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## Planning and Transportation Policy Working Group

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Tuesday, 17 September 2024 from 7.00 pm - 8.40 pm.

**PRESENT:** Councillors Mike Baldock, Monique Bonney (Vice-Chair), Ann Cavanagh (Substitute for Councillor Kieran Golding), Charles Gibson, Alastair Gould (Chair), James Hunt, Richard Palmer (Substitute for Councillor Elliott Jayes), Julien Speed, Tony Winckless and Ashley Wise (Substitute for Councillor Karen Watson).

**OFFICERS PRESENT:** Billy Attaway, Paul Casey, Natalie Earl, Joanne Johnson, Stuart Watson and Ceri Williams.

**ALSO IN ATTENDANCE (VIRTUALLY):** Councillors Lloyd Bowen and Jackson.

**APOLOGIES:** Councillors Kieran Golding, Elliott Jayes, Karen Watson and Mike Whiting.

### 243 Election of Chair

Councillor Mike Baldock nominated Councillor Alastair Gould to be Chair for the municipal year 2024-2025. This was seconded by Councillor Tony Winckless. On being put to the vote, it was agreed.

**Resolved:**

**(1) That Councillor Alastair Gould be elected as Chair for the municipal year 2024-2025.**

### 244 Election of Vice-Chair

**Resolved:**

**(1) That Councillor Monique Bonney be elected as Vice-Chair for the municipal year 2024-2025.**

### 245 Emergency Evacuation Procedure

The Chair outlined the emergency evacuation procedure.

### 246 Minutes

The Minutes of the Meeting held on 14 March 2024 (Minute Nos. 769 – 772) and the Minutes of the Extraordinary Meeting held on 8 August 2024 (Minute Nos. 166 – 172) were taken as read approved and signed by the Chair as correct records.

### 247 Declarations of Interest

No interests were declared.

### 248 Swale Planning Enforcement Strategy - Draft for Adoption

The Team Leader (Planning Investigations) introduced the report and asked for Members' comments on the updated draft Planning Enforcement Strategy following the eight-week public consultation process between February and April 2024.

The Chair invited Members to make comments which included:

- Page 15, needed to be changed so that all Members were consulted when officers make a decision on whether to take enforcement action under the current scheme of delegations;
- paragraph 3.1 referred to the online reporting form being the 'easiest' way to report enforcement breaches, but residents often struggled to complete the form, so the wording needed to be changed to 'quickest' or 'best';
- suggested the wording be changed to 'best' to emphasise that it was not the easiest, but best way for members of the public to ensure the breach had been reported;
- what was the situation with out-of-office hours working?;
- were officers expected to work out of normal working hours when required?;
- what enforcement breaches required police intervention?;
- why were unauthorised encampments not category one?;
- understood that not all reports of planning breaches were published online, but hoped that this could be looked at in the future;
- the document needed to clarify what types of breaches would be reported online so that the public and parish town councils knew what to expect on the portal; and
- needed to be clear about what type of fly tipping was the responsibility of Swale Borough Council and what was the responsibility of the Environment Agency as it was often confusing for parish/town councils as well as Ward Members.

The Team Leader (Planning Investigations) responded explaining that as well as the online reporting tool, an email address could be added to the website so that residents could email directly any enforcement breaches if they struggled to complete the online reporting tool. He added that a three-day response time for unauthorised encampments was what had been agreed but officers could review the response times before the report came back to the Policy and Resources Committee.

With regards to the out-of-office expectation of officers, the Head of Place explained that once an enforcement case had been reported, the strategy would be applied. The course of action might require the officer to work outside of normal working hours to deal with the breach.

With regards to the enforcement breaches which would require police action, the Team Leader (Planning Investigations) said that the police would only be called upon if there was a risk to investigating officers and a potential breach of the peace, and the investigation lay with the Council and not the police.

The Team Leader (Planning Investigations) agreed to take into consideration Members' comments on the strategy and to update the document before it was considered at the next Policy and Resources Committee.

Councillor Mike Baldock moved the recommendation, which was seconded by Councillor Tony Winckless.

**Recommended:**

- (1) That the draft Swale Planning Enforcement Strategy be updated as per the proposed changes as minuted and it be recommended to the Policy and Resources Committee for adoption.**

**249 Local Development Scheme Autumn 2024 update**

The Project Manager (Planning Policy) introduced the report which set out the changes to the timetable for the Local Plan Review consultations to address members' requests, as part of the drafting for the Regulation 18 document of the Local Plan.

