**P&R Committee – Maidstone Borough Council
24 June 2020**

**Questions to members posed by Save Our Heath Lands**

**Question**

**The Planning Inspector issued his final report on the Kent Minerals Site Plan on 23rd April 2020. His recommendation for adoption of this plan sees Chapel Farm identified as the only proposed soft sand quarry in Kent for the next 20 to 30 years. For those that don’t know, Chapel Farm is an 88-acre site in the centre of the biggest landowner’s holding in your Heathlands project. Why is this recent development/constraint not mentioned in the agenda item 18 officer’s report?**

**Answer**

**Cllr Martin Cox: This matter was highlighted to this committee in the officer report dated 29 April, paragraph 2.10. More generally the Council has always been aware of the mineral deposits in the location and the draft allocation for further extraction from this parcel of land in the KCC Local Plan. Furthermore the Council has always been mindful that any development in that vicinity would have to follow the mineral extraction so were Heathlands garden community to proceed it would need to be phased accordingly. I would envisage this matter would be explored further through the Duty to Cooperate meetings that the LPA holds with other councils which includes KCC.**

**Supplementary Question:**

**My question is in response to what you said. It was in the previous report but what wasn’t in the previous report was that the Planning Inspector said that the Chapel Farm site would have to be sequential to the Burleigh Farm site in Charing which pushes out the timescales by between ten and fifteen years before extraction at Chapel Farm in Lenham can begin. This is another setback for a project that’s already beset with enough problems. The site for this proposed quarry is the single biggest parcel of land in your scheme. The fact that this site is almost likely to be sterilised until 2050, or potentially sterilised until 2050, before you might be able to start building a single house on it now raises another serious question mark about how deliverable Heathlands actually is. How much longer is this farce of a project going to go on for?**

**Answer**

**Cllr Martin Cox: If you’re referring to that particular parcel of land that I pointed out it will be considered with all the others and it will fit into the phasing for the delivery of the development should it proceed. So we will have to take it as it comes but that will be in consultation with the relevant authority.**

**Question**

**At your last meeting on 29th April, you told this committee that you had spoken and had met with Ashford Borough Council about more ambitious housing proposals in relation to the Heathlands project and the M20 corridor. Ashford Council appear to be unaware of any conversations on this matter. Can you confirm who it was that was spoken to, when that conversation took place and where the notes are recorded?**

**Answer**

**Cllr Martin Cox: I and senior officers have met with our counterparts back in 2019 and in 2020. In addition, cross boundary matters have and will continue to be discussed further with other councils in the locality including Ashford through the Duty to Cooperate meetings. I have spoken with other authorities as well so these meetings have been taking place but I don’t believe we have held any minutes of those meetings.**

**Supplementary Question**

**Can I ask why no minutes were taken of the meeting?**

**Answer**

Cllr Martin Cox: When I was certainly at the meeting we were meeting not solely about this particular site, we were in discussion with other things. We do not minute every single meeting we have but it was with their chief executive, their leader and one other planning officer I believe.

**Question**

**Can the Committee confirm what meetings officers and/or members have had with Highways England regarding a proposed new motorway junction at Lenham Heath since the 29th April?**

**Answer**

Cllr Martin Cox: Whilst this question is arguably a matter for the Strategic Planning & Infrastructure Committee, I understand the Local Planning Authority held a Duty to Cooperate meeting, we do a lot of these, with Highways England in May. I gather that the discussions weren’t specific to Heathlands however as the lead officer commented at the last meeting, this is the most appropriate channel to follow up and to communicate with them through to explore a motorway junction on that part of the M20 corridor.

**Question**

**How will the Chairman ensure that members of this committee will be given all the facts on the Heathlands project in order for them to make future informed decisions?**

**Answer**

**Cllr Martin Cox: It was agreed at the last Policy & Resources Committee that we would receive regular updates on the proposal and this committee will in due course need to make a decision on any investment position the Council might take on promoting this proposal. But ultimately, it will be Strategic Planning & Infrastructure Committee that will select a preferred spatial strategy plus alternatives later this year for the next stage of the Local Plan Review but I too will be encouraged and I know that we will be being briefed about the details not just this but all the garden community proposals that may come forward.**

**Cllr Malcolm MacKay: Well I would in answer to your question say that I hear nothing other than Heathlands development and Heathlands development is just one of seven garden communities. I wish I could hear something about the others, so as a councillor I think I am getting the full story quite frankly. In fact it’s the only story I’m getting given.**

**Question**

**The initial financial model for the Heathlands Garden Community barely came close to breaking even and certainly did not reflect all the necessary contingencies and detail to pass deliverability and viability tests. Is the revised masterplan being cut down with critical infrastructure removed at the expense of the Council's widely publicised vision and true Garden Community principles?**

