

Agenda

Council Meeting

Date: Wednesday, 10 December 2025

Time 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT

Quorum = 16

Pages

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- (d) Anyone unable to use the stairs should make themselves known during this agenda item.

2. Apologies for Absence

3. Minutes

To approve the Minutes of the Meeting held on 19 November 2025 (Minute Nos. TBA) as a correct record.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves, their families or friends.

The Chair will ask Members if they have any disclosable pecuniary interests (DPIs) or disclosable non-pecuniary interests (DNPIs) to declare in respect of items on the agenda. Members with a DPI in an item must leave the room for that item and may not participate in the debate or vote.

Aside from disclosable interests, where a fair-minded and informed observer would think there was a real possibility that a Member might be biased or predetermined on an item, the Member should declare this and leave the room while that item is considered.

Members who are in any doubt about interests, bias or predetermination should contact the monitoring officer for advice prior to the meeting.

5. Mayor's Announcements

6. Questions submitted by the Public

To consider any questions submitted by the public. (The deadline for questions is 4.30 pm on the Wednesday before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

7. Questions submitted by Members

To consider any questions submitted by Members. (The deadline for questions is 4.30 pm on the Monday the week before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

8. Leader's Statement

9. Motion - District of Sanctuary initiative

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10. Statement of Licensing Policy

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11. Local Plan Review - Regulation 18 Consultation Launch

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Issued on Tuesday 2 December 2025

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**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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Motion – District of Sanctuary initiative

This Council believes that:

Everyone deserves to live in safety, free from fear and discrimination.

Swale should be a place where refugees and asylum seekers are welcomed, supported, and valued as members of our community.

Working in partnership with local organisations, voluntary groups, and residents will strengthen community cohesion and mutual understanding.

The “District of Sanctuary” initiative aligns with this Council’s values of equality, inclusion, and social justice.

This Council therefore resolves to:

Pledge support for the principles and aims of the District of Sanctuary scheme.

Work in partnership with the national City of Sanctuary network and local voluntary and community sector organisations to pursue official recognition as a Borough of Sanctuary.

Refer to the Housing Health and Community committee to consider:

Appointing a lead councillor and officer to coordinate sanctuary-related initiatives and to liaise with the City of Sanctuary movement.

Reviewing the Council’s own policies and practices to ensure accessibility and fairness for people seeking sanctuary.

Promoting awareness and understanding among council staff, service providers, schools, and the wider community.

Celebrating Refugee Week and other events that foster inclusion and awareness.

Encourage local partners, including schools, health services, businesses, and community groups to join the movement and adopt “Sanctuary” principles.

Report back to Council within 12 months on progress toward formal recognition as a Borough of Sanctuary.

Proposed by Councillor Hannah Perkin

Seconded by Councillor Alastair Gould

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Council	
Meeting Date	10 th December 2025
Report Title	Draft Statement of Licensing Policy under the Licensing Act 2003
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing and Community Services
Lead Officer	Johanna Thomas, Licensing Team Leader
Key Decision	No
Classification	Open
Recommendations	1. Council is asked, following a recent consultation and consideration by the Licensing Committee & the Policy and Resources Committee, to adopt the revised Statement of Licensing Policy under the Licensing Act 2003 in order that it can be published and come into effect from 12 th December 2025

1 Purpose of Report and Executive Summary

- 1.1 To apprise Members of the steps taken in reviewing the Statement of Licensing Policy under the Licensing Act 2003.
- 1.2 Council is requested to approve the revised Swale Statement of Licensing Policy under the Licensing Act 2003 attached as **Appendix I**.

2 Background

- 2.1 Section 5 of the Licensing Act 2003 (2003 Act) requires licensing authorities to prepare and publish a statement of its licensing policy every five years. current Statement of Licensing Policy was approved by Full Council on 31st March 2021, and will expire on 31st March 2026.
- 2.2 A new policy will need to be adopted before 31st March 2026, the Committee schedule has made it necessary to bring forward the policy for the period 12 December 2025 to 11 December 2030, unless it becomes necessary to make further revisions beforehand following changes to legislation, statutory guidance or local circumstances, for example.
- 2.3 A review of the existing Statement of Licensing Policy was undertaken and a draft policy was presented to the Licensing Act 2003 Committee on 14th July 2025 for approval to be put out to public consultation.

- 2.4 Following the public consultation, the final draft policy was then presented to the Licensing Act 2003 Committee on 16th October where it was endorsed by Members.
- 2.5 On 5th November 2025 the draft policy was presented to the Policy and Resources Committee and received members recommendation to full Council.
- 2.6 It is now requested that Council formally adopt the Statement of Licensing Policy as required under the provisions of the Licensing Act 2003.

3 Proposals

- 3.1 A draft Statement of Licensing Policy was drawn up as shown at **Appendix I** based on a review of our existing policy statement and taking into account the Statutory Guidance issued under Section 182 of the 2003 Act.
- 3.2 The changes to the Statement of Licensing Policy were of a minor or administrative nature; updating statistics, removal of out of date information and updates to contact information.

4 Alternative Options Considered and Rejected

- 4.1 There are no alternative options, the Licensing Act 2003 requires that a local authority must have an adopted policy before discharging its functions under the Act.

5 Consultation Undertaken or Proposed

- 5.1 The 2003 Act requires a consultation process prior to determining the Statement of Licensing Policy. This consultation commenced on 25th July 2025 and ran for eight (8) weeks until 19th September 2025.
- 5.2 Consultees and consultation mechanisms were outlined to and agreed by Licensing Committee on 14th July 2025.
- 5.3 Despite the wide ranging consultation no responses were received. This may be because of the minor nature of the changes and that no consultee had anything they wished to comment on or propose changes.

6 Implications

Issue	Implications
Corporate Plan	The service is an important regulatory function undertaken to ensure compliance with the 2003 Act and to promote the licensing objectives. There are links to: Community - To enable our residents to live, work and enjoy their leisure time safely in our borough and to support community resilience. Economy - Working with our businesses and community organisations to work towards a sustainable economy which delivers for local people. Running the Council - Working within our resources to proactively engage with communities and outside bodies to deliver in a transparent and efficient way.
Financial, Resource and Property	The cost of consultation and publishing an updated policy will be met from within existing budgets. The Statement of Licensing Policy under the Licensing Act 2003 will not place and new financial resource implications on the Council
Legal ,Statutory and Procurement	Section 5 of the Licensing Act 2003 (as amended) requires a licensing authority to prepare and publish a statement of its policy every five years. During the five-year period, the policy must be kept under review
Crime and Disorder	Fulfilling powers and duties under the Licensing Act 2003 is of direct relevance to the Council's obligations under Section 17 of the Crime and Disorder Act 1998 in that the objectives of the Licensing Act 2003 are: a) The prevention of crime and disorder; b) The protection of public safety; c) The prevention of public nuisance; and The protection of children from harm
Environment and Climate/Ecological Emergency	No implications.
Health and Wellbeing	Anti-social behaviour and noise nuisance can impact on the wellbeing of nearby residents
Safeguarding of Children, Young	The protection of children from harm is one of the 4 licensing objectives that underpin the Licensing Act 2003 and must be considered when making decisions on licence applications.

People and Vulnerable Adults	
Risk Management and Health and Safety	The publication of a Statement of Licensing Policy under the Licensing Act 2003 is a statutory requirement and failure to do so by the expiration of the current policy as required may lead to negative publicity and criticism from central government. Close adherence to the mandatory guidance in terms of policy development and consultation will minimise the risk of judicial review at a later date. This risk is further minimised by working in close co-operation with the other licensing authorities within Kent
Equality and Diversity	This policy includes provisions for licence holders to meet requirements contained in the Equality Act 2010
Privacy and Data Protection	All applications processes will be in line with privacy and data protection regulations

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Draft Statement of Licensing Policy 2025 – 2030

8 Background Papers

None

Swale Borough Council



Statement of Licensing Policy under the Licensing Act 2003

Version: 1.0

Dated:

Next scheduled review:

All enquiries relating to this document should be sent to:

Licensing
Swale Borough Council
Swale House
East Street
Sittingbourne
ME10 3HT

Licensing@swale.gov.uk

Issue & Review Register

Summary of changes	Issue number & date	Approved by
See Licensing Act 2003 committee report dated 14 th July 2025	V0.1	Licensing Act 2003 Committee
See Licensing Act 2003 committee report dated 16 October 2025	V0.1	Licensing Act 2003 Committee

All changes to this document are tracked using a different colour and/or marked with a vertical line at the side of the page.

Compiled by: Johanna Thomas

Date: 1st July 2025

Approved by:

Date:

Changes and Corrections

Any changes or corrections required should be notified in writing to:

Licensing
Swale Borough Council
Swale House
East Street
Sittingbourne
ME10 3HT

Or

licensing@swale.gov.uk

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STATEMENT OF LICENSING POLICY

INTRODUCTION

Every Licensing authority is required to produce a statement of licensing policy and to keep the statement under review. Swale Borough Council (the Council) is the Licensing Authority for the Swale area under the provisions of the Licensing Act 2003 (the Act). This is the Statement of Licensing Policy as determined by the Council in respect of its licensing functions under the Licensing Act 2003. This document sets out the position and view of the Licensing Authority in respect of matters in connection with the discharge of its licensing function including the administration of licensing applications, compliance with licensing conditions and enforcement when necessary.

This Statement of Licensing Policy commences on 12 December 2025 and continues for a five year period. During the five year period the Policy will be kept under review and the authority will make such revisions to it at such times as it considers appropriate. Further licensing statements will be published every five years thereafter or earlier as necessary. All references to the 'Guidance' refer to the latest version of the Home Office Guidance to Licensing Authorities issued under section 182 of the Licensing Act 2003.

The 2003 Act requires the Council to carry out its various licensing functions with a view to promoting the following four licensing objectives:

- **the prevention of crime and disorder;**
- **public safety;**
- **the prevention of public nuisance;**
- **the protection of children from harm.**

The aims of this Statement of Licensing Policy, in line with the four licensing objectives, are to:

- help build a fair and prosperous society that properly balances the rights of people and their communities with the needs of business.
- minimise any nuisance or disturbance to the public through the licensing process; integrate its aims and objectives with other initiatives, policies and
- promote strategies that will:
 - (1) reduce crime and disorder
 - (2) encourage tourism
 - (3) encourage an early evening and night time economy which is viable, sustainable and socially responsible;
 - (4) reduce alcohol misuse
 - (5) encourage employment
 - (6) encourage the self-sufficiency of local communities;
 - (7) reduce the burden of unnecessary regulation on business
 - (8) encourage and promote live music, dancing and theatre for the wider cultural benefit of communities generally.

The Council will endeavour to work with other Local Authorities to ensure that a consistent approach is taken in licensing matters, whilst respecting the differing needs of individual communities throughout the local authority area.

In the preparation of this policy the Licensing Authority will have given proper regard to the local strategies on crime prevention, planning, transport, culture, tourism and economic

development to ensure proper coordination and integration of the aims and actions of these policies.

The Licensing Act is part of a wider Government strategy to tackle crime, disorder and antisocial behaviour and reduce alcohol harm. The Licensing Authority will continue to develop strategies with the police, and the other enforcement agencies, as appropriate, for the management of the night-time economy. Of critical importance to this is the enforcement of the law relating to the sales of alcohol to drunk and underage people and drunkenness or disorder on, or in the immediate vicinity of licensed premises.

This policy covers a wide variety of premises and activities carried on within them. For this reason, this policy cannot detail all the factors that influence the achievement of the licensing objectives nor can this policy detail all the control measures that may be appropriate. However, there will be zero tolerance of dealing in or using controlled drugs (as defined by the Misuse of Drugs Act 1971) on licensed premises.

1 CONSULTATION

- 1.1 The Statement of Licensing Policy will be kept under review and where any significant amendments are considered necessary these will only be made after consultation has taken place in accordance with Section 5 of the Act. Amendments required due to a change in legislation that do not impact on the aims and objectives of the Policy or the promotion of the Licensing Objectives will be made with the approval of the Licensing Manager in order for the policy to remain legislatively current.
- 1.2 Proper weight, in accordance with the Guidance, has been given to the views of all those consulted. Those consulted in the preparation of this Policy included:
 - the Chief Officer of Police for Kent
 - the fire and rescue authority for Kent
 - the Director of Public Health for all areas within Swale Borough
 - persons/bodies representative of local premises licence holders
 - persons/bodies representative of club premises certificate holders
 - persons/bodies representative of local personal licence holders; and
 - persons/bodies representative of businesses and residents in the Swale area
- 1.3 In accordance with the revised guidance issued under section 182 Of the Licensing Act 2003 the following persons have also been consulted on this revised statement:
 - Kent Police Licensing Team
 - the Superintendent of Police for Swale Borough Council area
 - all Council members
 - all parish councils
 - all bordering local authorities
 - all other responsible authorities under the Licensing Act 2003
 - British Beer & Pub Association
 - Shepherd Neame Ltd
 - UK Hospitality

2 THE POLICY - BACKGROUND

2.1 When administering licensing matters the Council as the Licensing Authority will promote the four Licensing Objectives set out in section 4 of Part 2 of the Licensing Act 2003. The four licensing objectives are the:

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety
- Protection of Children from Harm

The Licensing Authority gives equal weight to each of these objectives.

2.2 The 2003 Act requires Licensing Authorities to publish a 'Statement of Licensing Policy' (the Policy) that sets out the approach the Licensing Authority will take when administering applications and other processes under the Licensing Act 2003 to ensure the promotion of the licensing objectives.

2.3 This Statement of Licensing Policy has been prepared in accordance with the provisions of the 2003 Act having regard to the amended guidance issued under section 182 of the Act the Police Reform and Social Responsibility Act 2012 and the Live Music Act 2012.

2.4 Swale Borough Council is the Licensing Authority pursuant to the Licensing Act 2003 (the Act) and is responsible for considering a range of licence applications and variations to licences for a number of activities detailed below. The purpose of licensing is to regulate the carrying on of licensable activities on licensed premises, at qualifying clubs and under temporary event notices, (TENs). The activities as defined by the Act are:

- Sale by retail of alcohol
- Supply of alcohol (club)
- The provision of regulated entertainment which includes:
 - the performance of a play
 - an exhibition of a film
 - an indoor sporting event
 - boxing or wrestling entertainment
 - a performance of live music
 - playing of recorded music
 - performance of dance
 - entertainment of a similar description to the above 3. (where they take place in the presence of an audience for the purpose of entertaining them)
 - Provision of late night refreshment

2.5 It should be noted that following the introduction of the Live Music Act 2012, a licence is not required to stage a performance of live music, or the playing of recorded music if:

- it takes place between 8AM and 11PM; and
- it takes place at an alcohol on-licensed premises; and
- the audience is no more than 500 people

You also don't need a licence:

- to put on unamplified live music at any place between the same hours; or
- to put on amplified live music at a workplace between the same hours and provided the audience is no more than 500 people.

2.6 The types of premises likely to be included within the licensing regime include:

- Pubs and night clubs
- Off licences (includes supermarkets/shops selling alcohol)
- Restaurants serving alcohol
- Restaurants serving hot food and drink after 11pm
- Private members clubs/social clubs
- Hotels/guest houses selling alcohol
- Cinemas/theatres
- Community premises and village halls
- Providers of temporary events involving licensable activities

and any other premises at which licensable activities are to be provided.

2.7 The Policy will apply across a range of applications which include the following:

- a) New Premises Licences and Club Premises Certificates
- b) Variations to Premises Licences and Club Premises Certificates
- c) Provisional Statements for proposed premises yet to be built
- d) Transfer of Premises Licences
- e) Disapplication of mandatory condition in respect of alcohol sales at village halls and community premises
- f) Variations of licences to change the Designated Premises Supervisor
- g) Reviews of Premises Licences and Club Premises Certificates
- h) Personal Licences
- i) Temporary Events Notices

2.8 The Licensing Authority also regulates other activities at licensed premises which include sexual entertainment events and gambling, and these are covered in other policies adopted by the Council.

3 LICENSING AUTHORITY GENERAL POLICY CONSIDERATIONS

- 3.1 The Licensing Authority encourages the development of premises which are not alcohol-led, and which are aimed at different sectors of the population, including all ages and genders. Premises that promote the arts, a food offer, or other cultural activities are particularly encouraged.
- 3.2 Where premises such as pubs are alcohol-based, they are encouraged to consider diversifying their provisions so as to encourage a mixed customer-base and wider attractions, including community uses, soft refreshments, snacks and live entertainment. Diversification is important in the promotion of the licensing objectives as well as ensuring a sustainable economic future for premises and the regeneration of areas requiring investment and employment opportunities.
- 3.3 The Licensing Authority recognises the need to promote and encourage live and recorded music, dancing, theatre and other forms of entertainment for the wider cultural benefit of communities generally but not to cause a nuisance. The necessary protection of local residents and the potential for limited disturbance and anti-social behaviour in neighbourhoods will be carefully balanced with the wider benefits.
- 3.4 The Licensing Authority, Environmental Services, Kent Police and Kent and Medway Fire and Rescue welcome pre-application discussions and will offer advice and guidance upon request and where appropriate. The Licensing Authority expects that applicants will have in advance researched and understood the relevant law in relation to their application and their business plans as well as this Policy. Applicants are encouraged to consult with each of the authorities before applying. It is not for licensing officers to determine the business needs and capabilities of an applicant, but advice can be offered in relation to the licensing objectives. In addition, guidance notes are available on the licensing pages of Council's website – www.swale.gov.uk
- 3.5 Licensing officers will also provide advice to other parties on the licensing process where needed in relation to objecting to or supporting applications that may affect them. However, SBC cannot provide legal advice to applicants or other parties.
- 3.6 Supermarkets and other "off" licensed premises selling alcohol
- 3.6.1 The Licensing Authority will generally consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises throughout their opening times. However, where there are reasons for restricting or amending hours, for example, where premises become the focus of disorder and disturbance, such restrictions or amendments will be considered where relevant representations have been made.
- 3.6.2 All 'off' licensed premises must comply with the Licensing Act 2003 Mandatory Conditions Order in relation to age related sales. The Licensing Authority also expects such premises to consider any appropriate and proportionate additional measures to prevent and deter proxy sales on behalf of under 18's.
- 3.6.3 Licensees should also carefully consider alcohol sales to customers who have or appear to have alcohol related health issues, and whether those customers already appear under the influence of alcohol when attempting to make purchases.
- 3.6.4 The Licensing Authority expects adequate checks to be made and all reasonable steps taken to ensure alcohol delivered by way of online shopping services is not

delivered to minors to prevent a risk of underage consumption. Therefore, the authority requests as part of an application that the Operating Schedule should include the procedures the applicant is intending to operate to ensure the following:

- The person they are selling alcohol to is over the age of 18
- That alcohol is only delivered to a person over the age of 18
- That a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer
- The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol

3.6.5 Where self-pay till points are made available in stores selling alcohol, provision must be considered for alcohol sales to be identified and approved prior to completion of the purchase.

3.7 Designated Premises Supervisor (DPS) at alcohol licensed premises

3.7.1 Whilst this role has a limited definition under the Licensing Act 2003, it is expected that this person nominated on a licence will normally have overall responsibility for the day to day management and control of the licensed premises and in particular be responsible for the safe receipt, storage and sale of alcohol.

3.7.2 The Licensing Authority would normally expect the DPS to be onsite at the licensed premises for the majority of time when alcohol is being sold subject to working hours legislation and absence for sickness and holidays. The Licensing Authority expects the DPS to provide training to staff in relation to alcohol sales and to authorise the employees the DPS considers competent to sell alcohol on their behalf in writing.

3.7.3 The Licensing Authority expects that a DPS should usually have responsibility for only one licensed premises at a time to ensure good management of the premises and the licensable activities. Where the same person is a nominated DPS on more than one premises licence and representations are made, the Licensing Authority will wish to satisfy itself that the premises in question can properly be managed by that person whilst responsibly promoting the licensing objectives.

3.8 Film Exhibitions

3.8.1 The licensing authority expects licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age restricted films classified according to the recommendations of the British Board of Film Classification or the licensing authority itself.

3.9 Live Music

3.9.1 It is acknowledged the implementation of the Live Music Act in 2012 has resulted in a lighter touch regulation of live music up to 11pm on alcohol licensed premises, and this is seen as a positive approach for premises wishing to provide live music but a retrograde step for nearby residents and enforcement services. However, the Licensing Authority does not see this as an opportunity for licensees to provide live music events that cause nuisance and disturbance to local residents or businesses.

3.9.2 The Licensing Authority expects that where unregulated live music is proposed at licensed premises, all due care, attention and consideration is taken to prevent

disturbance. The Council will consider using its powers under the Environmental Protection Act 1990 to prevent and control public nuisance caused by poorly managed live music at licensed premises.

3.10 Deregulated Entertainment

3.10.1 Where the further deregulation of schedule 1 of the Licensing Act has reduced the regulatory controls on some regulated entertainment activities, the Licensing Authority will expect licensees to ensure that no nuisance or disturbance is caused to local residents and businesses when providing the deregulated activities. The Licensing Authority will consider using alternative powers as per para 3.9.2

3.11 Late Night Levy (LNL)

3.11.1 Whilst it is acknowledged that the provisions for implementing a late night levy arise from the Police Reform and Social Responsibility Act 2011, any levy will potentially have a direct impact on all licensed premises within the Borough. The Licensing Authority has considered the options around the imposition of a LNL and has no plans at the time of drafting this policy to consider an imposition of the levy. Should evidence arise to support implementing a levy the statutory consultation process will be followed and the authority will use its discretion very carefully in relation to design and impact of a levy.

3.11.2 In advance of any decision to implement a LNL, the authority will enter into discussions with the Police with a view to agreeing the allocation of the Police share of the levy to support the policing of the night time economy within this Borough.

3.12 Early Morning Alcohol Restriction Order

3.12.1 The Licensing Authority has considered the options around the imposition of an Early Morning Alcohol Restriction Order and has no plans at the time of developing this policy to consider such an Order. Should evidence arise to support implementing an EMARO, the statutory consultation process will be followed, and the matter referred to the Full Council for determination.

3.13 Licensing and planning permission

3.13.1 The use of a licensed premises or place may be subject to planning controls. There are several key differences between licensing and planning control, although there is an element of overlap between the departments. Nuisance and crime and disorder are shared concerns of planning and licensing and a combination of planning and licensing powers are required to tackle these problems.

3.14 Need for licensed premises and Cumulative Impact

3.14.1 'Need' concerns the commercial demand for particular licensed premises such as a pub, club or hotel. This is a 'market forces' matter and is not of concern to the Licensing Authority. 'Cumulative Impact' means the potential impact on the promotion of the licensing objectives by a significant or excessive number of licensed premises concentrated in one locality. This is a matter for consideration by the Licensing Authority.

3.14.2 The Licensing Authority acknowledges that a concentration of some types of licensed premises in a locality can result in increased footfall, congregation of the public in the streets and potential for increased crime and disorder, litter and anti-social behaviour,

as well as noise nuisance to local residents. This would be a result of the presence of the number of premises and not attributable to individual businesses. The licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation

3.14.3 The Licensing Authority, having regard to the evidence available, considers that currently there is no particular part of the Borough where there is a negative cumulative impact of licensed premises on any of the licensing objectives. If residents or a Responsible Authority (in particular the Police) provide relevant evidence through a representation in the future that supports the imposition of a Policy that restricts the number of new and/or later opening premises, this will be considered and consulted on.

3.14.4 The absence of an existing cumulative impact or saturation policy does not, however, prevent any responsible authority or other person making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. The Licensing Authority will also take into account the effect on resources, including police resources, to cope with any influx of visitors to an area, particularly late at night.

4 RESPONSIBLE AUTHORITIES AND OTHER PERSONS

4.1 Responsible authorities are public bodies that are statutory consultees that must be notified of applications by the applicant. The full list and contact details can be found at Appendix C and are contained on the Swale Borough Council website at Responsible Authorities.

4.2 When dealing with applications and variations for licences and reviews of premises licences, the Licensing Authority is obliged to consider representations from two categories of persons, referred to as 'Responsible Authorities' and 'Interested Parties'. This allows for a broad range of persons to comment both for and against applications for premises licences and club premises certificates and for reviews.

4.3 The Licensing Authority may only consider representations that are relevant to the promotion of the licensing objectives. We only have discretion on whether to grant applications for new premises licences or variations to existing premises licences, on what terms such applications are granted and whether to impose conditions if representations relevant to the licensing objectives are made by "interested parties" or by "responsible authorities" within prescribed time limits and it is appropriate and proportionate to promote the licensing objectives. Otherwise the application will automatically be granted.

4.4 The Licensing Authority will take care to ensure that concerns raised by Responsible Authorities in relation to their own legislative functions are not taken into account if they are not relevant to the application for a premises licence under the Act, or the promotion of the licensing objectives. It would expect those authorities to use their powers and duties within their statutory roles to control such matters. Any representation made by a Responsible Authority that relates to the promotion of the licensing objectives will be accepted.

4.5 The Licensing Authority must give the appropriate weight to representations made by the Police on crime and disorder matters. The Police are the Licensing Authority's

main source of advice on matters relating to the promotion of the crime and disorder licensing objective. The Licensing Authority will accept all reasonable and proportionate representations made by the Police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives.

- 4.6 Where an 'Other Person or Persons' request to be represented when seeking to make a representation, the Licensing Authority will require written evidence from the person/s being represented that they have authorised a third party to speak or write on their behalf.
- 4.7 The Licensing Authority will examine closely all representations to ensure that they are not frivolous, repetitive or vexatious. Matters that this authority will look at are likely to include:
- whether there is a history of making representations that are not relevant or which have been previously considered vexatious or frivolous and are intended to cause aggravation or annoyance
 - whether the representation raises a 'relevant' issue
 - whether the representation raises issues specifically to do with the premises and/or the licensable activities that are the subject of the application
 - whether the repetitious representation is one made an unreasonably short time after, and identical or substantially similar to:
 - a ground for review specified in an earlier application for review, for the same premises, which has already been determined, or
 - representations considered by the licensing authority when the premises licence was first granted; or
 - representatives which would have been made when the application for the premises licence was first made and which were excluded by the prior issue of a provisional statement.
- 4.8 The above considerations are not exhaustive, and the Licensing Authority will have regard to anything a person making a representation, or persons representing them, say about his or her status to make representations. Nothing in this Statement should be taken to undermine the right of any person to make a representation on an application or to seek a review of a licence where provision to do so exists.
- 4.9 Public Health, Kent County Council, is now included on the list of Responsible Authorities. It is acknowledged that they may be useful in providing evidence of alcohol related crime and disorder or public nuisance etc. that are directly linked to premises or a cluster of premises. It may also be able to provide relevant information on alcohol related admissions that relate to specific licensed premises.
- 4.10 The Licensing Authority as a Responsible Authority
- 4.10.1 The Licensing Authority has carefully considered its role as a Responsible Authority under the Act. It will achieve a separation of responsibilities through procedures and approved delegations within the authority to ensure procedural fairness and eliminate conflicts of interest. A separation is achieved by allocating distinct functions (i.e. those of Licensing Authority and Responsible Authority) to different officers within the licensing team.

- 4.10.2 The Licensing Authority does not expect to act as a Responsible Authority on behalf of third parties but accepts that there may be rare circumstances where this approach may be required.

5 EXCHANGE OF INFORMATION

- 5.1 The Licensing Authority will act in accordance with the provisions of the Licensing Act 2003 the General Data Protection Regulation (GDPR) the Data Protection Act 2018 in its exchange of information. Where a protocol is established to set out the mechanism for exchange of information with other regulatory bodies, any such protocol will be made publicly available.

6 HUMAN RIGHTS AND EQUAL OPPORTUNITIES

- 6.1 The Human Rights Act 1998 makes it unlawful for a local authority to act in a way which is incompatible with the European Convention on Human Rights. In making decisions and determining appropriate action the Licensing Authority will have due regard to the Convention and will interpret the LA2003 in a manner consistent with the Human Rights Act 1998.
- 6.2 The Licensing Authority will consider the effect upon people's human rights and adopt a principle of proportionality and the need to balance the rights of the individual with the rights of the community as a whole. Action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society.
- 6.3 The Equality Act 2010 prohibits direct and indirect discrimination on the basis of any of nine protected characteristics, whether in delivering services or in relation to employment. The Licensing Authority will have regard to its obligations under the Equality Act 2010 when interpreting and exercising its powers and responsibilities under the Licensing Act 2003.
- 6.4 Equality Duty supports good decision making – it encourages public bodies to understand how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies can be more efficient and effective. The Equality Duty therefore helps public bodies to deliver the Government's overall objectives for public services.
- 6.5 Immigration Act 2016 and Modern Slavery Act 2015.
The Licensing Authority has responsibilities that relate to the prevention of immigration crime, specifically the prevention of illegal working in licensed premises. Licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work related to the carrying out of a licensable activity.

These provisions apply to licensed premises for alcohol and late night refreshment, (but not entertainment only premises) and personal licences. Other types of authorisation under the Licensing Act 2003 (Club premises certificates and temporary events notices) (TEN's) are not covered. This is due to there being little evidence of immigration abuse in respect of premises authorised under a club premises certificate and it would have been disproportionate to apply the requirements to a TEN.

7 COMPLIANCE AND ENFORCEMENT

- 7.1 It is essential that licensed premises operate in accordance with the Act and promote the licensing objectives. Part of the Licensing Authority's role is to monitor premises and take appropriate action to ensure that the licensing objectives are promoted.
- 7.2 There are a range of offences detailed under Part 7 of the Licensing Act 2003. The Licensing Authority will liaise with the Responsible Authorities to determine enforcement of specific offences on a case by case basis. Offences related to sales of alcohol to minors will be enforced by the Police or Trading Standards Authority unless they form part of a range of offences identified by the Licensing Authority.
- 7.3 The Licensing Authority will work together with the police in promoting the licensing objectives. The Kent and Medway Enforcement Protocol was approved in February 2008 and agrees the appropriate responsibilities and procedures for joint working and enforcement between the two agencies.
- 7.4 The Council is committed to the principles of good enforcement by carrying out these regulatory functions in a fair, open and consistent manner. Inspections, enforcement, and where appropriate, surveillance under the Act will be based on the principles of risk assessment, which includes the targeting of high risk premises which require greater attention, whilst operating a lighter touch in respect of low risk and well managed premises. The risk-based approach is based on Home Office Guidance, the activities authorised and premises compliance history.
- 7.5 The Licensing Authority needs to be satisfied that premises are being run in accordance with the Act and any licensing conditions, which may be attached to the premises licence. Frequency of inspections will be determined on risk-based criteria.
- 7.6 Annual fees and suspension of licences for non-payment
- 7.6.1 The Licensing Authority is required under section 55A of the Licensing Act to suspend premises licenses where the annual fee has not been paid. The Licensing Authority will invoice each licensee when the annual fee is due setting out the fee that is due and the consequences for non-payment. Where the fee has not been paid or there has been no claim of administrative error by the end of 21 days of the due date, the Licensing Authority will serve the required 2 working day notice to suspend the licence.
- 7.6.2 Where a licence is suspended this means that no licensable activities will be authorised to be provided at the premises until the suspension is lifted on receipt of payment of the overdue fee. Officers will conduct enforcement visits to premises where a licence has been suspended and will take the appropriate action in accordance with the Council's enforcement policy.
- 7.6.3 If an operator does not wish to carry on the activities that require the premises licence or certificate anymore it is important the licence or certificate is surrendered to prevent maintenance fees being accrued.

CONSIDERATION OF APPLICATIONS

8 NEW PREMISES LICENCES

8.1 In making decisions about applications for licences the Licensing Authority will have regard to:

- the Licensing Act 2003
- the Statutory Guidance issued under section 182 of the Licensing Act 2003,
- this Statement of Licensing Policy made under section 5 of the Licensing Act 2003

Any decisions made that depart from guidance or policy only do so for reasons set out in the decision.

8.2 Where elements of applications are unclear or unspecific, particularly in relation to operating schedules and trading hours, the Licensing Authority will expect the applicants to provide additional information for clarity on a request from the licensing team.

8.3 Licensing officers will routinely check that the Public Notices at the premises and the Public Notices in newspapers are displayed in accordance with the regulations as part of the validation process.

8.4 Licensing officers will also notify ward councillors to whose ward the application relates.

8.5 Where there are no representations about an application the licence will be automatically granted after 28 days under the terms and conditions applied for. Licensing officers will interpret the detail of the operating schedule and convert that into consistent enforceable licence conditions.

8.6 Where relevant representations are received the application will be referred to the Licensing Sub-committee for determination at hearing, unless all parties agree that a hearing is not necessary. Where applications result in the need for a hearing the process at section 16 of this policy will apply.

9 VARIATIONS TO LICENCES

9.1 From time to time licensees may wish to change the nature of the business vary the trading hours or the licensable activities on offer. These can range from minor changes having little or no impact such as minor changes to the premises plan to more significant changes that will affect the promotion of the licensing objectives. These could include for example, the provision of additional activities, increasing capacities or longer and later trading hours. However, where a variation is so substantial that it significantly changes the nature of the business and layout of the premises it is likely that a new premises licence application will be required rather than a variation.

- 9.2 An application for a variation must be advertised in accordance with regulations and the Council will expect applications to be advertised to residents and businesses in the vicinity.
- 9.3 The relevant parts of this Statement of Policy to be applied to significant variation applications is the same as for new premises licence applications at section 8 above.
- 9.3 Where applications are made for minor variations officers will consider whether there are any impacts on any of the Licensing Objectives. Where the variation proposed creates a significant impact on any of the Licensing Objectives the application will be rejected, and the applicant advised to seek a standard variation.
- 9.4 Where there is minor impact or no impact on the four licensing objectives Officers will consult with the relevant (if any) responsible authorities.
- 10 VARIATIONS TO SPECIFY A NEW DESIGNATED PREMISES SUPERVISOR (DPS)**
- 10.1 The Licensing Authority expects that usually the nominated DPS on a licence will be involved in and supervising the day to day operation of licensed premises that sell alcohol. Where the person nominated as DPS ceases to undertake that role the Licensing Authority would expect the licensee to replace that person as soon as is reasonably practicable to maintain adequate control of the premises.
- 10.2 Where a DPS notifies the Licensing Authority that he or she has resigned, the licensing officers will enter into immediate discussion with the licensee in relation to the mandatory conditions concerning the sale of alcohol, and provide appropriate advice to prevent unauthorised alcohol sales.
- 10.3 All applications to specify a new DPS must be made by the licence holder or by a person/body authorised in writing to act on the licensee's behalf.
- 10.4 Where there are no representations the default position is to grant the variation.
- 10.5 The Licensing Authority will give the appropriate weight to relevant representations received from the Police about a proposed DPS. Applications that receive relevant representations will be referred for a hearing at which point the Sub Committee may approve or reject the application if it considers it appropriate for the promotion of the crime prevention objective to do so.
- 11 TRANSFERS OF PREMISES LICENCES**
- 11.1 Before a licence transfer can be administered, the Licensing Authority usually expects consent to have been obtained from the previous premises licence holder. If this is not possible the applicant will be expected to demonstrate that he or she has taken all reasonable steps to secure consent to transfer the licence.
- 11.2 It is acknowledged that in some cases licensees leave premises and do not provide any forwarding contact details, or there has been a death or incapacity of the licence holder. In such cases where a licensee cannot reasonably be contacted to give approval, a licence will be transferred in accordance with the requirements of the Act.
- 11.3 Where a relevant Police objection to the transfer is received the application will be determined through the hearings process unless it is agreed by the applicant and Police as unnecessary.

12 PROVISIONAL STATEMENTS FOR PREMISES

- 12.1 A provisional statement is an application made by someone with an interest in premises, which is or is about to be constructed for use for one of the licensable activities or which is or is about to be extended or altered for that purpose or may be applied for, by a person interested in a premises. This option allows potential applicants to obtain advance notice whether a premises licence is likely to be granted on completion of its construction or conversion.
- 12.2 The process for considering an application for a provisional statement is the same as that for a premises licence application, including a schedule of works. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and other parties may make representations and there are rights of appeal.
- 12.3 The holder of a provisional statement may apply for a premises licence once the premises are constructed, altered or acquired. The Licensing Authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, where the application is for a licence in the same form as the provisional statement and the work described in the schedule of works has been satisfactorily completed.
- 12.4 Representations are excluded where the relevant person could have made the same or substantially the same representations about the provisional statement application but failed to do so without reasonable excuse and there has been no material change in circumstances of the premises or area in the vicinity of the premises since the provisional statement.

13 CLUB PREMISES CERTIFICATES

- 13.1 The Licensing Authority acknowledges the importance and history of members clubs and the privileged position held by clubs historically in relation to alcohol licensing.
- 13.2 Members clubs are able to obtain a club premises certificate to authorise licensable activities for their members and their guests. There is no requirement for any members to hold a personal licence under the Licensing Act 2003, and there is no requirement to specify a designated premises supervisor. It is acknowledged that alcohol is supplied by and for the members through their membership of the club.
- 13.3 In order to apply for a club premises certificate the Licensing Authority must be satisfied that the club is a qualifying club and satisfies the legal conditions set out in the Act. Applicants for a club premises certificate will be required to complete a club declaration form setting out how the club will meet the conditions and definitions stated in the Act. Licensing officers will have delegated authority to make additional enquiries where appropriate in order to satisfy that a proposed club meets the criteria laid out in the Act.
- 13.4 The fundamental principles for premises licence applications set out at section 15 of this Policy will apply to applications for club premises certificates subject to

exemptions in respect of the DPS and the requirement for evidence of the club's status.

