
Extraordinary Planning and Transportation Policy Working Group

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Thursday, 22 January 2026 from 7.00 pm - 11.00 pm.

PRESENT: Councillors Mike Baldock, Monique Bonney, Hayden Brawn (Vice-Chair), Simon Clark (Substitute for Councillor Ann Cavanagh), Charles Gibson (Chair), Alastair Gould, James Hunt, Julien Speed and Mike Whiting.

OFFICERS PRESENT: Natalie Earl, Ian Harrison, Joanne Johnson, Philippa Richardson and Stuart Watson.

APOLOGIES: Councillors Ann Cavanagh, Kieran Golding and Peter MacDonald.

638 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

639 **Declarations of Interest**

Councillor Monique Bonney declared a non-pecuniary interest in respect to item 4 Housing Economic Land Availability Assessment 2025 findings, Local Plan growth strategy and sites for allocation discussion as she was Chair of the Five Parishes Group, and Chair of Rodmersham Parish Council.

640 **Order of Business**

The Chair changed the order of business as minuted.

641 **Houses in Multiple Occupation (HMO) Supplementary Planning Document (SPD) - Consultation Launch**

The Planning Manager (Planning Applications) introduced the report which set out newly-introduced time constraints around the adoption of Supplementary Planning Documents (SPD) and the importance of such an SPD to address the Council motion of 1 October 2025 which related to Houses in Multiple Occupation (HMO). He referred to paragraph 2.2 in the report which set out the issues which needed to be addressed by the SPD, and paragraph 2.24 which set out the timeframe, with adoption of the SPD in late June 2026.

The Chair invited questions and comments from Members and these included:

- Welcomed the minimum off-street parking requirements proposed for HMO's;
- it was important that it was clear that when a building was converted to a HMO, and there were on-street parking restrictions, that parking permits were not issued to residents of the HMO;
- clarification sought as to whether a 4-bedroom HMO property was regarded in the Local Plan as one dwelling or separate households;
- acknowledged and thanked officers for getting the report done so quickly; and
- considered the gap should close between the end of the consultation and the proposed Extraordinary Planning and Transportation Policy Working Group meeting as at the moment the meeting was too close to the final date for

adoption.

In response, the Project Manager (Policy) confirmed that a 4-bedroom HMO property counted as one dwelling in terms of housing supply.

The Head of Place acknowledged the comment on deadlines and explained that the dates had been set to take into account the potential level of consultation responses and said that a date in mid-May 2026, rather than at the end of May 2026, could be looked at.

Councillor Mike Baldock proposed the recommendations, which were seconded by Councillor Mike Whiting.

Resolved:

- (1) That the new time constraints for the adoption of Supplementary Planning Documents (SPD) be noted;***
- (2) That the importance of this SPD to the Council motion be noted; and***
- (3) That it be recommended to the Policy and Resources Committee (P&R) that it approves a consultation draft based on the core principles of the motion and the parameters as set out in the report (without the Planning and Transportation Policy Working Group (PTPWG) formally reviewing the draft).***

642 Housing Economic Land Availability Assessment (HELAA) 2025 findings, Local Plan growth strategy and sites for allocation discussion

The Project Manager, Planning Policy introduced the report which set out the process of discussing and agreeing the preferred growth approach for the Local Plan and the non-strategic sites for allocation, as part of drafting the Regulation (Reg) 19 version of the Plan. The Project Manager explained that he would speak on each recommendation in turn. He explained that the report came at a critical point in progressing the Council's Local Plan review. As part of agreeing the latest version of the Council's local development scheme, it was agreed to carry out a Reg 19 Local Plan consultation during the summer of 2026, and submit the Plan for examination by the end of December 2026. He stressed the importance of making the decisions set out in the report to give officers time to prepare the Reg 19 document and to complete key whole plan evidence, and failure to agree would mean the Council would be unable to submit the Local Plan in line with the agreed timetable.

