirement through the Countryside and Rights of Way Act 2000 (CRoW Act) to act jointly with the eleven other Local Authorities that contain parts of the Kent Downs AONB to prepare, review and adopt a Management Plan for the landscape.

- 1.3. Under the Act, the Management Plan is required to formulate the local authorities' policies for the management of the AONB and for carrying out the associated local authorities' functions in relation to it. The Management Plan is a material consideration in planning matters and should be afforded weight in decisions.
- 1.4. The Kent Downs AONB Management Plan, adopted in 2014, is currently being reviewed – this is being undertaken by the Kent Downs AONB Unit on behalf of the AONB Partnership.
- 1.5. The preparation of the review has involved extensive consultation and has also used the 'Head for the Hills' celebrations of the Kent Downs AONB to reach a wider audience. Nearly 1,000 individuals participated and the special characteristics and qualities that formed the basis of the original designation are still those most valued by people today. The Kent Environment Strategy Public Perception Survey (2018) results are also captured, demonstrating that 97% of respondents felt that the countryside was either important or very important to them.

2. The proposed revisions in the Management Plan

- 2.1. Natural England (Government's statutory advisor on landscape) has been clear in its view that the existing Kent Downs AONB Management Plan represents exemplary best practice and therefore it is proposed that much of the existing plan remains in place. There are, however, changes to the context in which the Plan operates, including new legislation, new guidance and changes to government and other relevant agendas that the Management Plan review looks to incorporate.
- 2.2. To summarise, the key changes captured within the draft Management Plan are as follows:

Chapter 1. The Kent Downs AONB: Whilst still taking a far sighted and ambitious approach, the vision has been re-focused from a 20-year period to a 10-year period, to reflect the level of housing growth planned for Kent.

Chapter 2. The Management of the Kent Downs AONB: A natural capital and ecosystems services¹ approach is more clearly embedded.

Chapter 3. Sustainable Development: A section has been added to reflect the approach of the Government's 25-year Environment Plan and emerging Environment Bill, and to articulate the levels of planned growth in Kent and London. The section on climate change has also been updated. The consultation version pre-dated the early details of the Government's white paper 'Planning for the future'.

¹ Ecosystem services are defined as outputs, conditions, or processes of natural systems that directly or indirectly benefit humans or enhance social welfare.

Chapter 4. Landform and Landscape Character: The chapter identifies the need to develop long term plans for the Landscape Character Areas of the AONB – including where natural capital, intended net gain, or Environmental Land Management (which could bring potential investment following exit from the EU, as signalled by Government) will be pursued.

Chapter 5. Biodiversity: Two principles have been added to recognise the need to be involved in the rapidly changing national context for biodiversity conservation; the importance of connecting people with nature and ensuring sensitive sites and species are not harmed by (what is termed throughout the document as) ‘over visiting’².

Chapter 6. Farmed Landscape: The rapidly changing context for agriculture and changes to the pattern of Kent Downs farming (such as the rapid introduction of vineyards) are set out. The issues, opportunities and threats have been updated accordingly.

Chapter 7. Woodland and Trees: The important role of trees and woodlands in mitigating and adapting to climate change and the drive to increase woodland creation and tree planting are now referenced.

Chapter 8. Historic, Cultural and Scientific Heritage: A new principle has been added to promote an arts and cultural strategy for the Kent Downs and there is greater reference to more recent historic heritage.

Chapter 9. The Heritage Coasts: The vision recognises the transformative works in the management of the Heritage Coasts. New principles have been added, including to promote the sustainable management of visitors.

Chapter 10. Geology and natural resources: References to natural flood and drought management have been included. New principles have been added to focus on the conservation of soil and the benefits the Kent Downs landscape offers for clean air.

Chapter 11. Quality of Life and Vibrant communities: The vision is now framed to be more inclusive. The link between landscape and health and well-being is prioritised through a new principle. The potential of impacts from the European Union exit are also covered.

Chapter 12. Access, enjoyment and understanding: Greater emphasis is placed on understanding the barriers to access and widening access opportunities. Reference is made to the health and well-being opportunities offered by access to the Kent Downs.

3. KCC’s response

² P116 of the draft Management Plan provides more detail on the term ‘over-visiting’, which it states has rapidly become an issue, with visitor experience at risk of declining, erosion to paths, damage to habitat and loss of tranquillity.

