

---

## LOCAL PLAN PANEL

---

**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Thursday, 8 July 2021 from 7.01 pm - 7.47 pm.

**PRESENT:** Councillors Mike Baldock (Chairman), Monique Bonney (Vice-Chairman), Alastair Gould, James Hunt, Carole Jackson, Elliott Jayes, Peter Marchington, Richard Palmer and Eddie Thomas.

**OFFICERS PRESENT:** Billy Attaway, Philippa Davies, James Freeman and Jill Peet.

**ALSO IN ATTENDANCE (REMOTELY):** Councillors Steve Davey and Tim Valentine.

**APOLOGY:** Councillor Benjamin Martin.

### 140 EMERGENCY EVACUATION PROCEDURE

The Chairman ensured that those present were aware of the emergency evacuation procedure.

### 141 MINUTES

The Minutes of the Meeting held on 3 June 2021 (Minute Nos. 42 – 45) were taken as read, approved and signed by the Chairman as a correct record.

### 142 DECLARATIONS OF INTEREST

No interests were declared.

### Part A Recommendations to Cabinet

### 143 HOUSING DELIVERY TEST ACTION PLAN 2021

The Chairman explained that the Housing Delivery Test (HDT) was not mandatory, but gave the Council a stronger position at planning appeals.

The Planning Policy Manager introduced the report which set-out the Council's draft HDT Action Plan (AP), a non-statutory report the Council had been asked to prepare as a result of achieving a score of below 95%, in the government's HDT published in January 2021. The HDT compared the housing required against the actual amount delivered over the previous three years. The latest results indicated a score of 89% for Swale, and as this was below 95% an AP was needed. There was a requirement to explain any non-delivery and to set out what measures would be taken to ensure this did not continue. The Planning Policy Manager said the reasons for housing non-delivery in Swale were complex, and she added that the delivery rates for housing completions were largely in line with what was anticipated

by Bearing Fruits. The AP set out the reasons for under-delivery and the proposed actions.

The Chairman referred to Recommendation (2) in the report and suggested an amendment to include the words 'with any minor amendments' and Members agreed unanimously with this change. He added that a more up-to-date version of the map on page 18 of the report would be submitted with the final version of the HDT AP.

The Chairman invited Members to ask questions and make comments.

A Member referred to the inclusion of Minster in paragraph 2.2 of the HDT AP, and whether it should be included. He was advised that this section of the AP was setting the historical context on where development was focused and was retrospective.

A Member drew attention to the low GP-to-patient ratio and suggested the Clinical Commissioning Group (CCG) be invited to a meeting to look into this further. The Chairman said they could be invited to attend the Scrutiny Committee. The Vice-Chairman explained that she had recently attended a meeting with the CCG and said they were currently undertaking a review, and she suggested they would be in a better position to respond to questions from the Scrutiny Committee in three or four months time, and Members were happy with this approach.

A Member referred to paragraph 1.2 in the AP and suggested more detail on reasons for the Borough's housing delivery rates should be given. The Planning Policy Manger considered that all the issues had been covered in the AP. After some discussion, Members agreed that the wording should be amended to read '.....provides commentary on ~~some~~ **all known** ~~of the~~ reasons.....'.

The following comments were made:

- Considered there were reasons that had not been looked into for the under-delivery, everything needed to be covered to protect the Council at any planning appeals;
- the lack of a 5-year housing supply needed to be considered and tackled;
- consideration needed to be given to the real difficulty of delivering a new secondary school in the Borough;
- the Council needed to resolve the issues outlined in paragraph 3.5 of the AP, such as constraints on the highway network, ground preparation work etc;
- needed to do more to allow windfall sites to come through and to manage the expectations of residents;
- the Council might consider other actions to develop outside of the Local Plan process to resolve the under-delivery issue;
- pleased that the delays in improvements to M2, Junction 5 had been acknowledged as having an impact on housing delivery;
- more emphasis was needed to be put on the issues of M2, Junction 7 as being inadequate for housing delivery;
- welcomed the inclusion of the delays to housing on strategic brownfield sites set-out in paragraph 3.25;

- the low number of smaller building companies and Small and Medium Enterprises (SME) needed to be addressed;
- more publicity needed to be given to the self and custom build register, as a lot of people were unaware of its existence;
- considered the Local Plan was not up to date in relation to the Borough's Objectively Assessed Need (OAN);
- needed to find a way of not having to use the 'tilted balance' approach; and
- what actions would be taken with regard to the effects of the issues that delayed building-out as outlined in paragraph 4.5 of the AP?

The Chairman responded and explained that most of the issues outlined above were being addressed through the Local Plan Review (LPR), and this was not necessarily the correct document for the issues to be dealt with; there was a new SME policy which had support from SMEs; and the AP was limited by the existing Local Plan; and the Local Plan, even when it was adopted, did not plan to deliver the amount of housing needed for the 5-year housing supply.

The Planning Policy Manager explained that regardless of the score in the HDT, this was a piece of work that all local authorities were encouraged to prepare, and she suggested this be re-visited for next year's AP, with more detail in it. She said that at the time of the Bearing Fruits examination, the Planning Inspector accepted that the Council's housing delivery would be slow in the early years, and that this could be addressed later in the life-span of the Plan; and she added that the planning system was very slow and complex.

Further comments included:

- Concerned that the Council would not get a 5-year supply until the LPR had been carried out;
- there were some issues that were listed as actions, however the LPR, the Strategic Housing Land Availability Assessment (SHLAA) and road improvements were not actions, they needed to take place in any case; and
- brownfield sites were areas where action could be taken.

The Chairman said that he was confident the Council would meet the 5-year supply shortly, and on that basis the Planning Inspectors should hopefully recognise this and not implement the 'tilted balance' approach.

The Head of Planning Services explained that an AP was carried out in 2019 and this was a refresh. Some of the wording in the Plan was in the past tense, these actions were being promoted and some had been completed already. He added that with the M2J7, work was being carried out in collaboration with neighbouring local authorities, Highways England and Kent County Council to see if this could be accelerated, and this update could be referred to in the AP. The Chairman said that there was an interim policy to support housing for the elderly and this might help meet supply.

Further comments included:

- The housing figure was significantly above what it was previously;

- with high property prices, there was a significant risk if the prices fell;
- land-banking was an issue, and this had a significant impact on the Council's housing figures; and
- the AP was a robust way of dealing with the under-delivery issues.

One Member confirmed that his statements in the press had been misrepresented.

Officers were thanked for the work they had carried out on the draft AP.

***Recommended:***

- (1) That the Housing Delivery Test Action Plan be noted.***
- (2) That delegated authority be granted to the Cabinet Member for Planning to agree, with any minor amendments, the Housing Delivery Test Action Plan for submission to the Secretary of State and published on the Council website.***

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

All Minutes are draft until agreed at the next meeting of the Committee/Panel