Recommendation (1)

The Project Manager reminded Members that they had been informally briefed on the HELAA in 2024 and 2025. The HELAA took a detailed robust approach reviewing sites that had been made available to the Council through a number of call for sites exercises and representations received from historical Local Plan consultations. These sites were investigated into further by officers to assess their suitability, and tested against the Local Plan's whole plan viability assessment which was considered by the PTPWG in November 2024, to assess whether those sites could be delivered against the emerging draft policy requirements of the Local Plan. The Project Manager said the HELAA gave an overall conclusion for sites subject to detailed assessment which considered three main issues: suitability on planning matters; whether a site remained available within a 15-year time frame for a Local Plan; and whether it was financially deliverable against

the emerging draft Local Plan policy requirements. Sites were overall found to be potentially suitable where further evidence was required and development impacts might be mitigable and unsuitable on any of the three main issues. He explained that a new category was introduced where brownfield sites were only unsuitable against the financial viability element where there was a policy requirement of 30% affordable housing. These were potentially suitable if the policy requirements were amended to 10% affordable housing. The HELAA took a robust approach which presented a series of sites that could be considered for plan drafting. He reminded Members that the HELAA findings did not determine whether a site should be allocated in the Local Plan or that it should be granted planning permission. The HELAA provided a stock take of the sites put forward for consideration for the Local Plan drafting. The HELAA would be updated as part of plan drafting and beyond.

The Chair invited questions and comments from Members and these included:

- Considered being asked to note the findings was questionable as some sites were marked as 'unsuitable' and did not agree;
- some small rural sites were sustainable and could be developed for local people, with affordable housing, to enable them to stay in those areas;
- rural areas were being turned into stagnant dormitories;
- clarification sought on potentially unsuitable brownfield category and whether the sites could still be allocated;
- could mitigation measures affect the sites, or had mitigation measures already taken place?;
- rural sites needed to be facilitated, with affordable housing and housing for local people;
- the Council had been tasked by the Government to find 17,875 houses by 2042, but with 68,000 existing dwelling stock within the borough, Swale was required to have an enormous proportion of new housing compared to the existing amount;
- the infrastructure was not in place for additional housing;
- did not agree that those listed as sustainable sites, were sustainable;
- there was a failure of other agencies to deliver on infrastructure needs;
- shared some of the concerns, but our hands were 'tied', as the Government had set the guidelines; and
- considered we were in pursuit of the least worst option.

In response, the Project Manager said that HELAA had followed national planning practice guidance in terms of how to develop a HELAA, so it was mindful of all the national policy constraints, plus it had also taken a very stringent approach to local policy matters. He explained that the main issue with the potentially unsuitable brownfield sites was that they were unsuitable on financial viability grounds, and that they could not achieve the 30% affordable housing which was what was required from the housing market assessment across the whole of the borough. The HELAA process would set out that those sites which were unsuitable overall. However, because informally it had been agreed with Members, there was a policy deviation on brownfield sites, which had now been included through the development management policy currently out for consultation in the Reg 18 Local Plan. The sites could be changed to potentially suitable. He explained that the HELAA provided a high level steer towards sites that could be considered for Plan making.

In terms of mitigation, the Project Manager said there were enough potentially suitable

sites to work with. There was no need to go back to look at the unsuitable ones. Most of those had become unsuitable because the constraints or the issues on them were so severe that they could not be overcome without substantial mitigation work. In terms of development in the rural countryside, the core values of the National Planning Policy Framework (NPPF) was sustainable development, and so it needed to be considered what level of services were accessible in the countryside to the scale of development being proposed. The findings in the HELAA did show some potentially suitable sites at the lower tier settlements, but the Council needed to be mindful of the scale of development in these cases.

Councillor James Hunt proposed recommendation (1), which was seconded by Councillor Hayden Brawn and on being put to the vote was agreed.

Recommendation (2)

The Project Manager explained that the second recommendation was in relation to the growth options for the Local Plan that were discussed in the Summer of 2024, and resulted in a recommendation by the Policy & Resources Committee to Full Council in September 2024 for Option 6, a very large strategic site in the east of the Borough, with the remaining balance allocated in line with the settlement hierarchy. The growth options were being brought back to Members now as it had been nearly a year and a half since they were previously discussed by the PTPWG; the Highsted Park, Sittingbourne planning applications had now been through their public inquiry and other live strategic planning applications had been progressed. In terms of the growth options approaches for the purposes of the Local Plan sustainability appraisal, a preferred growth approach was required which set out the approximate quantum of dwellings for testing as part of the appraisal. The preferred approach would then be tested against two or three reasonable alternative growth approaches. The sustainability appraisal set out how the Local Plan policies enabled the preferred approach to be as appropriate as possible. As part of the growth approach selection, Members could choose to select preferred strategic sites against the chosen growth option. The sites would still need to be tested through the sustainability appraisal against other strategic sites identified in the HELAA that would fall within the zones of the growth approach selected. The Project Manager referred to Table 7 which set out what live applications would fall within what growth approach. Paragraph 2.30 of the report outlined the viability of strategic sites and whilst the viability of these was complex, the assessment gave a steer that only those at East and Southeast Faversham and Bobbing were likely to be achievable. The strategic sites were the only ones that had been found overall as potentially suitable in the HELAA. As such, the live strategic planning applications were likely to be considered by the Planning Committee or through the Secretary of State decision later in 2026 before the Reg 19 document was finalised. In the case of any consented applications, the process of allocating strategically through the Reg 19 would fall away. The Reg 19 would still need to have strategic policies within it to demonstrate how those consented strategic planning applications would be part of the Plan's overall growth and delivery strategy.