- 3.1 Cabinet Committee views were sought on the key areas for revision at the Environment and Transport Cabinet Committee meeting on 23 January 2020, in advance of the draft Management Plan being published for consultation (minute 249).
- 3.2 The Management Plan is proposing to alter the vision to a shorter period of ten years because of the scale and pace of population and housing change in Kent. It was minuted that the County Council response should state the need for the adopted AONB Management Plan to be reviewed regularly because of the speed at which government policy changes. This has been captured in the draft KCC response to this consultation (in question 3a).
- 3.3 Overall, KCC is supportive in its draft response to the draft Management Plan consultation and provides some observations and recommendations in respect of KCC services and infrastructure. KCC's full draft response is attached at appendix 1, and key points are set out below.
- 3.4 The Management Plan focuses on the resilience of the ecology and biodiversity within the Kent Downs AONB, alongside the wider landscape and communities. The KCC response highlights where the Plan should demonstrate clear focus on restoring lost habitats and species and the 'wildness' of the protected landscape.
- 3.5 The references and commitments to tackling the UK climate and ecological emergency are welcomed, as is the focus on sustainable, low carbon development. The draft response is supportive of the Management Plan's commitment to achieving net-zero greenhouse gas emissions but does caution the feasibility of achieving this target by 2030. Through the framework of the Kent and Medway Energy and Low Emissions Strategy, KCC and its partners have agreed a vision for the county of Kent to reach Net Zero by 2050, which also reflects the UK target and the advice of the UK Committee on Climate Change.
- 3.6 The draft response welcomes the reference to superfast broadband and advises that it needs to reference superfast and gigabit capable broadband so it aligns with current government policy, as well as good mobile broadband services - key for local residents and those seeking to enjoy the landscape.
- 3.7 The vision for a well-managed and improved PRow network is supported, and the draft response highlights the challenge of funding for this work. In addition to public transport, it encourages the role of active travel as being shown in the Management Plan as a means of accessing the Kent Downs AONB.
- 3.8 The response sets out that KCC is supportive of habitat creation and highlights that there is a need for habitat creation to be in the correct location that provides the greatest benefit – e.g. an increase in woodland planting does not result in loss of chalk grassland.
- 3.9 The draft KCC response also recommends that there is a wider recognition of surface water within the natural environment, including flood control and

surface water pollution issues, with consideration within the “water environment” section of the document on areas within the river valley areas, such as the Darent, Medway and Stour catchments.

- 3.10 The vision for historic and cultural heritage is well articulated and if achieved, will deliver a well-conserved and valued heritage in an attractive landscape. It is recommended that greater emphasis is placed on using the historic environment to shape new development and contribute to a distinctive sense of place.
- 3.11 The Plan is limited in its consideration of waste and mineral matters and the KCC response puts forward recommendations in respect of how this should best be captured in the Management Plan. Waste processing and mineral supply, if sensitively developed, may offer an opportunity for the AONB by offering a diversification of the employment base, and potential benefits for small/medium enterprises.

4. Financial Implications

- 4.1. The County Council provides a contribution to the core funding of the Kent Downs AONB Partnership and hosts the AONB Unit, which is otherwise primarily supported by the Department for Environment, Food and Rural Affairs (Defra). There are no changes proposed to the level of core funding with the Management Plan review and therefore no direct financial implications.

5. Policy Framework

- 5.1. The AONB Management Plan directly supports the County Council’s strategic outcomes, and specifically the outcome that Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life.

6. Legal implications

- 6.1. The Kent Downs AONB is recognised and protected nationally and internationally for its natural beauty. A statutory requirement in the CRoW Act is placed on the council to act jointly with the other local authorities to prepare and review a management plan for the landscape.
- 6.2. The Kent Downs AONB Management Plan review is being taken forward by the Kent Downs AONB Unit and overseen by the Kent Downs AONB Joint Advisory Committee. The County Council is represented at a senior level on the Joint Advisory Committee by an elected Member and Officer.

7. Next steps

- 7.1. Following this consultation, the Partnership will finalise the Management Plan to incorporate any final local authority comments. Local authority Joint Advisory Committee Officers and Members are required by the CRoW Act to

take the Plan through a formal adoption stage at each local authority and confirm with the AONB Unit.

- 7.2. The Management Plan will then be published and deposited with the Secretary of State as required by the CRoW Act. At least four months are recommended for local authority partners to go through their individual adoption processes. At that stage, the Environment and Transport Cabinet Committee will be asked to consider and endorse the Cabinet Member for Environment formally adopting the reviewed Kent Downs AONB Management Plan 2020-25.

8. Conclusions

- 8.1. The nationally protected landscapes of the Kent Downs AONB are a great asset and vital component of the county of Kent covering around a quarter of the county and providing a green lung which is much valued by local people and visitors alike. The Downs also supports a substantial rural, agricultural and visitor economy.
- 8.2. KCC is supportive of the role of the AONB landscape in mitigating climate change, enhancing health and well-being and contributing to nature recovery in both a local and national context. This is increasingly apparent and emphasised in the draft revised Plan and KCC is supportive overall.
- 8.3. Appendix 1 sets out the full KCC response and technical comments to the consultation – which is in the form of a questionnaire.

9. Recommendation

- 9.1 The Environment and Transport Cabinet Committee is asked to consider, endorse and make recommendations to the Cabinet Member for Environment on the proposed Kent County Council response to the Kent Downs AONB draft Management Plan consultation.

10. Background Documents

Kent Downs AONB Management Plan –

[https://kccconsultations.inconsult.uk/gf2.ti/-/1092162/76010821.1/PDF/-/Draft Management Plan whole document FINAL for consultation.pdf](https://kccconsultations.inconsult.uk/gf2.ti/-/1092162/76010821.1/PDF/-/Draft%20Management%20Plan%20whole%20document%20FINAL%20for%20consultation.pdf)

Environment Report and Sustainability Appraisal –

[https://kccconsultations.inconsult.uk/gf2.ti/-/1092162/76011269.1/PDF/-/Kent Downs AONB Environment Report 2020.pdf](https://kccconsultations.inconsult.uk/gf2.ti/-/1092162/76011269.1/PDF/-/Kent%20Downs%20AONB%20Environment%20Report%202020.pdf)

Equality Impact Assessment –

https://kccconsultations.inconsult.uk/gf2.ti/-/1092162/76255941.1/PDF/-/KD_AONB_Management_Plan_EqIA_V5_27Feb2020_Signed_SHC.pdf

11. Appendices

Appendix 1: KCC questionnaire response to the consultation

12. Contact details

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