- 13.5 Any qualifying club wishing to offer licensable activities at events to which non-members will attend will be required to authorise such activities by way of a Temporary Event Notice or by ensuring compliance with the club rules to allow the public to enjoy the clubs facilities and activities without jeopardising the validity of the club premises certificate.
- 13.6 The Licensing Authority expects 'public' events on club premises to be authorised by a Temporary Event Notice. It is expected that club committee members will seek advice from the Licensing Authority prior to providing such activities for non-members to prevent any unauthorised activities.
- 13.7 Where the Licensing Authority identifies that a club no longer meets the conditions set out in section 62 of the Licensing Act 2003 or where the Licensing Authority obtains evidence to demonstrate that a club no longer acts in good faith as a qualifying club, it will give the club a notice withdrawing the club premises certificate.
- 13.8 Suspension of Club Premises Certificates may also occur under section 92A of the LA2003, through failure to pay annual fee. Once granted an annual must be paid each year. Failure to pay the fee with the specified time will result in the Council suspending the licence until such time as the fee is received.

14 REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

- 14.1 The Licensing Authority acknowledges that at any stage following the grant of a premises licence matters can arise at premises that raise concern as to the continued promotion of the licensing objectives at licensed premises.
- 14.2 The Act allows a licence to be reviewed where such matters arise. It is expected that most reviews will be applied for by Responsible Authorities.
- 14.3 Although this Licensing Authority is also a Responsible Authority and may bring about a review application, it is not expected that it will act as a Responsible Authority on behalf of other parties (for example, local residents, local councillors or community groups).
- 14.4 The Licensing Authority will determine whether a review application is relevant and the validity of a review application will be determined by a licensing officer. This will be on the basis of whether the request for the review is:
 - relevant to one or more of the licensing objectives and
 - not frivolous, vexatious or repetitious.
- 14.5 In every review case an evidential basis for the allegations made will need to be submitted to the Council as the Licensing Authority.
- 14.6 The Licensing Authority would expect grounds for a review to be evidence based but will consider each application on its merits.
- 14.7 Where a review application is accepted the Licensing Authority will encourage the parties to enter into mediation during the consultation period to help resolve or

narrow issues arising. The Council would be happy to assist in these meetings as appropriate.

14.8 All reviews, save where agreed by all parties as unnecessary, will lead to a hearing before a sub-committee. This may be a full hearing or a condensed hearing to consider the outcome of mediation. However other parties who have made representation but not been involved in mediation will be permitted to voice their representations at the hearing in accordance with the Hearings Regulations. The Policy applied to hearings can be found in section 16.

14.9 The authority considers that where reviews are raised as a result of serious crime and disorder causing that licensing objective to be undermined, then it is likely that that a revocation of the licence will be considered.

15 APPLICATION TO VARY A PREMISES LICENCE AT COMMUNITY PREMISES TO REMOVE THE MANDATORY REQUIREMENT FOR A DPS

15.1 The Licensing Authority acknowledges the value that local community premises bring to their localities and that most are operated and managed by volunteers. The mandatory requirement for a nominated DPS to be in place at alcohol licensed community premises can be burdensome and difficult for an individual to manage at such premises.

15.2 The Act allows management committees at community premises to take over the responsibility of the alcohol sales by applying to the Licensing Authority to remove the requirement to have a nominated DPS at the premises to authorise sales of alcohol. The Licensing Authority will, subject to strong evidence that a community premises is well managed by an experienced committee, support applications to remove the mandatory condition requiring all alcohol sales to be authorised by a personal licence holder.

15.3 Before considering an application the Licensing Authority will satisfy itself that a premises meets the definition of a community premises. Enquiries will be made as to Where there is a regular 'commercial' or 'non-community based' use or a membership requirement to use the premises it is unlikely that such a premises would meet the definition of a community premises and permission to remove the requirement for a DPS is likely to be refused.

15.4 In general it is expected that premises that form part of a church hall or chapel hall or are a village, parish or community hall or other similar building would in most cases meet the definition of a community premises, although each will be considered on its individual merits and the evidence provided or obtained.

15.5 The licensing officers will consider, on a case by case basis, all applications to remove the mandatory condition and will ask such questions or seek the necessary evidence to confirm the suitability of the management committee to collectively authorise the supply of alcohol the premises.

15.6 Committees that make an application will be expected to have members who are aware of the law relating to the sale of alcohol, contain steps within their operating schedule to prevent offences relating to alcohol sales and also to include appropriate rules in hiring agreements where the premises is hired out to the public for events that will involve the sale of alcohol.

16 HEARINGS

- 16.1 Any application that has resulted in the submission of relevant representation from any party will be referred to the Licensing Sub-Committee for a hearing and determination in accordance with the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.
- 16.2 A sub-committee will consist of three suitably trained members of the Licensing Committee. The sub-committee will be advised on the law by a member of the Council's Legal Services Team. Where appropriate that legal team member will not be involved in the application process to prevent a conflict of interest by ensuring a clear separation of roles.
- 16.3 This Statement of Policy will play a key role in achieving consistency in decision making.
- 16.4 Where representations are made only by Responsible Authorities, the Licensing Authority would expect applicants and Responsible Authorities to enter into negotiation or mediation prior to a hearing in an attempt to resolve or narrow issues before attending the licensing hearing and to achieve an outcome satisfactory to all parties.
- 16.5 Parties will be advised of the hearing date and procedure in advance and in accordance with the statutory process. At all hearings the sub-committee will have regard to the Guidance issued under section 182 of the Act. This authority may use its discretion where there are strong and defensible reasons for departing from the Guidance and where it considers it right to do so. In any such case this authority will clearly express and explain its reasons for doing so.
- 16.6 The Licensing Authority must give the appropriate amount of weight to representations made by the Police on crime and disorder matters. It will give appropriate weight to all representations made by all parties based on the content and relevance to the promotion of all licensing objectives.
- 16.7 All decision notices will be in writing and will include clearly stated reasons to explain a decision on an application.

17 LICENCE CONDITIONS

- 17.1 A key concept in the Licensing Act is that conditions that are attached to licences or certificates are tailored to suit the individual style and characteristics of the premises and its activities and the impact of those activities. Those conditions must be appropriate and proportionate in order to promote the licensing objectives at that premises.
- 17.2 All licences that authorise the sale of alcohol will be subject to the mandatory conditions set out in the Act and Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 as amended (and any subsequent Mandatory Conditions that are introduced).
- 17.3 Applicants will be expected to include appropriate steps to promote the licensing objectives within their operating schedule which will be converted to conditions on a premises licence or club premises certificate. Those steps will be expected to be proportionate, achievable, enforceable and relevant to the business in question and will ensure the promotion of each of the four licensing objectives.

- 17.4 Where applications receive valid representations and are subject to a hearing, the sub-committee will consider the evidence provided within representations, the detail of the application, the nature of the premises and business and only where appropriate and proportionate will attach conditions to a licence to secure the promotion of the licensing objectives in light of the evidence provided.
- 17.5 Decisions on individual licence conditions will be made on a case by case basis, and where there are concerns over the effective promotion of the licensing objectives, the applicant will be given the opportunity to offer suggestions on how the objectives can be met. This authority will work closely with all parties and the applicant in establishing workable, enforceable and reasonable conditions for new and variation applications.
- 17.6 In all cases the Licensing Authority will have regard to the Guidance when considering the implementation of licence conditions.
- 17.7 In all cases conditions will aim to promote the licensing objectives, be unambiguous and enforceable, appropriate to the activities and the business, achievable and applicable to the premises and the areas around the premises which is within the licensee's control.
- 17.8 The Licensing Authority recognises the need to avoid, so far as possible, duplication with other regulatory systems including Health and Safety at Work, Fire Safety, Food Hygiene and Nuisance Control. However, these regulations may not cover the unique circumstances of some activities and entertainment. In these circumstances, the council may therefore, where necessary, attach conditions to premises licenses for the promotion of the licensing objectives.

Conditions to promote the Prevention of Crime and Disorder.

- 17.9 Under the Act the Licensing Authority has a duty to promote the licensing objectives, and, a further duty under the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the borough.
- 17.10 Wholesale of alcohol. Since 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) need to ensure that the UK wholesales they buy from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique registration Number (URN) against the HMRC online database. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face a criminal prosecution and their alcohol stock seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses.
- 17.11 Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC.
- 17.12 The applicant will be expected to detail in their operating schedule how they will prevent crime and disorder on and close to the premises. Such detail should reflect the licensable activities on offer, location and character of the area, the nature of the premises use and the range of customers likely to use the premises.

These may include, but are not limited to, the following:

- prevention of disorderly conduct and anti-social behaviour
- prevention of underage drinking
- prevention of sales of alcohol to intoxicated customers
- prevention of drunkenness both on and in the vicinity of the premises
- prevention of drug use and drug dealing
- restriction to responsible drinks promotions
- use of safety glass
- inclusion of a wind-down time following alcohol sales period
- adequate seating to discourage “vertical drinking”
- the offer of food and snacks or other entertainment or occupation to discourage persistent drinking

- 17.13 In busier premises the Licensing Authority would usually expect to see a short (e.g.30 mins) ‘wind down’ or ‘drinking up’ period allowed for after the cessation time of entertainment and alcohol sales as this is effective in assisting in a reduction in noise and exuberance of customers before leaving the premises.
- 17.14 Applicants will be expected to seek advice from the Police and the Licensing Authority will give appropriate weight to requests by the Police for premises to be protected by SIA registered door staff subject to the provision of relevant evidence. Where the Licensing Authority determines after consultation with the Police that a premises is one that warrants additional security and monitoring it would expect applicants to include the provision of SIA approved door staff at the premises at appropriate times. Relevant premises are usually those used mainly for drinking alcohol and have later opening hours.
- 17.15 Where appropriate, applicants for licences in the town centre areas providing mainly alcohol, music and dancing would be expected to consider inclusion of a provision of safety glasses to prevent a risk of injury on the rare occasion that a glass may be used as a weapon.
- 17.16 The use of CCTV should be considered where appropriate or on the advice and recommendations of the Police and to a quality and standard approved by the Police for evidential purposes. Licensees will be expected to fully comply with the requirements of the Information Commissioners Office and the Data Protection Act 1998 in respect of any surveillance equipment installed at a premises.
- 17.17 In any application resulting in hearing the sub-committee will consider each application on its individual merits and determine the imposition of conditions that are appropriate to the promotion of the licensing objectives.

Conditions to promote Public Safety

- 17.18 The applicant will be expected to show how the physical safety of persons attending the premises will be protected and to offer any appropriate steps in the operating schedule to promote this.
- 17.19 Such steps will not replace the statutory obligation on the applicant to comply with all relevant legislation under the Health and Safety at Work etc. Act 1973 or under the Regulatory Reform (Fire Safety) Order 2004.

- 17.20 Applicants will be expected to have carried out the necessary risk assessments to ensure safe occupancy levels for the premises. Where a representation from the Fire Authority suggests that for the promotion of the Public Safety objective a maximum occupancy should be applied, the Licensing Authority will consider adding such a limit as a licence condition.
- 17.21 Where appropriate an operating schedule should specify occupancy limits for the following types of licensed premises:
- a) High Volume Vertical Drinking e.g. premises that provide mainly stand up drinking facilities with limited seating/table space and the primary activity is the sale of alcohol
 - b) Nightclubs
 - c) Cinemas
 - d) Theatres
 - e) Other premises where regulated entertainment is likely to attract a large number of people.
 - f) Where conditions of occupancy have arisen due to representations received.

Conditions to promote the Prevention of Public Nuisance

- 17.22 The applicant will be expected to detail any appropriate and proportionate steps to prevent nuisance and disturbance arising from the licensable activities at the premises and from the customers using the premises.
- 17.23 The applicant will be expected to demonstrate that they have considered the following and included steps to prevent public nuisance:
- a) Proximity of local residents to the premises
 - b) Licensable activities proposed and customer base
 - c) Hours and nature of operation
 - d) Risk and Prevention of noise leakage from the premises from equipment, customers and machinery
 - e) Prevention of noise from customers leaving the premises and customer pick up points outside premises and from the Car Park.
 - f) Availability of public transport to and from the premises
 - g) Delivery and collection times and locations.
 - h) Impact of external security or general lighting on residents.
 - i) History of management of and complaints about the premises.
 - j) Applicant's previous success in preventing Public Nuisance.
 - k) Outcomes of discussions with the relevant Responsible Authorities.
 - l) Impact of location, noise and contamination from outside smoking areas on neighbours and other customers
 - m) Collection of litter arising from the premises
- 17.24 Steps to prevent public nuisance may include a range of options including noise limiting devices, sound insulation, wind down periods, acoustic lobbies, management of smoking areas etc.
- 17.25 Steps will differ depending on the individual premises and activities and it is for the applicant to ensure that reasonable, effective and appropriate steps are included within the operating schedule.

Conditions to promote The Protection of Children from Harm

- 17.26 Applicants will be expected to detail any appropriate and proportionate steps to protect children at the premises from any harm. The Licensing Authority recognises the right of licensees (serving alcohol) to allow accompanied children into their premises. The Licensing Authority would not seek to restrict access by children (above that specified in the Act) unless it is necessary for the prevention of physical, moral or psychological harm.
- 17.27 Steps to protect children from harm must be carefully considered for inclusion where:
- a) There is entertainment or services of an adult nature provided.
 - b) There have been previous convictions for under age sales of alcohol.
 - c) There has been a known association with drug taking or dealing.
 - d) There is a significant element of gambling on the premises.
 - e) There is a presumption that children under 18 should not be permitted entry
 - f) such as to nightclubs (apart from when specific events are held for under 18's).
 - g) Outcomes of discussions with relevant Responsible Authorities suggest such steps are applicable.
- 17.28 Nothing in the Licensing Act prevents licensees from excluding children from a licensed premises and no condition can be added to require the admission of children.
- 17.29 Where there are no matters that give rise to concern in respect of children at premises the Licensing Authority would expect to see the relevant box on an application form completed to specify NONE.

18 PERSONAL LICENCES

- 18.1 Any person who wishes to act as a DPS at licensed premises must be in possession of a personal licence issued under the Licensing Act 2003. Any other person may also apply for a personal licence subject to meeting the necessary criteria. The Licensing Authority acknowledges the default grant position for applicants who meet the statutory criteria under the Licensing Act 2003.
- 18.2 The Police will only be consulted where the applicant declares a previous conviction for a relevant offence. A relevant conviction is one that is listed in Schedule 4 of the Licensing Act 2003.
- 18.3 Where a representation is received from the Police the Licensing Authority must hold a hearing unless the Police and the authority agree that it is unnecessary. The application must be rejected if it is considered appropriate for the promotion of the crime prevention objective and granted in any other case.
- 18.4 The Police must give a notice of objection to the Licensing Authority within the statutory 14-day consultation period. The Licensing Authority accepts that there is no discretion to accept a late notification from the Police even if the objection provided evidence that to grant the licence would undermine the crime prevention objective.
- 18.5 The Licensing Authority requires all personal licence holders to advise if there is a change of their name or address in accordance with the Act. All licence holders are advised of this requirement when a licence is granted. Any changes will be updated

and an amended licence will be issued within 20 working days of a notification of change.

- 18.6 The Licensing Authority anticipates that the Magistrates and Crown Courts will take appropriate action in relation to a personal licence where licence holders are convicted of relevant offences in those courts after the grant of a personal licence and notify the Licensing Authority of any action taken in respect of a personal licence.
- 18.7 The Licensing Authority requires personal licence holders to undertake their duty to disclose any convictions for a relevant offence after a personal licence has been granted. The Licensing Authority and/or the Police will take appropriate formal action against the licence holder where subsequent relevant convictions are not declared under that duty.

19 TEMPORARY EVENT NOTICES

- 19.1 The Licensing Act 2003 makes provision for the authorisation of a person (known as a premises user) to provide licensable activities on a temporary basis at unlicensed premises, or to add activities and/or extend the hours of existing activities at a licensed premises. The activities are authorised by the serving of a Temporary Event Notice (TEN) on the Licensing Authority, subject to the notice meeting the proper criteria as detailed under the Act.
- 19.2 Comprehensive planning of events is essential and where there are likely to be impacts on neighbouring residents or businesses as a result of the activities to be authorised by a TEN, the Licensing Authority expects the premises user to have considered any potential impacts and how they may be mitigated.
- 19.3 The Licensing Authority welcomes requests for advice from applicants who wish to provide temporary events to ensure they understand the law relating to such events and to reduce the likelihood of objections being made.
- 19.4 There are two types of TEN, Standard or Late. Both are subject to a numerical limit on the number of each type of TEN that can be served by personal licence holders and non-personal licence holders in a calendar year. There is also a numerical limitation on the number of TENs that may be served in respect of individual premises or place.
- 19.5 Standard TEN. A standard TEN must be served at least 10 working days (Monday to Friday excluding Bank Holidays) before the event commences. The 10 working days excludes the day of service and the day on which the event starts. Copies of the TEN must be served on the Licensing Authority, The Environmental Health (EH) Department, and the Police. The fee is payable only to the Licensing Authority. Applicants are encouraged to serve TENs at least 28 days before the proposed events to allow greater time for an event to be planned.
- 19.6 Where numerical limits are exceeded the Licensing Authority will serve a counter notice and the proposed licensable activities will not be authorised.
- 19.7 Where objections are received from the Police and/or EH and not withdrawn, the notice will be referred for a hearing before the Licensing Sub-Committee. The Sub-Committee may approve the TEN as applied for, add appropriate conditions (if the TEN takes place on a premises with an existing premises licence) or reject a TEN by serving a counter notice.

- 19.8 Late TEN. A late TEN may be served between 9 and 5 working days before a proposed event commences. The same limitations apply to the day the notice was served and the day of the event. Where numerical limits are exceeded a counter notice will be served and the proposed licensable activities will not be authorised.
- 19.9 If the late TEN is served with fewer than 5 working days' notice it is deemed invalid and would be rejected. The proposed activities would not be authorised. The Licensing Authority has no discretion to accept TENs outside the permitted statutory deadlines.
- 19.10 Where valid representations are received from the Police or Environmental Health in respect of a late TEN, the TEN will be rejected and proposed activities will be unauthorised. A refund of the fee will not be made.
- 19.11 The Licensing Authority will take the appropriate action where there is evidence that licensable activities have been provided without the authorisation of a TEN.
- 19.12 It should be noted that if a TEN has been processed and is no longer required the fee will not be refunded as the Licensing Authority has already carried out its obligations.

20 OTHER RELEVANT MATTERS

Adult entertainment

- 20.1 The Licensing Authority has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and premises offering regular entertainment of a sexual nature must be licensed as a sex establishment under those provisions.
- 20.2 The Licensing Authority acknowledges that exemptions under the above legislation do allow sexual entertainment to be provided at premises licensed under the Licensing Act 2003, as long as it is provided on no more than 11 occasions within 12 months and with at least 1 month between each occasion. Those infrequent events will be regulated by the licence granted under the Licensing Act 2003 where that licence authorises performances of dance and where the original application specified that such adult entertainment was proposed to be provided.

Gaming machines in licensed premises - Automatic entitlement

- 20.3 There is provision in the Gambling Act 2005 (GA2005) for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines of category C and/or D. The premises licence holder merely needs to notify this Licensing Authority and pay the prescribed fee.
- 20.4 This authority can remove the automatic authorisation in respect of any premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives (under the GA2005);
 - gaming has taken place on the premises that breaches a condition of section 282 of the GA2005 (for example, the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines);
 - the premises are mainly used for gaming; or
 - an offence under the GA2005 has been committed on the premises.

Gaming Machine Permit

- 20.5 If a premises wishes to have more than two machines of categories C and/or D, then it needs to apply for a permit and this authority will consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under section 25 of the Act, and such matters as officers consider relevant.
- 20.6 In determining such matters, consideration will be given to all the objectives but particularly the need to protect children from harm and to the need to protect vulnerable persons from harm or being exploited by gambling. The applicant will be required to satisfy the authority that there will be sufficient measures to ensure that minors do not have access to the adult only gaming machines.
- 20.7 Measures to satisfy the authority relate to restricting access to age restricted machines and adult machines being in sight of the bar, or in sight of staff who will monitor that the machines are not being used by minors. Notices and signage should also be displayed to this effect. Applicants may consider the provision of information leaflets and helpline numbers for organisations such as GamCare to demonstrate their responsibility in the protection of vulnerable persons and compliance with Codes of Practice issued by the Gambling Commission.

Gambling in alcohol 'On' licensed premises

- 20.8 Exempt gaming is equal chance gaming that is generally permissible in any club or alcohol licensed premises. Equal chance gaming includes games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker. Such gaming should be ancillary to the purposes of the premises.
- 20.9 This exemption is automatically available to all clubs or alcohol licensed premises but is subject to statutory stakes and prize limits determined by the Secretary of State. Licensees are encouraged to seek advice from the Gambling Commission at www.gamblingcommission.gov.uk or this Licensing Authority before providing any forms of gambling at alcohol licensed premises. Such arrangements should also be compliant with current smoke-free legislation.

Smoking outside premises

- 20.10 Licensees should consider appropriate arrangements for customers who wish to smoke outside the premises in an effort to ensure that any unlicensed pavement area are not also used as an allocated smoking area. This is to prevent nuisance and potential health harms to any non-smokers who may use the area.

21 INFORMATION

- 21.1 In order to ensure that applicants and persons who make representations have the necessary information to be able to do so, information is available on the Swale Borough Council website www.swale.gov.uk or by contacting the licensing team by email: licensing@swale.gov.uk or by telephone on 01795 417286

APPENDIX A

Swale is a local government district with borough status in Kent, England and is bounded by Medway to the west, Canterbury to the east, Ashford to the south and Maidstone to the south west.

Swale is the bridging point between north and east Kent, named after the narrow channel of tidal water between mainland Kent and the Isle of Sheppey. It is a Borough of some 140,800 people who primarily live in its three main towns, Sittingbourne, Faversham and Sheerness

Swale has strong communication links. It is close both to London and mainland Europe and well connected to the national motorway network. The M2 runs east-west across the Borough, providing access to destinations between the Channel Ports and London. Via the A249 there is alternative access along the M20. London is accessible in a little over an hour by high speed rail services. As a coastal Borough, the Port of Sheerness gives access, via its deep water berths, to the largest ships in the world; its imports distributed to all corners of the UK. Swale is also within easy reach of other major Kent centres - Canterbury, Ashford, Maidstone and the Medway Towns.

Sittingbourne (population 54,400) is the main town, acting as a population, employment and service centre for the Borough. These functions and the town's present day character have their roots in past travellers and pilgrims and the industries that settled there. It is a product of its location on the London-Dover road and at the head of an inlet of the Swale, Milton Creek.

A unique feature within Kent is the Isle of Sheppey, separated from the mainland by the Swale. Its main town is Sheerness (population 13,250). It owes much of its distinctiveness to its role as a traditional seaside town and the past and present industries that established there, particularly the former naval dockyard and the current Port facility. The town centre functions as the main shopping and service centre for the Island's residents and visitors.

Faversham (population 21,000) is an attractive and historic small market town at the centre of a rich farming hinterland. Faversham and Oare are located at the head of two creeks and surrounded by attractive countryside. The town is best known for its continued links with brewing and food. This and the town's industrial and maritime heritage produce its present day character - an outstanding range of historic buildings, streets and waterways and a town centre with a strong independent retail and service sector.

Outside the towns, from Hartlip in the west to Dunkirk in the east, Sheldwich in the south to Shellness in the north, are the Borough's extensive rural areas. There is a great diversity of settlements and landscapes, many of great charm and character. Larger villages along the main transport routes like Newington, Teynham and Boughton have a range of local facilities and services. Away from the main routes are smaller, more isolated settlements and hamlets like Conyer, Warden and Throwley Forstal.

Appendix B

Contact details of Local Authority Licensing Department as at

Licensing Department,
Swale Borough Council
East Street
Sittingbourne
Kent
ME10 3HT

Phone: 01795 417286

Email: licensing@swale.gov.uk

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Appendix C

A copy of the application and plan will need to be submitted to each of the following Authorities	
Licensing Department, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent, ME10 3HT licensing@swale.gov.uk	Planning Department, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent, ME10 3HT PlanningApplications@Swale.gov.uk
Environmental Health, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent, ME10 3HT EHAdmin@MidKent.gov.uk	Licensing Co-ordinator, North Division, Medway Police Station, Purser Way, Gillingham, Kent ME7 1NE licensing.north.division@kent.police.uk
Maidstone Group Fire Safety Office, Maidstone Fire Station, Loose Road, Maidstone, ME15 9QB BuildingSafety.Canterbury@kent.fire-uk.org	Child Protection Agency, Brenchley House, County Hall, Maidstone, Kent, ME14 1RF
Kent County Council, Trading Standards, 1st Floor, Invicta House, County Hall, Maidstone, ME14 1XX trading.standards@kent.gov.uk	Public Health, Kent County Council, Room 3.45, Sessions House, County Road, Maidstone Kent ME14 1XQ phbusinesssupport@kent.gov.uk

Appendix D

References to guides of best practice

Revised guidance issued under section 182 of Licensing Act 2003

www.gov.uk/government/publications/explanatory-memorandum-revised-guidanceissued-under-s-182-of-licensing-act-2003

Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by Institute of Acoustics

www.ioa.org.uk

Good Practice Guide: Licensing published jointly by the Justices' Clerks' Society and the Magistrates' Association (April 1999)

www.magistrates-association.org.uk

Code Of Practice And Guidance Notes On Noise Control For Concerts And Outdoor Events

www.cieh.org/policy/noise_council_environmental_noise.html

Swale Borough Council Event Planning

www.swale.gov.uk/guide-for-event-organisers/

The National Alcohol Harm Reduction Strategy Toolkit

www.alcoholconcern.org.uk

The Point of Sale Promotions published by BBPA

www.beerandpub.com

Public Places Charter

www.ash.org.uk

National Pubwatch

www.nationalpubwatch.org.uk

Appendix E**Contact details and useful addresses (e.g. Chamber of Trade, BBPA, BII, SIA etc.)**

SIA PO Box 74957 London E14 1UG Website: www.the-sia.org.uk Tel: 0300 123 9298 Contact Us Form	Disclosure and Barring Service (DBS) Customer services PO Box 165 Liverpool L69 3JD Information line: 0300 0200 190 Website: DBS Update Service - GOV.UK
British Beer & Pub Association 61 Queen Street London EC4R 1EB Tel: 020 7627 9173 contact@beerandpub.com Press Office: 020 7627 9199	British Institute of Inn keeping (BII) Sentinel House, Ancells Business Park, Harvest Crescent, Fleet, GU51 2UZ Tel: 01276 684 449 www.bii.org Email: reception@bii.org

Appendix F - Recommended delegation of functions as per S182 of the guidance

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for a personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	If no objection made
Request to be removed as a designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	If no objection made
Application for interim authorities		If a police objection	If no objection made
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc.			All cases
Decision to object when Local Authority is a consultee and not the relevant authority considering the application		All cases	
Determination of an objection to a temporary event notice		All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition		If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application			All cases
Determination of a minor variation			All cases

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Full Council	
Meeting Date	10 th December 2025
Report Title	Local Plan Review – Regulation 18 Consultation Launch
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Place
Lead Officer	Natalie Earl, Planning Manager (Policy)
Classification	Open
Recommendations	1. To approve the draft Local Plan Regulation 18 document in Appendix I and the draft Sustainability Appraisal Scoping Report Update in Appendix III for consultation purposes. 2. To delegate to the Head of Planning, in consultation with the Planning and Transportation Policy Working Group Chair, the making of minor amendments and corrections to the Local Plan Regulation 18 document prior to the start of the consultation period.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the background to the recommendations made by both the Planning and Transportation Policy Working Group (PTPWG) during its meeting on 4th November 2025 and the Policy and Resources Committee (P&R) on 18th November 2025 with regard to the draft Local Plan Regulation 18 (Reg 18) document and the draft Sustainability Appraisal Scoping Report Update.
- 1.2 The purpose of those reports was to present the draft Reg 18 Local Plan and the refreshed Sustainability Appraisal Scoping Report. The officer recommendation at both meetings was to recommend both documents for approval for consultation purposes.
- 1.3 Members discussed the reports at both the PTPWG meeting on 4th November 2025 and at P&R on 18th November 2025 and at both meetings, voted unanimously in favour of recommending that consultation be launched, with delegation to the Head of Service, in consultation with the PTPWG Chair, to make any minor amendments and corrections to the document prior to the start of the consultation period.
- 1.4 This will be a formal Reg 18 consultation that seeks feedback from stakeholders and the public to a series of questions about the draft Local Plan's vision, objectives and draft Development Management (DM) policies.

2 Background

- 2.1 The PTPWG report set out the recent history of the progress of the Local Plan and the relevant decisions that have been taken. It explained why the Council is intending to consult on a Reg 18 Local Plan now and set out the structure of the document, describing how and why the policies had been drafted. The Sustainability Appraisal Scoping Report refresh was outlined and the importance of the Local Plan timeline in relation to previous member decisions was reinforced. Finally, plans for the consultation process were set out.
- 2.2 A list of all the policies within the draft Reg 18 Local Plan is set out in Appendix II.
- 2.3 A full list of the comments made and changes proposed at PTPWG is included at Appendix IV alongside the officers' response and a full list of the comments made and changes proposed at P&R is included at Appendix V alongside the officers' response.
- 2.4 At Full Council on 19th November 2025 a mental health crisis in Swale was declared. The Vice Chair of PTPWG agreed it was important to reference this in the Reg 18 Local Plan, in the section which sets out the key issues and challenges facing Swale. Additional wording to reflect the parts of the declaration relevant to the Local Plan has been added after paragraph 3.2.52 under a new sub-heading of 'Health' in the Reg 18 Local Plan at Appendix I. The wording added is *'The Council declared a mental health crisis in Swale at a meeting of Full Council on 19th November 2025. Among a wider list of actions, the Council resolved to two actions which relate to the Local Plan:*
- 1. Declare a mental health crisis in Swale; and*
 - 2. Called on central government and Kent and Medway NHS and Social Care Trust to urgently improve the doctor to patient ratio in Swale and to ensure better access to mental health services at the point of need.'*
- 2.5 At the next stage of the Local Plan, the Regulation 19, there will be a Strategic Health policy and this policy will link actions and projects within the Local Plan to the declaration.

3 Proposals

- 3.1 To approve the draft Local Plan Regulation 18 document in Appendix I and the draft Sustainability Appraisal Scoping Report Update in Appendix III for consultation purposes.
- 3.2 To delegate to the Head of Planning, in consultation with the Planning and Transportation Policy Working Group Chair, the making of minor amendments and corrections to the Local Plan Regulation 18 document prior to the start of the consultation period.

4 Alternative Options Considered and Rejected

- 4.1 There are a number of alternative options for progressing the Local Plan which have been considered. These are set out and assessed in the Planning and Transportation Policy Working Group report of 4th November 2025.
- 4.2 The Council could choose not to progress with a Local Plan review and not to publish the Reg 18 Local Plan. This would be contrary to central government expectations, and to the Council’s Corporate Plan objective to “progress a Local Plan with local needs and capacity at its heart.”
- 4.3 The Council could choose not to include some, or all, of the five substantially updated policies in the climate change chapter and to only lightly update existing policies. However, they will assist the Council to meet the aims of its Climate and Ecological Emergency, so this option is not recommended.
- 4.4 The Council could choose to produce fewer development management policies and to rely more heavily on policies within the National Planning Policy Framework. However, this does not allow for locally distinct policies that reflect the challenges and unique character of Swale, and is therefore not recommended.

5 Consultation Undertaken or Proposed

- 5.1 All formal stages of a Local Plan go through statutory consultation with the public, Parish/Town Councils, Statutory and Non-Statutory Consultees and local interest groups. Details of this can be seen in the draft Statement of Community Involvement.
- 5.2 The consultation programme will include press releases, a presentation to the Local Parish Councils’ Liaison Forum, articles in Inside Swale, Swale’s business newsletter, the Swale Green Grid newsletter, social media videos and FAQs.

6 Implications

Issue	Implications
Corporate Plan	The Local Plan supports the delivery of all of the Corporate Plan priorities: • Community • Economy • Environment • Health and housing • Running the Council The Plan contains a specific objective to ‘progress a Local Plan with local needs and capacity at its heart.’

Financial, Resource and Property	The Local Plan work programme is fully funded across a combination of base budget, committed reserves and a contribution from the government's Local Plans Delivery Fund.
Legal, Statutory and Procurement	Preparation of a Local Plan is carried out under a national legislative and regulatory framework. Due to Swale's unique circumstances with the Highsted Inquiry, officers obtained legal advice on the robustness of the proposed approach in terms of both the content of the proposed Reg 18 and the timings. No concerns were raised.
Crime and Disorder	There are no direct crime and disorder impacts arising from this report. There will be policies within the Local Plan that will positively affect crime and disorder within Swale.
Environment and Climate/Ecological Emergency	The Local Plan will be supported by its own Sustainability Appraisal and Habitats Regulation Assessment at each key stage in decision making and these assess the environmental impact of the Local Plan as a whole. Five expanded and innovative climate change policies are proposed on: • Sustainable design and adaptation principles, • Net zero operational carbon in new build residential development, • Net zero operational carbon in new build non-domestic development, • Embodied carbon and waste and • Renewable energy development and infrastructure.
Health and Wellbeing	There are no direct health and wellbeing impacts arising from this report. There will be policies within the Local Plan that will positively affect the health and wellbeing of local residents. The recently declared Mental Health emergency has been referred to within the Reg 18 Local Plan.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	There is a risk to the Council of not having a Local Plan as set out in section 4 of the 'Local Plan Review - Timetabling and Way Forward' report to Planning and Transportation Policy Working Group on 15 th July 2025.
Equality and Diversity	None identified at this stage, although the Local Plan Review itself will be subject to equality impact assessment at the next stage – Reg 19.
Privacy and Data Protection	Representations will be processed and published in line with the council's privacy and data protection policy.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:

Appendix I: Draft Regulation 18 Local Plan

Appendix II: Table I: List of Draft Regulation 18 Local Plan Policies

Appendix III: Draft Sustainability Appraisal Scoping Report Update, October 2025

Appendix IV: Table of Comments Made and Changes Requested at PTPWG 4th November 2025

Appendix V: Table of Comments Made and Changes Requested at P&R 18th November 2025

8 Background Papers

[Planning and Transportation Working Group Report - Local Plan Review: Regulation 18 Consultation Launch](#), 4th November 2025

[Policy and Resources Committee Report - Local Plan Review: Regulation 18 Consultation Launch 18th November 2025](#)

[PTPWG Report - Local Plan Review: Timetabling and Way Forward](#) 15th July 2025

[Draft Statement of Community Involvement](#)

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Swale Borough Council

Local Plan Review (Regulation 18)



January 2026

Swale Borough Council, Local Plan Review (Regulation 18) January 2026

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1 Introduction

1.1 What is a Local Plan?

1.1.1 The Local Plan is a document that addresses the needs and opportunities of an area and guides decisions of future developments. The Local Plan includes policies on housing, employment, the natural and historic environment and infrastructure. It also identifies areas where development should take place and areas where development should be restricted. The Local Plan must be in accordance with the [National Planning Policy Framework](#) ¹(NPPF). The NPPF is a land-use planning policy set by central government and are the overarching guidelines a Local Plan must adhere to.

1.1.2 Once a Local Plan is adopted, it will form part of the 'development plan' for the borough which means it will legally be the main consideration in deciding planning applications. The emerging Local Plan will replace the existing Local Plan, Bearing Fruits 2017. However, unimplemented development land allocations from Bearing Fruits will roll forward to meet the development needs of the borough for the plan period.

1.1.3 [Kent County Council's Minerals and Waste Local Plan](#) ² will continue to provide the policy framework for waste and minerals and all Supplementary Planning Documents (SPD) will roll forward as they will relate to the parent policy in this plan once approved. The made [Faversham Neighbourhood Plan](#) ³and [Boughton and Dunkirk Neighbourhood Plan](#) ⁴ and any further Neighbourhood Plans prepared by town and parish councils will also make up the 'statutory development plan' and will have an important status in determining future planning applications in the area.

1.1.4 All policies in this Regulation 18 document are draft until the Local Plan is adopted by the Council after it's Examination in Public.

How is a Local Plan prepared?

1.1.5 Local Plan preparation follows a process set out by central government. Local Plans must be informed by evidence and engagement with communities and stakeholders to identify issues and potential options for addressing them. The process on how to prepare a Local Plan can be found [here](#)⁵. The Council has undertaken previous stages of Local Plan consultation and the issues raised have informed this document and helped shape the priorities and vision.

1.2 What has happened so far?

Previous Local Plan Stages/Consultations

1.2.1 There have been several stages of consultation on the emerging Local Plan since Bearing Fruits was adopted.

1 The Swale New Garden Communities Prospectus April 2018

1.2.2 Similar to now, the Council understood that Swale was facing considerable challenges as to how it could plan for the significant levels of new homes that it was expected to provide and asked landowners and developers to submit proposals for new communities to see if this option showed potential for the next Local Plan. The Prospectus explained:

- 1 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
- 2 <https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/planning-policies/minerals-and-waste-planning-policy/kent-minerals-and-waste-local-plan-kmwlp>
- 3 <https://swale.gov.uk/planning-and-regeneration/local-plans/neighbourhood-planning/faversham#h2>
- 4 <https://swale.gov.uk/planning-and-regeneration/local-plans/neighbourhood-planning/boughton-under-blean-and-dunkirk#h2>
- 5 <https://www.townplanning.info/town-planning-in-england/development-plans/local-plan-preparation-and-process-guide/>

- what a 'garden' community is; and
- what we expected to see included within any submission.

1.2.3 The Prospectus invited landowners to submit sites for consideration. Four submissions were received and assessed.

1.2.4 The technical assessments that were undertaken showed no absolute barriers to progression for three of the submissions (Land at Bobbing, SE Faversham and SE Sittingbourne) but identified issues of varying complexity and severity which required further work and consideration of potential mitigations which could be explored through the Issues and Options consultation and through further work with the potential developers. At that stage it was agreed to keep all of the growth options open.

1.2.5 The findings of these assessments were fed into the Issues and Options document 'Looking Ahead' and stakeholders views were asked on the concept of new settlements and if Swale should consider the opportunities offered by them.

1.2.6 For further information on the schemes submitted and the assessments of them please see the [Strategic Development Options](#) webpage ⁶.

