

Question to the Swale Borough Council Leader from the Chairman of Lynsted with Kingsdown Parish Council

Mayor

I'd like to call forward Mr Julien Speed please

Julien Speed

Whilst the Council waits 12 to 18 months before publishing the next Reg19 consultation on the grounds of awaiting clarity on planning policy from government, but also of course, because the Council has lost control of the Local Plan process, will the leader confirm that all inappropriate, non-allocated and out of scale, speculative planning applications will be refused in order to protect the precious green spaces in our Borough and that the existing approved Local Plan will continue to prevail. I ask this in the hope that before the Local Plan Reg 19 consultation emerges, the Council will also set out a clear timetable for early public communication and engagement. As I'm sure the leader will agree, residents would benefit greatly from understanding your emerging thinking on development and infrastructure as opposed to simply presenting them with an impenetrable *fait accompli* Reg 19 document as happened last time where residents can only comment on the complex legal grounds of soundness, compliance and duty to co-operate.

Cllr Baldock

Thank you for your question. Firstly, I think it is necessary to correct some inaccurate assumptions. For comment the Council has lost control of the Local Plan process is simply not true. The Local Planning process is flawed, it makes demands of local Councils that are unreasonable and is utterly undemocratic. To suggest that we have in any way lost control of the process presupposes an agreement with that process, that, quite simply, this Council does not share. We are focused on pushing for the best achievable solution in Swale in the face of this dreadful legislation. We will not roll over and simply acquiesce in the destruction of our Borough, we will fight for what we believe is suitable. The Local Plan has been paused to allow for further clarity from the government. This action has allowed the Council to retain control of the process of the Local Plan review. It is hardly this Council that is losing control when one looks at the state of the national government over the last few months. And as this national government with its changing priorities, contradicting statements and headless chicken approach to future planning, that has left many Councils without any faith in the current process and deciding that trying to produce the Local Plan in these circumstances is simply an expensive and pointless folly. Regarding the determination of planning applications, all applications, regardless of whether they are allocated sites or not, or whether they are speculative or not, must be considered on their individual merit. Applications will continue to be determined in line with national and local policies and guidance as the Local Planning review continues to emerge. The extant Local Plan "bearing fruits" continues to be a material consideration in the determination of applications. I would like to point out however, the comments made by some that this means that there is a Greenlight for developments is also simply not true. We have been in this position effectively since February 2019. When the previous administration's Local Plan failed the five-year housing test. During that time, we have continued to reject inappropriate development and won many cases at appeal despite the lack of a five-year supply and the tilted balance. We will continue to prioritize those applications which are in line with policy and oppose those we find unsustainable and which breach our policies. Prior to the Local Plan progressing to the next regulation 19 Stage, full consultation plan will detail a public engagement and consultation that will be carried out. Regulation 19 consultation is carried out with a purpose of seeking the views of residents, businesses, and stakeholders as to whether the Local Plan reviews are legally compliant and

have been positively prepared are justified, effective and/or are consistent with national and regional policy. Therefore, representations can only be made on those grounds. Consultation at Regulation 18 stage with the interested parties are invited to make representations to the Local Planning authority about what a Local Plan with that subject ought to contain. Recent changes in central government have meant the Levelling Up and Regeneration bill is once again being progressed through Parliament. Therefore, it is anticipated, but once it becomes clear what changes are likely to be introduced, the Council will be in a better position to determine how we take the Local Plan with the process.

Mayor

Thank you, Councillor Baldock. Do you have a supplementary question?

Julien Speed

Yes, I do, Mr Mayor, thank you. I thank the leader for his response. He protests that the Council has not lost control of the Local Plan process. Does the leader not agree that if there'd been a second regulation 18 consultation in February 2021, as many of us called for at the time, rather than a flawed Reg 19 comprising plans that residents weren't expecting, before realizing the error and reverting to Reg 18 in November, those nine months wouldn't have been wasted. And we might have a new Local Plan in place by now.

Cllr Baldock

Thank you for your supplementary. Yes, I protest. I could read out again explaining why. But I shan't. I refer to your second comment. The Reg19 that we put forward in that time was put together with the expectation that the government may possibly change the housing target to 14,000 new houses that we had to find. Therefore, it was essential what we tried to get something through for consultation before then. Nothing in that regulation 19 should have come as a surprise, because it had been through the Local Plan panel, all the elements of it had been discussed. It is down to Ward members to alert their residents if they think there was an aspect in that regulation 19 and the prior discussions to it, to alert them to it, so that they are fully enabled to respond to that regulation 19. The regulation 19 gives us the responses from statutory consultants that we need to argue what exactly Swale can deliver. It's not enough to put out a Reg18 and expect statutory consultees to give us responses. When you put a Regulation 19 out, they have to put responses that they were willing to defend at the inspection. For that reason you get more information about Reg 19, which enabled us to say how unsuitable Swale was for the level of housing that this government is trying to put upon us. I don't regret that. I think that was an excellent exercise, which gave us the information we need. The next Reg18, I invite everybody to take part in it. I think we have followed the process with really astute acumen. Trying to show that this government is putting an unreasonable demand upon us, gathering the evidence to demonstrate that and kicking back against their unrealistic and unsustainable housing targets.