**Answer**

**Cllr Martin Cox: This committee noted the overall financial appraisal for Heathlands proposal back in September 2019. This model demonstrated that the proposal was financially viable and as the officer has outlined previously it will require partners to deliver it. This model will be refreshed and reconsidered by this committee in due course. As well as how the Council’s business plan for this project would be shaped for the intended role of master developer. Furthermore, the council’s garden community proposition and revised model will need to be assessed by the LPA too so that it can be content that the project meets the garden community principles, deliverability and viability tests. You will also note from the officer reports that the council has secured Homes England as a partner for the project and I feel this could be instrumental in the terms of the overall deliverability of the proposal. More generally any development is required to make the proportionate infrastructure contributions that fund the necessary mitigations to allow development to occur and these contributions must be evidence based. The financial model assumes these monies will be collected through CIL, s106 and 278 contributions.**

**Cllr Malcolm MacKay: I will just add to our Leader Cllr Martin Cox’s comments that is subject to this development going and subject to it’s washing it’s face in terms of financial contribution. Two very big if’s.**

**Introduction to agenda 18 Heathlands update report by Mr William Cornall, Director of Regeneration & Place**

William Cornall: The report that the committee is considering this evening is an update on the council-led garden community known as Heathlands. This committee last considered the proposal in April this year when it noted the progress made to that point. This evening’s report provides members with an update since then on the following topics:

* Feedback from the LPA
* Second stage landscape led masterplan
* The landowners
* Homes England and their partnership offer
* Financial model
* Community engagement
* And narrative around land value capture

To recap the Council is considering a project of this nature as it’s adopted an ambitious strategic plan with priorities such as embracing growth and enabling infrastructure where the council leads masterplanning and invests in new places which are well designed.

A proposal of this ambition is also an iterative process to include all reasonable possibilities at the outset and a narrowing of these as more evidence and information is gained. The LPA has advised that Heathlands is one of four garden communities that they are looking at in more detail at the present time. The LPA required further information be submitted which they are now considering. The submission included a draft second stage masterplan which allows for 4,000 homes and 16 acres of employment land that reflects the reduced landowner pool. It also includes a potential safeguarded area for a potential motorway junction and this matter is covered in more detail in the report too.

In terms of landownership, three further parcels of land have been brought forward by an independent developer and the overall picture is summarised in a table in the report.

An extremely positive development since April is receipt of a firm partnership proposal from Homes England. This has established their willingness to share the ongoing promotional costs with a view to their potentially taking an even greater investment role thereafter. To be clear this is the only garden community proposal in the borough where Homes England are offering this partnership approach.

The financial model that was noted by this committee in September 2019 has been updated in draft as part of our second stage submission and will be presented to this committee hopefully next month. Furthermore a technical briefing for members and substitutes of the committee has been scheduled for 20th July to look at these types of financial models more generally and also to explore how land value capture would be illustrated and secured.

A meeting has been arranged with the Parish Council and Save Our Heath Lands group for 26th June when there will be an opportunity to explore how future community engagement and public consultation could occur. Any ideas will be brought back to this committee for decision.

The report also provides an explanation of the Land Value Capture concept. The details of how this concept relates to Heathlands will be covered in the July report to this committee as well as the technical briefing preceding.

In terms of risks identified in April. Positive progress has been made on two of these in as much as securing a partner for the project – Homes England – and the RSK findings appear to support and inform a second stage landscape led masterplan.

To conclude, good progress has again been made since April and if this can be sustained over the summer, there are reasonable prospects to agree deals with principal landowners and for proposals to feature in the next stage of the Maidstone Local Plan Review.

**Cllr Tom Sams statement**

Members,

so what do we have at moment

What do we know?

On budget

We do know we have a social and financial crisis, the likes this country has never seen before

We do know Residents, businesses communities are going to suffer severe hardship now and in the future

We do know that there will be severe impact on the MBC budget and its income in the future

We do know that there will be public scrutiny on money that is spent

We do know that this council's ability to provide vital services will be severely stretched indeed and from this agenda the council faces very severe financial pressure.

We do know that the healthlands proposal will cost this council money it can ill afford.

On Transparency and process

We do know that the full facts of this proposal have not been seen by the majority of councillors

We do know that the community engagement has been and continues to be hampered by this lack of transparency and in particular withholding of documents to the community and its organisations and representatives

We do know that there have been conversations, meetings held that have been unminuted and have no scrutiny

We do know that on communication that the community representatives and organisations have had to push all the time for council engagement and responses.

We do know that this council has withheld documentation and much of what has been put forward in this councils name is generally unknown by councillors

We do know that in spite of continual requests the proposal has only been scrutinised by a very small number of councillors

We do know that we there is very little evidence for support due to lack of information

On information from our last meeting

We do know that an 87 acre sand quarry will significantly affect this proposal

We do know that there was little mention of it until this was announced very recently

We do know that this quarry will be effective for 20-30 years

We do know that this council is reported as being "Mindful and aware" of the quarry.