2 Looking Ahead April 2018

1.2.7 The Council published a consultation and engagement document called 'Looking Ahead' to give stakeholders an early opportunity to shape the scope and content of the next Local Plan. Looking Ahead gave the Council a chance to gather opinions and gauge the wider appetite for certain approaches that could be further considered to provide for new development needs.

1.2.8 Respondents were asked for their views on a wide variety of topics including:

- the analysis of Swale's strengths, weaknesses, opportunities and threats;
- where should Swale be locating the next generation of employment sites;
- the future of Swale's town centres;
- the approach to housing numbers;
- the required mix of new dwellings;
- what approach should Swale be considering to make further site provision for Gypsies and Travellers?
- what did stakeholders consider the broad social and physical infrastructure priorities should be for Swale in the coming years?
- mitigating impacts of climate change.

1.2.9 The responses were analysed and reported and helped to focus the Council on the community and stakeholder priorities with recommendations on how said issues could be addressed in the draft submission plan (Regulation 19) which would seek to include a longer term vision for any strategic sites (as required by the July 2021 version of the NPPF.) It also included a suite of policies and proposals that sought to address the impacts of Covid-19 and Brexit on the economy and our town centres.

1.2.10 Consultation on a draft Sustainability Appraisal Scoping Report was also carried out in 2018, to determine how the environmental, social and economic impacts of a future Local Plan would be assessed.

3 Swale Borough Local Plan Review (Regulation 19) Pre-submission Consultation February to April 2021

1.2.11 This was a [statutory consultation](#) ⁷ during which the Council specifically sought comments on the Plan's soundness and whether we had complied with legal requirements.

1.2.12 The Local Plan Review contained policies to support other key Council objectives and previous consultation responses, including:

⁶ <https://swale.gov.uk/planning-and-regeneration/local-plans/development-options>

⁷ <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/public-consultation>

- addressing climate change;
- improving health and wellbeing;
- the provision of affordable housing in all parts of the borough;
- supporting the provision of homes for older people and those with mobility issues; and
- development on small and medium sites in recognition of the important role SME builders make to housing delivery in the borough.

1.2.13 The pre-ambles to the Development Management policies from this document have been refreshed and updated for this Regulation 18 document using new national guidance and comments received to the consultation from stakeholders and the public.

4 Issues and Preferred Options consultation (Regulation 18) Oct/Nov 2021

1.2.14 The reasons for carrying out this further consultation⁷ were to seek additional views on the options for a development strategy in light of the recently revised NPPF, and to set out potential approaches to address the challenges that faced the borough following the covid pandemic and Brexit.

1.2.15 Through the Issues and Preferred Options consultation, Swale sought views on different options for distributing future development across the borough and on possible alternative or additional approaches in certain policy areas, such as town centres and economic development, climate change and providing new homes.

1.2.16 It was accompanied by an Interim Sustainability Appraisal (October 2021) which provided the evidence to inform, and the framework to test and develop, options ultimately helping to deliver a more sustainable strategy. The aim was to ensure that the Local Plan contributes to the achievement of sustainable development.

1.2.17 This document, and the consultation responses received at that stage, have fed into this Regulation 18 document. Responses to the key issues and challenges and the responses received to the questions asked about policy issues (Climate change, Place shaping/design, protecting and enhancing environment and heritage, New Homes, Economy and town centres) have helped to shape the DM policies.

1.2.18 The comments made on development options in the Issues and Preferred Options will be fed into the next stage of plan making (Regulation 19.)

1.2.19 It may appear unusual that the Council are repeating certain stages of plan making, however this is not uncommon. As circumstances and legislation changes, legally the Council need to allow stakeholders a renewed chance to comment on updated text and policies.

1.2.20 For why we are doing a new Regulation 18 now, please go to the section 1.4 below.

1.2.21 During this period the [Boughton and Dunkirk Neighbourhood Plan](#)⁸ was 'made' in February 2023 and the [Faversham Neighbourhood Plan](#)⁹ in December 2024. A large suite of evidence base documents have been undertaken, and some are still ongoing, and can be viewed at: [Local Plan Review - Evidence](#)¹⁰.

1.2.22 Since the last stage of consultation, work has been undertaken on a wide range of evidence base documents which will be used to inform the Local Plan. They can be seen at [Local Plan Evidence Base](#)

1.3 Neighbourhood Plans

1.3.1 [The Localism Act 2011](#)¹¹ introduced rights and powers that allow local communities to shape new developments within their area by coming together to prepare a neighbourhood plan. These Plans can be

8 <https://swale.gov.uk/planning-and-regeneration/local-plans/neighbourhood-planning/boughton-under-blean-and-dunkirk#h2>

9 <https://swale.gov.uk/planning-and-regeneration/local-plans/neighbourhood-planning/faversham#h2>

10 <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence#h2>

11 <https://www.legislation.gov.uk/ukpga/2011/20>

prepared by Town and Parish Councils or 'neighbourhood forums', which are community groups intended to undertake neighbourhood planning in areas without parishes. Such forums apply to the local planning authority for appropriate recognition to take the lead of a Neighbourhood Plan.

1.3.2 The criteria for establishing neighbourhood forums are intended to encourage new and existing residents' organisations, voluntary and community groups to put themselves forward. These groups can use neighbourhood planning powers to establish general planning policies for the development and use of land in a neighbourhood. These are described legally as 'neighbourhood development plans.'

1.3.3 Communities can also use neighbourhood planning to permit the development they want to see - in full or in outline – without the need for planning applications. These are called 'neighbourhood development orders.'

1.3.4 The Local Plan will continue to set the strategic context within which neighbourhood development plans sit.

1.3.5 A neighbourhood plan puts in place planning policy for a neighbourhood area to guide future development. A neighbourhood plan is about the use and development of land and may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development.

1.3.6 It can deal with a wide range of social, economic and environmental issues (such as housing, employment, design, heritage and transport) or it may focus on one or two issues only. It can specify policies and guidance on how new development should be designed, orientated and located. Neighbourhood plans can be a powerful tool in shaping the development of a neighbourhood.

1.3.7 Neighbourhood Plans also have to meet a number of 'basic conditions' before they can be put to a community referendum and legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations (e.g. national policy). The conditions are that:

1. they must be in general conformity with local (Swale Local Plan and associated guidance) and national planning policies (NPPF);
2. they must be compatible with European obligations and human rights requirements; and
3. they must contribute to the achievement of sustainable development.

1.3.8 If the local planning authority says that an area needs to grow, then communities cannot use neighbourhood planning to block the building of new homes and businesses.

1.3.9 An independent qualified person will check that a neighbourhood development plan or order appropriately meets the conditions before it can be voted on in a local referendum. This is to make sure that referendums only take place when proposals are workable and of a decent quality. Neighbourhood development plans or orders do not take effect unless there is a majority of support - more than 50% - in a referendum of the neighbourhood. If proposals pass the referendum, the local planning authority is under a legal duty to bring them into force.

1.3.10 Currently, Swale has five designated neighbourhood plan areas, these are:

- Faversham;
- Boughton-Under-Blean and Dunkirk;
- Minster;
- Hernhill; and
- Borden.

1.3.11 Two Neighbourhood Plans are 'Made' (Adopted). The [Localism Act 2011 considers Neighbourhood Development Plans as 'made'](#) ¹² when completed. Boughton and Dunkirk Neighbourhood Plan made in February 2023 and Faversham Neighbourhood Plan made in December 2024.

1.3.12 For further guidance on how to undertake a Neighbourhood Plan please visit [Neighbourhood Planning Guide](#).¹³

1.4 Why we are consulting on a Regulation 18

Why the Local Plan is being reviewed

1.4.1 Swale's current Local Plan, Bearing Fruits was adopted in July 2017, [adopted Local Plan, Bearing Fruits](#)¹⁴ and has a plan period of 2014 to 2031. It is a requirement for Local Plans to be reviewed every five years and for Local Plans to have a lifespan of 15 years from adoption. This review covers the period 2022 to 2042. This is because the Local Plan must cover 15 years post adoption, which will be in 2027.

1.4.2 Swale Borough Council began reviewing its adopted Local Plan soon after adoption in 2017 to:

- deliver the spatial priorities and objectives of the Swale Borough Corporate Plan, the current version (2023- 2027) of which reflects the Council's declaration of a climate and ecological emergency in June 2019;
- address changes to national planning policy and guidance since the adoption of Bearing Fruits, including the requirement to review Local Plans at least once every 5 years (introduced in April 2018);
- extend the plan period to ensure that there will be an appropriate time horizon for strategic policies as recommended in the NPPF in order to anticipate and respond to long term requirements and opportunities;
- fulfil the Council's commitment in Bearing Fruits to undertaking an early review of its Local Plan to address local transport issues; and
- provide for additional new housing, employment and other development that is required to meet future needs.
- Since the last Reg 19 consultation in Spring 2021 and the Reg 18 consultation in Autumn 2021, a number of pieces of relevant legislation and documents have been updated and this has led the Council to decide to undertake a new Reg 18 consultation:
 - The NPPF was updated in 2024 so a new Reg 18 allows Swale to reflect this, and any updates to the PPGs, within the Local Plan;
 - A number of new evidence base documents have been undertaken so their findings can be reflected within the Local Plan; and
 - The Swale Climate and Ecological Emergency action plans have been updated, a new Swale Affordable Housing Emergency was declared in April 2024 and the Council signed the Town and Country Planning Association's 'Healthy Homes' pledge in May 2024.

1.4.3 As part of that process four stages of consultation have been undertaken. They are set out in section 1.2 'What has happened so far?' above.

1.4.4 The Council has decided to undertake a Reg 18 consultation now for several reasons, in addition to those outlined above. To:

- Allow Swale to set out a vision (excluding strategic policies or allocations) for housing, the economy, the environment, infrastructure, at the earliest stage of plan making;
- Enable Swale to reflect local issues and priorities within the Development Management Policies;

¹³ <https://neighbourhoodplanning.org/>

¹⁴ services.swale.gov.uk/media/files/localplan/adoptedlocalplanfinalwebversion.pdf

1 Introduction

- Provide an early opportunity for the public and stakeholders to engage with elements of the Local Plan; and
- Allow the Local Plan to be submitted under the transition window and under the current planning system.
¹⁵This will allow the current evidence base to be used and will deliver a Local Plan as early as possible. This is important because there are risks in not having an up to date Local Plan.

1.4.5 Strategic Policies will be set out at the next stage of Local Plan drafting, Regulation 19. These typically provide the high-level, long-term planning principles that guide development, setting out the key principles for growth.

1.4.6 As part of this process, Swale agreed a new Local Development Scheme (LDS) on 30th July 2025. This is the timetable of what documents the Council will produce and when.

Local Plan Stage	Date
Publication of Regulation 18	January to February 2026
Publication of submission draft (Reg 19)	July to September 2026
Submission of Plan for Examination (with results of the public consultation) Reg 22	October to December 2026
Examination hearing sessions (Reg 24) *	April to June 2027
Main modifications consultation *	July to September 2027
Adoption, Full Council (Regulation 26) *	October to December 2027

Table 1.4.1 Local Development Scheme

*Dates reliant on availability of the Planning Inspectorate

1.4.7 A key factor in amending the LDS was that at the Highsted Planning Inquiry [Highsted Park Planning Inquiry](#) ¹⁶ on 12th June 2025 the Inspector advised that the Inquiry would need to sit for a further 2 weeks. These weeks could not be accommodated before the very end of October 2025. This was a significant delay compared with the previous end date of 29th July and meant that previous member decisions related to the nature and timing of the Local Plan consultation were no longer all workable.

1.4.8 Waiting for the Highsted decision before any further public engagement on the Local Plan was not an option the Council wished to take.

1.4.9 Important Caveat - the Highsted Inquiry decision date is speculative and outside of Swale's control. The Inspector will prepare a report with findings and recommendations and then the Secretary of State for Housing, Communities and Local Government will make the final decision based on the Inspector's report.

1.5 How to comment

1.5.1 This consultation document and its supporting documents can be found on the Council's [website](#) ¹⁷. Copies of the Regulation 18 document only are also available to view in local libraries across Swale.

¹⁵ The 2024 National Planning Policy Framework (NPPF) put in place transitional arrangements to support progress of advanced plans in line with the Government's objective of achieving ambitious Local Plans as quickly as possible. Plans that are submitted by December 2026 can be prepared against the current plan making legislation/guidance (the 'transition window'). This new approach allows Swale to ensure the next Local Plan is adopted within the transition window.

¹⁶ <https://news.swale.gov.uk/campaigns/highsted-park-planning-inquiry>

¹⁷ <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/local-plan-review#h2>

1.5.2 There are questions throughout the document for you to answer and we would like to hear your views. You are not required to comment on all the questions in the document and you can complete as many questions as you would like to.

1.5.3 You can respond to this consultation in the following ways:

- by submitting your comments online using the Planning Policy consultation portal: <https://swale-consult.objective.co.uk/kse/>
- by email to Lpcomments@swale.gov.uk or in writing to Planning Policy, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent, ME10 3HT. If you prefer to make comments by email or letter, please reference specific questions in your response. Please submit your comments in advance of the closing date.

1.5.4 To submit your comments via the Planning Policy consultation portal you must first log into the system. If you have not used the consultation portal before you will need to register first. If you have made comments to any of our previous consultations via the consultation portal you do not need to register again, you can submit comments via the consultation portal using your username and password.

1.5.5 You only need to register as an 'Agent' if you are a planning agent i.e. a planning professional submitting comments on behalf of a landowner or stakeholder. Agents need to register for each client, adding the client details alongside your account details where prompted.

1.5.6 If you have any questions about using the consultation portal, please refer to our Frequently Asked Questions [\[INSERT LINK BEFORE PUBLICATION\]](#), where you will find answers to some of the most commonly asked questions.

1.5.7 If you need any assistance with the Regulation 18 consultation document or the Local Plan in general, you can:

- Call: 01795 417850
- Email: Lpcomments@swale.gov.uk

Consultation period

This consultation is open for six weeks from 12th January 2026 until Monday 23rd February at 5pm. Please submit your comments in advance of the closing date to enable time for them to be carefully considered.

1.6 What happens next

1.6.1 All comments received to this consultation will be carefully considered and will inform the preparation of the next stage of the Local Plan: Pre-Submission Draft Local Plan (Reg 19.) It is anticipated that the Council will consult on this stage of the Local Plan in Summer 2026.

1.6.2 The Council has published an updated timetable, known as the Local Development Scheme (LDS), for reviewing the Local Plan which is outlined below:

Local Plan Timetable	
Vision, objectives and development management policies (Regulation 18 consultation)	January to February 2026
Pre-Submission Draft Local Plan (Regulation 19 consultation)	July to September 2026
Submission of Local Plan to Secretary of State (Regulation 22)	October to December 2026
Examination hearing sessions (Regulation 24) *	April to June 2027
Main modifications to the Local Plan consultation	July to September 2027

Adoption of the Local Plan (Regulation 26) *	October to December 2027
* Indicative time frames as final dates will be dependent on the availability of the Planning Inspectorate.	

Table 1.6.1 Local Plan Timetable

1.6.3 Further details of the Local Plan timetable are set out in the Councils Local Development Scheme which can be viewed at: [Local Development Scheme](#)¹⁸

Question 1

Do you have any comments on section 1 of the draft Local Plan which will inform the Plan's progression?

2 What has influenced the development of the Local Plan

2.1 National Planning Policy and Guidance

2.1.1 [The National Planning Policy Framework](#) (NPPF)¹⁹ provides the Government's policies on planning and a framework for preparing Local Plans. The planning system is plan-led and there is a requirement for Planning Authorities to prepare Local Plans to address development priorities and use of land in their area.

2.1.2 Local Plans should make provision for housing and other development in a sustainable manner. One of the soundness tests of a plan is consistency with National Planning Policies in the delivery of sustainable development. Plans should be positively prepared, realistic but aspirational, with the impact on social, economic and environmental change duly considered. Local Plan policies should also be clear on what will or will not be permitted and where.

2.1.3 National Planning Policies provides guidance on key planning issues such as sustainable transport, competitive economy, vitality of town centre, healthy community as well as sufficient supply of homes, well designed places, climate change and conservation and enhancement of the natural, built and historic environment.

2.1.4 The Planning Practice Guidance (PPG) is published online and updated regularly to support the NPPF, expanding on it and providing further guidance on its application. It contains a dedicated section on [Local Plans](#)²⁰ including plan making and the role of plans.

2.1.5 There is a legal obligation for Local Planning Authorities to undertake a Local Plan Review and the NPPF provides guidelines for reviewing adopted plans with an expectation for the revised policies to be underpinned by proportional and relevant up-to-date evidence and the review carried out every five years.

2.1.6 Local Plan Review and Plan Period

2.1.7 Swale's existing Local Plan, Bearing Fruits was adopted in 2017. While it has been over five years since adoption, the NPPF is clear that policies should be prepared over a 15 year period and applications for planning permission should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The review of the Local Plan has been undertaken in line with National Planning Policy and Guidance and in adherence to existing relevant legislation. The new Local Plan will supersede the current adopted Plan - Bearing Fruits 2031: The Swale Borough Local Plan 2017 and will cover a Plan Period extending from 2027 - 2042.

2.2 Engagement

2.2.1 Paragraph 16(c) of the [National Planning Policy Framework](#) (NPPF)²¹ states that plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees. There is also a 'duty to cooperate' legislative requirement built into the plan making process in line with the Localism Act 2011. This requires the Council to engage with neighbouring authorities, strategic partners and other prescribed bodies.

2.2.2 Since the commencement of the preparation of the Swale Local Plan Review, the Council has undertaken a series of consultation and engagement opportunities across all aspects of planning policy with a wide range of stakeholders. This is part of the Council's commitment to cooperating with neighbouring authorities, key organisations and infrastructure providers on cross boundary issues and with the wider public.

19 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

20 <https://www.gov.uk/government/collections/create-or-update-a-local-plan>

21 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

2 What has influenced the development of the Local Plan

2.2.3 The Council's [statement of community involvement](#)²² sets out the requirements and approach towards consultation on the Local Plan. It also contains a list of specific and general consultees to be consulted. This has been duly considered and adhered to by the Council throughout the process of engaging on the plan.

2.2.4 The Council has used different engagement methods including meetings (formal, informal, virtual, 1 to 1 and in-person), consultation, workshops and information sharing. The platforms used for engagement include the Council website, press releases, social media, newsletters and direct contacts with consultees. Necessary documents were also made available for inspection in the Council offices and libraries.

2.2.5 The NPPF in Paragraph 36(c) requires authorities to produce and publish Statements of Common Ground which set out the cross-boundary issues that need to be addressed and detail the progress which has been made in dealing with them. This helps demonstrate that the plan is effective and sound. The Council will continue to engage with neighbouring authorities as the plan making process progresses, statements of common ground will be prepared to document matters on which the Council have engaged and this will be made available on the Council's website.

2.2.6 [The Swale Local Plan Review Statement of Consultation](#)²³ reports on engagement since the commencement of the Local Plan Review, as this is an ongoing process, the document will continuously be updated as the review progresses.

2.2.7 So far, the outcome of engagement on the Local Plan Review has contributed to highlighting and addressing key issues with stakeholders, developing the evidence base documents supporting the plan and ultimately shaping the drafting of policies contained in the plan.

2.3 Other plans and strategies

2.3.1 The Local Plan sets out the vision of the borough over a plan period that extends from 2027 to 2042. It does not sit in isolation and there are a number of other plans and strategies that influence and inform the Local Plan, as well as contribute to shaping development in the borough.

2.3.2 Corporate Plan 2023 - 2027

The Council's [Corporate Plan 2023 - 2027](#)²⁴ sets out the high level objectives and priorities for the Council and it acknowledges the Local Plan as a key tool in delivering those corporate priorities.

Kent Minerals and Waste Plan

The [Kent Minerals and Waste Local Plan 2024-39](#)²⁵ was adopted in March 2025 and is a statutory development plan setting out the vision and strategy for waste management and mineral provision across Kent including Swale. The Plan presents:

1. the overarching strategy and planning policies for mineral extraction, importation and recycling, and the waste management of all waste streams that are generated or managed in Kent; and
2. the spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning.

2.3.3 The plan is accompanied by safeguarding maps identifying safeguarded wharves and rail transportation depots, as well as maps showing safeguarded economic mineral deposits within Kent. There is also a Safeguarding Supplementary Planning Document (SPD) accompanying the plan to aid in understanding how the implementation of planning policies in relation to safeguarded land-won minerals as well as safeguarded mineral and waste management infrastructure.

22 <https://swale.gov.uk/planning-and-regeneration/local-plans/sci>

23 <https://services.swale.gov.uk/assets/Planning%20Policy%202019/Statement%20of%20Consultation.pdf>

24 https://swale.gov.uk/_data/assets/pdf_file/0005/465341/Corporate-Plan-2023-2027-final-adopted-version.pdf

25 <https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/planning-policies/minerals-and-waste-planning-policy/kent-minerals-and-waste-local-plan-kmwlp>

2.3.4 The Kent Biodiversity Strategy 2020 to 2045

The [Kent Nature Partnership Biodiversity Strategy 2020 to 2045](#) ²⁶ is led by Kent Nature Partnership and is a 25 year plan to protect and recover threatened species and enhance the wildlife habitat in Kent setting an environmental net gain ambition in alignment with national planning policy. The strategy sets goals for ecosystems and species in terrestrial habitats, freshwater and intertidal marine habitats, as well as goals to connect people with the natural environment. The Nature Partnership includes the Council, and the ambitions of the strategy are embedded and will be delivered by the Local Plan, as encouraged by [National Planning Policy Framework](#) ²⁷

Swale Borough Council Air Quality Action Plan (2023 - 2028)

2.3.5 The [Air Quality Action Plan](#) ²⁸ sets out the Council's intention to improve Air Quality in the borough. It has been produced as part of the Council's Statutory Duties required by the Local Air Quality Management Framework. It includes key priority themes with actionable measures leading to compliance with the Air Quality Objectives for the AQMA.

2.3.6 Other relevant Plans and Strategies that will help shape development in the borough are shown in [Figure 2.3.1 Other Plans and Strategy](#) below:

26 <https://democracy.kent.gov.uk/documents/s96710/20-00025%20-%20Kent%20Biodiversity%20Strategy%20March%202020.pdf>

27 (NPPF Par 25) https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

28 <https://swale.gov.uk/bins-littering-and-the-environment/air-quality/monitoring>



Figure 2.3.1 Other Plans and Strategy

2.4 Evidence base

2.4.1 An assessment for "soundness" of Local Plans as contained in Paragraph 36(b) of the [National Planning Policy Framework](#)²⁹ (NPPF) is whether the plan is based on proportionate evidence. This is a key test considered by Planning Inspectors to determine if a plan is justified.

2.4.2 Paragraph 32 of the NPPF elaborates on the need for evidence, stating that policies being prepared or reviewed should not only be underpinned by proportionate up-to-date evidence but the evidence should also be focused tightly on supporting policies taking into account relevant market signals.

2.4.3 The Local Plan Review has been informed and supported through the different stages of the plan making process by a number of evidence base documents which are constantly being reviewed as necessary based on changing circumstance and as the emerging plan evolves. An extensive range of information has been gathered and technical studies commissioned covering topics such as Housing, Climate Change,

Infrastructure, environment, employment and others. These can be found on the [Council's website](#)³⁰. The work undertaken with regards to gathering and preparing evidence to support the plan are interlinked and it can be beneficial to consider it as a whole.

2.5 Environmental impacts

2.5.1 The importance of the environment and its integral role in achieving sustainable development is established and emphasised by National Planning Policy and enshrined in legislation.

2.5.2 Section 39 of the [Planning and Compulsory Purchase Act 2004](#)³¹ requires authorities preparing a plan to do so with the objective of contributing to achieving sustainable development. The [National Planning Policy Framework](#) (Para 8c)³² lists an environmental objective as one of the three overarching objectives of the planning system important in achieving sustainable development.

2.5.3 The environmental objectives (alongside the other objectives) are expected to be delivered through the preparation and implementation of plans. It is expected that significant adverse impact is avoided, and where possible alternative options eliminating the impact are pursued. Where impact is unavoidable, mitigation measures should be proposed (Para 33 of the NPPF).

2.5.4 The [Environmental Assessment of Plans and Programmes Regulations 2004](#) (SEA Regulations)³³ requires a comprehensive assessment of Environmental Impact to determine likely significant effect in the process of plan making. Section 19 of the [Planning and Compulsory Purchase Act 2004](#)³⁴ also legally requires that a full sustainability appraisal is carried out on the proposed plan.

2.5.5 The Local Plan seeks to ensure that growth in the borough will be delivered while safeguarding and improving the environment. Since the commencement of the Local Plan review, the sustainability appraisal (SA) has been developing along with it, and evolving with the development of the plan. This is to ensure that environmental impact and the wider sustainability considerations of likely significant effect are integrated in the plan and by extension decision making.

2.5.6 An SA [scoping report](#)³⁵ was produced in Dec 2018 in line with the SEA regulations to take comments from statutory consultees. The outcome of this fed into the [Sustainability Appraisal \(SA\) of the Swale Local Plan](#)³⁶ report published in February 2021 to accompany the then Regulation 19 version of the emerging Local Plan. Born out of a desire to 'take a step back' and reconsider issues, opportunities and options for the Local Plan Review, the [Swale Local Plan Interim SA Report](#)³⁷ was published in October 2021.

2.5.7 Given that time has passed since the publication of the initial SA Scoping Report, a refresh of the [document \(link to be inserted prior to public consultation\)](#) has been prepared in approach to the Reg 18 Stage of Plan Making.

2.5.8 As well as the Sustainability Appraisal, there is also a requirement for the preparation of a Habitat Regulation Assessment (HRA) to assess the impacts of the Local Plan on European designated sites.

30 <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence>

31 <https://www.legislation.gov.uk/ukpga/2004/5/contents>

32 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

33 <https://www.legislation.gov.uk/uksi/2004/1633/contents/made>

34 <https://www.legislation.gov.uk/ukpga/2004/5/section/19>

35 <https://services.swale.gov.uk/assets/Planning%20Policy%202019/FINAL%20Swale%20SA%20Scoping%20Report%20DECEMBER%202018.pdf>

36 <https://services.swale.gov.uk/assets/Planning%20Policy%202019/Swale%20Local%20Plan%20Review%20SA%20-%20SA%20Report%20210209.pdf>

37 <https://services.swale.gov.uk/assets/Planning%20Policy%202019/Reg%2018%20October%202021/Swale%20Local%20Plan%20SA%20-%20Interim%20SA%20Report%20211015.pdf>

2 What has influenced the development of the Local Plan

These sites include Special Areas of Conservation, Special Protection Areas and Ramsar sites and there are a number of such sites within or close to the borough. The requirement is set out in is set out in the [Conservation of Habitats and Species Regulations 2017 \(as amended\)](#)³⁸

2.5.9 A [HRA](#)³⁹ was prepared at the previous stage of the Local Plan and will be undertaken again as the preparation of the plan progresses to Reg 19.

Question 2

Do you have any comments on section 2 of the draft Local Plan which will inform the Plan's progression?

38 <https://www.legislation.gov.uk/ukxi/2017/1012/contents>

39 [https://services.swale.gov.uk/assets/Planning%20Policy%202019/Swale%20LPR%20HRA%202021%20FINAL%20\(V2\)%20issue.pdf](https://services.swale.gov.uk/assets/Planning%20Policy%202019/Swale%20LPR%20HRA%202021%20FINAL%20(V2)%20issue.pdf)

3 Characteristics of the borough and the key challenges to be addressed

3.1 Key characteristics

Geography and Demographics

3.1.1 Swale lies on the North Kent coast, bordered by the authorities of Medway (to the west), Maidstone (to the south), Ashford (to the southeast) and Canterbury (to the east).

3.1.2 It has good road, rail and water transportation links, with the M2 / A2 traversing the borough east / west and with regular High Speed rail services between London and the coast. Sittingbourne is just under an hour from London, whilst journeys from Faversham to London St Pancras can be achieved in one hour and six minutes. There are also train stations at Newington, Kemsley, Teynham, Swale, Queenborough and Sheerness-on-Sea.

3.1.3 The Port of Sheerness is a major UK port, providing direct deep-water access to the Thames Estuary. It is strategically positioned for shipping to Northern Europe, making it a key logistics hub.

3.1.4 There are north / south links via the A249 and A251. Recent and ongoing highway upgrades have supported in particular junction 5 of the M2, and the A2 and A249.

3.1.5 The borough covers an area of 144.2 square miles. Much of the borough outside of the highest tier centre of Sittingbourne and the second-tier centres of Faversham and Sheerness is rural in character. The largest rural settlements are Boughton, Teynham, Newington, Iwade, Eastchurch and Leysdown.

3.1.6 At the time of the 2021 census, the population was 151,700. This is an increase of 11.7% since 2011 which made Swale the 138th most populous of 309 local authority areas. This increase was higher than the southeast (7.5%) and England (6.6%) averages. Swale remains within the lowest 40% for population density across English authorities.

3.1.7 The average age of a Swale resident, as recorded at the census, was 41. The age profile is as follows:



Picture Adj. Stone Chapel/A2

Age Bracket	Percentage	Change from 2021
0-15	19.6	-0.5%
16-64	61.3	-0.9%
65+	19.0	+2.3%

Table 3.1.1

Employment and Skills

3.1.8 There were 79,700 economically active residents in Swale in 2022, which is 84% of those aged 16-64. Job density is comparatively low at 0.65, with a Kent average of 0.81 and a national average of 0.86. Approximately 10,000 Swale residents commute out of the borough for work ([Employment Land Review Update, 2024](https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/economy-and-employment#h2)⁴⁰).

40 <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/economy-and-employment#h2>

3 Characteristics of the borough and the key challenges to be addressed

3.1.9 There is a discrepancy between average resident wages and average workplace wages, with the average resident wage matching the county average, but the average workplace wage being 12% below this (and 20% below the England Average ⁴⁰).

3.1.10 The latest qualifications data (2021) ⁴⁰ suggests that the skills gap which has been a typical feature of the Swale economy is reducing. 31.2% of Swale's population have qualifications at or above NVQ Level 4. Whilst this is a gap of 7.3% when compared with the County average, this has reduced from 10% in 2018. 9% of Swale residents have no qualifications, and this is higher than both Kent and England.

3.1.11 Swale's main town centres have fewer commercial unit vacancies on average than the national picture. Faversham has the lowest vacancy rate of 5.09% . The figure for Sheerness is 8.28%, whilst Sittingbourne has a vacancy rate of 13.25%. These compare with a national average of 13.9%.

Housing Stock

3.1.12 The makeup of the existing housing stock within Swale is as follows:

Total Dwelling Stock	64,250
Owner-Occupied	42,822
Private Rent	12,588
Shared Ownership	666
Social Rent / Affordable Rent	8,174

Table 3.1.2

3.1.13 As of October 2025, there were 2,021 households on the Housing Register.

Heritage and Ecological Assets

3.1.14 Swale is the proud home to a range of heritage and ecological designations, as follows:

Designation	Asset
Ramsar (wetlands)	Medway Estuary; Swale Estuary and Marshes
Site of Special Scientific Interest (SSSI)	The Swale; Medway Estuary and Marshes; Sheppey Cliffs and Foreshore; Church Woods; Ellenden Wood; Queendown Warren; Purple Hill.
Special Area of Conservation	Queendown Warren; The Blean complex
Special Protection Area	Swale SPA; Medway Estuary and Marshes SPA; Outer Thames Estuary SPA
Marine Conservation Zone	Swale Estuary; Medway Estuary
Rivers and waterways	The Medway Estuary; The Swale, Milton Creek, Conyer Creek, Oare Creek, Faversham Creek
Scheduled Monument	23
Listed Buildings	1,440 (37 Grade I; 93 Grade II*)
Conservation Areas	51
Historic Parks and Gardens	4

Table 3.1.3

3.1.15 Swale includes an extensive stretch of the Kent Downs National Landscape (formerly known as the Kent Downs Area of Outstanding Natural Beauty).



Picture Oare Gunpowder Works, Faversham

3.1.16 A Local Heritage List complements these formal national designations, recognising over 150 cherished local assets.

3.2 Key issues and challenges

3.2.1 Reviewing the Local Plan provides an opportunity to celebrate the richness of the borough but also to address key challenges. The challenges below have been identified by the evidence compiled and by consultation responses during previous stages of Local Plan development. They may be the subject of complementary documents, such as Swale Borough Council's Corporate Plan, the Climate and Ecological Emergency Declaration, and the Affordable Housing Emergency Declaration.

3.2.2 The key challenges being addressed by this Local Plan Review are:

- Delivering a net zero carbon borough by 2045;
- Embedding active travel within new and existing developments to improve air quality, reduce road traffic accidents, reduce congestion and improve overall health and wellbeing;
- The significant shortfall in the supply of affordable homes leading to a growing number of families facing homelessness and those reliant on holiday accommodation as their primary residence;
- Delivering the infrastructure required to support growth and the creation of quality places, without negatively impacting existing communities;
- Protecting and enhancing our historic and ecological assets;
- Supporting our town centres to remain vital, competitive and attractive places; and
- Supporting our economy to remain competitive and to sustain and create quality local jobs, accessible to local people.

Net Zero Carbon and Climate Change Emergency

3.2.3 The scale of the challenge that the climate and ecological emergency presents us with is unprecedented. The crisis is not something that any of us are immune from, and we will be seeing the impacts on every aspect of our lives. While of course it needs global entities to do much of the work, we can make a small difference across our borough.

3.2.4 The updated [National Planning Policy Framework](#) ⁴¹ (NPPF) contains significant amendments concerning climate change.

3.2.5 The NPPF (para 161) now explicitly refers to the transition to net zero by 2050. This enshrines in planning policy the net zero obligation that was set out in the [Climate Change Act 2008 \(amended 2019\)](#) ⁴². Local Plans are required to take full account of all climate impacts including:

- overheating;
- water scarcity;
- storm and flood risks; and
- coastal change.

41 https://assets.publishing.service.gov.uk/media/57a0f81b/41f783cca46251/NPPF_December_2024.pdf
 42 <https://www.legislation.gov.uk/ukpga/2008/27/contents>

3 Characteristics of the borough and the key challenges to be addressed

3.2.6 Local Plans are required to shape places in ways that:

- contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience;
- encourage the reuse of existing resources, including the conversion of existing buildings; and
- support renewable and low carbon energy and associated infrastructure.

3.2.7 The Council declared a Climate and Ecological Emergency in 2019, with a borough-wide net zero target subsequently set for 2045. A related [Action Plan](#)⁴³ remains a live document.

3.2.8 The typology of Swale's economy leads to the borough having higher energy consumption and carbon emissions from the commercial sector than other Kent districts.

3.2.9 The Local Plan Review supports the mitigation of and the adaptation to climate change. A suite of Development Management policies will underpin the Council's role in this. These are supported by five new policies for this Local Plan period which specifically respond to climate change:

- C1: Sustainable design and adaptation principles;
- C2: Net zero operational carbon in new build residential development;
- C3: Net zero operational carbon in new build non-domestic development;
- C4: Embodied carbon and waste; and
- C5: Renewable energy development and infrastructure.

3.2.10 Other policies have been updated for the emerging Local Plan including:

- C6: Coastal change management;
- C7: Implementing the Medway Estuary & Swale Coastal Risk Management Strategy;
- C8: Flood risk;
- C9: Sustainable drainage;
- C10: Water quality and water resources;
- C11: Air quality; and
- C12: Pollution & land instability.

Affordable Housing and Affordable Home Emergency

3.2.11 On 3rd April 2024 Swale's Full Council unanimously declared an Affordable Housing Emergency. This links to the Council's Corporate Plan priority for Swale "to aspire to be a borough where everyone has access to a decent home and improved health and wellbeing".

3.2.12 The driving forces behind this emergency declaration are referred to in the motion as systemic and structural. A significant link between the impact of quality affordable homes and the wider determinants of health is recognised. In turn, health is recognised as a widespread driver of [economic inactivity](#)⁴⁴.

3.2.13 The wording of the motion presented to Full Council explained this as follows:

3.2.14 *Despite the housing growth in the area, the delivery of affordable rented properties falls far short from demand, It has become increasingly challenging to secure Registered Providers (RPs) on schemes with low numbers of s106 affordable homes, however the introduction of First Homes as part of the s106 affordable housing contribution has been catastrophic and severely reduced the number of affordable/social rented and shared ownership homes available to RPs. There is an increasing number of affordable homes being left dormant on approved sites across the borough - currently in Swale there are just under 500 affordable homes secured on s106 sites but with no RP to contract and deliver these much-needed homes.*

43 <https://news.swale.gov.uk/news/action-plan-against-climate-change>

44 <https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/get-kent-and-medway-working-plan#:~:text=Our%20plan%20focuses%20on%20health%2C%20work%2C%20and%20skills,Kent%20and%20Medway%20Working%20Plan%20%28PDF%2C%203.6%20MB%29>

Despite working in effective partnership with RPs, including applying strategic partnership funding to provide additional affordable homes on land-led schemes, more innovation is required to enable smaller RPs to utilise available Homes England affordable housing grant to start to deliver homes in areas where viability is 'blocking' delivering but where homelessness and poverty are acute.

3.2.15 An Action Plan was agreed and remains a live document. The Local Plan's contribution is explained across a range of draft Local Plan policies, but most specifically:

- H1: Affordable Housing

Infrastructure Delivery

3.2.16 Infrastructure can be grouped into three main types:

- Physical infrastructure such as: transport infrastructure (roads, public transport, cycling and walking routes); gas and electricity infrastructure, water supply and wastewater treatment;
- Social infrastructure such as: primary and secondary schools, healthcare, emergency services, libraries, sports and recreational facilities, community facilities, cultural services; and
- Green infrastructure such as: open space, allotments, formal and informal green space, green and blue infrastructure corridors.