The Chair reminded Members to be cautious about pre-determination on any of the sites, particularly if they sat on the Council's Planning Committee.

The Chair invited questions and comments from Members and these included:

- Did not consider the Council had a five-year housing supply;

- referring to Table 1, windfall sites needed to be considered from the start;
- it was difficult to make allocations before the decision on Highsted Park was known;
- there was a risk that the Council could be overdelivering;
- suggested the Council worked on what was suggested in paragraph 2.58 of the report and a supplementary growth approach be taken, once the outcome of the Highsted Park applications were known and that would be 3,000 houses: and
- smaller sites were more likely to be delivered in a timely fashion.

In response, the Project Manager spoke on the suggestion of the large windfall allowance from year one, and that it was necessary to consider as part of the Local Plan target over 15 years. There was already an extant known supply of about 5,000 – 6,000 dwellings that would make up the majority of the supply in the first few years of the Plan. In terms of a windfall allowance, he explained that the best practice approach was to consider them once the known supply had been built out and there might then be sites that come forward that officers were not aware of. It was necessary to demonstrate a five-year housing land supply at the point of adoption of a Local Plan, and sites needed to be identified and evidenced as part of Plan making to meet that requirement. By allowing a windfall allowance from year one the Council would be saying somewhere in the region of 2,000 dwellings would be coming forward from sites that officers did not know about, whilst there was already a lot of extant supply. The Project Manager said that the approach set out in the report took a best practice approach which allowed a very cautious approach to windfall in the earlier years to allow for the extant supply to be built out. Also, it was important to ensure that the allocations which got the Council to the five-year supply position were clearly demonstrated and clearly set out what their delivery would be in the first few years. Once the immediate supply of extant sites had been built out, then sites might come forward which were not presently identified. In terms of allocation a large site such as Highsted Park, it would be in the Plan as the whole site, but as part of developing the policy for the Reg 19, officers would work with the site promoters in more detail to produce the evidence of what could actually be delivered on that site and when. Looking at typical large scale strategic sites, they tended to be very slow to build out because of the infrastructure required for them. If Highsted Park went ahead, the likely figure would be c. 2,500 dwellings, and this would be towards the back end of the Local Plan, so non-strategic allocations were needed at the start of the Plan to ensure the Plan was successful.

Members made further comments:

- Considered this just played into developers' hands and they could 'sit' on the land once they got their permissions;
- smaller sites needed to be factored in;
- considered the Council was over delivering on housing numbers;
- 15 years was not a long time in terms of sites being built out, especially if major infrastructure needed to be put in place; and
- suggested that Option 6 was the growth option to go with.

Councillor Hunt moved the following motion: That Option 6 be put forward as a steer for a preferred growth option. This was seconded by Councillor Baldock.

Members made the following comments:

- Delays were also caused by the process of drafting a Section 106 Agreement for an application;
- the Council should not over allocate land;
- land with permissions did not get built on and this resulted in the need for windfall sites;
- smaller sites were delivered quicker than larger ones;
- referring to Table 2 with the live strategic level planning applications, if these were agreed, there would be an oversupply of housing;
- if the Bobbing option and Highsted Park got permission, either end of Sittingbourne would result in 'chaos';
- Option 6 was good for accessibility to major routes;
- considered Option 6 to not be a good option for Faversham and it was not viable;
- Option 6 was not fair for the eastern side of the Borough;
- development was over-balanced and needed to be dispersed more widely;
- suggested Option 4 was a better option;
- Option 6 would ruin and overwhelm Faversham which was not a strategic town, it was a market town;
- resilience came from distributed, not concentrated growth;
- considered housing in Faversham sold faster than those in Sittingbourne, and so were likely to be delivered quicker;
- suggested Option 3;
- Homes England was forcing development onto greenfield sites; and
- noted the historic impact of the Thames Gateway where infrastructure was not delivered in Sittingbourne and Faversham was protected from development.

On being put to the vote Recommendation 2 was agreed, with Option 6 agreed for recommendation to the Policy and Resources Committee as the Council's preferred growth option.