In addition from a report by Transport for new Homes

We do know that there is significant doubt being placed upon garden villages and sustainable transport

We do know that the report is scathing on the communities receiving public transport

We do know that there is evidence that there is greater dependency on use of cars

We do know that this proposal is therefore unsustainable and indeed add to the impact upon climate change

Finally;

We do know that a motorway junction as a "longterm ambition" is unrealistic and unworkable

We do know a station will not materialise

We do know that the impact upon the A20 will lead to gridlock impacting on other villages and residents.

We do know that for all the above reasons and many more this project will fail

So in conclusion

we ask councillors to withdraw support of a project leading nowhere at the expense of other much needed frontline services.

**Cllr Janetta Sams statement**

Lenham Heath is an isolated location, it is remote from the main centres of employment as councillors know at Maidstone, Medway Towns and Ashford.

If 5000 thousand dwellings are built at Lenham Heath those residents would in the main be required to drive to their employment

They would also need to drive at least 10 miles to reach other key services such as hospitals. Lenham Heath would increase the need to travel. If Maidstone Council selects Lenham Heath as a location for major residential development it will be creating a settlement pattern which will increase the need to travel.

This is contrary to government planning policy as set out in the National Planning Policy Framework and elsewhere.

The proposal is also contrary to government policy on climate change and limiting harmful emissions. Because of the additional energy required to fuel the additional travel

The proposal is also contrary to Maidstone’s own policies on climate change, emissions and global warming.

Surely, we need to be looking at locations where development could be effectively served by the public transport system and especially now within walking and cycling distances of employment opportunities.

Master planning by MBC should be a beacon in good design in line with climate change guidelines incorporating a reduction in emissions and improvement air quality throughout the urban area.

Ultimately this council is failing in how its acting, and transparency and openness are in short supply. Reports need to be forthcoming and residents, Parish council and borough members need to be given the full facts. To date £300k has been spent and this has been without full scrutiny. We requested information mentioned in the report to be given to us. It was not forthcoming. We need access to all the documents. Please do not continue to cover them up. It’s not how this council should act. We have to date little faith in the process. It’s a sad fact, and a sad reflection of our current position.

Please can members agree today to make this information available to us as ward members, Lenham Parish Council and local residents group SOHL. This will allow full dialogue and communication and show transparency. It is not too late to put the brakes on this project before more public money is wasted on a project that will ultimately fail when opened to full scrutiny.

**Member debate**

Cllr Brian Clark: Briefly, can you give us context as how other sites, more of a backdrop to what’s going on with the other sites while this review goes forward and how they fit in in terms of a timeline with member review compared to the garden committee proposal.

William Cornall: In terms of the other sites, you are talking about the Local Plan Review process and so obviously I am not overseeing that at the current time so I am one step removed. But my understanding from the dialogue we have had with respect of this proposal, further information has been requested on four comparably sized proposals and recommendations as to their overall deliverability will be made through the LPA and ultimately to councillors in the summer months. But I’m not talking in the capacity of the LPA.

Cllr Martin Cox: I think that could be a question you could ask at Strategic Planning & Infrastructure Committee Cllr Clark…

Cllr Brian Clark: The reason I mentioned it…

Cllr Martin Cox: no, we can’t, Mr Cornall can’t make a comment as he explained. He’s the wrong side of the Chinese wall.

Cllr Brian Clark: I will follow up with Mr Cornall outside this meeting.

Cllr John Perry: Just a point. At the last P&R Committee, we asked that regular detailed information should be made available to councillors on the committee. This report is a little bit, shall I say, an update and I understand that. But can I have assurance and commitment from you that the report that comes to the July committee is much more detailed. The point made by Cllr Sams is a very good one in that the sense that we do need, before we can even think about making a decision, we do need a lot more information in terms of the risk, in terms of cost benefit, and there’s a lot of other issues here that we need a lot more detail on. So it’s very very important that we have a commitment from yourself that the next report that comes to this committee will be much much more detailed and will give the sort of information most of us are looking for.

Cllr Martin Cox: I believe before Mr Cornall gives you the answer, there will be a briefing to members of this committee and subs in the first few weeks of July that will give us an update of the calibre you are looking for so that we’re all very well aware, as the question asked earlier, how we are going to be kept abreast of everything we need to know to make a decision. I know that we asked for updates and Mr Cornall has given everything that’s possible.

Cllr John Perry: I understand that, and that is useful for members. But what we are talking about here is a public meeting but it’s not just councillors but we need to debate this in public. It’s very very important people know where we are coming from and our different views on this. It’s a major transparency issue.

Cllr Martin Cox: We will have that briefing on 20th July and then the following P&R Committee will be an opportunity to be as public and to defend your position.