3.2.17 Different types of infrastructure are required to support different scales of development:

- On site infrastructure is necessary to enable the delivery of a specific development. This includes roads, walk/cycleways, gas pipes, electricity cabling, water supply and wastewater disposal;
- At a neighbourhood level, infrastructure is required to mitigate the impact of the development and support the day-to-day needs of the new population. This can include schools, community facilities and GP surgeries, sports facilities; and
- At a strategic level, larger pieces of infrastructure are required to support development growth across a wider or strategic site. This can include electricity sub-stations, strategic highway network improvements, hospitals, and sewerage treatment works.

3.2.18 Identifying infrastructure over a Local Plan period can be challenging as few infrastructure providers actively plan for that length of timeframe and, therefore, identification of infrastructure needs in the later years of the plan period may be subject to change. In addition, infrastructure needs may be influenced by changes in technology and changes to the arrangements for the planning and delivery of infrastructure.

3.2.19 Where growth is planned for through significant new developments there may not be the certainty and/or funding secured for any necessary strategic infrastructure at the time the Local Plan is produced. The Council will need to be particularly clear on the infrastructure needed to deliver growth in the early stages of the plan period and to be able to demonstrate that this is deliverable in a timely manner. In the later stages there is a degree of flexibility required. As such, planning for infrastructure is a continuous and iterative process.

3.2.20 The main ways in which the planning system has a direct influence on securing infrastructure are:

- Section 106 Agreements - used to secure site specific infrastructure through negotiation with the developer where it is necessary to make the development acceptable in planning terms, directly related to the development, fairly and reasonably related in scale, and kind to the development;
- Section 278 Agreements - completed between the developer and highway authority (Kent County Council) where development requires work to be carried out on the existing adopted highway; and
- Planning conditions.

3.2.21 Swale works continuously with infrastructure and service providers to assess the impact on infrastructure from delivering the homes and employment needed. This work is set out in the Swale Infrastructure Delivery Plan (IDP) which establishes what additional infrastructure and service needs are required to support the level of development proposed. The IDP establishes what additional infrastructure and service needs are required to support the level of development proposed.

3 Characteristics of the borough and the key challenges to be addressed

3.2.22 The IDP was last updated in late 2020 and will next be published alongside the Regulation 19 Local Plan.

3.2.23 A bespoke transport model will test the traffic impacts of new and existing developments on transport infrastructure across Swale, and proposed mitigations.

3.2.24 The relevant draft policies are:

- INF1: Managing transport demand & impact;
- INF2: Vehicle parking;
- INF3: Open space, sport and recreation provision; and
- INF4: Local Green Spaces.



Picture Sheppey Bridge

Active Travel

3.2.25 Active travel is becoming increasingly important as challenges around climate change become more pressing and the demand for active travel solutions grows. Investment in cycling and walking can have wider positive impacts on people and places, making roads quieter and safer, improving air quality, improving physical and mental wellbeing and creating attractive places for people to travel within and between.

3.2.26 In 2017, the Department for Transport (DfT) published its first Cycling and Walking Investment Strategy (CWIS). The aim of this was to encourage cycling and walking to become a key mode of travel for shorter journeys or as a stage of a longer journey by delivering better safety, mobility and streets.

3.2.27 Alongside the CWIS, the DfT published guidance on developing Local Cycling and Walking Infrastructure Plans (LCWIPs). LCWIPs outline a “strategic approach to identifying cycling and walking improvements required at a local level”. This is in order to both encourage and facilitate the modal shift away from motorised vehicles to more active modes of travel, transforming areas in ways which support active travel, reduce congestion, support local economies and improve physical and mental health.

3.2.28 A number of active travel schemes have been introduced since Bearing Fruits, such as the Faversham LCWIP (January 2022) and the Kent Cycling and Walking Infrastructure Plan ([KCWIP](#), August 2024⁴⁵).

3.2.29 Work on a Sheppey Towns LCWIP was started and has since been merged into a Swale-wide LCWIP to put forward a coherent network of active travel routes across the borough. The Swale LCWIP was launched for public consultation in September 2025. It has been designed to enable a long-term approach to developing local cycling, walking and wheeling networks over a 10-year period. It is envisaged that the LCWIP will be reviewed and updated to reflect progress made towards implementation or to reflect changes in local policies or strategies.

3.2.30 There are three KCWIP cycle routes which begin/ end in Swale and which are proposed for further public engagement and intervention planning:

- Sheerness and Leysdown;
- Sittingbourne and Faversham; and
- Maidstone to Sittingbourne.

3.2.31 The projects and proposals within the LCWIPs will be reflected in the IDP, the Transport Plan, site allocations and the Strategic Transport Policies at the next stage of plan making – the Reg 19. Reference has been made to them in the Development Management transport policies within this plan.

Historic and Natural Environment

3.2.32 The borough's outstanding environment has been influenced by its geology, soils, topography, history and biodiversity.

3.2.33 Three broad landscape types dominate the borough:

- The chalk of the Kent Downs;
- The central agricultural plain; and
- The Thames Estuary marshes.

3.2.34 The chalk grasslands, fields, valleys and woodlands of the Kent Downs National Landscape are outstanding features of the southern reaches of the borough. Its slopes and valleys fall coastward, criss-crossed by narrow lanes. Beyond the chalk are the rich agricultural soils on the plains around the Roman road, now the A2 / Watling Street. These are some of the best graded soils in the country.

3.2.35 London clay underlies the northern and coastal boundaries of the borough. At 111km, the coast has a major influence on landscapes and wildlife. Around the Swale and river Medway and extending inland to the edges of the three main towns is a continuous belt of marsh, prone to tidal flooding. Its mudflats, grazing and salt marshes are interspersed with ditches, dykes, inlets and creeks. These watercourses and marshes provide hugely important ecological habitats, in particular for wintering and passage birds.

3.2.36 The following draft policies respond to the ecological challenge:

- B1: Biodiversity & geodiversity conservation & BNG;
- B2: Conserving & enhancing valued landscapes;
- B3: Kent Downs National Landscape Management Plan;
- B4: The separation of settlements – Important Local Countryside Gaps;
- B5: Woodland, orchards, trees and hedgerows;
- B6: Agricultural land;
- B7: The Coast;
- B8: Rural Lanes; and
- B9: The keeping and grazing of horses.

3.2.37 Historically, the borough's settlement pattern and growth has been heavily influenced and shaped by its environmental assets. This approach will continue to drive the emerging development strategy, which will seek to avoid development at these areas. It also seeks to effectively mitigate recreational disturbances on the internationally significant Medway and Swale Estuary marshes via the Strategic Access Management and Mitigation Strategy (SAMMS) that enables developer contributions to be levied to protect landscape and ecology.

3.2.38 The [National Planning Policy Framework](#) ⁴⁶ (NPPF para 202) refers to heritage assets as an "irreplaceable resource" which should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The vast array of Swale's heritage assets is set out in the Key Characteristics section of this plan, above.

3.2.39 The following draft policies seek to best protect Swale's cherished heritage environment:

- HE1: Development involving Listed Buildings;
- HE2: Development affecting a Conservation Area;
- HE3: Parks and Gardens;
- HE4: Non-designated Heritage Assets; and
- HE5: Archaeological.

3 Characteristics of the borough and the key challenges to be addressed

Town Centres

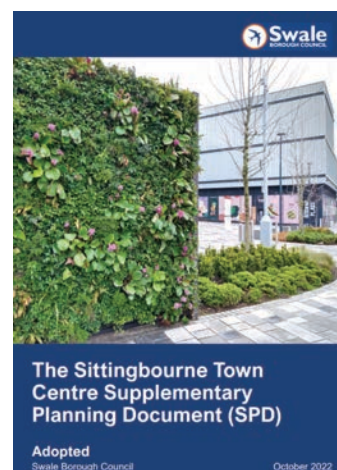
3.2.40 Town centres nationally are facing considerable challenges with the continued rise of on-line and out-of-town shopping. Whilst vacancy rates in all our town centres are above national averages (and are particularly buoyant in Faversham and Sheerness) declining rates impact on jobs, footfall, and town centre vibrancy and attractiveness and must be positively addressed.

3.2.41 A Retail and Leisure Needs Assessment was produced in 2018 and was updated in December 2023, focussing on both convenience goods and comparison retail.

3.2.42 A Supplementary Planning Document (SPD) was adopted for [Sittingbourne Town Centre in 2022](https://swale.gov.uk/your-council/publications/planning-and-zoning-policy/adopted-sittingbourne-town-centre-supplementary-planning-document-spd)⁴⁷, aiming to guide regeneration over the plan period. It will continue to form part of the Development Plan for the borough, shaping how the Council considers new development proposals.

3.2.43 The Council focussed significant investment in Sittingbourne town centre over the years 2010 to the early 2020s via the Spirit of Sittingbourne scheme which improved the public realm and created significant new leisure and experience assets at the heart of the town centre within Bourne Place.

3.2.44 Draft policy E3: Proposals for Main Town Centre Uses responds to the identified challenges.



Picture 3.2.1

Competitive Economy

3.2.45 With economic development, as with all other land uses, the guiding principle of the NPPF is that Local Plans should create the conditions for economic growth and productivity improvements, taking account of local business needs and wider opportunities for development.

3.2.46 With its strategic location between London and the continent, and good road, port and rail links, Swale is well-positioned for a strong and diverse economy.

3.2.47 An Employment Land Review was undertaken in 2018 and updated in 2024. The update was commissioned to reflect changes in national policy, and the economic climate post-Brexit and Covid-19.

3.2.48 The study evidenced the scale and quality of new land needed to support the borough's economic growth over the plan period. It assessed the suitability of a range of sites which were presented to members throughout 2024, with a decision on employment land allocations reached by Full Council in December 2024. Further sites have been submitted and will be considered by the Council in early 2025.

3.2.49 Our strategy focusses on creating a strong supply of employment land to meet the identified need, and improving the quality of our economic offer to create a better business image and a more diverse economic base. It will enable the borough to branch out into under-represented sectors, increase the number of higher-growth / higher-value businesses and ensure that it retains and develops existing strengths and capitalises on indigenous growth opportunities.

3.2.50 The draft policies promoting a competitive economy are:

- E1: Loss of employment floorspace & land;
- E2: The Rural Economy; and
- E3: Proposals for Main Town Centre Uses.

Viability of Development

3.2.51 Whilst the overall development market for Swale is perceived to be active, with a strong market for the right scheme in the right place that includes an average of 720 completed homes per year over the

47 <https://swale.gov.uk/your-council/publications/planning-and-zoning-policy/adopted-sittingbourne-town-centre-supplementary-planning-document-spd>

last 10 years ⁴⁸, some areas of the borough are challenging with relatively low house prices making the delivery of new homes less easy. This is particularly the case with brownfield sites being challenging to deliver in the borough's town centres where some of the lowest house prices are located.

3.2.52 To ensure the deliverability of Local Plans the [National Planning Policy Framework](#) ⁴⁹(NPPF para 35) sets out that policy requirements should be informed by evidence of infrastructure and Affordable Housing need, and a proportionate assessment of viability that takes into account all relevant policies, and local and national standards, including the cost implications of the Community Infrastructure Levy (CIL) and section 106. To ensure that the Local Plan policy objectives do not undermine the deliverability of the Plan a Whole Plan Viability Assessment ([link to be added before public consultation](#)) has been undertaken and has provided recommendations that have informed drafting of this Plan.

Health

3.2.53 The Council declared a mental health crisis in Swale at a meeting of it's Full Council on 19th November 2025.' Among a wider list of actions, the Council resolved to two actions which relate to the Local Plan. They:

1. Declared a mental health crisis in Swale; and
2. Called on central Government and Kent and Medway NHS and Social Care Trust to urgently improve the doctor to patient ratio in Swale and to ensure better access to mental health services at the point of need.

Question 3

Have all the key issues and challenges been taken into consideration?

48 https://swale.gov.uk/_data/assets/pdf_file/0004/485014/2024-2025-Housing_Land_Supply_Position_Statement_19-2024_Final.pdf

49 https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF_December_2024.pdf

4 Vision and Objectives

4.1 The Vision for Swale

4.1.1 The vision for the Local Plan Review sets out what the Council intends to achieve for the borough through new development. It has been shaped by Council priorities and previous consultation feedback.

Statement 1

The Vision for Swale

It is 2042. Development in Swale has come forward to meet imposed Government Targets. It has supported climate and ecological imperatives and has conserved and enhanced the natural environment through significant biodiversity gain. Renewable energy initiatives have been high on Swale's agenda. Quality design and place-making has capitalised on the borough's extensive ecological and heritage assets and has supported the health and wellbeing of our communities.

Sittingbourne has a refocused town centre with a vital and viable retail heart supported by leisure and recreation opportunities and enabled by new high density residential and community activity which has recognised and respected the area's outstanding heritage. Development has secured wider regeneration benefits, including improved public realm, and reconfigured and enhanced sustainable and active transport connections – both in and around the town.

Faversham is a thriving market town and nationally known heritage destination that has successfully balanced 21st century demands with respect for the past. This has been achieved by sympathetic and symbiotic growth.

At Sheerness, Minster and Queenborough, coastal and port rejuvenation has maximised the impact of our natural and built assets and supported the needs of the local communities.

Our rural and maritime communities have seen enabling development maintain and improve local services. The local needs of residents are well catered for, supporting vibrant communities whilst maintaining the quality and special qualities of the countryside setting.

Across the borough development has improved health and air quality, and increased opportunities for local employment, active travel and affordable housing. Development has supported a vibrant sense of community, within and across the borough. There are thriving built and outdoor sports and leisure facilities, and everyone has access to a decent home. Swale is a place residents, businesses and visitors recognise as sustainable and forward-looking – a place to live, work and enjoy.

Question 4

Is the vision positive, clear, realistic and ambitious and does it identify the right priorities for Swale?

Question 5

Do you agree with the proposed vision for Swale? If not, how should it be changed?

4.2 Objectives

4.2.1 Strategic objectives of the Local Plan Review seek to guide the location of development and shape it through strategic policies. Taking account of the influences on the Local Plan and the key challenges facing Swale and its communities, a set of objectives have been drafted to set the framework for the detailed policies that follow. The objectives are shaped by local evidence, government policy, Council priorities and previous consultation feedback.

Statement 2

The Objectives for Swale

1. To provide for homes and jobs that are best suited to meet the imposed Government Targets;
2. To support and sustain communities across the borough, big and small, by planning to meet identified needs, including needs for community facilities and infrastructure;
3. To protect and manage our resources to address climate change through delivering sustainable growth that supports urban and rural economies and makes the best use of infrastructure;
4. To locate development in the least constrained parts of the borough in reasonable proximity to transport hubs;
5. To provide a range of housing developments across the borough that deliver a range of housing sizes and types to meet the needs of young people, families and older people;
6. To deliver a level of investment and growth at key locations to facilitate significant improvements to support infrastructure e.g. schools, healthcare and highways and sustainable and active travel options for the benefit of local communities; and,
7. To focus development on the contribution that larger sites can deliver in a proportionate way to meet wider plan objectives and ensure delivery during the plan period and beyond.

4.2.2 The Council will seek to meet the borough's identified development needs on brownfield sites in sustainable locations, on land at low risk of flooding within existing settlements, and on land with the least environmental or amenity value. However, due to the quantum of development required for the Local Plan Review, it is unlikely all the requirements can be met on sites that meet this criteria. It will, therefore be necessary, as part of Plan drafting, to identify additional sites that can deliver sustainable development along with wider benefits that achieve the Local Plan Reviews objectives and guiding principles.

Question 6

Are the objectives broad enough to address the issues and challenges set out above? Would you remove, add or amend any?

5 Policy G1 General Development Criteria

5.0.1 As per paragraph 8 of the [National Planning Policy Framework](#)⁵⁰(NPPF) the overarching objectives of the planning system are to:

1. protect and enhance the natural, built and historic environments;
2. support strong, vibrant and healthy communities; and
3. help build a strong, responsive and competitive economy.

5.0.2 In seeking to achieve such sustainable development, the aim of this policy is to provide a useful starting point in the consideration of proposals which will help to ensure that important matters such as design, the environment and amenity are taken into account at the outset. Policy G1 is not comprehensive and should not be considered in isolation but read in conjunction with all other relevant policies in the Local Plan and Supplementary Planning Documents and Guidance.

5.0.3 All of the policies and proposals in the Development Plan must be read 'as a whole.'

5.0.4 The Town and Country Planning Association (TCPA) Healthy Homes campaign aims to transform the way that the built environment is regulated to ensure that all new homes promote the health and wellbeing of their residents. The Council signed the [Healthy Homes pledge](#)⁵¹ in May 2024.

5.0.5 Not all of the principles fall within the remit of the Local Plan and are controlled by other legislation, for example fire safety, other than for tall buildings.

5.0.6 Decent homes are vital to give people a good foundation to thrive in their daily lives. There is a wealth of evidence that shows how the quality of our homes and neighbourhoods directly and indirectly impact both our mental and physical health. Poor quality homes increase the likelihood of respiratory, cardiovascular, and communicable diseases, along with a higher risk of mortality.



Picture Watling Gate, Sittingbourne

5.0.7 The principles are:

1. Fire safety;
2. Liveable space;
3. Inclusive, accessible and adaptable;
4. Access to natural light;
5. Reduction in carbon emissions;
6. Access to amenities, nature and transport;
7. Safety from crime;
8. Climate resilient;
9. Prevent air pollution;
10. Limit light and noise pollution;
11. Ensure thermal comfort; and
12. Genuinely affordable and secure homes.

5.0.8 For details on each principle please see [Healthy Homes Principles](#)⁵².

50 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

51 <https://www.tcpa.org.uk/healthy-homes-pledge/> Page 83

52 <https://www.tcpa.org.uk/resources/healthy-homes-principles/>

Question 7

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy G1**General Development Criteria**

All development proposals will, as appropriate:

1. Comply with the published Local List of requirements and include information sufficient to enable the Council to determine the application;
2. Accord with the policies of the adopted Development Plan;
3. Accord with policies and guidance in the Supplementary Planning Documents and Guidance, unless material considerations indicate otherwise;
4. Be accompanied by a statement to demonstrate the degree to which it accords with the TCPA Healthy Homes Principles;
5. Conserve and enhance the natural, built and historic environments;
6. Respond to the constraints, opportunities and threats arising from climate change and natural processes;
7. Be well sited and of a scale, design and appearance that is sympathetic and appropriate to the location;
8. Reflect the positive characteristics and features of the site and location;
9. Cause no harm to amenity and other sensitive uses or areas;
10. Provide an integrated landscape strategy that will achieve a high standard landscaping scheme; and
11. Achieve:
 - a. convenient, safe routes and facilities for pedestrians and cyclists;
 - b. enhanced public transport services and facilities; and
 - c. safe vehicle access, and appropriate parking and services facilities.

Question 8

Do you support or object to Policy G1? What would you add, remove or amend to support it further or to remove your objection?

6 Policy GD1 Local Design Principles

6.0.1 Good design facilitates and contributes to local distinctiveness, a sense of place, and civic pride. It improves and enhances the existing environment and helps to attract people, businesses and investment. It is key to delivering successful, people-focused places. Therefore, the quality of architecture and design in development proposals, as well as the relationship between buildings and spaces, should be of a high quality to protect and enhance the distinctive character of Swale.

6.0.2 In seeking to achieve high quality design or the conservation and enhancement of the natural and built environment, the Council requires good design principles to be incorporated into new development. The principles contained within the policy is a useful starting point for anyone considering new development and will help ensure that important matters, such as sustainable design, the safeguarding of environmental features and amenity, are considered at the outset.

6.0.3 The policy should not be considered in isolation but read in conjunction with all the other policies in the Plan and relevant and associated national, regional and local design guidance, relevant Design Codes, development briefs and Masterplans.

6.0.4 The Council will encourage the use of its pre-application advice service prior to any planning application being submitted so that issues relating to design and place making are addressed at an early stage in an integrated way.

6.0.5 Developments where the design implications are significant due to the location of the site and/or the size and scale of the proposal will be referred to Design Review Panel and applicants would be expected to pay for this. Design Review is a well-established way of improving the quality of design outcomes in the built environment and is recognised as an important tool in the [National Planning Policy Framework](#)⁵³ (NPPF).

Question 9

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy GD1

Local Design Principles

All new development proposals will respond to and enhance local character and distinctiveness and provide good quality design. Where relevant and appropriate, new development must demonstrate it incorporates good design principles by:

1. Responding to, reinforcing and enhancing positive aspects of local character. Opportunities to create distinctive high quality and beautiful places should be taken, integrating and enhancing prominent physical attributes which include the borough's distinctive coastal and creek environments, extensive open spaces, biodiversity assets, historic environment, high quality landscapes and tree coverage. Carefully considering opportunities to improve less successful forms, movement barriers and other local challenges;
2. Being of an appropriate density that combines the efficient use of land with high quality design and which respects character and context. Higher density development will be encouraged in sustainable and accessible locations, such as around transport hubs or town centres, where this is appropriate. Lower density development may be appropriate in smaller villages and rural areas;

3. Facilitating a sense of place with social interaction, a physical environment encouraging health and wellbeing, attractive active environments and travel options, and secure, inclusive and integrated neighbourhoods through an appropriate mix of uses which support the function and vitality of the area in which they are located, and careful design and layout that ensures that commercial and public facilities are well integrated within the site and the wider locality;

4. Integrating well with surrounding streets and open spaces, providing a clear and legible hierarchy of streets, routes and spaces that are permeable and prioritise safe, easy and direct pedestrian, cycle and public transport movement, while ensuring the safe, convenient movement of all users. Avoiding the creation of isolated and disconnected places that are not easy to move through and around;

5. Providing high quality open spaces and public realm that respects existing landscape settings and features topography. Include new green and blue infrastructure that incorporates and/or links to existing and new natural features and open spaces to create a multifunctional network, that supports quality of place, biodiversity net gain, water management, and provides climate change mitigation and resilience;

6. Designing public spaces in and outside buildings and all accommodation to be inclusive, safe and accessible for all Swale's communities, including young, elderly, disabled and less mobile people. The design of buildings, open space and the private and public realm must be in accordance with active design principles, and reduce the fear of, and opportunities for crime through, for instance, maximising natural surveillance and use of active ground floor frontages. Safety and security features of buildings should be well integrated into the overall design and complement and not impede delivery of quality public and communal spaces;

7. Providing a high standard of accommodation that does not differentiate between the design quality of market and affordable housing and is sustainable in design by minimising energy consumption by maximising opportunities for passive solar energy and integrating renewable and low carbon technologies;

8. Being of an appropriate use, layout, building type, scale, height, mass, form and appearance for the site, context and neighbourhood. Buildings and spaces should be welcoming, attractive and integrate socially, environmentally and physically into their areas. Materials should be robust, help create a sense of place and ownership, reflect the intended function of the development and complement and enhance local context and character. Outstanding or innovative design which helps raise design standards in the wider area will be supported on appropriate sites;

9. Demonstrating that there is no significant adverse impact on nearby properties by noise, dust, odour or light pollution or that new development does not prejudice or undermine existing surrounding uses; and

10. The NDSS (Nationally Described Space Standards) and addressing future occupiers are two separate but related responsibilities for a developer. Developers must ensure new housing meets the minimum internal floor area, storage, and bedroom size requirements set by the NDSS. Separately, they must formally address future occupiers by having their local council approve a new postal address, ensuring street and property names and numbers are clearly displayed, and then informing purchasers/tenants of their new address.

To support the delivery of high-quality buildings and places, and where significant design implications are identified in development proposals, these will be referred to a Design Review Panel. Development proposals must provide evidence, through their design and access statements, to demonstrate how they have responded positively to the design policies in the Local Plan and associated national, regional and local design guidance, relevant Design Codes, development briefs and Masterplans.

Question 10

Do you support or object to Policy GD1? What would you add, remove or amend to support it further or to remove your objection?

7 Policy GD2 Alterations & Extensions

7.0.1 Development which results from the change, addition to or the conversion of existing buildings can prolong the useful life of a building and help to meet the changing needs of its occupiers. However, inappropriate alterations or a concentration of change can cause harm to the character of a place or to local residential amenity.

7.0.2 Proposals should therefore respond positively to the style and character of the building being altered and/or extended, reflecting its scale and massing, preserving features of interest, and reinforcing local distinctiveness whilst safeguarding the amenity of adjacent residents. The [Designing an extension supplementary planning guidance](#)⁵⁴ provides further guidance.

Question 11

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy GD2

Alterations and Extensions

Planning permission will be supported for alterations and/or extensions to existing buildings where they:

1. Are of a design and quality which responds positively to the context, style and character of the building being altered and/or extended;
2. Are appropriately scaled in relation to the building and its surroundings;
3. Maintain or enhance the character of the street scene;
4. Reinforce or enhance local distinctiveness;
5. Preserve architectural, historic, landscape or nature conservation features of interest; and,
6. Protect residential amenity.

Question 12

Do you support or object to Policy GD2? What would you add, remove or amend to support it further or to remove your objection?

8 Policy GD3 Shop fronts, signs & advertisements

8.0.1 Shopfronts, signs and advertisements have a major influence on the appearance of town centres and other commercial and residential areas, particularly those within sensitive locations such as conservation areas or on listed buildings, for example. The aim of this policy is to ensure that such proposals are of a high-quality design that responds positively to the context of an area.

8.0.2 Advertisements and signs are a means of providing information to the public and can play a complementary role in supporting the local economy. Poorly sited, designed and maintained installations, however, can have an adverse impact on public health and safety, amenity and local character. Indeed, poor quality advertisements can have a harmful impact on the visual amenity and character of sensitive locations such as conservation areas or on listed buildings. Therefore, the Council will seek to ensure that adverts and signs are designed to a high-quality standard that secures safe, accessible and attractive environments. In sensitive locations, such as conservation areas or on listed buildings, hand-painted signs and appropriately designed external illumination will be encouraged. [The Design of Shopfronts, Signs & Advertisements supplementary planning guidance](#)⁵⁵ provides further advice.

Question 13

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy GD3

Shop fronts, signs and advertisements

1. Development involving shopfronts will be supported where they are of a design which responds positively to the character and significance of the building and relates well to their context in terms of design, scale, material and colour. Proposals that remove, replace or substantially harm shop fronts of high-quality design or of historic interest will not be supported; and,
2. Development involving signs and/or advertisements will be supported where they are designed to a high-quality standard, appropriately sited, and adequately maintained throughout their operation to ensure:
 - a. there is no adverse impact on local character, amenity, appearance or visual amenity on the site or surrounding area;
 - b. heritage assets and their setting and amenity are preserved or enhanced;
 - c. there is no harm to public amenity, including by way of excessive illumination and visual intrusion of light pollution into adjoining or neighbouring properties, landscape and public spaces; and,
 - d. there is no adverse impact on public or highway safety.

Question 14

Do you support or object to Policy GD3? What would you add, remove or amend to support it further or to remove your objection?

55 <https://services.swale.gov.uk/assets/Planning-Forms-and-Letters/The-Design-Of-Shopfronts-Signs-Advertisements-feb-2011.pdf>

9 Policy H1 Affordable Housing

9.0.1 The [National Planning Policy Framework](#) ⁵⁶(NPPF) sets out that local planning authorities should use their evidence base to ensure local plans provide for the assessed needs for affordable housing and to set policies to achieve this need. To fully understand this need, the NPPF requires local authorities to prepare a Strategic Housing Market Assessment (SHMA) to fully assess what the housing needs are for the local area. The NPPF defines ‘affordable housing’ as a range of products including social rent, affordable rent, discounted market sales housing and other routes to home ownerships for example shared ownership.

9.0.2 The Council’s Housing, Homelessness and Rough Sleeping Strategy 2023 – 2027 sets out the aims, objectives and vision for housing in the borough. The objectives include:

- Developing a borough wide approach to invest in and deliver affordable homes;
- Promoting early intervention and a more customer focussed homeless prevention service;
- Developing and enhance the partnership approach to tackling homelessness and rough sleeping in the borough;
- Preventing the need for and length of time spent in temporary accommodation;
- Ensuring support is available for vulnerable households; and
- Improving private sector housing conditions and management practices including helping older, disabled and vulnerable people to live in safe adapted homes through a range of initiatives.

9.0.3 An Affordable Housing Emergency for the borough of Swale was declared at a meeting of the Council on the 3rd April 2024 [website](#) ⁵⁷. The motion to declare the emergency set out that despite housing growth in the area, the delivery of affordable rented properties was falling far short of demand, and that the introduction of First Homes as part of the S106 affordable housing contribution has been catastrophic, and severely reduced the number of affordable/social rented and shared ownership homes available to registered providers of social housing. Whilst the First Homes requirement has been removed by the Government from the NPPF, securing affordable homes as part of the planning process remains challenging on viability matters.

9.0.4 The [Housing Market Assessment for Swale.pdf](#) (HMA 2020) ⁵⁸ recommends that the Council pursues an overall affordable housing target of 27.7% and recognises that when setting the target, the full range of evidence, including the latest Whole Plan Viability report (WPVA 2023) **LINK TO BE ADDED BEFORE PUBLIC CONSULTATION**, needs to be considered.

9.0.5 The WPVA 2023 concludes that affordable housing provision is viable at 30% on greenfield sites across the borough. However, the viability of brownfield sites is challenging, and to ensure deliverability of those types of site, a 10% level of affordable housing provision across the borough is more appropriate. Where the site is a mix of greenfield and brownfield the predominate land type should determine the affordable housing provision.

9.0.6 Policy H1 aims, as far as possible, to meet the recommendations of the HMA. The WPVA shows that the levels of affordable housing sought in this policy can realistically be achieved and development proposals at the appropriate threshold will be expected to deliver these levels.

9.0.7 Based on the affordable housing evidence, the Council will seek an indicative target of 60% affordable/social rent and 40% intermediate products. The Council does recognise that the evidence may change over the plan period and that the latest robust evidence need should be considered in any planning application.

9.0.8 The Council’s preference is for affordable housing to be provided on site. In the very rare and exceptional circumstances where this is not possible, the Council may consider affordable housing provision

56 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

57 <https://ws.swale.gov.uk/meetings/mgAi.aspx?ID=18125>

58 <https://services.swale.gov.uk/assets/Planning%20Policy/202019/Housing%20Market%20Assessment%20for%20Swale.pdf>

to be provided off-site. In such cases, it may be possible to require a commuted sum (or payment in lieu). This option might be appropriate where provision on alternative sites could be of higher quantum in order to attract the interest of a registered housing provider, or where improvements to the quality of the existing housing stock are considered more appropriate.

9.0.9 The Council will be preparing a Housing Supplementary Planning Document (SPD) that will set out in more detail various approaches for undertaking commuted sums and the methodology for its calculation. The Housing SPD will also cover how the Council will cascade or commute any provision for use by a registered provider, or other provider in the event that a registered provider cannot undertake responsibility for delivering and managing the provision and diversions to another scheme or pool until a registered provider is able to come forward to support an appropriate project.

9.0.10 The evidence also identifies a need for older person housing and the Housing SPD will provide further amplification on how the Council will seek to support this. In the meantime, the Council would favourably consider accommodation for older people provided it was compliant with the development strategy in this plan. This might include the development of alternative housing products, such as Park Homes, and would be assessed against [Policy H5 Park Homes](#).

9.0.11 There may be circumstances when a need arises for affordable pitches for Gypsies and Travellers. Affordable pitch provision could come forward via a rural exceptions site where there is an identified local need and would be assessed against [Policy H3 Rural exception and community-led housing development](#) and [Policy H6 Gypsy, Traveller & Travelling Showpeople Accommodation](#). Where there is evidence to quantify a level of affordable pitch need for the borough, then the Council would seek to bring it forward through joint working with Kent County Council where a site could be identified.

9.0.12 The provision of affordable housing throughout the borough will also help the Council to contribute to its [Healthy Homes Pledge](#)⁵⁹.

Question 15

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy H1

Affordable Housing

1. Residential development proposals will be required to make affordable housing provision as follows:
 - i. on sites of 10 or more dwellings on previously developed land, 10% of the total dwellings will be in the form of affordable housing; and
 - ii. on sites of 10 or more on greenfield land, 30% of the total dwellings will be in the form of affordable housing.
2. For sites of 10 or more dwellings, provision should be made on site in the first instance with a financial contribution being negotiated to make up the full requirement as appropriate;
3. In exceptional circumstances, and in accordance with the Housing Supplementary Planning Document to be prepared by the Council, where proposals fall short of the policy target as a result of viability considerations, an open-book approach will be taken and the onus will be on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution. If on-site affordable housing provision cannot be delivered, affordable housing provision may be commuted to a financial contribution to be used off-site, singly or in combination with other contributions;

4. Where no registered provider or appropriate alternative provider is available, the full affordable housing provision requirement will be cascaded to another provider and/or site or via a commuted sum, its calculation having regard to the full amount of market housing that has been achieved on the site; and

5. The Council will seek an appropriate tenure mix of affordable housing to include social rented, affordable rent, intermediate rent, shared ownership affordable units and affordable home ownership tenures in line with the identified needs of the area.

Question 16

Do you support or object to Policy H1? What would you add, remove or amend to support it further or to remove your objection?

10 Policy H2 Small and medium sites for housing development

10.0.1 The [National Planning Policy Framework](#)⁶⁰ (NPPF) sets out that small and medium sized sites can make an important contribution towards meeting the housing need for an area and are essential for maintaining Small and Medium Enterprise (SME) house builders. Swale has a strong record of delivering small sites with an active and successful SME community bringing forward a range of developments across the borough. These types of developer play a significant role in housing delivery and are of national importance to the government's commitment to delivering the homes needed across the country.

10.0.2 SMEs can make a significant contribution to housing supply and focus on their development on sites that can deliver around 10 to 60 dwellings. They are often locally based, offering more sustainable development through the sourcing of materials and labour within their areas. In general, national volume house builders favour sites of 60 dwellings or more, hold large land portfolios that they invest in over long periods of time and have regional and national labour and supply chains. Land opportunities for SMEs, due to their small scale and diverse land ownerships come forward on an ad hoc basis and, as a consequence are less likely to be promoted through the local plan process. SME sites often are located in rural fringe locations or on previously developed land, meaning sustainability and viability factors can vary, creating additional uncertainty and risk for these types of development.

10.0.3 The NPPF (para 68) requires the Council to ensure that a minimum of 10% of its housing requirement is met on sites no larger than one hectare. Whilst the Council will seek this through allocating sites of this size as part of the Regulation 19 consultation and through keeping an up-to-date Brownfield Land Register, there is also scope for further opportunities through support for windfall sites that can deliver sustainable development. Windfall sites are sites that come forward for development and are not identified for allocation in the development plan. The Council seeks to support SMEs and communities alike by providing parameters that would make small scale development acceptable on unallocated sites in sustainable locations.

10.0.4 To achieve this, the Council will:

1. Support local communities with the preparation of their Neighbourhood Plans to identify a range of sites that can accommodate between 1 and 60 dwellings;
2. Maintain and publish annually an up-to-date Brownfield Land Register;
3. Take a flexible approach to delivery of affordable housing on a site-by-site basis to negotiate the most appropriate delivery to support viability and timely delivery of sites. This could include payment in lieu of on-site provision where it can be justified by the specific circumstances;
4. Provide opportunities for custom build, self-build and community-led housing projects on suitable sites, including as part of strategic sites where measures are in place to secure that the design, construction and occupation accords with the relevant definitions;
5. Utilise Local Development Orders (LDOs) and Neighbourhood Development Orders (NDOs) to bring forward suitable sites; and
6. Prepare an SME Protocol process to allow for positive and productive discussions at the pre-application stage, with a clear expectation of material to be submitted, timescales, and ensuring sufficient resources are included.

Question 17

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy H2

Small and medium sites for housing development

The NPPF highlights the important role that small and medium size sites can make in helping meet housing need. The Council will support this type of development where all of the following criteria can be met:

1. It can be demonstrated that the proposals will deliver sustainable development, following the Swale settlement hierarchy;
2. The site is being brought forward by an organisation or company that identifies itself as a SME developer or for self-build or for a community land trust initiative;
3. The site is not part of a larger site unless through specific proposals to sub-divide a larger site to speed up the delivery of homes and includes SME builders as part of that delivery mechanism;
4. The proposals are of an appropriate scale, layout and design to its location and is designed in a way that preserves residential amenity, designated heritage assets, is landscape-led where appropriate, and environmental assets;
5. Proposals include measures to achieve a biodiversity net gain of a minimum of 20%;
6. All dwellings meet National Design Standards and deliver a range of carbon reduction design and construction techniques as set out in [Policy C1 Sustainable design and adaptation principles](#) and [Policy C2 Net zero operational carbon in new build residential development](#);
7. The proposed development delivers a bespoke, high quality design approach that is locally distinctive and sympathetic to the character of its location;
8. The provision of affordable housing will be provided on site in accordance with [Policy H1 Affordable Housing](#) unless there is clear evidence (supported by a viability report) that an alternative form of recognised affordable housing provision as defined by the NPPF would be more appropriate to secure the viability and delivery of the site; and,
9. Proposals include a scheme of hard and soft landscaping incorporating predominantly native species trees and shrubs and reflecting good practice as set out in adopted Supplementary Planning Document [Swale Landscape Character and Biodiversity Appraisal \(2011\)](#)⁶¹.

Question 18

Do you support or object to Policy H2? What would you add, remove or amend to support it further or to remove your objection?

61 <https://swale.gov.uk/your-council/publications/planning-and-planning-policy/swale-landscape-character-and-biodiversity-appraisal-supplementary-planning-document-spd-2011>

11 Policy H3 Rural exception and community-led housing development

11.0.1 The [National Planning Policy Framework](#)⁶² (NPPF) encourages local planning authorities to be responsive to local circumstances and to plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites, where appropriate. The NPPF describes rural exception sites as being small sites used for affordable housing in perpetuity where sites would not normally be used for housing. It explains that local planning authorities should consider whether allowing some market housing in rural areas could facilitate the provision of significant additional affordable housing to meet local needs. It makes clear that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

11.0.2 There is a need to deliver a housing supply that is sufficient for, and matches the needs and aspirations of local communities, including those in rural areas. Together with rural housing partners, the Council recognises that in order to tackle these challenges, there is a need to increase affordable housing within rural areas and that a flexible approach to meeting local housing need is required. Despite grant funding being available to support such schemes, it has been challenging to deliver in any significant quantity within the borough even where the Council has potentially accepted some unrestricted market housing for sale, including local self-build. This approach combined with policies in this Plan that encourage small sites developed by Small and Medium Enterprise builders and low-cost Park Home operators within the right locations, should maintain and enhance sustainable rural communities and promote the opportunities for rural affordable housing.