Recommendation 3

Councillor Baldock moved the following motion: That 2,500 houses be allocated depending on the outcome of the Highsted Park application with an alternative or supplementary growth approach to be considered at that point which was likely to be before Reg 19 had to be formally submitted. This would mean the Council could continue in the meantime without over-allocating. Plus, that 650 houses be added to the overall period windfall sites to accommodate the fact that the Council would be delivering windfall sites. The Council had a very good record of delivering windfall sites which had exceeded 260 for most of the past 10 years. The proposals would allocate 3,200 of the residual 4,086. Councillor Monique Bonney seconded the proposals.

In response, the Project Manager reminded Members that the Council needed to demonstrate a five-year allocation on adoption of the Local Plan. Windfall options would not get through a planning examination. The approach that was being followed was best practice, the Council needed to be cautious as windfall would not be accepted as adequate. In response to a statement that windfall allocations had been present in the early years of some previous Local Plans, the Project Manager said that in terms of the strategy of allocating sites to get to the five-year supply position, there would be major sites that would have some delivery in years four and five, but they would continue to

deliver into the middle term of the Plan. The 50% caveat to large windfall sites allowance was applied because the Council would still have allocations that would be delivered during the middle years period of the plan. Inspectors would not count a small windfall allowance until extant supply of windfall on small sites had been built out, which was normally within the first three years.

Members made the following comments:

- Considered that if the Council wanted to deliver a plan led development for the Borough, leaving more to windfall was an irresponsible approach; and
- there were other Councils who had windfall allowances within their allocation earlier than this Council was putting in and considered the Council was over-allocating by not taking a generous approach to windfalls.

The Project Manager responded and said that if there was a large windfall in the earlier years of the Plan, and if this failed the examination process, the inspector would then come back to the Council to say they did not agree with the windfall allowance and at that stage they would not dictate what sites would have to be added into the Plan, but they would recommend a figure that the Council would have to go away and look for sites to find. The Project Manager strongly recommended not putting large windfall sites in the early years of the Plan. There was a very large extant supply and a lot of that was windfall on small sites and also on large sites that had been allowed through the appeal process. So large windfall sites in the early years of the Plan would not get through the examination and the Inspector would come back and require more sites to be looked at to meet the figure that had been included as windfall.

Further comments included:

- Residents were often unaware of windfall sites, and it was more straightforward to have sites that were allocated for development that residents knew about;
- considered a compromise approach would work, so lower down the list, have a larger windfall allowance which if it failed the Council could then think about the sites towards the end of the list;
- windfall sites would always be there, and whether they were accepted in the allocation or not, they would come forward;
- the extent to which it was documented to prove that there was a consistent windfall supply needed to be evidenced to the Inspector;
- it was important that the numbers added up, that the Council argued its case, and had reasonable evidence; and
- in an ideal world there would be a list assuming Highsted Park had been approved and one for if it had not.

Councillor Baldock withdrew his motion, until Members had reviewed the sites, with a reservation that should 4,000 sites not be found that he would re-submit the motion. He moved that the Council worked on what was suggested in paragraph 2.58 of the report and a supplementary growth approach be taken, once the outcome of the Highsted Park applications were known, due to over-allocation. This would take the 2,500 Highsted Park allocation as a later part of the Plan and therefore aiming for a lower number. This was seconded by Councillor Hunt. In response, the Project Manager referred to the Highsted Park scenario and said that if it was allowed by the Secretary of State, that the Council would then have to consider it as part of the Council's overall supply. If the

Secretary of State did not allow the inquiry, it might make sense to have its own standalone approach if it was allowed. In terms of plan making it was necessary to have a strategy that was deliverable, so the sites needed to be identified at the examination to meet the needs for the Borough, and at the moment there was no certainty either way in terms of Highsted Park.

The Chair spoke on the settlement strategy that had been agreed and the implications of taking/not taking Highsted Park into account and how the smaller allocations could end up being more concentrated in the Sittingbourne area.

On being put to the vote the above motion was agreed.

The Project Manager outlined the housing figures for Members. Growth Option 6 had been agreed which had a residual need of 4,068 dwellings. If Highsted Park went through, Highsted North would supply 1,250 and Highsted South would do 750, so a total of 2,000. He acknowledged that this figure was different to what had been reported earlier, but added that there could be a degree of flexibility in terms of what was being estimated. In response to a question, he referred Members to Table 3 in the report which set out the brownfield sites, with a total of 1,512 within the Borough.

Councillor Hunt moved the following motion: That the brownfield sites be put forward en bloc. This was seconded by Councillor Julien Speed, and on being put to the vote was agreed.

