
PLANNING AND TRANSPORTATION POLICY WORKING GROUP

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 6 July 2022 from 7.00 pm - 7.45 pm.

PRESENT: Councillors Mike Baldock, Monique Bonney, Alastair Gould, Mike Henderson, James Hunt, Peter Marchington, Richard Palmer, Ken Rowles (Substitute for Councillor Ghlin Whelan), Eddie Thomas, Tony Winckless (Substitute for Councillor Carole Jackson) and Corrie Woodford (Substitute for Councillor Elliott Jayes).

OFFICERS PRESENT: Flo Churchill, Kellie MacKenzie and Jill Peet.

OFFICERS PRESENT (Virtually): Philippa Davies.

ALSO IN ATTENDANCE (Virtually): Councillors Ken Ingleton and Elliott Jayes.

APOLOGIES: Councillors Carole Jackson, Elliott Jayes and Ghlin Whelan.

172 **Emergency Evacuation Procedure**

The Chair drew attention to the emergency evacuation procedure.

173 **Minutes**

The Minutes of the Local Plan Panel Meeting held on 24 March 2022 (Minute Nos. 725 – 731) were taken as read, approved and signed by the Chair as a correct record.

174 **Declarations of Interest**

No interests were declared.

175 **Additional item - Minutes of the Planning & Transportation Policy Working Group**

The Chair asked Members to consider and agree that minutes be taken for the Working Group, rather than action points.

This was agreed by Members.

176 **Actions discussed at informal working group (22.06.22)**

The Chair referred to the action notes from the informal working group which were tabled for Members.

The Chair proposed the following amendment which was seconded by Councillor Monique Bonney: That the action notes be amended as follows:

Action 5 should read:

“It was agreed that although working groups did not normally meet in public, it was advisable to discuss **some** matters regarding the local plan and transport in public.”

“The remit of the working group was also to discuss areas of enforcement **and Policy** which due to names and addresses being identifiable are more appropriate to be discussed in a confidential setting.”

The additional sentence be added **“It was further agreed that other issues would be dealt with within informal gatherings.”**

A Member said he had understood that it had been agreed at the informal working group that all matters relating to the Local Plan would be held in public and minuted. Some Members disagreed.

In response to a query from a Member, the Interim Head of Planning Services clarified that any items that required a recommendation to the Policy and Resources Committee would be considered at the public working group and agreed to provide some wording to clarify this within the action notes.

The Chair also asked that the word Minutes be changed to Action Notes.

Resolved: That the action notes be amended as minuted.

In response to a comment from a Member, the Interim Head of Planning Services said that officers would be consistent in their approach to the title of the working group moving forward.

The Chair said the work plan would be brought forward to a future meeting and the informal action notes would be circulated to Members.

177 Levelling-up and Regeneration Bill

The Interim Head of Planning Services introduced the report which provided a brief summary of the proposed measures in the Levelling-Up and Regeneration Bill that would impact on how Swale Borough Council (SBC) carried out its planning duties. She advised that the Bill had been debated at Parliament recently and agreed to circulate the link of that debate to Members.

The Interim Head of Planning Services reported that it had been suggested that district-wide Design Guides be “dropped” due to resource implications. She outlined some of the proposed changes as outlined in the report which included: changes to the environmental impact assessment and strategic Environmental Assessment with a system regime of Environmental Outcomes Reports; proposed replacement of most development management policies and local plans with national development management policies; changes to the protection to heritage assets; changes to the compulsory purchase process; the repeal of the duty to cooperate and its replacement with an alignment test; the Infrastructure Levy would replace the Section 106 and Community Infrastructure Levy; and the intension to remove the need for a five-year supply of deliverable land for housing where a Local Authority’s local plan was up-to-date.

The Interim Head of Planning Services advised that officers were awaiting details on some of these changes and following correspondence from the Chair of the Levelling-up Housing and Communities Committee, the Secretary of State for Department for Levelling-up had raised the issue of lack of detail and transitional arrangements in Parliament.

The Chair invited questions from Members.

