

**PUBLIC SECTOR-LED GARDEN COMMUNITY UPDATE**

<b>Final Decision-Maker</b>	Policy & Resources Committee
<b>Lead Head of Service</b>	William Cornall, Director of Regeneration & Place
<b>Report Author</b>	Alison Broom, Chief Executive
<b>Wards affected</b>	All, but in particular Harrietsham & Lenham and Headcorn Wards.

**Executive Summary**

The proposal was last considered by this Committee on 24<sup>th</sup> March 2021. The purpose of this report is to update the Committee on key contemporary issues concerning the development of the Heathlands Garden Community proposition. 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**

To provide this Committee with an update on progress with respect to the Heathlands Garden Community proposition.

**This report makes the following recommendations to this Committee:**

1. That this Committee notes the report.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Policy and Resources Committee	23 <sup>rd</sup> June 2021

# PUBLIC SECTOR-LED GARDEN COMMUNITY UPDATE

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<p><b>Impact on Corporate Priorities</b></p>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Continuing with the development of the Heathlands Garden Community proposition will materially improve the Council’s ability to achieve all the corporate priorities.</p>	<p>Director of Regeneration &amp; Place</p>
<p><b>Cross Cutting Objectives</b></p>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The Heathlands Garden Community proposition supports the achievement of all the cross cutting objectives.</p> <p>Through delivering much needed homes to include 40% affordable housing. 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 &amp; Place</p>

<b>Risk Management</b>	See section 4.	Director of Regeneration & Place
<b>Financial</b>	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
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Director of Regeneration & Place
<b>Legal</b>	There are no legal implications arising from this report as it is for noting only.	Principal Solicitor – Commercial
<b>Privacy and Data Protection</b>	No impact identified	Policy and Information Team
<b>Equalities</b>	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
<b>Public Health</b>	We recognise that the recommendations will not negatively impact on population health or that of individuals more broadly. However, the period of uncertainty whilst the opportunity is being explored could negatively affect local residents.	Public Health Officer
<b>Crime and Disorder</b>	The recommendation will not have a negative impact on Crime and Disorder.	Head of Service or Manager
<b>Procurement</b>	N/A.	Head of Service & Section 151 Officer
<b>Biodiversity</b>	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 updates this Committee concerning progress since March 2021 in respect of the following areas:
- Homes England (HE) partnership
  - Promotion of Heathlands through the Local Plan Review (LPR)
- 2.3 **Homes England (HE) Partnership.** On 24<sup>th</sup> March 2021 this Committee agreed that the Council should enter into the Collaboration Agreement with Homes England presented to it and gave delegated authority to the Director of Regeneration and Place to make minor amendments to the Collaboration Agreement, prior to its signing, in consultation with the Monitoring Officer and the Chair and Vice-Chair of this Committee. The Collaboration Agreement was signed and sealed on 31<sup>st</sup> March 2021 and is now in place.
- 2.4 A key focus has been bringing the engagement with the 8 principal landowners to a conclusion in the form of an option agreement. Homes England advise that good progress has been made. Heads of Terms covering the main commercial points for the agreement are agreed. There has been productive dialogue in response to assurances sought on a few detailed matters. The expectation is that the Option Agreement will be entered into in the next few weeks. .
- 2.5 **Promotion of Heathlands through the Local Plan Review.** In terms of context the timetable for the next stages of the Local Plan Review have been updated and a revised Local Development Scheme will be considered by the LPA on 6<sup>th</sup> July 2021. The LPA has requested additional information to assist in its assessment of the Heathlands proposition.
- 2.6 The Council is working closely with Homes England to ensure that the most complete and robust case continues to be put forward with respect to the proposed garden community at Heathlands. The third stage submission was made to the LPA as planned on 31<sup>st</sup> March 2021. Subsequently the LPA has liaised with a range of internal and external statutory consultees resulting in feedback to the Heathlands team. The Council and Homes England are continuing to work closely with their appointed technical team to respond to the various points raised by the LPA and to refine the Heathlands proposition. This is part of the normal on-going iterative process in providing the LPA with a comprehensive suite of the necessary technical information to inform their decision making with respect to the emerging Regulation 19 Local Plan. It is currently envisaged that the next suite of technical information will be submitted to the LPA by the end of June 2021. This will comprise a new "Framework Masterplan" document that will pull all the research and interpretation of this into a coherent form.

- 2.7 As part of the more detailed work required to develop the transport strategy element of the Master Plan and translate this into more detailed infrastructure schemes the Council and Homes England have jointly commissioned expert assessment and advice concerning a range of rail station options and further detailed traffic modelling. A submission has subsequently been made to Network Rail concerning the technical case for various rail station options with the objective of entering into a Memorandum of Understanding to facilitate the very detailed work needed to progress from options to selection of the preferred solution and subsequently its implementation. In addition, in response to the analysis and feedback from the LPA and KCC's transport teams, further traffic management modelling work is being conducted and it is presently anticipated that this will be completed by the end of June 2021.
- 2.8 Plans are also well progressed for appointment of a specialist company to assist the Council and Homes England with respect to public engagement and consultation. This work will be conducted and the outputs included in subsequent submissions to the LPA.
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### **3. AVAILABLE OPTIONS**

- 3.1 This report is for noting
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### **4. RISK**

- 4.1 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.

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

- 4.3 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.

## **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

5.1 Nothing further to report.

## **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

6.1 The next steps will be to:

- Advance the commercial negotiations with the principal landowners.
- Continue to engage with the LPA to refine and evolve the Heathlands Framework masterplan
- Make further submissions to the LPA arising from the normal iterative dialogue concerning development proposals of the scale of a garden community

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## **7. REPORT APPENDICES**

None

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## **8. BACKGROUND PAPERS**

None.