11.0.3 There may be circumstances where a rural exception site could provide affordable accommodation to meet the needs of a local community or those with a connection to the community. The housing need would still have to be evidence based but a flexible approach to meeting that particular housing need would be required.

11.0.4 The evidence required to accompany a planning application for a rural exception scheme will include:

1. An assessment of the benefits of any proposals focusing on the opportunities to deliver for local village/parish housing need and evidence of the support of the local community or Parish Council towards such provision. 'Local person' for the purposes of this assessment and the implementation of Policy H3 means a person who meets any of the following criteria:
 - a. currently resident in the Parish;
 - b. was previously resident in the Parish;
 - c. is permanently employed in the Parish; or
 - d. is connected by close family still living in the Parish.
2. A thorough assessment of the potential suitable, available and achievable sites, having regard to potential future Strategic Policy on development strategy and settlement hierarchy and other relevant policies;
3. A robust and independently prepared and audited viability assessment, prepared on an 'open book' basis, to demonstrate why market housing is required to make the scheme viable; and
4. An assurance that those homes provided as affordable will remain available (in perpetuity) for local people and that this will be controlled via a legal agreement, a draft of which should accompany a planning application.

Question 19

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy H3

Rural exception and community-led housing development

Planning permission for affordable housing to meet local needs in rural areas will be granted where:

1. The site accords with the potential future Strategic Policy on development strategy and settlement hierarchy and/or is in a location where access to day-to-day services can be conveniently and easily achieved;
2. The site and proposed development would not have any significant adverse impacts upon the character of the settlement, the surrounding countryside and the amenity of the existing community;
3. A need for the scheme is clearly justified and evidenced by the applicant, to the satisfaction of the Council, by providing the following:
 - a. an assessment of the benefits of any proposals focusing on the opportunities to deliver for local village/parish housing need and evidence of the support of the local community or Parish Council towards such provision. including
 - b. a thorough site options appraisal;
 - c. an assessment of the benefits of the proposals to meet local housing need; and
 - d. a prepared statement of community involvement that has sought to include the significant input of the parish council.
4. In addition, for schemes including unrestricted market housing/plots for sale, justification will be provided by the applications to the number and type of dwellings proposed, which will be supported by the housing needs assessment and through an appraisal of viability to show the minimum provision of unrestricted market homes necessary to deliver a significantly greater proportion of local affordable homes for that site; and
5. Proposals will be subject to a legal agreement that provides for the permanent control and management of any affordable housing to ensure its long-term retention for local need.

Question 20

Do you support or object to Policy H3? What would you add, remove or amend to support it further or to remove your objection?

12 Policy H4 Self-build and custom build

12.0.1 Self-build and custom housebuilding cover a wide spectrum, from projects where individuals are involved in building or managing the construction of their home from beginning to end, to projects where individuals commission their own home, making key design and layout decisions, but the home is built by others. Under the [Self-Build and Custom Housebuilding Act 2015 \(as amended by the Housing and Planning Act 2016\)](#)⁶³ both forms are recognised equally, provided the initial land owner has primary input into the final design and layout. Homes purchased off-plan without this input do not qualify as self-build and custom housebuilding.

12.0.2 The Act mandates that relevant local authorities must establish and maintain a register of individuals and associations seeking serviced plots for self-build and custom housebuilding. Therefore, the Council identifies and provides for those who wish to build their own homes by keeping a self-build and custom housebuilding register of interested individuals and associations and reports the headline data every year in late Autumn on the Council's [website](#)⁶⁴. Authorities must have regard to the register when fulfilling planning, housing, land disposal and regeneration functions present in their local planning processes

12.0.3 Each base period, typically running year-on-year from October to October, captures the demand via new entries on the register. Local Authorities then have three years following each base period to grant planning permission for a sufficient number of serviced plots to meet that demand. In addition to keeping a register of interested individuals and associations, the Council also tracks the preferred areas that individuals and associations desire, and land with planning permission for self-build and custom house builds.

12.0.4 Planning applications for Self-build and custom housebuilding are expected to include a [proforma](#)⁶⁵ setting out how the scheme meets the definition of Self build and custom housebuilding definition. The proforma sets out details required for the Councils monitoring and where exemption from Biodiversity Net Gain is being sought.

Question 21

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy H4

Self-build and custom build

The Council supports the delivery of self and custom build housing as part of maximising the choice and mix of housing for residents, in order to meet the local demand. Sites of 20 or more homes will provide at least 5% serviced plots for sale to self-builders. In rural areas and settlements as defined via a Proposals Map, which will be available in later stages of the Local Plan, the threshold for providing self-build will be 10 homes and the percentage of provision should be rounded up to the nearest unit. These rural scheme should be considered as part of a rural exception site applications, to encourage choice in rural areas. Specific provision for self and custom build will be made on larger strategic allocations.

63 <https://www.legislation.gov.uk/ukpga/2015/17/contents/enacted/data.htm>

64 <https://swale.gov.uk/planning-and-regeneration/self-build/view-the-register-headline-data#h2>

65 https://swale.gov.uk/_data/assets/pdf_file/0003/73277/2026.10-BNG-proforma-for-schemes-that-are-self-or-custome-build-FINAL-AA.pdf

Whilst it is required that plots be designed and laid out by the first occupier, where plots are part of a larger development including other types of uses and forms of residential, it will be necessary to demonstrate that the self and custom build housing dwellings can sit comfortably within the wider development.

Question 22

Do you support or object to Policy H4? What would you add, remove or amend to support it further or to remove your objection?

13 Policy H5 Park Homes

13.0.1 Park homes are usually set within purpose-built enclaves and are particularly attractive to older people who are retired or semi-retired and seek to be part of a close-knit community. These parks are often owned and managed by specific park home operators who take responsibility for the maintenance of communal landscaped areas and often provide additional support such as an on-site manager who arranges transport to local services and facilities. Park homes have the added advantage of being on one level, making them suitable for people with limited mobility and they can also be considerably quicker to build than traditional homes.

13.0.2 Age UK, a network made up of independent charities providing crucial support for older people, defines park homes as typically prefabricated single-storey homes that are manufactured off-site and installed on land owned privately or by a local authority and that to be classed as a park home, the home must be capable of being moved from one place to another, either on its own wheels or by being towed or transported by another vehicle⁶⁶.

13.0.3 More generally, a park home can be said to be a prefabricated dwelling constructed under controlled workshop conditions before being transported to its final location. They are usually timber framed and mounted onto a steel frame, with tough, durable weatherproof exterior and textured finish and are assembled on site and connected to mains services (electricity, gas and drainage). They are typically single storey, pitched roof constructions, often provided fully furnished with integrated appliances, central heating, double glazing and carpeting throughout.

13.0.4 The [Caravan Sites and Control of Development Act 1960](#)⁶⁷ sets out the provision for the licensing and control of caravan sites and to authorise local authorities to provide and operate caravan sites. The Act also sets out the requirements of manager of site to be fit and proper person. In the last decade, the industry has modernised and these types of homes are now required to be built to BS3632 standard that ensures properties have high specifications in terms of insulation, ventilation, sustainability, room sizes and design elements (e.g. larger kitchens). The relevant legal requirements, e.g. space standards, protections, etc are contained in the [Mobile Homes Act \(2013\)](#)⁶⁸.

13.0.5 The Council's [Housing Market Assessment for Swale.pdf](#) (SHMA 2020)⁶⁹ identifies the Councils need for older persons accommodation during the plan period and park homes can play an important role in delivering suitable accommodation to meet these needs. Park home sites are typically favoured by older persons looking to downsize from their family homes and as a result, these sites tend to have a lower impact on the highway network due to limited (or low) levels of commuting and a lower likelihood of school age children that need to access education facilities. However, their locations in more rural locations can make them car dependent developments.

13.0.6 Good bus services, broadband speed and local shops and services remain important considerations in terms of the sustainability credentials of a park home site. Any proposals for a site would also need to meet expected standards of BS3632 and [Policy GD1 Local Design Principles](#) of this Plan in terms of siting, standards of construction and safety, and protecting the amenity of those living on the sites.

13.0.7 For Park home proposals that are for general accommodation needs for the over 55 year olds as set out in the SHMA at paragraph 6.17, the Council may take a more flexible approach to assessing the sustainability credentials of the location taking into consideration broadband speeds, supermarket delivery services and where the proposals have the potential to support existing shops and services that might otherwise be in decline.

66 https://www.ageuk.org.uk/siteassets/documents/factsheets/fs71_park_homes_fcs.pdf

67 <https://www.legislation.gov.uk/ukpga/Eliz2/8-9/62>

68 <https://www.legislation.gov.uk/ukpga/2013/14/contents>

69 <https://services.swale.gov.uk/assets/Planning%20Policy%202019/Housing%20Market%20Assessment%20for%20Swale.pdf>

Question 23

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy H5

Park Homes

Proposals for Park Homes will be granted planning permission where:

1. The site is in a sustainable location with access to services and facilities;
2. The development must not be in an area incompatible with the risk of flooding, as set out in [Table 2: Flood risk vulnerability and flood zone 'incompatibility'](#) ⁷⁰ of the Planning Practice Guidance. Any residual risk must be mitigated through design solutions to the satisfaction of the Environment Agency and these solutions will not lead to other material planning harm, e.g. unacceptable impacts on the amenity of others on the site;
3. The proposals are in accordance with [Policy C6 Coastal Change Management](#) and [Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy](#) relating to the coast and the coastal change management area;
4. Development is to meet the needs of older persons as set out in the [Strategic Housing Market Assessment](#) and that the park is to be owned and managed by operators who will ensure the park and its operations serve that community;
5. Conversion of existing caravans/holiday homes to park homes will be reviewed on a case-by-case basis, having regard to the sustainability of the location and existing uses and supporting facilities. It will also take account of the cumulative, or one-off effect of the loss of holiday homes, in the context of supporting the tourist economy; and
6. The accommodation that is the subject of the application complies or will comply within 12 months of the granting of planning permission with standards BS3632 and meets the requirements of the Caravan sites and Control of Development Act 1960 (as amended) [Caravan Sites and Control of Development Act 1960](#) (as amended) ⁷¹ and the [Mobile Homes Act 2013](#) ⁷² in terms of both standard and condition of the unit and external layout within the context of surrounding area.

Question 24

Do you support or object to Policy H5? What would you add, remove or amend to support it further or to remove your objection?

⁷⁰ <https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2>

⁷¹ <https://www.legislation.gov.uk/ukpga/Eliz2/89/62>

⁷² <https://www.legislation.gov.uk/ukpga/2013/14/contents>

14 Policy H6 Gypsy, Traveller & Travelling Showpeople Accommodation

14.0.1 Swale is home to one of the largest Gypsy, Traveller and Travelling Showpeople populations in Kent and the wider South East with over 80 sites, and the aim of this policy is to help ensure that there is sufficient provision of accommodation to meet the communities need.

14.0.2 The [National Planning Policy Framework](#)⁷³ (NPPF para 61) requires that the housing needs for different groups in the community be assessed and reflected in planning policies. For the Gypsy and Travellers communities, the method for identifying need is set out within [Planning Policy for Traveller Sites](#)⁷⁴ (PPTS 2024). The aim of the PPTS is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community. The PPTS requires local planning authorities to identify their own local need for pitches (in the case of Gypsies and Travellers) and plots (in the case of Travelling Showpeople) and their provision of that need as part of their overall housing requirement.

14.0.3 In order to gain a greater understanding of the borough's need for pitch and plot provision, a [Gypsy and Traveller Accommodation Assessment 2023](#)⁷⁵ (GTAA 2023) was commissioned by the Council. The GTAA identified that there was an overall need for 114 additional Gypsy and Traveller pitches across the borough over the period 2022/23 to 2037/38. The evidence concludes that over the immediate five years after the study there is a potential for an additional 72 to 78 authorised pitches to become available through regularisation and expansion/intensification plus 4 more through turnover on existing sites and, that these supplies result in a potential 76 to 82 pitches that could meet the overall need in the short-term and would result in a longer-term need for 34 pitches.

14.0.4 The Council has a proven track record of granting suitable planning permissions for Gypsy and Traveller need. As identified in the GTAA a significant proportion of the immediate need could be met through existing sites however there is also a longer-term need that could be address through suitable windfall sites. Therefore, Policy H6 is intended to act as a criteria-based policy to guide planning applications for new sites that come forward, together with proposals for the extension and/or intensification of existing sites.

14.0.5 In seeking to achieve sustainable development in line with the NPPF and PPTS, proposals for new Gypsy and Traveller sites will need to demonstrate that they are sustainably located, economically viable and where appropriate, protect and enhance the natural and built environment.

Question 25

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy H6

Gypsy, Traveller & Travelling Showpeople Accommodation

Part A: Retention of existing sites

Existing permanent sites and those granted planning permission will be safeguarded for use by Gypsies, Travellers and Travelling Showpeople unless it can be demonstrated that the site is no longer suitable for such use.

Part B: New sites and expanding and/or intensifying existing sites

73 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

74 <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

75 https://swale.gov.uk/_data/assets/pdf_file/0004/463027/Swale-GTAA-Final-Report-December-2023-AA.pdf

Planning permission will be granted for new sites for Gypsies, Travellers and Travelling Showpeople, or the expansion and/or intensification of existing sites provided that proposals:

1. Provide a settled base where the site is well related to and within a reasonable distance of local services and facilities such as shops, public transport, schools, medical and social services and does not place undue pressure on those services;
2. Can achieve an integrated co-existence between all communities;
3. Are of an appropriate size to meet the accommodation need identified, do not introduce a scale of development that singly or cumulatively dominates the nearest settlement, and do not cause significant harm to the character of an area, its landscape, or the capacity of local services;
4. Can, where appropriate, accommodate living and working in the same location, either through a mixed-use site or on land nearby, whilst having regard to the safety and amenity of occupants and neighbouring residents;
5. Cause no significant harm to the health and wellbeing of occupants or neighbouring residents by noise, disturbance, vibration, air quality problems or other circumstances;
6. Cause no significant harm to the North Kent Downs National Landscape, national/local landscape or biodiversity designations and other natural or built environments that cannot be adequately mitigated;
7. Provide landscaping to enhance the environment in a way that increases openness and avoids exclusion and isolation from the rest of the community;
8. Provide for healthy lifestyles through open space, amenity areas for each pitch or plot and play areas;
9. Would be safe from flooding by meeting both the sequential and exceptions tests in accordance with national policy and [Policy C8 Flood risk](#);
10. Achieve convenient pedestrian and/or vehicular access (including parking) without unacceptable impacts on highway safety or the landscape;
11. Where appropriate, include visitor or transit pitches and/or sufficient areas for future expansion. Planning conditions may be used to limit the length of time that caravans can stop at transit sites and on visitor pitches; and
12. Are inclusive of the requirements of all Gypsy and Travellers including those who have ceased to travel and all other persons with a cultural tradition of nomadism or of living in a caravan.

Question 26

Do you support or object to Policy H6? What would you add, remove or amend to support it further or to remove your objection?

15 Policy H7 Dwellings for rural workers

15.0.1 The [National Planning Policy Framework](#)⁷⁶ (NPPF) makes it clear that isolated homes in the countryside should be avoided except in certain circumstances. One of these being the existence of an essential need for a rural worker to live at, or near, their place of work in the countryside (NPPF para 84a). The aim of Policy H7 is to expand on this and set out the parameters in which such a scenario may be acceptable. Whether a new dwelling is essential will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved.

15.0.2 It may be just as convenient, and more sustainable, for such workers to live in an existing dwelling near the site or in nearby towns and villages. The convenience and availability of such premises should be examined first. It will then be necessary to consider if the need could be met by improving or converting existing buildings on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context.

15.0.3 Where existing accommodation cannot be used or upgraded, there will be a functional test in which proposals should provide evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of a land-based enterprise. This could be, for example, where farm animals or agricultural processes or crops require on-site attention 24 hours a day or to deal with emergencies that could otherwise result in the serious loss of crops or produce.

15.0.4 There will also be a financial test in which proposals should provide evidence of the degree to which there is confidence that the enterprise will remain viable for the foreseeable future or that the provision of an additional dwelling on site is essential for the continued vitality of a farming business through the farm succession process. Any new dwelling permitted will need to be of an appropriate siting, scale, appearance and design taking into account amenity and its countryside location.

15.0.5 In the case of a new enterprise, it may be more appropriate to grant a temporary permission for accommodation, provided by a mobile home or other temporary structure, for a trial period, normally of 3 years. This enables the situation to be reviewed over time. Permission for a permanent dwelling should not subsequently be granted unless the criteria above are met. The occupancy of any dwelling permitted will be controlled by conditions to ensure that they are retained for use by persons solely, or last, employed in these activities or their immediate dependents. Removal of some permitted development rights will also normally be appropriate to prevent inappropriate extensions or uses.

15.0.6 In the absence of further national guidance on this issue, the Council will continue to have regard to Annex A to the former [Planning Policy Statement 7](#)⁷⁷ in the determination of planning applications.

Question 27

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy H7

Dwellings for rural workers

Planning permission will be granted for new, permanent rural worker dwellings in the countryside where:

1. There is no suitable existing dwelling nearby or in a nearby settlement;

⁷⁶ https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

⁷⁷ <https://webarchive.nationalarchives.gov.uk/ukgwa/20120920142515/http://www.communities.gov.uk/documents/planningandbuilding/pdf/147402.pdf>

2. It is not possible to convert or upgrade an existing building at the site;
3. There is confidence that the enterprise will remain viable for the foreseeable future and that the provision of an additional dwelling on site is essential for the continued vitality of a farming business through the farm succession process;
4. The business is able to demonstrate that it can support the cost of the workers dwelling; and
5. There is an evidenced, essential and functional need for a rural worker to be available on or near the enterprise at most times of the day.

Where criteria 1 to 4 are met, the new dwelling should be sited as close as possible to existing buildings on previously developed land, or if this is not possible, within the immediate locality on an acceptable site.

Where there is a new enterprise which is not yet able to fully meet all of the above criteria, temporary planning permission may be granted for a temporary structure for a trial period so that the situation can be reviewed over time. Where this is the case any application should be accompanied by a robust plan to setting out how compliance will be achieved. Appropriate planning conditions will address ongoing use to ensure the dwelling is occupied as intended.

Question 28

Do you support or object to Policy H7? What would you add, remove or amend to support it further or to remove your objection?

16 Policy H8 Extensions to, & the replacement of, dwellings in the countryside

16.0.1 It is reasonable for those living in the countryside, outside the defined built-up area boundaries (as illustrated on the Proposals Map, which will be available in later stages of the Local Plan), to be able to extend or replace their existing dwelling where more, or updated, living space is desired. Where planning permission is required, the aim of this policy, in recognition of the tranquillity and beauty offered by Swale's countryside, is to ensure that such extensions and/or replacements are of an appropriate scale, mass and appearance and do not harm the character of the countryside.

16.0.2 The Supplementary Planning Guidance entitled [Designing an Extension: A Guide for Householders](#)⁷⁸ remains a material consideration in the determination proposals. Planning permission will be granted for modest extensions (taking into account any previous additions) which are of an appropriate scale, mass and appearance in relation to the original dwelling, its rural location and any existing surrounding development.

16.0.3 For replacement dwellings, planning permission will be granted if the new dwelling is of an appropriate scale, mass and appearance in relation to its rural location and any existing surrounding development. The replacement dwelling should be located on the footprint of, or as close as practically possible, to the existing dwelling but in exceptional circumstances, an alternative location may be acceptable if it would result in clear landscape, access or amenity benefits. In the event that the dwelling is relocated, the removal of the existing dwelling upon completion of the new dwelling will be secured by way of planning condition or legal agreement.

Question 29

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy H8

Extensions to, & the replacement of, dwellings in the countryside

1. Extensions to dwellings in the countryside will be permitted, considering any previous additions, where they are of an appropriate scale, mass and appearance in relation to the original dwelling and location.
2. Replacement dwellings in the countryside will be permitted if the proposed new dwelling is of an appropriate scale, mass and appearance in the context of its location, neighbouring properties and the original building.

Question 30

Do you support or object to Policy H8? What would you add, remove or amend to support it further or to remove your objection?

17 Policy H9 Extending the garden of a dwelling in the countryside

17.0.1 Planning permission will be required to extend the garden of a dwelling onto land which is used for another purpose. In the countryside, outside the defined built-up area boundaries, as shown on the policies map (to be illustrated in later stages of the Local Plan) This typically involves the change of use of agricultural land or woodland.

17.0.2 By enlarging residential gardens, changing plot boundaries and introducing domestic uses to land, extending gardens can gradually lead to urbanising features such as sheds, garages and hardstanding being introduced into areas in which the open and attractive landscape qualities are highly valued. Furthermore, changes in land management can diminish biodiversity and a specific issue occurs where woodland may be singly or cumulatively taken into the curtilage of dwellings, preventing its proper and sustainable management.

17.0.3 In recognition of the wish of some rural householders to extend their gardens, the aim of this policy is to ensure that such proposals do not harm biodiversity or the character of the landscape. The consideration of proposals will be guided by amongst other matters Biodiversity and Landscape policies on:

- [Policy B1 Biodiversity and geodiversity conservation and biodiversity net gain](#);
- [Policy B2 Conserving & enhancing valued landscapes](#);
- [Policy B3 Kent Downs National Landscape Management Plan](#);
- [Policy B4 The separation of settlements – Important Local Countryside Gaps](#);
- [Policy B5 Woodland, orchards, trees and hedgerows](#) ; and,
- Swale Landscape Character and Biodiversity Appraisal Supplementary Planning Document (SPD) which can be accessed in two parts - [Part 1](#) ⁷⁹ and [Part 2](#) ⁸⁰.

17.0.4 Consideration will also be given to the likely cumulative impacts of a single proposal if repeated by others in the locality. A landscaping and/or land management scheme should be provided as appropriate to demonstrate how it will support the aims of the SPD. In cases where planning permission is granted, a planning condition will normally be imposed to remove permitted development rights for garden buildings and other domestic works to protect the landscape from further urbanising features.

Question 31

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy H9

Extending the garden of a dwelling in the countryside

Proposals to extend the garden of a dwelling in the countryside will be permitted where:

1. It can be demonstrated that the proposal will not result in significant harm to landscape character, the form of a settlement, biodiversity or inhibit the appropriate management of land; and
2. A scheme of landscaping and/or land management is provided and implemented that will, as required, conserve, enhance or restore the biodiversity and character of the land concerned.

79 https://services.swale.gov.uk/assets/Planning%20Policy%202019/swale_lca_reva_nov_2011_Web_Part_1.pdf

80 https://services.swale.gov.uk/assets/Planning%20Policy%202019/swale_lca_reva_nov_2011_Web_Part_2.pdf

Question 32

Do you support or object to Policy H9? What would you add, remove or amend to support it further or to remove your objection?

18 Policy E1 Loss of employment floorspace & land

18.0.1 The borough's stock of employment sites and premises are generally well occupied and in market demand and therefore to avoid the need for land to be identified for replacement elsewhere, should be protected from loss to other uses. Within existing employment areas there will be a strong presumption in favour of retaining premises suitable for employment uses.

18.0.2 The Council takes a positive approach to ensuring that a suitable range of floorspace is provided to meet the needs of businesses important to Swale's economy. This includes lower cost premises suitable for small and start-up businesses, together with premises for industrial and warehousing operations, along with office space.

18.0.3 This policy aims to manage the stock of Swale's employment property and provide development management guidance; including setting out what is expected of applications where they promote a loss of employment floor space or undeveloped land within both allocated and non-allocated sites. The Council will seek to retain undeveloped, [allocated employment land, from the adopted Local Plan 2017](#)⁸¹, for future employment use.

18.0.4 The [National Planning Policy Framework](#)⁸² (NPPF) sets out that "significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."

18.0.5 At the end of March 2021, the Housing Secretary announced [changes to permitted development rules](#)⁸³ in England. These changes, effective from 1st August 2021, allow the conversion of certain commercial properties to residential use without requiring full planning permission, subject to prior approval and specific conditions.

18.0.6 A new planning use class, designated as Class E, was introduced on 1st September 2020 and covers the former use classes of B1 (business, office and light industry), A1 (shops), A2 (financial and professional), A3 (restaurants and cafes) as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure) and puts them all into one new use class - E.

18.0.7 Where a change of use is proposed, which involves the release of employment floorspace or allocated employment land, then the Council will expect supporting evidence to demonstrate that the site (or floorspace) has no reasonable prospect of being taken up and therefore no harm to the local economy. This includes demonstrating that there is no reasonable prospect that the floorspace can be re-occupied and, where appropriate, the land redeveloped for a new employment use.

18.0.8 Where the loss of employment floorspace and/or land is proposed the Council expects applicants to provide robust marketing information, indicating a proactive marketing campaign that demonstrates sites cannot remain in an employment generating use.

Marketing evidence should:

- i. Demonstrate that both the land and the premises have been widely advertised and marketed for a wide range of economic uses for at least one continuous year immediately prior to submission of a relevant planning application;
- ii. Include offering the site for both freehold and leasehold interest at values reflective of the current market. Information should be provided to demonstrate that the values sought are reflective of the market; including benchmarking with similar properties (or land) in the market area;
- iii. Include information detailing any interest received from potential buyers or tenants since the marketing commenced. Where interest has been received, and that interest has not been pursued, this must be explained;

81 <https://swale.gov.uk/planning-and-regeneration/local-plans/adopted-local-plan-for-swale>

82 https://assets.publishing.service.gov.uk/media/67e0e1081f783cca46251/NPPF_December_2024.pdf

83 <https://www.planningportal.co.uk/permission/common-projects/change-of-use/planning-permission>

- iv. Where sites are undeveloped, or property needs to be redeveloped, then viability testing of indicative schemes should be provided; and
- v. Include relevant information on the quality and vacancy level of the premises, and why the location is considered inappropriate for economic uses.

18.0.9 Sites allocated for employment use in this Plan that are not yet developed, should only be considered for release through a local plan review. This reflects the fact that our allocated sites may not come forward for development until later in the plan period. These development sites are our medium and long-term ‘reservoir’ of sites intended to allow the economy to respond flexibly across the economic cycle and are not just for current prevailing market conditions. The local plan review process is the best place to make these judgements and any application for a different use on an allocated employment site should require a clear demonstration that there is no realistic prospect of the site coming forward for employment in the medium to long-term.

18.0.10 In exceptional cases, a release may be considered ‘mid plan’, but in which case we would expect to see a much more prolonged period of marketing before concluding that the site has no reasonable prospect (at least three years or across an economic cycle - whichever is longer). Potential applicants are encouraged to seek the advice of the Council prior to seeking planning permission as regards their proposed marketing strategy.

18.0.11 There may be cases where, on balance, a new or replacement employment use would not be supported by nature of the site’s location or characteristics. Where applicants can clearly demonstrate that the site is no longer appropriate for ongoing employment use, by nature of its access or other limiting features, then marketing evidence will not be necessary. In preference, this should be discussed before the application is made, using the Council’s pre-application service.

Mixed-use redevelopment and renewal

Where an employment site cannot remain in employment use applicants should first consider whether a mixed-use approach could offset part of the loss of employment generating space. That is before considering a total loss.

18.0.12 In considering this approach applicants should aim to replace a quantum and quality of space which is in demand. In parts of the borough this may be to meet the demand for small unit industrial or workshop space regardless of the fact that other uses (for example offices) could deliver more jobs as part of any mixed-use redevelopment. In general, office-based employment should not be used to offset the loss of industrial land or floorspace. However, flexible space adaptable to provide office, workshop, light industrial uses or indeed a mix is in demand and would be supported.

18.0.13 Where proposals for economic development uses come forward on sites that are not currently allocated for, or in employment use, subject to other policy considerations the proposals will be supported in principle.

18.0.14 Our policy approach gives general support to proposed new economic development while ensuring that any loss of employment land is properly justified by evidence. This is because it is important for socio-economic reasons that existing and new businesses are supported by ensuring that a suitable supply of employment land and premises continues to be available. This policy therefore takes a cautious approach towards the loss of employment land and premises, to ensure that a sufficient supply of sites continues to exist to meet the needs of the local economy and local residents.

18.0.15 Current legislation on extensions to permitted development rights allows the conversion of offices and light industrial premises to residential uses. Changes arising from these rights will be monitored during the plan period and the supply of floorspace will be managed to ensure that an appropriate supply of premises and sites continue to be made available to support the needs of the local economy.

Question 33

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy E1

Loss of employment floorspace & land

1. Within existing employment areas there will be a strong presumption in favour of retaining premises suitable for industrial, warehousing, office and similar types of uses (including premises, suitable for medium, smaller and start-up businesses). Proposals for new premises suitable for these types of uses will be supported.
2. Other uses will only be permitted where they are ancillary to the employment use, do not result in the loss of existing employment premises and demonstrate an over-riding benefit for the economy of the borough.
3. Where a change is proposed from an economic land use to another use, outside of the Use Class and permitted development rights, development proposals must provide credible and robust evidence of an appropriate period of marketing for economic use to show that the proposals would not cause unacceptable harm to the local economy. (As set out in the preamble above.) A further consideration will be the significance to the local economy of the use proposed to be lost.
4. Marketing evidence should prove that both the land and the premises have been widely advertised and marketed for a wide range of appropriate economic uses for at least one continuous year (for loss of an existing employment site) and for 3 years (for a planning application for a different use on a site allocated for employment through the Local Plan) for a immediately prior to submission of a relevant planning application. This will vary depending on current use, location and neighbouring uses. The exercise should be formally agreed with the Local Planning Authority prior to the period's commencement and demonstrate that the price and terms on which the land or premises were marketed were reasonable by comparison with similar examples in the local area.
5. Information should be provided detailing any interest received from potential buyers or tenants since the marketing commenced. Where interest has been received and that interest has not been pursued, this must be explained. The requirement for marketing evidence applies when a proposal is made that would result in the loss of an economic use or a net reduction in the quantity of employment land or premises
6. Marketing evidence will be assessed within the context of:
 - a. the overall quality of the site as an employment location;
 - b. the level of occupation/vacancy of the site;
 - c. consideration of the suitability of conversion for start-up and micro businesses;
 - d. possible reasons why the site is considered inappropriate for employment use, and the possible benefits from using the site for alternative uses; and
 - e. the achievement of other plan objectives.

Question 34

Do you support or object to Policy E1? What would you add, remove or amend to support it further or to remove your objection?

19 Policy E2 The Rural Economy

19.0.1 In Swale, the rural areas are considerable generators of wealth including from agriculture, land-based industries, tourism and the wide range of small to medium sized businesses that operate there. The Council wish to support and nurture these businesses and create a prosperous, sustainable rural economy that contributes to the overall prosperity of the borough.

19.0.2 The [National Planning Policy Framework](#) ⁸⁴ (NPPF) supports economic growth in rural areas to create jobs and prosperity by taking a positive approach to sustainable new development. Local planning authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas, promote the development and diversification of agricultural and other land-based rural businesses, support sustainable rural tourism and leisure developments which respect the character of the countryside and promote the retention and development of accessible local services and community facilities. (NPPF, paragraph 88.)

19.0.3 The NPPF also states that when businesses are located adjacent or beyond existing settlements, it is important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and improves sustainable transport options. It also encourages businesses to locate on previously developed land or on sites that are physically well-related to existing settlements. (NPPF, paragraph 89.)

19.0.4 Due to the dynamic nature and generally smaller scale of rural businesses it is not always possible to identify the opportunities likely to arise in terms of the allocation of specific sites. This policy therefore highlights the needs of specific sectors and the protection and expansion of rural services and that this will be done in a responsive and flexible way. The support for the sustainable growth and expansion of businesses and enterprises needs to be balanced with limiting and managing adverse impacts upon the wider countryside. In the next stage of the Local Plan Review, Reg 19, this policy will be considered in the context of a strategic policy on the economy which, for larger scales of employment growth, will steer provision to the urban areas and village service centres.

19.0.5 It is not the purpose of this policy to define rural employment, as the variety of businesses that can be successfully accommodated within rural areas are wide and always evolving. They will range from home-based businesses, newly created businesses, land-based businesses and those for whom the attractive environment fits the ethos of the company concerned.

19.0.6 A factor affecting the development of the rural economy is the limited availability of land and buildings. Such locations are often an attractive and more lucrative prospect for residential use. To retain the availability of rural buildings for employment, the Council will only grant planning permission for their conversion to residential use where substantial evidence is provided that demonstrates that there is no demand for them to be used for employment, or that they are wholly unsuitable for any employment use. Evidence of demand should include the results of proactive marketing of the building, normally with a planning permission, as available for employment use, for at least 6 months. This is shorter than the 1 year required for urban areas as sites here are scattered and more numerous and it is in the urban area where we want to retain and make available jobs due to their more sustainable location.

19.0.7 The success of rural businesses relies increasingly heavily on the availability and reliability of superfast broadband provision. The Council expects new developments, especially in the rural area, to provide broadband infrastructure that meets the [Broadband Regulations](#) ⁸⁵ in England, which became effective from December 26, 2022, which require developers to install gigabit-ready infrastructure and gigabit-capable broadband connections in new homes.

84 https://assets.publishing.service.gov.uk/media/62e0f3b411783cca46251/NPPF_December_2024.pdf

85 <https://www.gov.uk/guidance/new-build-connectivity-information-for-developers>

Rural Tourism

19.0.8 For the rural tourism sector, given Swale's outstanding environment and its potential contribution to the economy, the Council wishes to see an expansion of sustainable rural tourism initiatives that can benefit local communities, economically and socially, as well as raising awareness and support for conservation and enhancement of the borough's natural assets.

19.0.9 Indicators of such business credentials are likely to be:

- how it will manage and market itself and how it will make its purchasing choices;
- whether it communicates ideas via an environmental policy;
- its choice and use of resources and how energy, water and waste is managed;
- its relationship with local communities and its support of and contribution to the local economy;
- the transport opportunities and choices available;
- a spread of knowledge, management and awareness of the local environment and wider area, access, landscape and wildlife;
- how it will identify, address, promote and support the local distinctiveness of the area; and
- will it be developed at a scale appropriate to the local community and environment.

19.0.10 For proposals involving existing tourism businesses, membership of the Green Tourism Business Scheme, the national sustainable tourism certification scheme for the UK, or similar national certification schemes, will be taken as a demonstration of their sustainability credentials when planning applications are being considered.

19.0.11 When considering proposals for tourism and visitor facilities, the Council will ensure that they complement the existing services present within the locality and where appropriate support their use by existing communities, as well as visitors. In the case of the many holiday parks located in the rural area, their needs are considered more specifically by [Policy E4 New Holiday Parks or extensions to existing parks & the occupancy of holiday parks](#).

19.0.12 The Swale Visitor Economy Framework Action Plan was agreed in October 2020 and has six overarching destination challenges that were identified for Swale's visitor economy:

- To shift visitors' perceptions of the area and increase awareness of the product offering;
- To give visitors the opportunity to stay longer and spend more;
- To respond to visitor engagement with online and social content;
- To give visitors a reason to visit outside of the summer season;
- To develop the visitor experience by creating packages and experiences; and
- To persuade visitors to travel beyond London.

Agricultural Sector

19.0.13 For the agriculture sector, the industry has highlighted the need for it to keep pace with the changing context brought about by climate change, food security, food miles, the decline in pollinators, global markets, major food retailers and changing legislation/guidance and Brexit. These may bring about demands for facilities such as large-scale crop storage facilities and new growing technologies. This Policy supports farmers to respond to these challenges. The Kent Downs AONB Unit Farm Diversification Toolkit [Kent Downs Farm Diversification Toolkit](#)⁸⁶ can help farmers take a balanced and integrated approach to making changes on their farm. The borough also has a significant woodland resource which brings with it opportunities in terms of development and diversification in respect of woodland products and renewable energy, sustainable woodland management and/or as a resource for sustainable leisure and green tourism activities.

19.0.14 Key parts of rural economies, the vitality and viability of rural communities are their local services and community facilities, including local shops, meeting places, sports venues, cultural buildings, schools,

public houses and places of worship. This Policy promotes and supports proposals for new services or the innovative diversification or expansion of existing provision. The Council will look to the retention and development of such services and facilities where they are, or can be made viable. Where development proposals threaten the continued future of such uses, the Council will look to applicants to submit substantial technical evidence to demonstrate the options that they have considered to retain the use, such as through sharing of services or diversification, which will also include details of its viability.

19.0.15 Even if the site or building is currently vacant, evidence will need to show that it is neither viable nor likely to become viable and that alternative employment uses have been robustly tested. This will also include the applicant having marketed the enterprise or the property for its commercial/community use for a reasonable period (at least one year) in a manner and at a price that reflects that use.

19.0.16 Agricultural practices are changing and evolving but to achieve support from this Policy, this change must be sustainable, with proper regard to environmental considerations which will depend on the type of development proposed. A specific aim to limit the impact of changes is a preference for new development proposals to use existing buildings, or where a new building is justified, on previously developed land as a first consideration.

19.0.17 The Council will have to be satisfied that such options have been fully explored before well designed new buildings, appropriate to their context can be approved. For proposals to convert existing buildings, the Council's Supplementary Planning Guidance entitled [The Conversion of Traditional Farm Buildings](#)⁸⁷ (or its successor) will remain a material consideration to the determination of some proposals.

19.0.18 Development proposals for larger scale (500sqm or above) rural based employment are preferred to be located at the village service centres and urban areas and with the sustainable re-use of existing units preferable.

Question 35

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy E2

The Rural Economy

Planning permission will be granted for the sustainable growth and expansion of businesses and enterprise in the rural area.

Planning permission for residential development will not be permitted where this would reduce the potential for rural employment and/or community facilities unless the site/building(s) is adequately demonstrated as having no demand for such purposes through an extensive, proactive marketing process, for at least 6 months, or its use would be undesirable or unsuitable.

