

COUNCIL-LED GARDEN COMMUNITY UPDATE

Final Decision-Maker	Policy & Resources Committee
Lead Head of Service	William Cornall, Director of Regeneration & Place
Lead Officer and Report Author	William Cornall, Director of Regeneration & Place
Classification	Public
Wards affected	All, but in particular Harrietsham & Lenham and Headcorn Wards. Lenham Parish Council and Boughton Malherbe Parish Council are affected.

Executive Summary

The proposal was last considered by this Committee on 16th December 2020. The purpose of this report is to provide an update in respect of the progress made since then in pursuing a council-led garden community, near Lenham Heath (Heathlands). As in the case of previous reports to this Committee, the contents of this report relate to the Council's position as a potential property owner/developer and not as Local Planning Authority (LPA).

Purpose of Report

For information.

This report makes the following recommendations to this Committee:

1. To note the contents of this report.

Timetable

Meeting	Date
Policy and Resources Committee	20 January 2021

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1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<p>Impact on Corporate Priorities</p>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling • Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendations will materially improve the Council's ability to achieve all the corporate priorities.</p>	<p>Director of Regeneration & Place</p>
<p>Cross Cutting Objectives</p>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendations support the achievement of all the cross cutting objectives.</p> <p>Through delivering much needed homes to include 40% affordable housing of which 70% would be for affordable rent. The emerging masterplan is landscape led with up to 50% of the total proposed as green space. Led by the ambitions set out in the Strategic Plan the Council can ensure that the design principles of development where it is the master planner reflect the commitment to reduce health inequalities amongst other things.</p>	<p>Director of Regeneration & Place</p>
<p>Risk Management</p>	<p>See section 5.</p>	<p>Director of Regeneration & Place</p>

Financial	Investment in the Garden Community forms part of the Council's five-year capital programme and budgetary provision exists for the expenditure described in the report and the plans outlined here.	Section 151 Officer & Finance Team
Staffing	We will deliver the recommendations with our current staffing.	Director of Regeneration & Place
Legal	There are no legal implications arising from this report as it is for information only.	Principal Solicitor - Commercial
Privacy and Data Protection	No impact identified	Policy and Information Team
Equalities	An Equalities Impact Assessment will be completed if the proposal forms part of the draft spatial strategy of the Local Plan Review.	Equalities and Corporate Policy
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	The recommendation will not have a negative impact on Crime and Disorder.	Head of Service or Manager
Procurement	N/A.	Head of Service & Section 151 Officer
Biodiversity	The revised masterplan brief seeks a biodiversity net gain within the proposed redline.	Head of Policy Communications & Governance

2. INTRODUCTION AND BACKGROUND

2.1 The Council is pursuing this project as it is consistent with its Strategic Plan priority of "embracing growth and enabling infrastructure" and the desired outcomes within it:

- The Council leads master planning and invests in new places which are well designed.
- Key employment sites are delivered.
- Housing need is met including affordable housing.
- Sufficient infrastructure is planned to meet the demands of growth.

- 2.2 This report will provide an update on the progress made since the last report to this Committee on 16th December 2020 and addresses the following areas:
- Promotion of Heathlands through the Local Plan Review (LPR)
 - Homes England (HE) partnership update
 - Principal Landowners
 - Spend to date
- 2.3 **Promotion of Heathlands through the LPR.** In line with the decision at the December meeting of this Committee, representations were produced and duly submitted in respect of the Regulation 18b consultation of the L P R. Both the Chair and Vice Chair were consulted prior to submission. The scope of the third stage submission to the LPA, to be submitted by 31st March 2021, is currently being finalised, but the current quarter will certainly be an intensive period.
- 2.4 **Homes England (HE) Partnership update.** In line with the decision at the December meeting of this Committee, draft Heads of Terms for the proposed collaboration agreement with HE have been received, which reflect the principles that were set out in the December report. At the time of writing, these are being reviewed with Pinsent Mason (solicitors). It is envisaged that the document will be ready for consideration by this Committee in February 2021.
- 2.5 **Principal Landowners.** Constructive dialogue continues with the five principal landowners (to the south of the railway line). As per the LPA's request that some development be explored to the north of the railway line, preliminary discussions have taken place with those additional landowners affected, and these discussions will continue over the coming weeks. Therefore, it is possible that the overall redline may be refined during the current quarter and this next iteration of the redline (and masterplan) will be an integral element of the third stage submission.
- 2.6 This change (to consider some development to the north of the railway), signalled by the LPA, does create the possibility of reducing the overall number of landownerships within the eventual redline. Indeed, in previous reports, this Committee has been made aware that there are some (circa 18) landowners within the current redline who object to the current proposal, and so these changes signalled by the LPA could bring benefits in this respect too. Regardless, officers are attempting to engage with the objecting landowners to understand their individual concerns and the extent to which these can be addressed. The third stage masterplan will refer to any remaining objections, and reasonable endeavours will be made to keep these to a minimum.
- 2.7 **Spend to date.** As at 31st December 2020, £321,100 has been spent on the project. Furthermore, the report authors' time spent on Heathlands (circa 2 days per week over the current financial year) will be "charged to" the capital cost of the project at year end too. Given the extensive nature of the stage 3 submission, further expenditure over the current quarter will be required for: legal advice, planning advice, master-planning work, transport advice and further survey work (this will also include land north

of the railway). A budget is being prepared, but given the imminent collaboration agreement, these further costs will largely be shared with H E who will also lead on making the new consultancy appointments required. It is possible that the Council's share could be up to a further £100,000 of expenditure over this period.

- 2.8 **Summary.** Very good progress continues to be made with the project, and the increasing input from HE has been very beneficial.
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3. AVAILABLE OPTIONS

- 3.1 The report is for noting.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 N/A.
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5. RISK

- 5.1 When this proposal was presented to this Committee in September 2019, the likely risks were set out as follows:

- At risk consultancy expenditure.
- A period of uncertainty for the community affected.
- Possible negative perceptions of a broader role for the Council in the context of acting as master developer.
- Maintaining cohesion amongst the landowner group.

- 5.2 These risks have to some degree crystallised and largely remain. However, the level of cohesion amongst what is a now smaller landowner group, is now strong.

- 5.3 Further risks that have since been added and remain are:

- Terms cannot be agreed with the principal landowners.
- Challenge from individuals or organisations that oppose the principle and/or the specific details of the Council's council-led garden community.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 Nothing further to report.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 The next steps will be to:

- Advance the commercial negotiations with the five principal landowners and landowners north of the railway line.
 - Enter into the collaboration agreement with HE subject to approval by this Committee.
 - Engage with the LPA to refine and evolve the Heathlands concept.
 - Make the third stage submission to the LPA by 31st March 2021.
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8. REPORT APPENDICES

None.

9. BACKGROUND PAPERS

None.