In response, the Project Manager said that brownfield sites first was a government initiative. He explained that brownfield sites were often difficult to deliver, so there was a policy amendment that they would deliver 10% affordable housing, rather than 30%, and they would not get the Council to a five-year housing supply, so greenfield sites were still needed. In response to a question on all the numbers, the Project Manager said one of the key tests of a Plan to be found sound was to have a five-year land supply at the point of the Plan's adoption. The Highsted Park figure would be deliverable at the back end of the Plan, so it would not contribute to a five-year housing land supply. The brownfield sites in isolation were not enough. So even though it looked like over-allocation because of Highsted Park, the Council could not demonstrate a five-year housing land supply without some greenfield sites in the earlier part of the Plan. He was asked out of the brownfield sites, how much would be needed to make up the five-year supply, and responded to say that the Council published its latest five-year housing supply in November 2024 and this was 3.97 years, and the shortfall was just over 1,100 dwellings. So, to get to a five-year supply position, based on a non-plan led approach would need to find sites that could deliver 1,100 dwellings in the immediate five years. Brownfield sites were more difficult to deliver, and greenfield sites had less constraints and had a higher probability that they were deliverable in the short term. He drew attention to Appendix IV in the report which set out housing sites that had been through the HELAA, and a number of the sites had been informally agreed by Members, which totalled 2,175 dwellings, on a mixture of greenfield and brownfield sites, plus new sites.

The Project Manager went through Appendix IV: Housing sites for allocation discussion and Members were asked if they agreed with the proposal for each site.

The Chair reminded Members that they had agreed all brownfield sites, both new and old. Where there was any dissent from agreement within Appendix IV, a vote was taken, rather than a verbal 'agreed'.

SHELAA/270 agreed
SHELAA/251 agreed
SHELAA/262 agreed
SHELAA//081 agreed
SHELAA/111 agreed
SHELAA/244 agreed
SHELAA/037 agreed
SHELAA/044 agreed
SHELAA/135 remove
SHELAA/143 agreed
SHELAA/153 agreed
SHELAA/277 agreed
SHELAA/286 agreed
SHELAA/022 agreed
SHELAA/119 agreed
SHELAA/169 remove
SHELAA/306 agreed
SHELAA/308 agreed
SHELAA/310 agreed
SHELAA/312 agreed
SHELAA/319 agreed
SHELAA/321 agreed
SHELAA/206 agreed
SHELAA/404 remove
SHELAA/405 remove
SHELAA/413 remove
SHELAA/356 remove
SHELAA/381 agreed
SHELAA/393 agreed
SHELAA/418 agreed
SHELAA/421 agreed
SHELAA/338 remove
SHELAA/341 remove
SHELAA/345 remove
SHELAA/402 agreed
SHELAA/408 agreed
SHELAA/412 agreed
SHELAA/344 agreed
SHELAA/366 remove
SHELAA/343 remove
SHELAA/360 remove
SHELAA/401 remove
SHELAA/399 remove
SHELAA/415 agreed
SHELAA/417 remove
SHELAA/419 remove
SHELAA/326 remove
SHELAA/324 agreed
SHELAA/344 agreed

The Chair moved the following motion, which was seconded by Councillor Whiting and on being put to the vote was agreed:

That delegation be given to the Head of Place to compile the allocations agreed and to present these to the Policy & Resources Committee in a manner which differentiated those sites which would contribute to the five-year housing land supply position and to recommend direct to the Policy & Resources Committee:

- any further allocations required to make up any shortfall; and
- Gypsy and Traveller and employment land allocations,

in consultation with the Chair of the PTPWG.

Resolved:

(1) That the findings of the Housing and Economic Land Availability Assessment (HELAA) 2025 be noted.

(2) That the preferred growth strategy for drafting of the Regulation 19 submission version of the Local Plan be confirmed for recommendation to the Policy and Resources Committee as being Option 6.

(3) That delegation be given to the Head of Place to compile the allocations agreed and to present these to the Policy & Resources Committee in a manner which differentiated those sites which would contribute to the five-year housing land supply position and to recommend direct to the Policy & Resources Committee:

- **any further allocations required to make up any shortfall; and**
- **Gypsy and Traveller and employment land allocations,**

in consultation with the Chair of the PTPWG.

643 Adjournment of Meeting

The meeting was adjourned from 8.16 pm until 8.30 pm and from 9.44 pm until 9.55 pm.

644 Extension of Standing Orders

At 10 pm and 10.30 pm, Members agreed to the suspension of Standing Orders in order that the Working Group could complete its business.

Chair

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All minutes are draft until agreed at the next meeting of the Committee/Panel