Development proposals for rural based employment will:

1. For all proposals:
 - a. firstly consider the appropriate re-use of existing buildings or the development of other previously developed land, unless such sites are not available or it is demonstrated that a particular location is necessary to support the needs of rural communities or the active and sustainable management of the countryside;

- b. retain or enhance the rural services available to local communities and visitors without undermining or resulting in the loss of existing services, unless demonstrated to be unviable for the existing use or other employment/community use;
- c. for new buildings and ancillary facilities, the design and layout will need to be sympathetic to the rural location and appropriate to their context;
- d. result in no significant harm to the historical, architectural, biodiversity, landscape or rural character of the area;
- e. avoid scales of traffic generation incompatible with the rural character of the area, having regard to [Policy INF1 Managing transport demand & impact](#) and [Policy B8 Rural Lanes](#); and
- f. provide capable broadband to the premises including gigabit-ready infrastructure and gigabit-capable broadband connections in new homes and to new businesses premises.

2. For tourism and leisure:

- a. in the case of green/sustainable tourism proposals, be demonstrated by reference to their principles;
- b. provide for an expansion of tourist and visitor facilities in appropriate locations where identified needs are not being met by existing facilities in the locality or where able to increase facilities available to local communities as well as visitors; and
- c. where relating to holiday parks, proposals are also in accordance with [Policy E4 New Holiday Parks or extensions to existing parks & the occupancy of holiday parks](#).

3. For the agricultural/forestry sectors:

- a. enable the diversification of a farm; or
- b. extend the growing season or improve the reliability and availability of local crops; or
- c. provide for the storage, distribution or added value activities in central hubs located close to crop sources and the primary and secondary road networks; or
- d. increase the availability of locally grown food sold direct to the consumer; or
- e. increase the sustainable management of woodlands; or
- f. increase the use of renewable energy sources in accordance with [Policy C5 Renewable energy development and infrastructure](#).

Question 36

Do you support or object to Policy E2? What would you add, remove or amend to support it further or to remove your objection?

20 Policy E3 Proposals for Main Town Centre Uses

20.0.1 The [National Planning Policy Framework](#)⁸⁸ (NPPF) requires planning policies to define a network and hierarchy of town centres and to take a positive approach to their growth, management and adaptation allowing for flexible, mixed use, characterful places and to recognise the important role that they play at the heart of the local communities they serve. Swale is fortunate to have three vibrant town centres that provide a range of services and facilities and other urban local centres and rural local service centres to meet the day-to-day needs of local communities.

20.0.2 Sittingbourne is the principal town centre for the borough and is with Faversham and Sheerness the focus for retail development. Sitting below the town centres in the Swale retail hierarchy are the Urban Local Centres of Minster and Halfway and Queenborough and Rushenden, and the Rural Local Service Centres of Boughton, Eastchurch, Iwade, Leysdown, Newington and Teynham. The extent of the town centres of Sittingbourne, Faversham and Sheerness will be illustrated on the Proposals Map, which will be available in later stages of the Local Plan.

20.0.3 The focus for retail development is at the town centres. The [Swale Retail & Leisure Needs Assessment \(update\) 2023](#)⁸⁹ sets out that in particular Sittingbourne and Sheerness, that have identified additional capacity for convenience goods floorspace. Sittingbourne has seen significant investment in recent years as part of the delivery of regeneration activities including a new multi-storey car park and cinema complex with restaurants and public realm improvements. The Council seeks to support further regeneration within Sittingbourne through the [Sittingbourne Town Centre Supplementary Planning Document 2022](#)⁹⁰ that forms part of the Council's development and will shape and guide regeneration and heritage in the town centre over the next 10 to 15 years. In terms of comparison goods capacity, the updated needs assessment identifies reduced capacity in all three of the borough's centres. This is primarily due to changing consumer behaviour coupled with the impact of the Covid-19 pandemic and rising inflation.

20.0.4 There is significant uncertainty in the retail and leisure sector at this time and the Council is not looking to allocate sites for retail through this local plan review, preferring instead to take a more flexible approach. This will be kept under review through monitoring and review of town centre vitality and viability indicators.

20.0.5 Proposals for retail use that cannot be accommodated within the town centre will require the submission of an impact assessment that will set out the impacts the proposals are likely to have on the vitality and viability of the town centre in the catchment area of the proposal. The impact assessment is required to demonstrate how negative impacts on a town centre can be mitigated for. A local threshold of 500 sq.m for assessing retail proposals on the edge of town centres or out of centre has been set as recommended by the [Retail and Leisure Needs Assessment 2018](#)⁹¹

Primary Shopping Areas and active shop frontages

20.0.6 The NPPF sets out that planning policies are required to identify the 'Primary Shopping Areas' for town centres where retail development is concentrated and make clear the range of uses that are permitted. Primary and supporting secondary shopping frontage areas where ground floor uses are predominantly retail with complementary uses can also be identified to support the vitality and viability of centres. The Primary Shopping Area and primary and secondary shopping frontages will be illustrated on the Proposals Map, which will be available in later stages of the Local Plan.

20.0.7 The borough's town centres are facing considerable challenges at present, and it is the Council's approach to be flexible and adaptable in the range of uses that are provided in these shopping areas

88 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

89 <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/economy-and-employment#h2>

90 <https://swale.gov.uk/your-council/publications/planning-and-planning-policy/adopted-sittingbourne-town-centre-supplementary-planning-document-spd>

91 <https://services.swale.gov.uk/assets/Planning%20Policy%202019/Retail%20Leisure%20Needs%20Assessment%20Report.pdf>

and where it supports local economies. Particularly encouraging the unexpected opportunities that may occur on the fringes of the primary shopping areas. Allowing for a wide range of uses can potentially have a key role in maintaining a diverse and commercially prosperous centre without undermining their primary retail function. This flexible approach will help enhance the vitality and viability of the borough's town centres and maximise their contribution to the local economy.

20.0.8 Retail will remain the predominant use at ground floor level in the Primary Shopping Areas. However, the new use class order that came into force in 2021 allows for a wider range of uses, including non-retail, to be permitted without requiring permission from the Council. Whilst the Council recognises the need for flexibility, adaptability at this time, it is imperative that ground floor frontages in the primary shopping area continue to contribute to the vitality and viability of the town centre by being well designed and in keeping with the character of the immediate area. Active frontages contribute to maintaining and enhancing a sense of place and natural surveillance, and proposals for development involving alterations or new shop fronts must accord with [Policy GD3 Shop fronts, signs and advertisements](#).

Question 37

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy E3

Proposals for Main Town Centre Uses

Planning permission will be granted for main town centre uses subject to:

1. Taking into account the scale and type of development proposed in relation to the size, role and function of the centre, as follows:

Principal Town Centre	Sittingbourne
Secondary Town Centres	Faversham and Sheerness
Urban Local Service Centres	Minster and Halfway; Queenborough and Rushenden
Rural Local Service Centres	Boughton, Eastchurch, Iwade, Leysdown, Newington and Teynham

Table 20.0.1

2. Being located within the town centres as defined on the Proposals Map (to be illustrated in the later stages of the Local Plan); or

3. Where demonstrated that a town centre site is not available, being located on a site on the edge of a town centre, subject to criteria 4a to 4c; or

4. Where demonstrated that there are no suitable sites available at locations within criteria 2. and 3. above, proposals elsewhere within the built-up areas of Faversham, Sheerness and Sittingbourne, as shown on the Proposals Map (to be illustrated in the later stages of the Local Plan) will only be permitted if:

- a. it is demonstrated by an impact assessment (when the proposal is for retail and leisure above 500 sq. m) that it would not individually, or cumulatively with those trading or proposed, undermine the vitality and viability of existing town centres, or of other local centres and the facilities and services of other locations;

- b. it does not materially prejudice the provision of other land uses, particularly the supply of land for economic land uses, housing, community use and open space; and
 - c. it is well located in relation to the main road network and easily accessible by public.
5. Elsewhere, proposals will be permitted where they address the tests set out in national policy and accord with criteria 4a to 4c.

Primary Shopping Areas, secondary frontage and active frontages

6. The Council will support the concentration of retail uses in the Primary Shopping Area as identified on the Proposals Map (to be illustrated in later stages of the Local Plan). Shop frontages within the Primary Shopping Area and secondary shopping frontages as identified on the Proposals Map (to be illustrated in later stages of the Local Plan) must be well designed in line with Policy GD3 on shop fronts, signs & advertisements. They will be active frontages in that they will be outward looking onto their street and enhance the vitality and natural surveillance of the street.
7. Proposals for development within the Primary Shopping Areas and secondary frontage areas will be permitted where they can demonstrate that the proposed use and design will enhance the vitality and viability of the town centre.
8. Given the likelihood of more residential development in our town centres, developers should be mindful of the 'Agent of change principle' set out in the NPPF, and be prepared to undertake any necessary mitigation in order to attain a suitable living environment.

Question 38

Do you support or object to Policy E3? What would you add, remove or amend to support it further or to remove your objection?

21 Policy E4 New Holiday Parks or extensions to existing parks & the occupancy of holiday parks

21.0.1 In Swale, holiday parks are a significant part of the tourism offer and make a valuable contribution to the local economy. Visitors have the potential to boost local communities, particularly in the summer months, by creating seasonal employment opportunity and by supporting local shops, restaurants and other businesses. The changing nature and flexibility of the leisure market and the higher aspirations of holiday makers are leading to leisure providers continually developing new concepts to respond to consumer needs and aspirations.

21.0.2 Holiday parks are for short term tourism occupation for up to 10 months of the year. Whilst some parks in Swale have been modernised to meet changing needs, others are of poor quality and are in need of improvement. Many of the holiday parks are located within open and/or coastal sensitive landscapes where they have had negative visual impacts. With the space available for the parks being squeezed by coastal cliff erosion and increasing flood risk.

21.0.3 Given the scale of existing holiday park provision on the Isle of Sheppey and its contribution to the current poor condition and appearance of local landscapes, the Local Plan Review does not seek to allocate any new sites. The expansion of existing sites outside defined holiday areas will also not be permitted due to the landscape and visual impacts likely to arise. Exceptionally, extensions to existing sites will be permitted in specific local circumstances, such as where land on a site is being physically lost due to coastal processes and where its replacement can be assimilated successfully into the landscape.

The occupancy of holiday parks

21.0.4 Most holiday parks in Swale have been restricted to an eight month period of occupation, with an additional 11 day period allowed over Christmas and the New Year period for sites not at risk of flooding. The limited occupancy period was imposed to ensure that these holiday parks were not used as permanent (and sometimes sub-standard) housing, many of which were in poorly accessible parts of the borough, to also protect the character of rural areas, and to afford the opportunity to retain a period of tranquillity in rural and other areas. In areas at risk of flooding, permanent occupation over the winter period could also result in risk to life.

21.0.5 Whilst these considerations remain relevant, to give more scope and incentive to enable modernisation and upgrading to take place, the Council considers that there will be occasions when a 10 month occupancy period will be acceptable, which will, in turn deliver tourism benefits and support for the local economy.

21.0.6 Policy E4 below sets out the parameters within which applications to extend the occupancy of holiday parks to a 10 month period will be permitted. Permanent occupation will continue to be resisted.

21.0.7 Where land is liable to flooding, occupation will continue to be restricted in accordance with national planning policy and guidance. Applications to extend occupancy on these sites will need to be supported by an up-to-date Flood Risk Assessment (FRA) with mitigation measures where appropriate. Applications will be resisted where it has not been possible to provide mitigation that adequately safeguards from the risk of flooding over the winter months.

21.0.8 In cases where sites are either adjacent, or in close proximity to, the Swale or Medway Special Protection Area, an application to extend the holiday season will need to be accompanied by an assessment made under the Habitat Regulations in order to consider potential disturbance to over-wintering birds.

Question 39

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy E4

New Holiday Parks or extensions to existing parks & the occupancy of holiday parks

1. Planning permission will be granted for the upgrading and improvement of existing static holiday caravan and chalet sites (including the conversion from chalet to caravan) within the existing boundaries of the Holiday Park areas as shown on the Proposals Map (to be illustrated in later stages of the Local Plan).

Conversions from caravan to chalet will be reviewed on a case-by-case basis, due to some chalet sites having 12 month occupancy rights and where criteria 4.d of this policy applies.

Planning permission will not be granted for any new static holiday caravans and chalets, or extensions, outside of the Holiday Park areas on the Isle of Sheppey as shown on the Proposals Map (to be illustrated in later stages of the Local Plan).

2. In circumstances where land is lost to coastal erosion, minor extensions to existing static holiday caravan sites will be permitted where:

- a. the proposal is in accordance with [Policy C6 Coastal Change Management](#) and [Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy](#) where it applies relating to the coast and the coastal change management area;
- b. it is demonstrated that on-site upgrading and improvement is not practical or viable;
- c. there is no overall increase in the existing number of accommodation units;
- d. it is part of a scheme to upgrade and improve the quality of tourist accommodation and other amenities on the site;
- e. it results in a significant and comprehensive improvement to the layout, design and appearance of the site, together with an integrated landscape strategy that creates a landscape framework for both the existing and proposed sites that will reduce their overall impact within the landscape in accordance with [Policy B2 Conserving & enhancing valued landscapes](#);
- f. in accordance with policy criteria set out below on the occupancy of holiday parks; and
- g. there is no unacceptable impact on the local environment.

3. Where new or improved facilities are proposed within the existing boundaries of the Holiday Park areas, as shown on the Proposals Map (to be illustrated in later stages of the Local Plan), planning permission will be granted provided they are:

- a. of a type and scale appropriate to the site or park they are intended to serve;
- b. where feasible, made available for use by the local resident population; and
- c. in accordance with policy set out below on occupancy of holiday parks.

4. Applications to extend occupancy of caravans and chalets in holiday parks to 10 months will be assessed against the following criteria, all of which must be met:

- a. the site is not at risk of flooding, unless, exceptionally, applications accompanied by a Flood Risk Assessment (FRA) can satisfactorily demonstrate that the proposals would not result in a greater risk to life or property and where an appropriate flood evacuation plan would be put in place;
- b. the amenity and tranquillity of the countryside and residential areas are safeguarded;
- c. the proposals are in accordance with [Policy C6 Coastal Change Management](#) and [Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy](#) where it applies relating to the coast and the coastal change management area;

- d. where located adjacent to or in close proximity of the Special Protection Areas (SPAs), an assessment has been undertaken to determine the level of disturbance to over-wintering birds and identified mitigation measures, where appropriate; and
- e. the extension of a 10 month occupancy is subject to planning conditions safeguarding the holiday accommodation from being used as a sole or main residences.

Question 40

Do you support or object to Policy E4? What would you add, remove or amend to support it further or to remove your objection?

22 Policy INF1 Managing transport demand & impact

Managing Transport Demand and Impacts

22.0.1 The need to prioritise sustainable transport and active travel above private use is becoming increasingly urgent. On 26th June 2019, the Council declared a [Swale Climate and Ecological Emergency](#)⁹². Some of the intentions set out by the Council in the document include an approach to spatial and transport planning that makes fewer journeys necessary, as well as improving public transport and encouraging active travel. The Council's [Climate and Ecological Emergency Action Plan 2025](#)⁹³ includes Air Quality and Sustainable Transport as one of the seven focus areas. Development in the borough now needs to contribute towards providing an efficient and sustainable transport system and promote modal shifts toward public transport and active travel.

22.0.2 We are in a period of significant technological advancement and travel pattern uncertainty resulting from new ways of working and new technology. This policy is intended to be sufficiently flexible to react appropriately to those evolving changes.

22.0.3 New development and redevelopment can impact the transport network through both physical changes and changes to the number, type and mode of trips linking the site. This has an effect on the safe and efficient operation of the highway and public transport network.

22.0.4 This policy aims to ensure that development proposals maximise opportunities for access and sustainable transport, responds to the emerging technological advances and is designed to support transport modes in line with the hierarchy below:

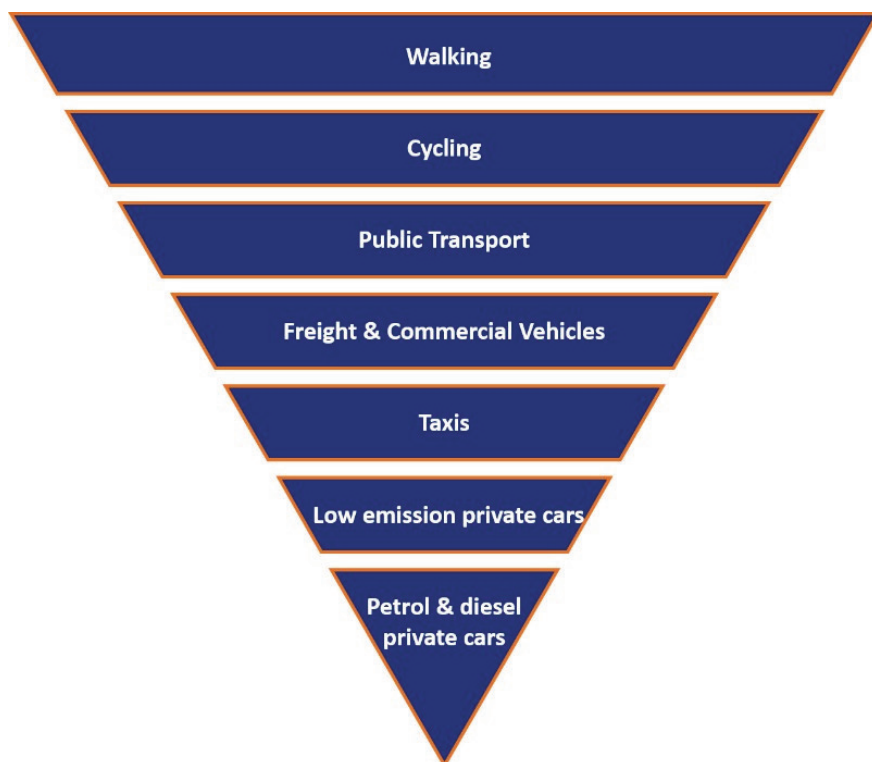


Figure 22.0.1 Transport Hierarchy

22.0.5 This policy also aims to ensure that developers submit an appropriate level of assessment to enable the Council to assess the transport conditions before and after a development. Development

92 Swale Borough Council -Declaration of Emergency <https://services.swale.gov.uk/assets/Climate-Change-and-Ecological-Emergency/Climate-Change-and-Ecological-Emergency-Motion.pdf>

93 Climate and Ecological Emergency Action Plan 2025 https://services.swale.gov.uk/_data/assets/pdf_file/0011/494219/2025-Climate-and-Ecological-Emergency-Action-Plan.pdf

proposals should take all the appropriate steps to safely and efficiently integrate a development to the transport network within its capacity, and/or to secure measures to enable access and capacity before a development comes into use.

22.0.6 This policy supports the core objectives of the [National Planning Policy Framework](#) (NPPF) ⁹⁴ for promoting sustainable transport by managing patterns of development at a site-specific level. The NPPF states that transport issues should be considered from the earliest stages of plan-making and development proposals, and significant development should be focused in areas that are, or can be made to be, sustainable through limiting the need to travel and offering a genuine choice of transport modes.

22.0.7 This policy forms a framework for considering development proposals in line with NPPF to ensure that:

- a. appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b. safe and suitable access to the site can be achieved for all users; and
- c. any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

22.0.8 Development proposals should therefore be located and designed to minimise the need to travel and maximise the choice and convenience of sustainable modes in line with potential future strategic policy on Promoting Sustainable Transport and Active Travel.

22.0.9 All developments that have the potential to generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. These should be prepared in line with Planning Practice Guidance for Travel Plans and Transport Assessments and Statements.

22.0.10 Thresholds for development requiring assessment are defined by the Council's Planning Validation Checklist:

22.0.11 Transport Assessment:

- a. Residential developments of 40 dwellings or more, or
- b. Developments (including non-residential) proposals of 2,500 square meters with a gross floor space of 2,500m² or more
- c. Where recommended as mitigation, a draft travel plan should also be submitted

22.0.12 Transport Statements:

- d. Residential developments of 10 dwellings or more, or
- e. Development (including non-residential) with a gross floor space of 1,000 m² or more
- f. Site has an area of 0.25 hectare or more and the development proposed will have limited transport issues arising
- g. Where recommended as mitigation, a draft travel plan should also be submitted.

22.0.13 The above thresholds are not exhaustive and the requirements for assessment should be determined based on the unique nature of each site. The coverage and detail of assessment should reflect the scale of the development and the extent of the transport implications of the proposal. This can be agreed with the Council following discussions with the Highway Authority at the Pre-Application stage.

22.0.14 Developers should demonstrate that a proposal will meet the needs of users in accordance with the transport hierarchy in [Figure 22.0.1 Transport Hierarchy](#), and that the transport network (both highway and public transport) has sufficient capacity to accommodate additional movements from the development.

22.0.15 Where a development is likely to result in capacity constraints, developers are required to detail the specific amendments and mechanisms to mitigate the proposals. These should be agreed and implemented prior to development, and the Council will seek to secure these through Planning Conditions, Section 106 legal agreements as appropriate.

22.0.16 Following application of the above processes, NPPF (paragraph 116) states that development should only be prevented or refused on highways grounds if the residual cumulative impacts of development are 'severe'. Whilst 'severe' is not defined by the NPPF, DfT [Circular 2/2013](#)⁹⁵ states that continued safe operation of the network is the prime consideration in terms of the operation of the strategic road network.

22.0.17 New development should be located to minimise the need to travel for employment and services, and to facilitate sustainable transport in accordance with potential future strategic policy on Promoting Sustainable Transport and Active Travel.

22.0.18 Development proposals will be expected to assist with the delivery of the [Faversham LCWIP](#)⁹⁶ January 2022 ([update](#)⁹⁷ drafted, becomes definitive version once approved), the Kent Cycling and Walking Infrastructure Plan ([KCWIP](#), August 2024⁹⁸) and the emerging Swale LCWIP which underwent for public consultation in Autumn 2025. They plans have been designed to enable a long-term approach to developing local cycling, walking and wheeling networks over a 10-year period.

22.0.19 Development should be designed with active travel, especially walking and cycling at the forefront and should be located within walkable distances to services and amenities. Development sites that lack existing local services and amenities should incorporate proposals for such where the scale of development warrants it. Mixed-use development or sites that have access to employment or community facilities without the need for vehicular trips will be favoured to support this policy and future strategic policy on Promoting Sustainable Transport and Active Travel as well as principles of minimising the need to travel.

22.0.20 Integration of walking and cycling not only requires consideration within the site layout, but also requires comprehensive and cohesive links to the surrounding network, services and facilities. Development layouts should be designed to be fully permeable to pedestrians and cyclists, and measures to reduce traffic speed in residential areas should be integral to the design and layout. Existing public rights of way through a development site should in the first instance be enhanced to improve connectivity to the wider network and recreational value, or be retained on their established routes within green, overlooked corridors. [Local Transport Note 1/20](#)⁹⁹ must be used as the standard for new cycle route design. Any proposed changes to routes must be demonstrated to the satisfaction of the Council and Kent County Council Public Rights of Way Access that change to the network would enhance its recreational value.

22.0.21 Developments should take full advantage of public transport services in their vicinity. Sites that have high public transport accessibility, or the ability to provide it, will be strongly favoured. Site layouts should be designed to promote access to public transport, increase the attractiveness of these modes, and capitalise on opportunities to strengthen transport interchanges. In line with a strategic policy on Promoting Sustainable Transport and Active Travel in the future, developers will be required to integrate improved public transport facilities where appropriate, such as access to bus stops, shelters, passenger seating, waiting areas, signage and timetable information.

22.0.22 Developers should demonstrate through appropriate assessment that scheme proposals can be accommodated within the existing or committed public transport capacity. Where capacity constraints are predicted, developers should mitigate this through appropriate means, such as contributions towards new or improved services in accordance with a future strategic policy on Promoting Sustainable Transport and Active Travel.

95 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1093964/circular-02-2013-update.pdf

96 <https://favershamtowncouncil.gov.uk/active-travel/>

97 <https://favershamtowncouncil.gov.uk/wp-content/uploads/2025/09/Faversham-LCWIP-Aug-25.pdf>

98 <https://letstalk.kent.gov.uk/kent-cycling-and-walking-infrastructure-plan>

99 <https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120>

22.0.23 The Council recognises the important role of rail and water transport in the movement of freight and commercial use. Indeed, the [Kent Minerals and Waste Local Plan 2024-39 \(Adopted 2025\)](#) (Policy CSM 12) ¹⁰⁰ supports in principle development proposals for new wharf and rail depots for importation operations, and this policy requires that emissions associated with minerals and waste road transport movements are minimised as far as practicable and by preference being given to non-road modes of transport. The Council is keen to encourage greater use of rail and water transport and will usually support development which proposes this.

22.0.24 We are in a period of significant transport innovation and technological advancement, whether this be conversion of vehicular fleets to electric or hydrogen power, autonomous vehicles or on demand transport provided directly to our homes via mobile phone apps. Accompanied with this there may also be longer term travel demand changes that may occur as a legacy from the Covid-19 pandemic. These could involve greater peak spreading of travel demand and a need for flexible working spaces within new homes or communities. The Council will ensure that this local plan's policies can accommodate the adaptations to the way we travel, work and shop with the objective of reducing the need for private car dependency.

22.0.25 Direct access to the strategic road network and primary road network shown on Picture 7.0.6 will not be supported in most cases. New direct access to the strategic road network will only be considered in cases of strategic development, proposed through a local plan review, and only where appropriate access arrangements can be achieved without detriment to network capacity or safety.

22.0.26 The Insets ([Figure 22.0.2 Swale Urban Hierarchy](#) - [Figure 22.0.5 Sittingbourne Urban Hierarchy](#)) show the Urban Road Hierarchy for Faversham, the Sheerness area and Sittingbourne respectively.

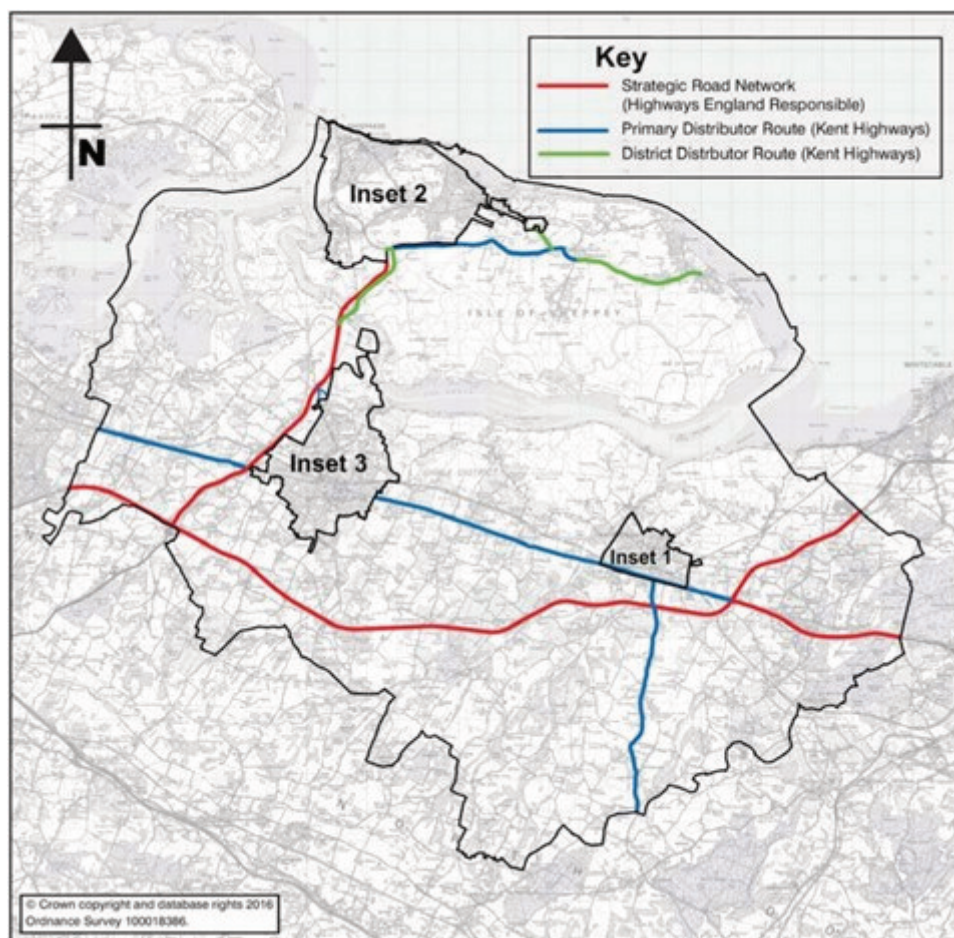


Figure 22.0.2 Swale Urban Hierarchy

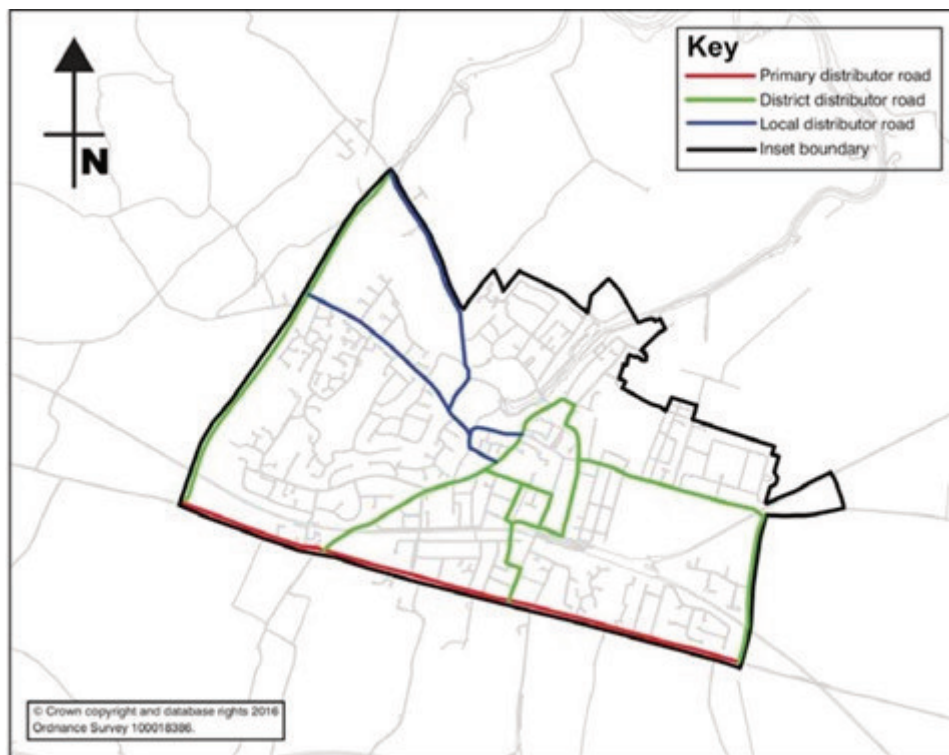


Figure 22.0.3 Fav Urban Hierarchy

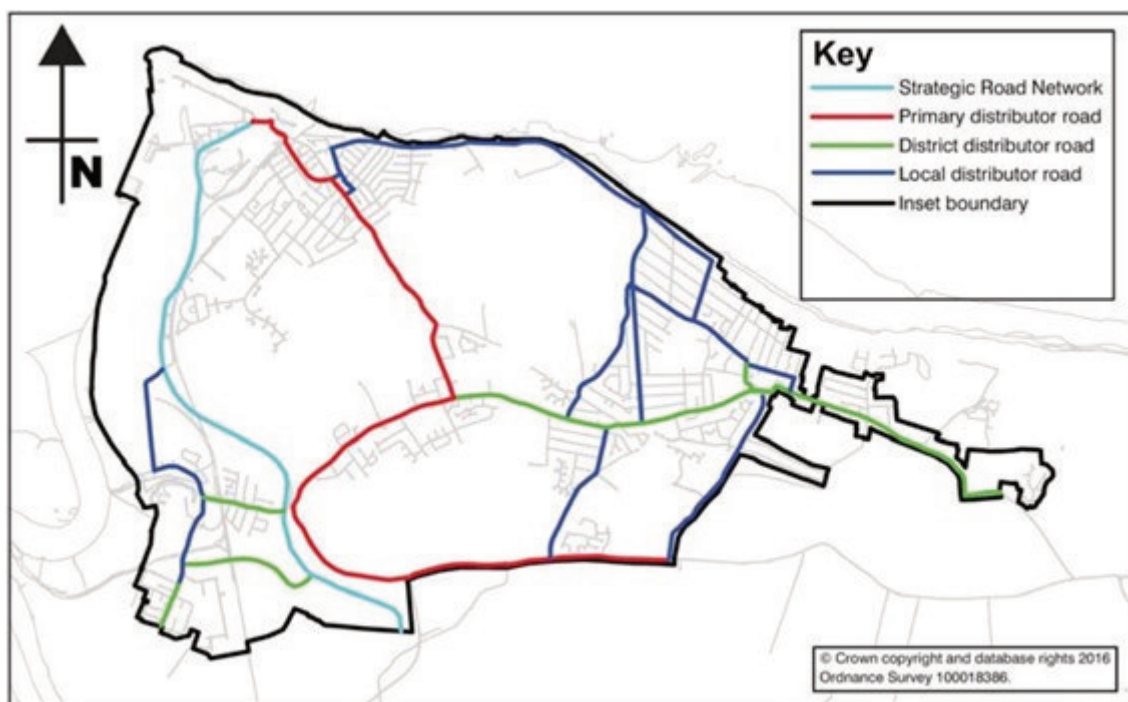


Figure 22.0.4 Sheerness Urban Hierarchy

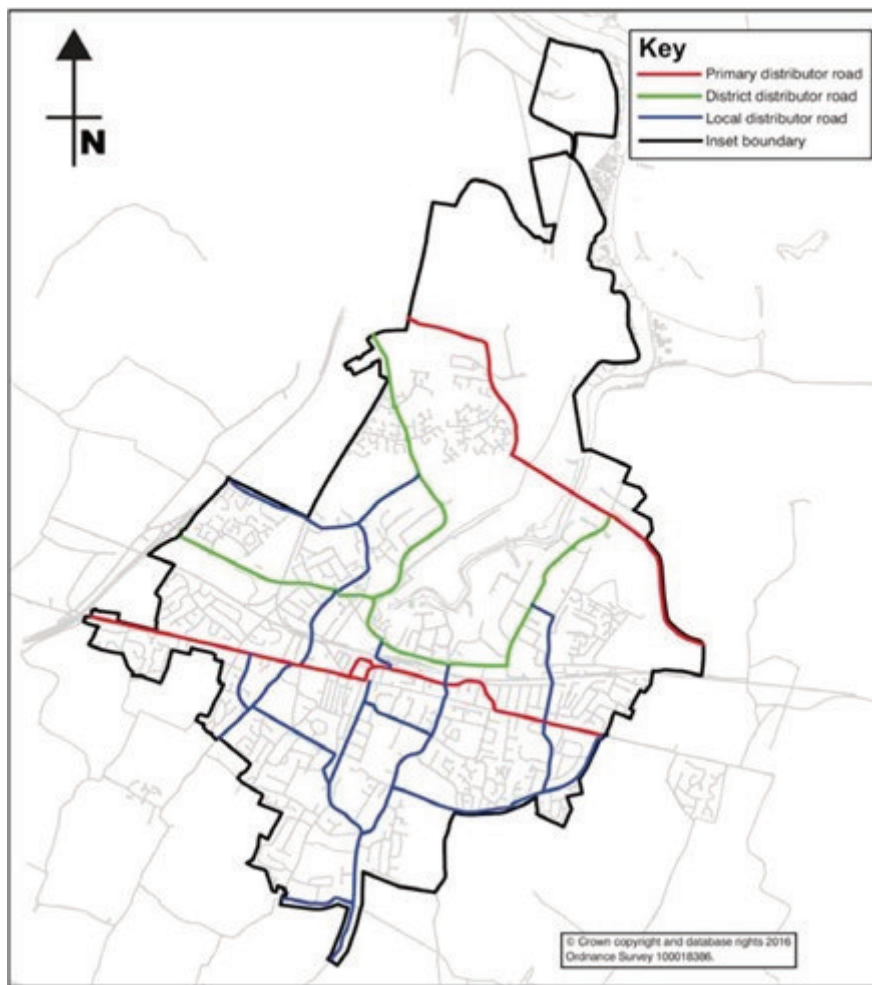


Figure 22.0.5 Sittingbourne Urban Hierarchy

Question 41

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy INF1

Managing transport demand & impact

1. All developments that have the potential to generate significant amounts of movement by any mode should be supported by a Transport Statement or Transport Assessment. Where recommended as mitigation, a draft Travel Plan should be submitted, and a Full Travel Plan secured by planning condition;
2. Development that has the potential to impact the strategic road network will require a Transport Assessment regardless of level of trip generation;
3. All trip generating development proposals must prioritise sustainable transport and 'active travel' by:
 - a. Minimising demand for private car journeys;
 - b. Demonstrating that sustainable transport modes have been prioritised in the design in accordance with the Development Transport Hierarchy ([Figure 22.0.1 Transport Hierarchy](#));

- c. Providing a fully permeable and connected development for walking, cycling and public transport;
 - d. Creating an accessible development accommodating the needs of all users, including those who are disabled or are mobility impaired;
 - e. Ensuring existing public rights of way are enhanced, or where diverted that new routes are created in appropriate locations;
 - f. Realising all opportunities to enhance access by sustainable modes, appropriate to the scale of development; for example, on strategic sites, look for opportunities to provide car clubs or cycle hire schemes, where possible, integrated into 'mobility hubs' which may also include a new bus stop or other element of sustainable transport. Car club cars should be provided on developments of 100 cars or above. Mobility hubs (with more than one type of active/sustainable travel element in one place) should be provided in developments larger than 250 dwellings;
 - g. Having due regards to relevant adopted Local Cycling and Walking Infrastructure Plans; and
 - h. Demonstrating that the public transport network has sufficient capacity to accommodate the development, taking into account the cumulative impact of local committed development.
4. All trip generating development proposals must consider highway impacts by:
- a. Demonstrating that the road network has sufficient capacity to support the development, considering the cumulative impact of local committed development;
 - b. Ensuring that, where mitigation is required, environmentally acceptable improvements to the network are agreed by the Council and the Highway Authority and provided in advance of severe safety or capacity highway issues being identified;
 - c. Demonstrating access arrangements can be achieved, accommodating the predicted level of use and vehicle types, and without severe residual cumulative impacts to network capacity or impacting upon highway safety; and
 - d. Avoid the formation of a new direct access onto the strategic or primary distributor route network where possible, or unless identified by the Local Plan. Other proposals for new access onto the networks will need to demonstrate that they can be created in a location acceptable to the Council and appropriate Highway Authority.
5. Development proposals must support safe and sustainable freight and commercial operations by:
- a. Not resulting in the loss of usable wharfage or rail facilities;
 - b. Ensuring safe and efficient delivery and servicing that minimises the number of motor vehicle journeys;
 - c. Providing supporting evidence that demonstrates the promotion or use of wharfs or rail facilities when requested by the Planning Authority; and
 - d. Providing layouts that accommodate emergency and utility vehicles.
6. Where the residual cumulative impacts of development are severe following mitigation works, or where a development will impact the continued safe and efficient operation of the local transport network, the development will be refused;
7. All proposals for strategic development or where otherwise advised must demonstrate that they are able to respond to emerging technologies by:
- a. Including facilities for charging plug-in and other ultra-low emission vehicles in line with [Policy INF1 Managing transport demand & impact](#) and [Policy INF2 Vehicle parking](#);
 - b. Supporting intelligent priority for sustainable modes of travel;
 - c. Facilitating "on demand" public transport or car club facilities and/or alternative measures that reduce the need for private car ownership;

- d. Providing Broadband/connected communities infrastructure and house design that supports Working from Home; and
- e. Providing flexible parking arrangements that can be easily adapted into community open space should demand for parking fall.

