

**POLICY AND RESOURCES    19 January 2022**  
**COMMITTEE**

**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>	William Cornall, Director of Regeneration & Place
<b>Wards affected</b>	All, but in particular Harrietsham & Lenham and Headcorn Wards.
<b>Classification</b>	Public

**Executive Summary**

The purpose of this report is to update the Committee on the progress 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	19 <sup>th</sup> January 2022

# 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.  Spend to date on the project by the Council is £634,672.	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.	Interim Head of Legal Partnership
<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 at Regulation 19 stage.	Equalities and Communities Officer
<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 and Climate Change</b>	The revised masterplan brief seeks a biodiversity net gain within the area defined by the proposed redline.	Head of Policy Communications & Governance  Biodiversity and Climate Change Manager

## **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 in respect of the following areas:

- Option agreements
- Homes England (HE) partnership
- Promotion of Heathlands through the Local Plan Review (LPR)
- Proposed rail based sustainable transport solution

2.3 **Option Agreements**. Homes England have now exchanged contracts on several of the land Options, which provides approximately 30% of the land required. Progress remains positive on the remaining Options, which are in their final form and these are expected to exchange before the end of the financial year.

2.4 **Homes England (HE) Partnership**. The community engagement event is likely to take place in February or March, dates to be confirmed. An in-person event had been envisaged but owing to the emergence of the Omicron variant and the subsequent work from home guidance by government, a virtual / online format is now being formulated. If the guidance does change imminently, the format will revert to in person, in which case it is planned to utilise the Maidstone Innovation Centre. The appointed communications firm have now produced the draft material for the event, which is under review.

2.5 **Promotion of Heathlands through the Local Plan Review**. The LPA’s Regulation 19 public consultation has now closed. Dialogue is ongoing with the LPA in respect of the final submissions that will be required ahead of the Examination in Public, and these will relate to providing the LPA with further assurance in respect of; the ability to achieve nutrient neutrality, how the development of Heathlands will dovetail with mineral extraction, the scoping of the required Supplementary Planning Document for Heathlands, as well as continuation of the work on the strategic outline business case for the rail based sustainable transport strategy for the new community.

### **Proposed rail based sustainable transport solution.**

2.6 Homes England commissioned a specialist firm to produce an Outline assessment of how the existing and new communities could best be served by a rail focussed sustainable transport strategy. The commission considered the following matters:

- Are there any station options available for a new location?
- Could existing or relocated stations be adequate for potential needs?

- What rail operational topics could need to be addressed and technical matters solved?
  - What rail engineering topics could need to be addressed and technical matters solved?
  - Is there an outline commercial case for a station?
- 2.7 The report identified that there were four initial possibilities, in terms of how best to serve the new and existing communities, and these were as follows:
- Upgrade of Lenham station, with a transport interchange adequate to accommodate passenger access to/from Heathlands.
  - New 'Parkway' station between Lenham and Heathlands.
  - **New station at Heathlands in addition to Lenham (a two-station option).**
  - New station at Heathlands, with closure of Lenham station.
- 2.8 The option highlighted and underlined is the one preferred by the land promoters and was also the one that the consultancy firm felt would be the optimum solution based on their research and expertise too. They also went on to consider what, if any, suitable locations there could be for a new station within the Heathlands redline. There were several options with the favoured one now shown in the latest masterplan framework document submitted to the LPA. Importantly, they felt there was a strong commercial case for the preferred option too.
- 2.9 In a commission of this nature, it is important that all realistic options were considered at the outset, rather than simply focussing upon what the client might assume is best, or what the client might assume might be favoured by different stakeholders. I.e., a blank page approach is appropriate.
- 2.10 As per the terms of our collaboration agreement, Homes England are leading the procurement of a suitable firm to take this preliminary work on to the next stage, being the production of a strategic outline business case for the preferred option. An appointment is expected in the coming weeks.

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

4.2 Arguably, the first three risks (bold) have diminished because of the progress that has been made, particularly in respect of entering into the collaboration agreement with Homes England, the scheme securing “draft allocation” status in the Maidstone Local Plan Review, and the fact that there is now a smaller landowner pool, with several land parcels now under Option.

4.3 Further risks that had since been added 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 public sector-led garden community.

4.4 The first of these newer risks (bold) is subsiding given the progress made with the land Options. The next emerging risk of significance is that:

- The Heathlands proposal is not supported by the (to be) appointed Local Plan Inspector.

4.5 The Council and Homes England now have plenty of time to work with Homes England’s professional teams to produce further technical evidence to give the project the best chance of being supported by the examiner.

## **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:

- Homes England to enter into the finalised option agreements with the remaining principal landowners.
- Homes England and the Council to undertake the public engagement work (acting as land promoters), with “We Are Fabrick”.
- Homes England and the Council to prepare the (Town) Planning Strategy.
- Continue to develop the proposal to respond to public engagement feedback received either through the LPA’s Reg 19 consultation or our own engagement work and to prepare to defend the proposal at the Examination in Public.
- Appoint an external consultant team to further develop the outline strategic business case for the delivery of the new railway station / halt.

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## **7. REPORT APPENDICES**

7.1 None

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## **8. BACKGROUND PAPERS**

8.1 None.