Members raised points which included:

- With regard to Street Votes would there be parameters on what the public could vote on? In order to manage residents expectations;
- requested an update on timings in respect of consultations and how consultations would be dealt with?;
- would the design code include the Local Authority influencing change in terms of climate change?; and
- would this Bill influence what sort of local plan the Council submitted?;

In response to questions raised, the Interim Head of Planning Services said: there would be some parameters in respect of Street Votes possibly appearance, bulks, massing and scale; officers were expecting a Prospectus to be published July 2022 which would outline the areas of change in respect of consultations and this would be forwarded to Members; clarified the last sentence in the penultimate paragraph on page 6 of the report in relation to Supplementary Planning Documents (SPDs) should read “They will be independently examined and there **are** limits on the scope of such documents...”; unsure how the National Model Design Code would act if there were no local design codes but Members could decide to have a local design code; and officers were keeping a very close eye on the transitional arrangements for the Bill and were concerned that it could come into effect just before submission of the local plan.

Recommended: That the report be noted.

178 **Local Development Scheme**

The Planning Policy Manager introduced the report which provided a revised Local Development Scheme (LDS), as set-out in Appendix I of the report, to reflect the changes to the programme necessary to ensure the additional work in respect of the further traffic modelling evidence could be completed and fed-into the emerging local plan review.

The Planning Policy Manager referred to the revised timeline for the Regulation 19 consultation as set-out in paragraph 3.2 on page 12 of the report.

The Chair invited questions from Members.

Members raised points which included:

- Concerned that there was still not enough time to consider design issues properly;
- were officers confident that the timescales could be achieved?;
- Members had been told previously that there would be a separate SPD for Milton Creek?;
- had there been any discussion with neighbouring authorities about taking some of Swale’s housing numbers under the duty to cooperate?; and
- could the traffic modelling assessments be trusted?.

In response to a question from the Chair, the Interim Head of Planning Services explained that changes to the Regulation 19 document could not take place until after it had been submitted to the Secretary of State, as it was the document that would be examined,

however there would be a modification stage following examination. She said it was important to note that the Evidence Base would continue to develop right up to examination so officers could add evidence up to the examination if required. The Interim Head of Planning Services said that the transport modelling assessments were prepared by experts so could be relied upon, but it was right that Members were critical of them. The Planning Policy Manager advised that the Council had independent consultants providing assistance with transport modelling assessments.

The Planning Policy Manager said whilst it was an ambitious programme she was confident that with the team of officers they had and progress already made the timetable would be achieved. Members would be made aware of any risks to the timetable. She said that officers had recently received the first draft updated Strategic Housing Market Area Assessment (SHMAA) and were close to securing further evidence that would be completed by the end of September 2022. Officers were engaging with the Council's Sustainability Appraisal consultants and workshops were planned to ensure Members were fully informed of what was coming forward. The Traffic Modelling Evidence was expected that week and the Retail Needs Assessment was being updated and there was progress on the Strategic Housing Land Availability Assessment (SHLAA).

A Member asked whether the Council's Park Homes SPD should be included under paragraph 4.2 of the LDS? The Planning Policy Manager said it was an interim policy and could be included. Members agreed that it should be added. The Planning Policy Manager said that a Masterplan Development Brief would be included for Milton Creek rather than an SPD.

The Chair explained that in relation to the common ground duty to cooperate, officers were in discussions with other authorities. He said that nothing had been confirmed and given the confidential nature of the discussions it could be considered at the informal working group meetings.

In response to queries from Members about timescales, the Chair said that evidence could be gathered up to June 2023 when the examination was expected to happen. The Interim Head of Planning Services advised that officers anticipated that the primary and secondary legislation for the planning reforms would be in place by the end of 2024, and that if officers continued with the LDS timeline the Council should be in a stronger position to have an up-to-date local plan and therefore no five-year housing land supply rule.

Recommended: That the content of the report be noted, and the LDS contained in Appendix I subject to the inclusion of the Council's interim Park Homes SPD, be approved and published.

Chair

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