Question 42

Do you support or object to Policy INF1? What would you add, remove or amend to support it further or to remove your objection?

23 Policy INF2 Vehicle parking

23.0.1 The Council is aiming for walkable neighbourhoods within sustainable communities by ensuring that there is integrated employment, residential and community uses and by providing access to sustainable modes of transport into and around the towns and neighbourhoods. Research has shown there are fewer young people owning a driving licence ¹⁰¹ and that older people are driving less ¹⁰². In addition, home working had been steadily increasing and saw a substantial increase during and after the COVID19 pandemic and is a trend that is likely to remain. However, car ownership, although variable across different parts of the borough, is still a reality. Therefore there is a need to park, not only cars but, all types of vehicles, so the provision of well-designed parking set in the context of attractive public realm is an important requirement.

23.0.2 Ensuring the appropriate level of car parking in new development involves striking a careful balance. On the one hand, it is important that sufficient parking is provided so that there are no significant knock-on effects on the safety and function of the public highway and public transport through on street parking. On the other, the over provision of car parking, particularly within the vicinity of places of work, can lead to less sustainable travel choices and in residential areas can lead to car dominated neighbourhoods.

23.0.3 The [National Planning Policy Framework](#) (NPPF para 109) ¹⁰³ requires that transport issues, including parking, are considered from the earliest stages in the planning process as a means to create well-designed, sustainable and popular places. In addition, the NPPF (para 112 and 113) sets out that residential and non-residential parking standards can be determined locally where there is a clear and compelling justification. This could include local transport conditions, type and mix of land uses, electric vehicle needs and vehicle ownership. Whilst there is also the requirement for prioritising pedestrians, people with disabilities and cyclists/wheelers with the provision of safe, secure and attractive environments (para 117). The Council has published a Supplementary Planning Document setting out the local context on transport issues and providing guidance on car and cycle parking standards and design, including the requirements for electric vehicle charging [Swale Parking SPD](#) ¹⁰⁴.



Swale Borough Council

Parking Standards

April 2020

- 101 Chatterjee, K., Goodwin, P., Schwanen, T., Clark, B., Jain, J., Melia, S., Middleton, J., Plyushteva, A., Ricci, M., Santos, G. and Stokes, G. (2018). Young People's Travel – What's Changed and Why? Review and Analysis. Report to Department for Transport. UWE Bristol, UK. <https://www.gov.uk/government/publications/young-peoples-travel-whats-changed-and-why>
- 102 Marsden, G. et al. (2018) All Change? The future of travel demand and the implications for policy and planning, First Report of the Commission on Travel Demand, ISBN: 978-1-899650-83-5
- 103 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
- 104 <https://services.swale.gov.uk/assets/Planning-Forms-and-Letters/Supplementary-Planning-Documents/SBC-Parking-Standards-May-2020.pdf>

23.0.4 Design of parking provision in residential areas will be steered by the Swale Parking SPD, research into residential car parking in Kent made available by "[Space to Park](#)"¹⁰⁵, and design criteria relevant to parking within both the [National Design Guide](#)¹⁰⁶ and the [Building for a healthy life tool](#)¹⁰⁷.

Question 43

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy INF2

Vehicle parking

Development proposals will, as appropriate:

1. Accord with the adopted [Swale Parking SPD](#), Building Regulations 2021 Parts S, the [National Design Guide](#), [Building for a Healthy Life](#) and [Space to Park](#). Updated Part S covers electric vehicle parking and where there are repeated requirements with the Swale Parking SPD, developers should comply with whichever requirement delivers more electric vehicle charging provision;
2. For residential development proposals will:
 - a. take into account the type, size and mix of dwellings and the need for visitor parking;
 - b. provide efficient and attractive layout of development whilst ensuring that appropriate provision for vehicle parking is integrated within an attractive, tree shaded public realm; and
 - c. be aware of the caveat in the [Swale Parking SPD](#) that allows for a reduction in vehicle parking where appropriate.
3. For non-residential uses, development proposals will take into account:
 - a. the accessibility of the development and availability of public transport;
 - b. the type, mix and use of the development proposed;
 - c. the need to maintain an adequate level of car parking within town centres to ensure that viability of the centres is not compromised; and
 - d. to ensure appropriate provision for vehicle parking is integrated within an attractive, tree shaded public realm.
4. Cycle parking facilities on new developments will be of an appropriate design and in a convenient/easily accessible, safe, secure and sheltered location;
5. Development should make the following provision for electric vehicle charging points:
 - a. all new houses with dedicated off-street parking should provide charging points; and
 - b. within communal car parks for residential or non-residential developments of at least 10 spaces, a minimum of 10% of spaces should provide an active charging point.

Question 44

Do you support or object to Policy INF2? What would you add, remove or amend to support it further or to remove your objection?

¹⁰⁵ <http://www.spacetopark.org/>

¹⁰⁶ <https://www.gov.uk/government/publications/national-design-guide>

¹⁰⁷ <https://www.udg.org.uk/publications/othermanuals/building-healthy-life>

24 Policy INF3 Open space, sport and recreation provision

24.0.1 The [National Planning Policy Framework](#)¹⁰⁸ (NPPF para 103) recognises that having access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of our communities. This policy aims to protect, enhance & provide strategic recommendations and objectives for open space, sport and recreation in the borough.

24.0.2 The NPPF advises that robust and up-to-date assessments of the need for these facilities, including quantitative or qualitative deficits or surpluses, should be used in the preparation of planning policies. The Council's adopted [Open Spaces and Play Area Strategy \(2018-2022\)](#)¹⁰⁹ and the Playing Pitch Strategy (2024-2040)¹¹⁰ are both up-to-date and thorough assessments that have been carried out since the adoption of the last Local Plan. These strategies will continue to be supported by an Open Spaces Technical Assessment, a Playing Pitch Assessment and the Swale Built Facility Assessment and Strategy 2024-2038.

24.0.3 Both strategies seek to identify key opportunities and strategic imperatives, plan for the delivery of new facilities triggered by development, make improvements to existing facilities and provide working documents that set standards for provision in terms of quantity, quality and accessibility. The Swale Built Facility Assessment and Strategy (2024-2038)¹¹¹

24.0.4 Other linked strategies include the [Swale Active Lives Framework](#) (2017-2022)¹¹² and the [Swale Green and Blue Infrastructure Strategy \(2020\)](#)¹¹³ and [Swale Green Grid Strategy](#)¹¹⁴ (2016), which aims to create a network of multi-functional green and blue spaces across the borough.

24.0.5 Initially, Policy INF3 protects existing open space, sport and recreation facilities, and these should not be built on other than in exceptional circumstances. Furthermore, it seeks additional provision and enhancement, where required as part of new development. Policy INF3 also highlights the requirement to address deficiencies, with reference to the strategies outlined above.

24.0.6 The actual type and amount of provision required will be determined at planning application stage, in the context of the specific details of the proposed development, and in consideration of the Council's wider strategic aims. However, Policy INF3 seeks to ensure that amounts do not fall below current standards. Finally, in order to integrate such provision into the green and blue infrastructure network, Policy INF3 advocates for the multi-use and functioning of spaces to achieve benefits to communities and to biodiversity (through the creation of natural habitats) in accordance with future strategic policy in the next stage of the Local Plan Review, Reg 19.



¹⁰⁸ https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

¹⁰⁹ <https://services.swale.gov.uk/assets/Planning%20Policy%202019/Open%20Spaces%20and%20Play%20Area%20Strategy%202018-2022.pdf>

¹¹⁰ [\(Public Pack\)Agenda Document for Housing, Health and Communities Committee, 28/10/2025 19:00](#)

¹¹¹ [Swale Built Facility Assessment and Strategy 2024 - 2038](#)

¹¹² <https://swale.gov.uk/your-council/publications/sports-and-physical-activity/active-lives-framework-which-seeks-to-increase-physical-activity-in-the-community>

¹¹³ <https://services.swale.gov.uk/assets/Planning%20Policy%202019/7659.012%20Swale%20GBI%20Strategy%20MERGED%20LR.pdf>

¹¹⁴ <https://ws.swale.gov.uk/meetings/documents/s6009/Green%20Grid%20Strategy%202016%20proof%20Aug%202016.pdf>

Question 45

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy INF3

Open space, sport and recreation provision

Proposals for residential and other development will, as appropriate:

1. Safeguard existing open space, sport and recreation provision;
2. Make provision for open space and recreation facilities in accordance with Table 7.0.2 to ensure that amounts do not fall below current standards whilst ensuring that the location of new provision does not result in increased levels of recreational pressure on internationally designated sites;
3. Make provision for sports facilities in accordance with the needs identified by the Council's [Open Spaces and Play Area Strategy \(2018-2022\)](#)¹¹⁵, [Playing Pitch Strategy \(2015-2025\)](#)¹¹⁶ and [Swale Built Facilities Study](#)¹¹⁷, whilst ensuring that the location of new provision does not result in increased levels of recreational pressure on internationally designated sites;
4. Where it is not appropriate to make new provision on-site, make contributions to the off-site funding of facilities to meet local deficiencies or to the qualitative or quantitative improvement of existing provision; and
5. Provide for the multi-use of open space, sports and recreation facilities as appropriate, with particular emphasis on contributing towards the [Green and Blue Infrastructure Strategy \(2020\)](#), set out in a strategic policy in the next stage of the Local Plan Review, Regulation 19, so as to achieve benefits for both communities and biodiversity.

Type of space	Quantity to maintain existing levels of provision (ha per 1000 population)	Proposed need (ha)	Distance from new development
Parks and gardens	1.36	22.79	2km of a destination site. 800m of a local site. 400m of a neighbourhood site.
Natural and semi-natural greenspace	4.20	70.39	2km of a destination site. 800m of a local site. 400m of a neighbourhood site.
Amenity greenspace	0.49	8.21	400m
Provision for children and young people	0.06	1.01	400m
Allotments	0.18	3.02	800m

Table 24.0.1 Open space and recreation standards, subject to change pending new evidence at a later stage.

115 <https://services.swale.gov.uk/assets/Planning%20Policy%202019/Open%20Spaces%20and%20Play%20Area%20Strategy%202018-2022.pdf>

116 <https://services.swale.gov.uk/assets/Planning%20Policy%202019/Playing%20Pitch%20Strategy%202015-2025.pdf>

117 https://swale.gov.uk/_data/assets/pdf_file/008/47298/2024_SBC_Built_Facilities_Assessment_Final_V7_Feb_2024.pdf

Destination sites – large parks providing a range of facilities and features offering recreational, ecological, landscape, cultural or green and blue infrastructure value which (in the case of parks and gardens) are accessible by public transport. Includes areas recognised for a significant importance and biodiversity such as local nature reserves, woodlands and country parks.

Local sites – large areas, including a landscape setting, outdoor sports, children's play, informal recreation and areas of varied biodiversity such as coastal parks, country parks and community woodland.

Neighbourhood sites – pocket parks of less than 0.5ha which provide a landscape setting, informal space of children's play as well as space which provides varied biodiversity such as linear paths and small areas of space.

Question 46

Do you support or object to Policy INF3? What would you add, remove or amend to support it further or to remove your objection?

25 Policy INF4 Local Green Spaces

25.0.1 The [National Planning Policy Framework](#)¹¹⁸ (NPPF para 106) states that Local (and Neighbourhood) Plans should allow communities to identify and protect green areas of particular importance to them. The aim of this policy is to ensure that Local Green Space (LGS) designations are protected from inappropriate development and retained for enjoyment by local communities.

25.0.2 LGS designations can be considered, during the plan-making process, where the green space is:

- In reasonably close proximity to the community it serves;
- demonstrably special to a local community and holds a particular local significance for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity, or richness of wildlife; and
- local in character and not an extensive tract of land.

25.0.3 An assessment of potential LGS's has been carried out against the defined criteria and can be found published within the Local Plan's evidence base. The sites in question have, for the most part, been forward by local communities and represent diverse types and uses of land ranging from coastal cliff tops to allotments and recreation grounds.

25.0.4 The sites designated as LGS's are shown on the Proposals Map (to be illustrated in later stages of the Local Plan). The Council can have no direct influence on the management of these sites, although clearly the borough, parish and town council's wish to see their current use continue. However, Policy INF4 will be used to preserve these LGS's and prevent development which would conflict with their character and use.

25.0.5 LGS designations differ from village green registrations which are handled by Kent County Council under separate legislation and outside the remit of national planning policy and the Local Plan.

Question 47

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy INF4

Local Green Spaces

Within designated Local Green Spaces, planning permission will not be granted other than for:

1. The construction of a new building providing essential facilities for outdoor sport or recreation, cemeteries, allotments, the reasonable requirements of agriculture or forestry, or other community uses related to the Local Green Space, where the character and use of the Local Green Space is preserved;
2. The replacement, extension or alteration of an existing building where this does not result in a disproportionate addition over and above the original building and maintains the character and use of the Local Green Space;
3. The re-use of an existing building where this does not conflict with the character and use of the Local Green Space; or
4. The carrying out of engineering or other operations required for public safety or to provide essential infrastructure.

Question 48

Do you support or object to Policy INF4? What would you add, remove or amend to support it further or to remove your objection?

26 Policy C1 Sustainable design and adaptation principles

26.0.1 As a coastal borough in the south of England, Swale's population and environment is particularly vulnerable to the impacts of climate change including flooding and erosion, increased storms, overheating and drought. Impacts are already being felt, particularly by communities and businesses currently suffering from flooding, erosion and water shortages and by local ecosystems suffering the impacts of changing weather, including drought.

26.0.2 In response to the threats of climate change, in June 2019 the Council declared a Climate and Ecological Emergency. This included a commitment to facilitate the action required to make Swale carbon neutral, with an agreed target of 2045 (updated in 2025 from a former target of 2030). Following on from this the Council has developed, and updated, an Action Plan with actions for departments across the Council.

26.0.3 The Council's approach to addressing climate change must be seen within the international context. The UK is a signatory to the international Paris Agreement 2015, brokered via the United Nations. This commits signatories to ensure global average temperatures rise is limited to 2°Celsius above pre-industrial levels, and to pursue a limit of 1.5°C. This commitment requires fast and drastic cuts to global carbon emissions.

26.0.4 In 2019 the UK Government also declared a climate emergency and updated the legally binding carbon reduction goal for 2050 enshrined in the [Climate Change Act 2008](#)¹¹⁹. The Act comes with 5-yearly carbon budgets that are devised by the independent Committee on Climate Change (CCC) and passed into law by Parliament.

26.0.5 The CCC's, Seventh Carbon Budget (2025), explains:

- in nearly all scenarios considered by the Intergovernmental Panel on Climate Change (IPCC), long-term warming exceeds 1.5°C;
- under current policies, the global carbon budget for 1.5°C would be exhausted by 2030;
- it is still possible to limit long-term warming with deep and immediate emissions cuts;
- long-term warming above 1.5°C, even temporarily, will bring impacts that need to be adapted to. The greater the overshoot, the larger the climate risks;
- a greater overshoot implies a larger need for CO₂ removal measures many of which are not yet proven.

26.0.6 The urgency of the situation is clear and local plans (and thereby planning applications) have a duty and a mandate to respond, as follows:

- The [Planning & Compulsory Purchase Act 2004](#)¹²⁰ establishes that local plans are obliged to include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change;
- The Climate Change Act 2008 sets the UK's 2050 net zero carbon goal, and also interim 'carbon budgets', that reduce every 5 years;
- The [Planning & Energy Act 2008](#)¹²¹ grants local planning authorities the power to set reasonable requirements for:
 - Energy efficiency standards higher than those set by Building Regulations; and
 - Renewable or low carbon sources 'in the locality of the development' to supply a proportion of energy used at the development.
- [National Planning Policy Framework](#)¹²² (NPPF) states that:
 - The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It

119 <https://www.legislation.gov.uk/ukpga/2008/27/contents>

120 <https://www.legislation.gov.uk/ukpga/2004/5>

121 <https://www.legislation.gov.uk/ukpga/2008/27/contents>

122 https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF_December_2024.pdf

should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (para 161);

- Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating and drought from rising temperatures, in line with the objectives and provisions of the Climate Change Act 2008 (para 162);
- The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts (para 163);
- New development should be planned for in ways that help to reduce greenhouse gas emissions, such as through its location, orientation and design (para 164);
- To help increase the use and supply of renewable and low carbon energy and heat, plans should provide a positive strategy for energy from these sources (para 165).
- The [Planning Practice Guidance](#) ¹²³ chapter on Climate Change explains why it is important for planning to consider climate change and the legal mandate for such. It highlights opportunities to mitigate and adapt to climate change including:
 - Reducing the need for travel and providing sustainable transport;
 - Providing opportunities for renewable and low carbon energy and decentralised energy; and
 - Promoting low-carbon design approaches to reduce energy consumption in new buildings.

26.0.7 However, the Committee on Climate Change's analysis and High Court Rulings from [2022](#) ¹²⁴ and [2024](#) ¹²⁵ show that national government's current policies & plans will not deliver the Climate Change Act goals.

26.0.8 In response to these issues, the Council commissioned an evidence base for ambitious climate change policies. The evidence comprises three elements:

- i. Literature Review (assessment of powers and duties);
- ii. Policy options & risk matrix; and
- iii. Evidence base and policy recommendations.

These can be found at: [Local Plans - Local Plan Review Evidence](#) ¹²⁶.

26.0.9 Some of the challenges set out in the evidence base include:

- Building Regulations:
 - won't deliver net zero carbon buildings (including the Future Homes Standard);
 - don't count unregulated energy (eg appliances) so don't count all energy; and
 - are inaccurate and underestimate actual energy use.
- Lack of clarity from successive governments:
 - despite having the legislative framework, national policy is not explicit on what is required for the UK to reach net zero by 2050;
 - a number of Written Ministerial Statements have further clouded the water, resulting in confusion for local authorities and subsequent legal challenges. The evidence base documents set out detail related to the legal challenges.

¹²³ <https://www.gov.uk/guidance/climate-change>

¹²⁴ <https://www.judiciary.uk/wp-content/uploads/2022/07/FoE-v-BEIS-judgment-180722.pdf>

¹²⁵ <https://caselaw.nationalarchives.gov.uk/ewhc/adm/2024/09/?query=friends+of+the+earth>

¹²⁶ <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence>

26.0.10 Despite these challenges many local authorities are adopting policies that will ensure new development is zero carbon and truly mitigates and adapt to climate change. The Council is seeking to follow this lead and adopt policy that enables the fulfilment of their legal and moral duties.

Key Principals for net zero development

- i. New development's energy demand must be minimised;
- ii. New development should not use fossil fuels;
- iii. New development should come with enough new renewable energy generation to 'meet the energy used on site';
- iv. New development should use energy based metrics which measure true net zero operational carbon and adopt absolute targets for space heat demand, total energy use intensity per square metre; and
- v. Climate mitigation should include mandatory reporting and targets for embodied carbon.

26.0.11 These principles have fed into policies C1-C5 in this chapter, the benefits of which include:

- Ensuring new buildings in Swale are net zero and support the local and national net zero targets of 2045 and 2050 respectively;
- Buildings that are fit for the long term and avoid future costly retrofits;
- Ensuring new buildings have reduced energy costs and carbon taxes;
- Creating buildings and communities that contribute to healthier and more comfortable environments;
- Improving air quality associated with fossil fuel combustion;
- Minimising the need for new energy generation and grid reinforcement whilst contributing to enhanced energy resilience and security;
- Closing the performance gap between the design and operation of new buildings;
- Creating demand for high value jobs and skills;
- Supporting innovative supply chains and the transition to a green economy; and
- Demonstrating to the next generation that we have played our part in addressing the urgency of climate change.

Costs and feasibility

26.0.12 Policies need to be deliverable if they are to be found sound. Assessing the costs and feasibility of ambitious climate change policies has been an important element in both the climate change evidence base and the Whole Plan Viability Assessment. Details of costs and feasibility are provided in the evidence base documents ¹²⁶.

C1 Sustainable design and adaptation principles

26.0.13 The **Sustainable design, construction and adaptation principles** policy is part of a suite of policies in this Local Plan Review which seek to mitigate and adapt to climate change and enable the Local Plan Review to play its part in enabling the Council and the UK to mitigate and adapt to climate change. It sets out the Council's aspiration for sustainable design, construction and adaptation principles for development in the borough. It should be read against the other policies in this chapter.

Policy application

26.0.14 Before adoption of this policy, the Council aims to produce Planning Guidance to assist in its interpretation and application. Until that time, the climate change evidence base, ¹²⁶ which informed this policy, should be consulted.

26.0.15 The Building Research Establishment (BRE) runs the Building Research Establishment Environmental Assessment Method ([BREEAM](#))¹²⁷. It is a globally recognised, third-party, sustainability certification and assessment process, well established in Swale and included in policies in the adopted Local Plan, Bearing Fruits 2031. It examines a wide range of categories including health and wellbeing, energy, water, materials, waste and pollution. A range of BREEAM ratings continue to be relevant for Swale and are included in Policy C1.

26.0.16 Applicants for planning permission are expected to demonstrate the elements set out in policy C1 have been considered and evidenced where appropriate by the corresponding assessment methodology, in a **Climate, Energy and Waste Statement**, to accompany planning applications.

26.0.17 Definitions of uncommon phrases used in this policy can be found in the [Glossary](#)

Question 49

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C1

Sustainable design and adaptation principles

Principles of sustainable design and construction, and climate adaptation, should be considered from the very earliest stages of design development.

All residential and non-residential buildings should mitigate against, and adapt to, climate change by employing sustainable design and construction principles, in line with the criteria below, and any future Planning Guidance or Planning Documents.

1. Applicants are expected to demonstrate how these elements have been incorporated via a Climate, Energy and Waste Statement. The following measures should be set out:
 - a. Sustainable design and construction - all new developments must minimise their carbon footprint and energy impact through sustainable design and construction practices. Proposals should demonstrate efforts to reduce greenhouse gas emissions by factors such as site selection and location, linkages to other sites and infrastructure, land use/mix, site layout, building orientation, design, landscaping and tree planting strategies, while prioritising a “fabric-first” approach and nature-based solutions. Where development of existing sites takes place, it should be recognised that retaining and upgrading existing structures may be more sustainable than building new;
 - b. Sustainable choices – all new development should demonstrate that it makes sustainable living the easiest choice, for instance by providing: mixed uses/communities so people can live close to where they work, learn, socialise and relax; homes that are comfortable to work from, with space for flexible uses, including play and hobbies; have easy access, safe and dry bicycle parking; have space for storage, including for waste and recycling; have internal space to dry laundry; have easy access to public transport and good quality active travel infrastructure; and have safe and easy access to green and blue infrastructure and outdoor recreation - as well as supporting the TCPA's Healthy Homes Principles as set out in [Policy G1 General Development Criteria](#);
 - c. Cooling hierarchy - all development proposals should show how designs have optimised the internal and solar heat gains, to balance the need to minimise space heating demand with the

need to passively maintain comfortable temperatures during hot summers. The Climate, Energy and Waste Statement should set out how overheating risk measures have been incorporated in accordance with the following cooling hierarchy:

- i. Minimise internal heat generation through energy-efficient design and equipment selection;
- ii. Reduce and manage the amount of heat entering the building in summer using:
 - Building orientation;
 - Shading;
 - Albedo/Reflectivity;
 - Fenestration; and
 - Insulation.
- iii. Manage heat within the building through exposed internal thermal mass and high ceilings;
- iii. Passive ventilation, including cross ventilation through a building wherever possible. Passive stack and wind-driven ventilation, night purging and designing windows to allow effective and secure ventilation. Single aspect developments are discouraged;
- iv. Natural cooling measures including green and blue infrastructure;
- v. Use of mixed-mode cooling such as low-energy mechanical cooling (fan-powered ventilation); and
- vi. Mechanical ventilation (which, if it has a heat recovery function, should also have a summer bypass mode).

d. Overheating assessment:

- i. all major residential developments should complete CIBSE TM59 overheating assessment as their route to compliance with Building Regulations Part O (or future equivalent assessment methodology). The simplified Part O route will not be considered acceptable; or
- ii. all major non-residential developments should complete CIBSE TM52 overheating assessment (or future equivalent assessment methodology).

(Certain aspects of building design intended to increase energy efficiency and reduce heat demand, such as increased glazing and airtightness, can also exacerbate heat risk and cause uncomfortable living conditions. The inclusion of CIBSE TM52/59 overheating assessments provides the flexibility needed to manage this balance, as these assessments allow for more detailed design solutions compared to the simplified approach in Part O of Building Regulations.)

e. Resilience and adaptation to climate change - all development should incorporate measures that increase resilience to extreme weather events and demonstrate adaptation to a changing climate, including increasing temperatures and frequency and intensity of rainfall. All developments should demonstrate, where relevant, how they will:

- i. Reduce the risk of flooding and conserve water and accord with policies [Policy C8 Flood risk](#) and [Policy C10 Water Quality and Water Resources](#);
- ii. Employ sustainable drainage and accord with [Policy C9 Sustainable Drainage](#);
- iii. Ensure cool streets and paths, through tree planting and nature-based solutions, including the enhancement of existing water features;
- iv. Reduce the 'heat island' effect through the use of cool materials and green and blue infrastructure within the development;
- v. Be designed to enhance resilience to the anticipated effects of climate change. Proposals must incorporate measures to adapt to changing climate conditions, including resilience to extreme weather events, rising temperatures, stronger winds, droughts, heavy rainfall, and snow.

Water conservation and storage measures should also be integrated into designs, taking into account best practices and future climate projections and accord with [Policy C10 Water Quality and Water Resources](#); and

f. BREEAM – all new non-residential developments (including C1, C2, C2a and C5) are required to achieve BREEAM 'Very Good' standard as a minimum. New major non-residential developments (including C1, C2, C2a and C5) of 1,000sqm or more are required to achieve BREEAM 'Excellent' standard as a minimum.

Question 50

Do you support or object to Policy C1? What would you add, remove or amend to support it further or to remove your objection?

27 Policy C2 Net zero operational carbon in new build residential development

27.0.1 The case for the suite of policies that address the urgency of the climate emergency is set out in the preamble to Policy C1 Sustainable design, construction and adaptation principles.

27.0.2 Policy C2 is aligned with:

- national policy goals which aim to achieve the legally-binding UK target of net zero by 2050, as set out in the [Climate Change Act 2008](#)¹²⁸;
- carbon budgets legislated under the aegis of that Act and linked to the Climate Change Committee's (CCC) Balanced Pathway to Net Zero in the Sixth Carbon Budget report, which sets out that all new buildings should be zero carbon from 2025, with high levels of energy efficiency and low-carbon heat over gas boilers/fossil fuels. The CCC also recommends a heat demand between 15-20 kWh/m²/year;
- the [Planning and Energy Act 2008](#)¹²⁹ which sets out that local standards for energy efficiency in new homes are able to exceed those set in Building Regulations
- the approach to fossil fuels as set out in the Future Homes Standard (which seeks to end fossil fuel boilers); and
- the borough wide net-zero target of 2045.

27.0.3 For more detail on the justification for the suite of climate change policies, the benefits and co-benefits, costs and feasibility please see the preamble to Section [26 Policy C1 Sustainable design and adaptation principles](#).

Policy application

27.0.4 Before adoption of this policy, the Council aims to produce Planning Guidance to assist in its interpretation and application and set out details of a future potential carbon offsetting scheme. Until that time, the [Climate change evidence base](#)¹³⁰ which informed this policy, should be consulted.

27.0.5 Compliance with this policy should be demonstrated at the planning application stage through submission of a **Climate, Energy and Waste Statement**, which should include associated output reports from energy modelling software (e.g. PHPP, or HEM when available for general use).

27.0.6 Policy C2 sets a requirement for total energy use (or Energy Use Intensity) per m² per year, and such covers both regulated and unregulated energy use within a dwelling. The policy acts as a limit on the energy consumed within a building on an annual basis. It also sets a requirement for space heating demand using the same metric. Space heating demand is the number of units of heat required to sufficiently heat spaces within the building. Aside from stipulating no use of fossil fuels, the policy is agnostic to any technology in the building for heating and is determined by the level of insulation and air tightness specified for the building, it is therefore driving up fabric efficiency to ensure that demand for heat is minimised in the first place.

27.0.7 The policy aims to deliver an on-site energy balance on an annual basis, by providing enough renewable energy generation to equal the total energy use value. The secondary requirement (point 3a), using the kWh/m²projected building footprint/year, acts as a mechanism to ensure that on-site renewable energy generation is maximised where an on-site net zero energy balance is not feasible (eg taller flatted buildings or where overshadowing significantly impacts solar PV output). The value set is aligned to roughly 70% of roof space being covered by high efficiency solar PV panels.

128 <https://www.legislation.gov.uk/ukpga/2008/27/contents>

129 <https://www.legislation.gov.uk/ukpga/2008/27/section/1>

130 <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence#h2>

27 Policy C2 Net zero operational carbon in new build residential development

27.0.8 Points 1., 2. and 3. of the policy are to be addressed at the design and post-completion stages, to ensure that the development has been built to intended standards. Post-completion resubmission of the original energy statement including energy performance calculations, informed by the relevant tests to systems and fabric, will be required as a condition as part of the planning application process.

27.0.9 Points 5. and 7. on compliance will also need to be demonstrated post-completion through the satisfaction of planning conditions.

27.0.10 Please see the evidence base documentation (Output iii, under A. Net zero operational carbon in new build residential development) for detail on:

- Renewable energy provision;
- Offsetting (including circumstances when it may be applied flexibly);
- Assured performance methods; and
- Applicability to outline applications.

27.0.11 This policy applies to use classes C3 and C4. Please see [Policy C3 Net zero operational carbon in new build non-domestic development](#) for requirements for use classes C1, C2, C2a and C5.

Question 51

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C2

Net zero operational carbon in new build residential development

All new build dwellings are required to submit a Climate, Energy and Waste Statement demonstrating that the development meets the following requirements:

1. Total energy use of ≤ 35 kWh/m²/year GIA;
2. Space heating demand of ≤ 15 kWh/m²/year GIA (or <20 kWh/m²/year in bungalows only);
 - a. The use of fossil fuels and connection to the gas grid will not be considered acceptable.
3. On-site annual renewable energy generation capacity to at least equal the predicted annual total energy use;
 - a. Where an on-site net zero energy balance is not possible, it must be demonstrated that the amount of on-site renewable energy generation equates to ≥ 120 kWh/m² projected building footprint/year.
 - b. Where a building in a multi-building development cannot individually achieve the requirements of point 3., this shortfall is to be made up across other units on-site before energy offsetting (point 4) is considered.
 - c. Large-scale development (50 residential units or more) should demonstrate that opportunities for on-site renewable energy infrastructure (on-site but not on or attached to individual dwellings), such as solar PV canopies on car parks, have been explored.
 - d. Renewable energy output should be calculated in line with Microgeneration Certification Scheme guidance for the relevant technology (expected to be photovoltaics in most cases).
4. Energy offsetting will only be acceptable in exceptional circumstances, and as a last resort, where it is demonstrably unfeasible to achieve an on-site net zero regulated and unregulated energy balance. Any shortfall in on-site renewable energy generation that does not match energy use is to be offset via a S106 financial contribution, reflecting the cost of the solar PV that will need to be delivered off-site;

a. The energy offset price is set as £2.31/kWh. (This price is based on cost of solar PV data from the Department for Energy Security and Net Zero, and includes inflation and a 10% margin to enable administration of the offset fund to deliver off-site solar PV by the Council or its appointed partners. The price quoted here is from September 2024 and this figure will need to be revised annually. This is set as a one-off payment, where the shortfall in annual on-site renewable energy generation is multiplied by the energy offset price.)

5. Reduced performance gap - to ensure operational energy in practice performs to predicted levels from the design stage, an assured performance method must be implemented throughout all phases of construction;

6. Smart energy systems - all new build proposals should demonstrate how they have considered the difference (in scale and time) of renewable energy generation and the on-site energy demand, with a view to maximising on-site consumption of energy generated on site and minimising the need for wider grid infrastructure reinforcement. This may include smart local grids, energy sharing, energy and thermal storage, demand-side response, vehicle-to-grid charging provision, and/or solutions that combine elements of the above; and

7. Post-occupancy evaluation - large-scale development (50 units or more) is to monitor and report total energy use and renewable energy generation values to the Council on an annual basis and for 5 years upon occupation. An outline plan for the implementation of this should be submitted with the planning application.

Question 52

Do you support or object to Policy C2? What would you add, remove or amend to support it further or to remove your objection?

28 Policy C3 Net zero operational carbon in new build non-domestic development

28.0.1 The case for the suite of policies that address the urgency of the climate emergency is set out in the preamble in Section [26 Policy C1 Sustainable design and adaptation principles](#).

28.0.2 Policy C3 is aligned with:

- national policy goals which aim to achieve the legally-binding UK target of net zero by 2050, as set out in the [Climate Change Act 2008](#)¹³¹;
- carbon budgets legislated under the aegis of that Act and linked to the Climate Change Committee's Balanced Pathway to Net Zero in the Sixth Carbon Budget report, which sets out that all new buildings should be zero carbon from 2025, with high levels of energy efficiency and low-carbon heat over gas boilers/fossil fuels;
- the borough wide net-zero target of 2045.

28.0.3 For more detail on the justification for the suite of climate change policies, the benefits and co-benefits, costs and feasibility please see the preamble to Policy C1 Sustainable design and adaptation principles.

Policy application

28.0.4 Before adoption of this policy, the Council aims to produce Planning Guidance to assist in its interpretation and application and set out details of a future potential carbon offsetting schemes. Until that time, the [Climate change evidence base](#)¹³² which informed this policy, should be consulted.

28.0.5 Compliance with this policy should be demonstrated at the planning application stage through submission of a **Climate, Energy and Waste Statement**, which should include associated output reports from energy modelling software (e.g. PHPP, or HEM when available for general use).

28.0.6 Policy C3 sets a requirement for total energy use (or Energy Use Intensity) per m² per year, and such covers both regulated and unregulated energy use within buildings. The policy acts as a limit on the energy consumed within a building on an annual basis. It also sets a requirement for space heating demand using the same metric. Space heating demand is the number of units of heat required to sufficiently heat spaces within the building. Aside from stipulating no use of fossil fuels, the policy is agnostic to any technology in the building for heating and is determined by the level of insulation and air tightness specified for the building, it is therefore driving up fabric efficiency to ensure that demand for heat is minimised in the first place.

28.0.7 Due to high variability of potential unregulated energy loads in non-residential buildings, the policy includes a regulated-only energy use limit to ensure that this scope of energy is limited to best practice levels, whilst high unregulated loads can be justified according to the specific use. This ensures that the core energy use of a building (from heating, cooling and lighting) is limited whilst not prohibiting non-residential applications that naturally have high unregulated energy loads, such as a hotel with a significant amount of estimated electrical plug-in equipment.

28.0.8 The purpose of point 3. is to deliver an on-site energy balance on an annual basis, by providing enough renewable energy generation to equal the total energy use value in point 1. The secondary requirement, using the kWh/m² projected building footprint/year, acts as a mechanism to ensure that on-site renewable energy generation is maximised where an on-site net zero energy balance is not feasible. The value set is aligned to roughly 70% of roof space being covered by high efficiency solar PV panels.

¹³¹ <https://www.legislation.gov.uk/ukpga/2008/27/contents>

¹³² <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence#h2>

28.0.9 Points 1., 2. and 3. of the policy are to be addressed at the design and post-completion stages, to ensure that the development has been built to intended standards. Post-completion resubmission of the original energy statement including energy performance calculations, informed by the relevant tests to systems and fabric, should be required as a condition as part of the planning application process.

28.0.10 Points 5. and 7. on compliance should also be demonstrated post-completion through planning conditions.

28.0.11 Please see the evidence base documentation (Output iii under B. Net zero operational carbon in new build non-domestic development) for detail on:

- Renewable energy provision;
- Offsetting (including circumstances when it may be applied flexibly);
- Assured performance methods; and
- Applicability to outline applications.