The Chair invited Members to make comments, which included:

- Concerned that the Kent County Councillor elections in May 2025 could affect the timetable due to the pre-election period;
- concerned that extra meetings would need to be scheduled and requested that officers look at the timetable of meetings to ensure the decisions could be made in time before purdah period commenced;
- considered this the better option as it allowed the Council to spend more time on an important document;
- the Swale Highway model, on page 55 of the report, needed to be considered in more detail;
- the landscape character assessment, on page 56 of the report, needed to be looked at in more detail and requested that more information be circulated to Members;
- the design of past developments had been awful at times so it was important to get the design code in the local plan accurate;
- considered any further delays to the process would impact the Council's already lacking a 5-year housing land supply; and
- asked officers if it was possible to consult on the Design Code alongside the regulation 18 document.

The Planning Manager (Policy) responded explaining that the Design Code work was estimated to be approximately £140,000 and was very resource intensive, and for budgetary and resource reasons was programmed to follow the Local Plan work. She added that design coding was a very prescribed process and the policies within the current plan were robust and required officers to carry out the process of working on the design coding. With regard to the highways model work and landscaping models she added that the work was going to be carried out at a later stage and be bespoke to certain areas of the borough.

The Vice-Chair proposed the following amendment: that the design code and landscape character work be brought forward as far as possible, alongside the Local Plan consultations. This was seconded by Councillor Mike Baldock. On being put to the vote it was agreed by Members.

The Chair invited Members to make further comments, which included:

- What was the process for obtaining site proposals for future development?;
- were housing agencies and charities asked if they had any vacant land suitable for development?; and
- when already existing land allocation owners were being asked for possible suitable development, were officers asking if the owners would consider greater densification

at the same time?

The Planning Manager (Policy) said that officers were having meetings about the site allocation questions and that one of the questions they would ask regarding the new and current allocations, was if they would consider greater densification.

Councillor Mike Baldock proposed the recommendations as set out in the report as amended. This was seconded by Councillor Richard Palmer.

***Recommended:***

- (1) That the amended revised timetable for Regulation 18 draft Plan consultation in quarter 2 of 2025 and a Regulation 19 pre-submission plan consultation in quarter 4 of 2025 be recommended to the Policy and Resources Committee.***
- (2) That the Local Development Scheme shown at Appendix I of the report be recommended to the Policy and Resources Committee.***
- (3) That the design code and landscape character work be brought forward as far as possible, alongside the Local Plan consultations.***

250 **Statement of Community Involvement - Update for Emerging Local Plan**

The Planning Manager (Policy) introduced the report setting out how the Statement of Community Involvement consultation would support all planning matters, including; planning applications, planning policy documents and enforcement.

The Chair invited members to make comments, which included:

- Important to use digital and online technology to send messages out to members of the public as it was straightforward and cost efficient;
- thought points raised in paragraph 4.12, on page 75 of the report, needed to be changed to 'The Council will' rather than 'may' as it was important for the public to be able to view consultation documents; and
- putting documents in local libraries and putting information on how to view the documents in the local press was an easy thing to do.

Councillor Mike Baldock moved the following amendment that paragraph 4.12 be changed to read: 'The Council will:'. This was seconded by Councillor Julien Speed. On being put to the vote, the amendment was agreed by Members.

The Chair invited Members to make further comments and these included:

- Paragraph 3.12 on page 73 was not correct as the Community Infrastructure Levy (CIL) was not being implemented;
- the biggest complaints that Ward Members received were that neighbouring properties were not being informed about planning applications, and this needed to be looked into;
- it was hard to put a specific distance of 'who was entitled' to know about a planning application as some properties in the borough were miles apart from each other;
- requested that proper sized maps with in-depth explanations were included in the consultation documents so that members of the public could fully understand and interpret what was being proposed; and
- commented that it was Ward Members' responsibility to ensure that residents were made aware of the proposals in the Local Plan that would affect their local area.

The Planning Manager (Policy) noted members' comments and agreed to make the small changes to the Statement of Community Involvement.

The Vice-Chair moved the recommendations' in the report and this was seconded by Councillor Richard Palmer. On being put to the vote it was agreed.

***Recommended:***

- (1) That the Statement of Community Involvement report be noted.***
- (2) That the Statement of Community Involvement be recommended to the Policy and Resources Committee, subject to minor changes as minuted, to be published for public consultation.***

**251 Local Plan Review - Agricultural Land Report - Stage 1: Baseline Information**

The Planning Policy (Manager) presented the Agricultural Land Report – Stage 1: Baseline Information which would form part of the Local Plan Review evidence base, and would be published later in 2024.

Members made comments on the report and asked if there was a way the map could clearly differentiate the different grading of 3a & 3b agricultural land. The Planning Policy (Manager) responded to say that the information provided was given to them by the Department for Environment Food and Rural Affairs (DEFRA) and that officers would review the data to see if they could differentiate the different gradings of agricultural land.

***Recommended:***

- (1) That the Agricultural Land Report Stage 1 be noted.***

Chair

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