Cllr John Perry: I’m not defending anything. All I’m saying is that the report that follows on from that needs to be a more detailed report. That’s all I’m saying.

Cllr Clive English: In terms of most of what’s been said this evening is a matter for the SPI Committee because those are evaluations of planning policy issues. But from the point of view of this committee of the council, it is very important that we are seeing, we have the fullest possible information. That needs to take into account all of the potential issues because you will be aware there has been national comment on transport issues that most garden settlements have not delivered a sustainable solution and have been massively reliant on the motorcar. So we need to look at how we in Maidstone are the exception to that because we don’t want to increase car dependency like so many other garden community proposals have up and down the country.

Mr Cornall: I don’t think there’s much to add. The point is taken and will be factored in for sure.

Cllr Fay Gooch: We need to be careful we are straying into the Local Plan Review. My understanding is that Heathlands is being assessed and is going through a huge number of surveys and all sorts of things alongside other proposals for other garden communities. So there are lots of questions that we as P&R do not know the answers to because they are not in our remit. The questions around viability, sustainability, deliverability. My understanding is these are the very issues Strategic Planning are looking at in the same way they are looking at for other sites. We need to keep this in perspective. I know it’s frustrating. I want to know, residents want to know. But this is a very long iterative process. And who knows, at the end of it we may not go along with it, Heathlands may not be viable. But we don’t actually know yet, those questions have yet to be answered.

Cllr Martin Cox: This item is for noting but if I can have something that should certainly appear in the minutes. The section that we have recently learnt that Homes England wish to partner with us should not be missed. We have had questions and the Sams have pointed out, and indeed Cllr English has pointed out that other garden communities have not met the mark. But where we are now partnered with Homes England, they have obviously seen the most recent updates to our proposal and they are now onboard. And I think that carries immense weight, certainly it’s very encouraging to me. Which is obviously a representation of our two local MPs as well. It is carrying a lot of weight to say they are now backing us and they are putting their money up with us. And I think as Cllr Gooch says, we aren’t there yet.

Cllr Matt Burton: A quick point of clarification. The way paragraph 2.7 in the report reads that Homes England have extended a letter of intent to us, but you have now referred to it on a couple of occasions now that effectively a deal has been done. Which is it? Have we responded to their letter saying yes, brilliant spot on or is it simply an extension of support from them in this first instance.

Mr Cornall: The letter makes a firm commitment up until the point of whether or not the proposal features as a draft allocation in the Local Plan Review and if it does then the commitment extends beyond. We haven’t got a contract as such yet but we have got a letter which sets up how they want to work with us. I have my first follow up meeting tomorrow and we’re exploring the government’s arrangements that they’d like to see in place and how they want to structure the decision making with us. It’s an exciting development and we are putting the meat on the bones as it were following receiving that from them two weeks ago.

Cllr Matt Burton: So, I think we’ve got to be careful about the language we are using. If things like ‘government’ and ‘decision making arrangements’ in this potential partnership are still yet to be arranged, I would be very cautious about advertising this publicly as something secured. We acknowledge their intent to want to work with us and welcome it with open arms, I’m sure but let’s not call it secured as something important as how decision making works, in such a partnership is quite vital as to if it is taken forward or not.

Mr Cornall: I think the point you make is absolutely right. As always in these reports I have chosen my words really carefully to hopefully capture that sentiment you are making. I think that 2.7 is on the money with where we are really in the process and you make a really good point.

Cllr Matt Burton: It was more the point that on a couple of occasions the leader had to referred to it as secured and that’s where the uncertainty cropped up. But thank you.

Cllr Jonathan Purle: I must say I’m grateful for this update and whilst I to some agree with Cllr Perry, I feel this report is still a good meaningful update on what has happened. So thank you. I have also received the invitation to the technical briefing on Monday 20th. If I can take you back though; page 8 of the pack, the minutes we approved of the last meeting, resolution 7 was that officers were asked to prepare a detailed memorandum for members setting out matters such as… I used the word memorandum deliberately because I don’t think it’s got an ambiguous meaning. It means a written memorandum. Something you can read at your leisure. Something you can read multiple times. Something you can go off and double check the assertions made. Obviously I’ve heard the Sams talk about their lack of information. Can I ask when will members receive the memorandum please?

Mr Cornall: Really, I’m hoping to be in a position to bring things to a head for this committee next time. I don’t know if this is the correct forum for this but my feeling is I can meet your requirements through a committee report, that would be my preference. I have absolutely noted what was said last time and that is what I am working towards for the briefing and the subsequent committee. I think that would be the most appropriate route. But the Chief Exec may have something to add on this, I don’t know…

Mrs Alison Broom: No, I have nothing to add.

**Cllr Martin Cox: This report is for noting. Can I just hear silence that we all agree it is for noting.**

**END**