Question 53

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C3

Net zero operational carbon in new build non-domestic development

All new build non-domestic development (including C1, C2, C2a and C5) are required to submit a Climate, Energy and Waste Statement demonstrating that the development meets the following requirements:

1. Total energy use:

a) The total energy use for the following building uses should be as follows:

- i. Warehouses and light industrial: ≤ 35 kWh/m²/year GIA;
- ii. Offices: ≤ 55 kWh/m²/year GIA;
- iii. Schools: ≤ 55 kWh/m²/year GIA;
- iv. Retail: ≤ 35 kWh/m²/year GIA.

b) It is accepted that in some circumstances, unregulated energy loads for the specific use of a non-residential building may result in a total energy use that exceeds the limits set out above. In these cases, applicants are required to demonstrate that regulated energy is limited to 30 kWh/m²/year. Unregulated loads must be justified in the Climate, Energy and Waste Statement;

c) Other building types (e.g. heavy industry, data centres etc.) or uses not listed are required to demonstrate that regulated energy is limited to 40 kWh/m²/year. Unregulated loads must be justified in the Climate, Energy and Waste Statement.

2. Space heating demand for all building types and uses of ≤ 15 kWh/m²/year GIA:

a) The use of fossil fuels and connection to the gas grid will not be considered acceptable.

3. On-site annual renewable energy generation capacity to at least equal the annual total energy use:

a) Where an on-site net zero energy balance is not possible, it must be demonstrated that the amount of on-site renewable energy generation equates to ≥ 120 kWh/m² projected building footprint/year. Where this is not achieved, it must be demonstrated to the satisfaction of the Council that this is due to unavoidable design issues such as natural lighting and utility space;

b) Where a building in a multi-building development cannot individually achieve the requirements of point 3., this shortfall is to be made up across other units on-site before energy offsetting (point 4) is considered; and

c) Large-scale development (5000m² non-residential floorspace or more) should demonstrate that opportunities for on-site renewable energy infrastructure (on-site but not on or attached to individual buildings), such as solar PV canopies on car parks, have been explored.

4. Energy offsetting:

a) Only in exceptional circumstances, and as a last resort, where it is demonstrably unfeasible to achieve an on-site net zero energy balance, any shortfall in on-site renewable energy generation that does not match regulated and unregulated energy use is to be offset via S106 financial contribution, reflecting the cost of the solar PV delivered off-site; and

b) The energy offset price is set as £2.31/kWh. (This price is based on cost of solar PV data from the Department for Energy Security and Net Zero, and includes inflation and a 10% margin to enable administration of the offset fund to deliver off-site solar PV by the Council or its appointed partners. The price quoted here is from September 2024 and this figure will need to be revised annually. This is set as a one-off payment, where the shortfall in annual on-site renewable energy generation is multiplied by the energy offset price.)

5. Reduced performance gap:

a) An assured performance method must be implemented throughout all phases of construction to ensure operational energy in practice performs to predicted levels from the design stage.

6. Smart energy systems:

a) All new build development should demonstrate how they have considered the difference (in scale and time) of renewable energy generation and the on-site energy demand, with a view to maximising on-site consumption of energy generated on site and minimising the need for wider grid infrastructure reinforcement. This may include smart local grids, energy sharing, energy and thermal storage, demand-side response, vehicle-to-grid charging provision, and/or solutions that combine elements of the above.

7. Post-occupancy evaluation:

a) Large-scale development (over 5000 m² floorspace) is to monitor and report total energy use and renewable energy generation values on an annual basis. An outline plan for the implementation of this should be submitted with the planning application. The monitored in-use data must be reported to the local planning authority for 5 years upon occupation.

Question 54

Do you support or object to Policy C3? What would you add, remove or amend to support it further or to remove your objection?

29 Policy C4 Embodied carbon and waste

29.0.1 The case for the suite of policies that address the urgency of the climate emergency is set out in the preamble to Section [26 Policy C1 Sustainable design and adaptation principles](#).

29.0.2 Embodied carbon is carbon that is emitted during the production, transport and assembly of a building, infrastructure or product, before the product is in use. This is opposed to 'operational carbon' that is emitted when buildings, infrastructure and products are in use, or 'operating'. Together, embodied carbon and operational carbon form part of the building's whole of life carbon emissions. As such, in conjunction with [Policy C2 Net zero operational carbon in new build residential development](#) and [Policy C3 Net zero operational carbon in new build non-domestic development](#), Policy C4 seeks to ensure that carbon emissions are limited across the whole life cycle of new development.

29.0.3 As set out in [the Government's 2022 response](#)¹³³ to the Environment Audit Committee 'Building to net zero: costing carbon in construction', *there is no Government policy requiring the assessment or control of embodied carbon emissions from buildings. As a result, no progress has been made in reducing these emissions within the built environment. This inaction remains despite the built environment making up 25 per cent of the UK's total greenhouse gas emissions and the UK's Nationally Determined Contribution, made at COP26, committing the UK to achieve a 68% reduction in the UK's carbon emissions by 2030... This is an extremely short time frame within which to start assessing and substantially reducing embodied carbon emissions. The first step must be a requirement to undertake whole-life carbon assessments for buildings so the industry can start measuring and then controlling for this carbon*.

29.0.4 Following this, in [2025. MHCLG, set out](#)¹³⁴ that: *'the construction and use of buildings creates both embodied and operational carbon emissions. Historically, government policies and voluntary efforts from the industry have primarily focused on the reduction of operational carbon emissions of buildings. However, for the UK to reach its 2050 net zero target, focusing efforts on reducing the embodied carbon of buildings is also critical*'.

29.0.5 As progress is made in reducing operational carbon and decarbonising the grid, the relative significance of [embodied carbon](#)¹³⁵ is increasing. In some cases, embodied carbon can account for more than 50% of a new project's whole life carbon footprint

29.0.6 The [Committee on Climate Change, in its Seventh Carbon Budget has set out](#)¹³⁶ that amongst the key actions to deliver the balanced pathway to net zero by 2050 is the 'set minimum standards for the whole-life carbon impact of products, which could include rules to measure and limit the embodied carbon of buildings.

29.0.7 Whilst there is no explicit reference to embodied carbon in the NPPF, the NPPF's references to 'low carbon economy' could implicitly include embodied carbon as part of the equation. Additionally, embodied carbon is a design issue and therefore should logically fall under the NPPF's instruction that "New development should be planned for in ways that ... can help to reduce greenhouse gas emissions, such as through its ... design".

29.0.8 As such there is now widespread agreement across government and industry that embodied carbon needs to be effectively measured and assessed if the built environment is to play its part in meeting the UK's net zero by 2050 target.

¹³³ <https://committees.parliament.uk/publications/30124/documents/174271/default/>

¹³⁴ <https://www.gov.uk/government/publications/consideration-of-embodied-carbon-in-new-buildings/the-practical-technical-and-economic-impacts-of-measuring-and-reducing-embodied-carbon-in-new-buildings-executive-summary#fn:1>

¹³⁵ <https://www.arup.com/globalassets/downloads/insights/net-zero-buildings-halving-construction-missions-today.pdf>

¹³⁶ <https://www.arup.com/globalassets/downloads/insights/net-zero-buildings-halving-construction-missions-today.pdf>

29.0.9 Waste, in this policy, refers to a material resource which is unwanted at that point in time and space. The policy seeks to avoid and reduce construction waste associated with the building of new development through material reuse and recycling, resource-efficient construction, building adaptability/flexibility and end of life disassembly all of which can reduce waste and cut costs. It also seeks to enhance opportunities for recycling.

29.0.10 The [National Planning Policy Framework](#)¹³⁷ (NPPF) includes minimising waste as part of the environmental objective of sustainable development (para 8c). Furthermore (para 4), it explains that it should be read in conjunction with the [Government's planning policy for waste](#)¹³⁸. This in turn sets out the government's ambition to work towards a more sustainable and efficient approach to resource use and management, including through: driving waste management up the waste hierarchy (prevention – reuse – recycling – recovery – disposal); helping secure the re-use, recovery or disposal of waste without endangering human health or the environment; and ensuring the design and layout of new development and infrastructure complements sustainable waste management (including the provision of appropriate storage and segregation facilities to enable high quality collections of waste).

29.0.11 [Planning Practice Guidance](#)¹³⁹ (PPG) on Waste explains that 'non-waste' planning authorities must have regard to [National Planning Policy for Waste](#)¹⁴⁰ and are expected to deliver the waste hierarchy (para 10). This involves:

- working with waste planning authorities to identify and protect sites;
- integrating waste management opportunities in proposed new development;
- considering the impact of development on existing and future waste management sites;
- promoting sound management of waste from proposed development;
- including planning conditions promoting sustainable design of development through recycled products, recovery of on-site material and the provision of facilities for the storage and regular collection of waste; and
- ensuring waste collections help towards achieving the higher levels of the waste hierarchy.

Conclusion

29.0.12 As such there is clear justification for local authorities to require embodied carbon assessments and limit emissions arising from the construction of new development, to seek to prevent and reduce waste associated with construction and facilitate reuse and recycling.

29.0.13 The evidence base for this policy, including industry capability, costs and feasibility, is set out in the references in this chapter as well as in our [Climate change evidence base](#) on our website¹⁴¹.

Policy application

29.0.14 Details of how applications will comply with the requirements of this policy should be included in a **Climate, Energy and Waste Statement**.

29.0.15 Before adoption of this policy, the Council aims to produce Planning Guidance to assist in its interpretation and application and set out details of what will be required of embodied carbon/waste assessments.

¹³⁷ https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

¹³⁸ <https://www.gov.uk/government/publications/national-planning-policy-for-waste/national-planning-policy-for-waste#introduction>

¹³⁹ <https://www.gov.uk/guidance/waste>

¹⁴⁰ https://assets.publishing.service.gov.uk/media/5a7ef594e5274a2e8ab4946c/141015_National_Planning_Policy_for_Waste.pdf

¹⁴¹ <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence#h2>

29.0.16 For point 3. of policy C4 it is accepted that the level of detail will be lower the smaller the development proposal. The aim is to ensure applicants explore the topic of embodied carbon, but without setting requirements that are impractical or excessively costly for small sites. Narrative could include, but is not limited to:

- Reuse of existing features and materials on site, where present;
- Design for material efficiency (reducing the amount of material needed) such as through structural design or use of space and layouts to avoid unnecessary material use;
- Substitution of higher-carbon materials (such as steel, aluminium, and Portland cement) with low-embodied-carbon materials (such as timber);
- Material sourcing for reduced 'product miles' or from manufacturers with low-carbon manufacturing credentials; and
- Construction processes that reduce the typical rates of material wastage.

Question 55

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C4

Embodied carbon and waste

Proposed residential and non-residential developments (thresholds given below) must meet the following requirements, which should be set out in a Climate, Energy and Waste Statement:

1. All new development should demonstrate that adequate space (both internal and external) has been set aside for the segregation and storage of waste, including recyclable materials;
2. Building end-of-life - all new buildings are to be designed to enable adaptation, disassembly and material re-use, subsequently reducing the need for end-of-life demolition and making material re-use easier when it is absolutely necessary;
3. Embodied carbon in minor development - proposals for new development of 1 or more homes or $\geq 100\text{m}^2$ non-domestic floor space, but below the size thresholds for embodied carbon reporting and targets (below), should demonstrate how the embodied carbon of the proposed development has been minimised (including narrative on options considered and decisions made);
4. Embodied carbon reporting - all major new residential (10 dwellings or more) and non-residential (1000m^2 floorspace or more) developments are required to complete a whole-life carbon assessment in accordance with RICS Whole Life Carbon Assessment guidance and the BS EN 15978 standard;
5. Limiting embodied carbon - all large-scale major development (50 dwellings or more; 5000m^2 non-residential floor space or more) is required to limit embodied carbon (RICS/BS 15978 modules A1 – A5) to $600 \text{ kgCO}_2\text{e/m}^2 \text{ GIA}$; and, or
6. Demolition audits:
 - a. all major development sites that contain existing buildings or structures of 1000m^2 or more, must carry out a pre-redevelopment and/or pre-demolition audit, following an established industry best practice method (e.g. BRE), for larger structures or significant demolitions;
 - b. for smaller-scale demolitions, such as individual walls or small outbuildings, developers are required to consider material re-use where feasible, without the need for a full audit. A simplified, proportionate approach should be taken to assess potential material recovery and reuse.

Question 56

Do you support or object to Policy C4? What would you add, remove or amend to support it further or to remove your objection?

30 Policy C5 Renewable energy development and infrastructure

30.0.1 The case for the suite of policies that address the urgency of the climate emergency is set out in the preamble to Section [26 Policy C1 Sustainable design and adaptation principles](#).

30.0.2 The UK grid is becoming increasingly powered by renewable energy, primarily through solar and wind technologies. Renewable energy is a key component of the fulfilment of the [Climate Change Act 2008](#)¹⁴² and associated 2050 net zero target. If the UK is to successfully transition to net zero, renewable energy opportunities must be maximised.

30.0.3 Enabling renewable energy development and infrastructure is a vital part of the UK's carbon reduction trajectory, which, according to the [Committee on Climate Change](#)¹⁴³ will need near-total grid decarbonisation by 2035 and a mix that includes 80% renewables by 2050 while catering for a doubling of electricity demand between 2020 and 2050.

30.0.4 It is important to ensure that the future energy network is resilient to increasingly variable weather patterns, which will require a balanced mix of generation and storage technologies. Without resilient energy networks at local and national levels, a reliance on fossil fuels will remain when solar and wind power generation is low due to weather constraints.

30.0.5 Partly due to the current rise in large-scale renewable energy installations, some local grid substations are at risk of reaching full capacity in coming years without infrastructure reinforcement investments. As the industrial, commercial, domestic and transport sectors continue to electrify (switching from gas, coal and oil) at increasing rates, local policy must support as best it can the development of smart grids and energy sharing networks to relieve pressure on local areas at risk of reaching full grid electricity capacity. On-site energy management systems will play an important role in achieving this, through the provision of battery storage alongside solar PV generation and enabling peak-demand response management systems throughout new buildings. A permissive policy approach towards applications for standalone grid-connected battery storage can also play a role in readying the energy system for the UK's renewable-heavy, electricity-led future.

30.0.6 As local renewable energy generation schemes become more prominent and take up a larger proportion of land, it is also important to ensure that adverse impacts are not unaddressed for local communities. Therefore, whilst local policy should support renewable energy generation schemes as much as possible, it should also set criteria that mitigates potential negative impacts, such as addressing community co-benefits and improving biodiversity on-site.

30.0.7 The [National Planning Policy Framework](#)¹⁴⁴ (NPPF) paragraph 161 states that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts.

30.0.8 Paragraph 165 sets out that to help increase the use and supply of renewable and low carbon energy and heat, plans should:

- Provide a positive strategy for energy from these sources that maximises the potential for suitable development, future re-powering and life extension, whilst ensuring impacts are adequately addressed;
- Consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure; and
- Identify opportunities for development to draw its energy from decentralised, renewable or low carbon energy systems and for co-locating potential heat customers and supplies.

30.0.9 Paragraphs 167 and 168 set out that when determining planning applications, local planning authorities should:

¹⁴² <https://www.legislation.gov.uk/ukpga/2008/27/contents>

¹⁴³ <https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf#page=134>

¹⁴⁴ https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

- Expect new development to comply with any development plan policies on local requirements for decentralised energy supply, unless it can be demonstrated by the applicant, that this is not feasible or viable;
- Not require applicants to demonstrate the overall need for renewable or low carbon energy;
- Give significant weight to the benefits associated with these forms of energy and their contribution towards a net zero future;
- Recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions; and
- In the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site.

30.0.10 [Planning Practice Guidance](#) ¹⁴⁵ (PPG) supplements the NPPF in explaining how strategies for renewable and low carbon energy can be developed, the particular planning considerations for different types of renewable energy infrastructure, including solar and wind turbines, and guidance on battery energy storage systems. It also sets out details of compulsory pre-application consultation with the local community.

30.0.11 In 2019 the Council declared a Climate and Ecological Emergency. It recently established targets for the Council's own operations to be carbon neutral by 2035 and to facilitate the action required to make the borough of Swale carbon neutral by 2045. Point 6 of the declaration includes the commitment to deploy 'renewable energy at every opportunity'. The subsequent [Climate and Ecological Emergency Action Plan 2025](#) ¹⁴⁶ includes actions to 'support sustainable building practices and development', with homes and businesses being run from renewable technologies. As well as responding to the climate challenge, the Action Plan recognises that supporting renewable technologies has co-benefits in terms of expanding local markets, supporting job opportunities and improving energy security.

30.0.12 This policy works alongside the other policies in this chapter, in particular, [Policy C2 Net zero operational carbon in new build residential development](#) and [Policy C3 Net zero operational carbon in new build non-domestic development](#). Whilst those two policies seek to ensure that new build development is net zero carbon, including through the use of on-site renewable energy, this policy seeks to support the use of wider renewable energy development and infrastructure to support grid decarbonisation and existing development that is not net zero carbon. This wider use of renewable energy infrastructure is essential in order to meet the national 2050 net zero target and the Council's 2045 carbon neutral target.

Policy application

30.0.13 1. It should be noted that the heat network feasibility study referenced in [Policy C5 Renewable energy development and infrastructure](#) below, should assess the potential for implementing low or zero carbon heat networks, which should include assessment of 4th and 5th generation networks that can offer higher efficiency and flexibility (4th and 5th networks operate at lower temperatures than conventional systems, reduce heat losses and combine other energy sources, local energy storage and offer potential for energy exchanges amongst users). Feasibility studies should cover:

30.0.14 Technical assessment:

- Evaluation of heat sources (renewable and waste);
- Carbon reduction optioneering between alternative heating options;
- Infrastructure requirements (piping, storage etc.);
- Capacity for future connection and expansion;
- Alignment with local or national carbon targets.

30.0.15 Economic viability and assessment:

- Cost analysis – including capital expenditure, operational expenses, and maintenance;

¹⁴⁵ <https://www.gov.uk/guidance/renewable-and-low-carbon-energy>

¹⁴⁶ https://swale.gov.uk/_data/assets/pdf_file/0011/194218/2025-Climate-and-Ecological-Emergency-Action-Plan.pdf

- Projected savings in energy costs and emission reductions over time;
- Comparison of the cost of alternative heating options.

30.0.16 2. [Policy C5 Renewable energy development and infrastructure](#) is directly aligned to the national policy position on heat networks as the UK government has introduced a regulatory framework for heat networks through the Energy Security Bill. This includes the establishment of heat network zones and the regulation of prices to ensure fair costs for consumers. The UK aims to increase the share of heat provided by heat networks from the current 2% to around 18% by 2050. This expansion is part of the broader Heat Network Transformation Programme, which includes significant investment to scale up low-carbon heat network deployment.

30.0.17 3. For further details on the evidence which supports this policy, please see the evidence base pages of the Council website. [Local Plans - Local Plan Review Evidence](#) ¹⁴⁷

Question 57

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C5

Renewable energy development and infrastructure

1. The justification for renewable energy development and infrastructure should be set out in a Climate, Energy and Waste Statement. Development proposals for the generation of renewable energy development and infrastructure will be supported where:

- a. The scale, siting, design and nature of any proposal is demonstrated to be appropriate for its location.
- b. Analysis of impacts, including cumulative impacts, and methods to avoid, mitigate and compensate harm from these impacts is fully addressed in any proposal. This should include impacts on:
 - i. the built environment;
 - ii. biodiversity;
 - iii. heritage assets, historic landscapes and townscape;
 - iv. valued landscapes, landscape character and visual amenity;
 - v. agricultural land;
 - vi. residential amenity and communities;
 - vii. geology, soils and flood risk;
 - viii. noise, dust, odour, air quality, tranquillity, shadow flicker;
 - ix. traffic and transport, including highways and rail safety; and
 - x. aviation and defence navigation systems/communications.

2. Smart site allocation:

- a. Proposals for large-scale renewable energy development ($\leq 10\text{MW}$) are encouraged to choose a site that is well supported by sufficient grid capacity; and

b. Support will be given to proposals for standalone electrical grid capacity upgrades, local smart grids, and development of grid-connected energy storage especially if co-located with large-scale renewable energy generation installations.

3. Energy storage:

a. Support will be given to proposals that form part of the transition to a net zero carbon district/county, which must/need to involve a range of renewable energy storage technologies. This could include energy storage facilities (e.g. battery and thermal storage) and upgraded or new electricity facilities;

b. Battery storage is essential to provide local grid resilience during periods of peak demand and helps to ensure that renewable energy is not wasted during periods of high generation. Battery storage facilities will be accompanied by health and safety assessments to the satisfaction of the Council and the Emergency Services to ensure no unacceptable fire risk is posed to nearby communities. The details of any health and safety assessment must be agreed by the Council in the earliest stages of any planning application;

c. Proposals for renewable energy generation are encouraged to provide at least an additional 10% of energy storage (e.g. battery storage) of the overall energy generation;

4. Co-benefits:

a. Proposals for renewable energy generation over 20MW are required to provide an option to offer 5% community ownership to the local community (e.g. Parish Council area);

b. Positive weight will be given to schemes led by the community and community energy groups;

c. All proposals are to:

- i. undertake community engagement sessions with the local community, at an early stage of site assessment;
- ii. work with and update the community throughout the project; and
- iii. mitigate any potential impacts to the community as a result of the development;

d. All proposals for temporary permissions are to demonstrate how the renewable energy generation site can be restored to its original, or an improved state, following end-of-life removal of technologies and mitigate any biodiversity loss, as follows:

- i. Proposals will be subject to a condition requiring the submission of an end-of-life removal scheme setting out how the impacts of decommissioning will be mitigated; and
- ii. The removal scheme should demonstrate how any biodiversity net gain that has arisen on the site will be protected or enhanced further, and how materials to be removed would be re-used, recycled, recovered or at last resort, disposed of.

5. Grid reinforcement:

a. All development for renewable energy generation, or development that includes renewable energy generation, is to demonstrate how options for energy storage, smart grids, and energy sharing networks have been explored to reduce the need for grid capacity upgrades.

6. Refusal of fossil fuels:

a. Applications for exploration and extraction of fossil fuels will not be supported.

7. Support for innovative energy generation:

a. Where appropriate and justified, support will be given to innovative renewable energy generation approaches, such as 'agrivoltaics' – the inherently combined use of land for solar PV generation and agriculture.

8. Protecting infrastructure - development should not significantly harm:

a. Technical performance of any existing or approved renewable energy facility;

- b. Potential for optimisation of strategic renewable energy installations; and
- c. Availability of the resource, where the operation is dependent on uninterrupted flow of energy to the installation.

9. Heat networks and masterplans - developments must demonstrate that connection to, or development of, heat networks has been considered according to the following hierarchy:

- a. Connection to heat networks:
 - i. Connect to an existing or new low or zero-carbon heat network from the point of occupation, where it can be demonstrated that the heat network results in lower energy demand and carbon emissions than an individual heating system approach.
 - ii. Use communal or individual renewable heating systems that are fossil fuel-free where connection to a heat network is not feasible.
- b. Future-proofing:
 - i. Major developments in areas where a low or zero-carbon heat network is planned but cannot be connected from the point of occupation must, where feasible, include infrastructure for future connection to the district heat network.
- c. Creation of new heat networks:
 - i. For large-scale development proposals involving more than 50 homes or 5,000m² of floorspace within or adjacent to growth and regeneration areas identified in the development strategy, a feasibility study should be conducted to determine the potential for establishing a new low- or zero-carbon heat network. If feasible, a heat network should be included in the development proposals.

Under each stage of the above hierarchy, it is essential that any connection or development of heat networks must demonstrate that they result in a lower on-site energy demand and carbon emissions than an individual renewable heating system approach, and do not negatively impact affordability for end users.

Question 58

Do you support or object to Policy C5? What would you add, remove or amend to support it further or to remove your objection?

31 Policy C6 Coastal Change Management

31.0.1 As a coastal borough, Swale is at the forefront of coastal change from erosion, coastal landslip and permanent inundation. The aim of this policy is to reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast.

31.0.2 The [National Planning Policy Framework](#) ¹⁴⁸ (NPPF) specifies that the planning system should take full account of coastal change (NPPF para 161). The NPPF requires local plans to identify as Coastal Change Management Areas (CCMAs) any area likely to be affected by physical changes to the coast as well as be clear as to what development will be appropriate in such areas, and in what circumstances, and make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas. The NPPF also sets out when development may be appropriate in CCMAs (ie it needs to be safe for its lifetime, not impact on coastal change, not compromise the character of the coast, provides wider sustainability benefits and does not hinder the development of the England coastal path) and explains when the lifetime of the planned development should be limited (NPPF paras 184-186).

31.0.3 [Planning Practice Guidance](#) ¹⁴⁹ (PPG) also gives advice on what a CCMA is, including the considerations for defining CCMAs, what development would be appropriate within a CCMA as well as guidance on when vulnerability assessments are required and what they should include, limiting the planned lifetime of development, the relocating of development away from CCMAs and permitted development rights in a CCMA.

How has the CCMA been defined in Swale and what do the different erosion zones mean?

31.0.4 The CCMA has been described as the areas of coastline likely to be affected by physical changes to the coast, such as erosion, coastal landslip, permanent inundation (i.e. land likely to be lost permanently to the sea) and accretion (land increasing due to addition of sediment). The methodology for setting out the CCMA will be explained in the forthcoming Swale Strategic Flood Risk Assessment (SFRA), which is due to be published before the Regulation 19 consultation in Spring/Summer 2026. The CCMA has been defined using evidence gathered through the Swale SFRA, the Environment Agency's (EA) North Kent Coast Model, the EA's Medway Estuary and Swale flood and coastal risk management strategy (MEAS), the Department of Environment, Food & Rural Affairs (DEFRA)/EA Shoreline Management Plans/Explore Coastal Erosion Risk [website](#) ¹⁵⁰, the Adopted Local Plan Built Up Area Boundaries and through discussions with the Council's engineering team and the EA. The boundary will be included in the SFRA's mapping and included in the Proposals Map once that is published.

31.0.5 The boundary of the Coastal Change Management Area will be reviewed periodically and updated when evidence suggests this is necessary. Developers should always make sure they are using the most up to date data on flood risk and coastal change when preparing their applications.

31.0.6 Areas within the CCMA that are subject to erosion are divided into two separate zones:

- Erosion Zone 1 (defined as the Environment Agency's Coastal Erosion Climate Change (Upper End) to 2055 zone; and
- Erosion Zone 2 (defined as the Environment Agency's Coastal Erosion Climate Change (Upper End) to 2105 zone).

31.0.7 *As mentioned, the CCMA extents have been informed by the DEFRA/EA Shoreline Management Plan/Coastal Erosion Risk data and the latest flood risk modelling (the North Kent Coast Model and SFRA) and the policies in the MEAS. It should be noted that the erosion and inundation extents have increased substantially since the CCMA was published in the 2017 Adopted Swale Local Plan. At the time of writing the mapping is not complete, however early indications suggest that new CCMA extents could be particularly relevant to Warden, significant parts of which may now be included within the CCMA boundary.*

¹⁴⁸ https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

¹⁴⁹ <https://www.gov.uk/guidance/flood-risk-and-coastal-change#integrated-coastal-zone-management>

¹⁵⁰ <https://environment.data.gov.uk/shoreline-planning/coastal-erosion>

31.0.8 *The definition of the erosion boundaries of the CCMA have been relatively high level in nature. In cases where more detailed technical evidence is provided, for example, as part of a planning application, the Council will consider new evidence in consultation with the Environment Agency.*

31.0.9 For applications within the CCMA Erosion Zones 1 and 2, a Coastal Change Vulnerability Assessment (CCVA) will need to accompany planning applications. For areas at risk of inundation this will largely be satisfied by the submission of a Flood Risk Assessment. In areas at risk of erosion, the CCVA should include the requirements set out in Planning Practice Guidance for vulnerability assessments (PPG, 2022, Paragraph: 074) as well as:

- the level of vulnerability to coastal erosion (as assessed through site history, site inspection and site investigation) and how this will be mitigated;
- the predicted lifetime of the development and the impact of coastal change on the development and the service it provides;
- plans for managing the cessation or relocation of the development, including clearing the site;
- details of responsible parties and what role they will play; and
- costs for managing the impact of coastal change on the site and who will be responsible for these.

31.0.10 Some essential infrastructure and water-compatible development may be permitted within the CCMA, along with some Ministry of Defence installations. For the purposes of this policy essential infrastructure and water-compatible development are defined as set out in [NPPF Annex 3: Flood risk vulnerability classification](#) ¹⁵¹.

31.0.11 This policy sets out criteria for when provision needs to be made for development and infrastructure to be relocated away from Coastal Change Management Area. It also ensures that development in a CCMA is not impacted by coastal change by limiting the planned lifetime of the proposed development through temporary permission and restoration conditions where necessary, to reduce the risk to people and the development.

Question 59

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C6

Coastal Change Management

Within the Coastal Change Management Area (CCMA), as defined to the Proposals Map (to be illustrated in later stages of the Local Plan), planning permission will not be granted for permanent new residential development (including through change of use). Planning permission will only be granted for other development proposals subject to the following clearly defined criteria:

1. It being demonstrated that the proposal will:
 - a) be safe over its planned lifetime and not have an unacceptable impact on coastal change;
 - b) not compromise the character of the coast, including its designations;
 - c) provide wider sustainability benefits and not result in a significant risk to property;
 - d) not hinder the creation of the England Coast Path;
 - e) provide clear plans as to how the proposal will manage the impacts of coastal change on it, and ensure the proposal will not have any adverse impacts on rates of coastal change elsewhere;

f) seek, where necessary, a temporary planning permission, together with, as appropriate, a legal agreement to secure the long-term management, or restoration, of the site.

2. The proposal comprising:

- a) essential infrastructure;
- b) Ministry of Defence installations (in line with the requirements set out in the PPG)
- c) water-compatible development; or
- d) (within Erosion Zones 1 and 2) a use as defined by criterion 3 or 4, below, as appropriate.

3. Proposals within Erosion Zone 1 being directly related to the coast and temporary in nature, construction and value (such as beach huts, cafes/tea rooms, car parks and sites used for holiday or short-let caravans and camping); or

4. Proposals within Erosion Zone 2 may additionally be permitted when comprising commercial or leisure activities requiring a coastal location and providing substantial economic, social and environmental benefits to the community, and providing it is time limited:

- a. Other significant development, such as key community infrastructure, is unlikely to be appropriate unless it has been demonstrated as needing to be sited within the CCMA to provide the intended benefit to the wider community and there are clear, costed, plans to manage the impact of coastal change on it and the service it provides.
- b. Domestic extensions to residential properties will only be permitted where the lifetime of the proposed development (taking account of erosion risk) can be demonstrated to be longer than 50 years from the date of the planning application.

5. Proposals within the CCMA, submitting a Coastal Change Vulnerability Assessment demonstrating that the development will be safe throughout its planned lifetime and will not increase risk to life or property on site or elsewhere without the need for new or improved coastal defences;

6. Proposals seeking to relocate development away from the CCMA will:

- a. be forecast to be affected by erosion, landslip or permanent inundation within 20 years from the date of the planning application, as determined by a Coastal Erosion Vulnerability Assessment or Flood Risk Assessment;
- b. be of a similar scale, nature and character as the development it is replacing and be of a scale and design appropriate to its new context;
- c. be located at an appropriate location inland from the CCMA and, where possible, remaining close to the coastal community from which it was displaced;
- d. demonstrate that no suitable site is available within a built-up area boundary or on previously developed land; and
- e. at its current site, ensure that it is cleared to an agreed standard, made safe, or put to a temporary use beneficial to the local community who will take long term responsibility for it.

Question 60

Do you support or object to Policy C6? What would you add, remove or amend to support it further or to remove your objection?

32 Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy

32.0.1 Many areas around the Medway estuary and Swale are low-lying and at significant risk of flooding. Over the next 100 years this risk will increase due to ageing flood defences (much of the existing flood defence network was built between the 1950s and 1970s), rising sea levels and climate change (the area has already experienced over 18cm of sea level rise since 1990). As a result, there will be a greater risk of tidal flooding to properties, agricultural land and infrastructure and the local community.

32.0.2 Furthermore, much of the Medway Estuary and Swale is covered by national and international designations that protect important species and habitats. As sea levels rise, some of this important habitat will be lost as it is 'squeezed' against the existing flood defences ('coastal squeeze').

32.0.3 [The Medway Estuary and Swale \(MEAS\) Flood and Coastal Erosion Risk Management \(FCERM\) strategy](#) (2019)¹⁵² is an evidence-based strategy that looked at future flooding over the short, medium and long-term and builds on the policies established in the Shoreline Management Plans (SMPs) (see [Policy B7 The Coast](#) and [Policy C6 Coastal Change Management](#)). It has measured the technical, economic, environmental and social value of areas at flood risk against the costs of protecting them into the future. In this way, and through consultation with partners and the community, it has determined the most sustainable approach for each section of the coastline, through implementation of the following policies, either:

- hold the line (HTL) - build or maintain artificial defences so that the position of the shoreline remains;
- managed realignment (MR) - allowing the shoreline to move naturally, but managing the process;
- no active intervention (NAI) or sustainable asset management - no planned investment to defend against flooding or erosion.

32.0.4 As well as reducing flood risk to over 14,000 properties, commercial and industrial sites, critical infrastructure, agricultural land and conservation sites in the implementation plan, the MEAS strategy also includes actions to create new intertidal and freshwater habitat. These will replace lost habitats and make sure the area's nature can continue to thrive.

32.0.5 The MEAS schemes can only be implemented if sufficient funding can be found. Using the current funding process, schemes are given a portion of their funding from government. However, further funding is often required from third parties, including from local authorities, developers, infrastructure providers and flood levies. This is called Partnership Funding (PF).

32.0.6 If funding cannot be found, projects identified in the strategy may not be fully taken forward. This could lead to increased flooding and erosion.

32.0.7 The [National Planning Policy Framework](#)¹⁵³ (NPPF) (para 35), explains that plans should set out the contributions expected from development, including setting out the level of contribution for infrastructure, including flood and water management.

32.0.8 The MEAS study area has been broken down into a series of Benefit Areas and sub-areas based on individual flood areas and land use as well as the Shoreline Management Plan policy units. Whilst there are common risks and vulnerabilities that apply throughout the MEAS area, each Benefit Area has its own specific requirements, and the assessment has taken these into account.

32.0.9 For each Benefit Area, the strategy sets out the agreed preferred option (for the short, medium and longer term) along with a justification, as well as the preferred option costs (which is broken down into costs, benefits, benefit cost ratio (BCR) and PF score). Where the PF percentage is high, a larger proportion of funding for the agreed schemes is likely available from government funding through Flood Defence Grant

152 <https://www.gov.uk/government/publications/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy>

153 https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF_December_2024.pdf

in Aid (FDGiA). A PF score of over 100% means that the project would be fully funded by FDGiA. Where it is low, a higher percentage of funding will need to be found from other sources, such as Local Authorities, local businesses and local developers.

Contributions to MEAS

32.0.10 As set out above, the MEAS strategy aims to reduce flood risk to over 14,000 properties, commercial and industrial sites, infrastructure (including the A249, the road connecting the Isle of Sheppey to the mainland), regeneration areas, agricultural land and conservation sites. It will also provide habitat compensation.

32.0.11 Development that benefits from these works is therefore being asked to contribute to their funding. This is to ensure funds are adequate and to ensure the works meet funding tests. Contributions will be sought through planning obligations and potentially also through a future Infrastructure Levy.

32.0.12 As the [Planning Practice Guidance](#)¹⁵⁴ (PPG) sets out 'planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms'. The NPPF and PPG explain that they need to meet three tests:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

32.0.13 The use of planning obligations to collect contributions to the MEAS is justified for the following reasons, which relate to the three tests for planning obligations set out in paragraph 58 of the NPPF:

- i. The MEAS strategy is designed to protect the Medway Estuary and Swale from future flood risk. It supports and implements the Shoreline Management Plans. Both the SMPs and the MEAS strategy have been subject to widespread and ongoing consultation. It is reasonable to argue that development that will benefit from flood defence infrastructure should make a contribution towards that infrastructure. In this way it will help make development acceptable in planning terms (test one) as it can be 'made safe for its lifetime without increasing flood risk elsewhere' (NPPF para 170).
- ii. The MEAS strategy has been designed as a series of interdependent benefit areas. As such it can be seen as one overarching flood protection entity for the Medway and Swale, where policy implementation in one area, could be interdependent on policy implementation in another area, some distance away. Furthermore, due to the inherent uncertainties around where flooding will occur it is reasonable for contributions from one area within the MEAS to be seen as benefitting the whole strategy. In this way, contributions to the MEAS strategy, from across the strategy area, can be seen to be directly related to the development of specific sites (test two).
- iii. The third planning obligations test relates to contributions being fair and reasonable in terms of scale and kind. An approach to the scale and kind of contributions will be developed in the coming months, in consultation with the Environment Agency and the Council's viability consultants, and consulted on through the Regulation 19 consultation, expected in the spring/summer of 2026.

32.0.14 Contributions towards the MEAS strategy will be sought from:

- Higher rate - all new development in Flood Zone 2 and 3 with climate change which benefit from the MEAS's proposed flood defence infrastructure [Map – Flood map for planning – GOV.UK](#)¹⁵⁵ and/or;
- Lower rate - all new development on the Isle of Sheppey. This is due to the importance to the Isle of Sheppey's security of the road and rail infrastructure onto the island (e.g. the A249), which is at tidal flood risk and is due to be protected through the MEAS schemes.

32.0.15 These areas, and the rates within them, will be set out in a *MEAS Contributions Zone Advice Note* in 2026.

¹⁵⁴ <https://www.gov.uk/guidance/use-of-planning-conditions>

¹⁵⁵ <https://flood-map-for-planning.service.gov.uk/map?seg=fz,fzcl&cz=592462.7,167541.7,12.842593>

Question 61

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C7**Implementing the Medway Estuary & Swale Coastal Risk Management Strategy**

Within the Contributions Zone for the Medway Estuary and Swale Flood and Coastal Risk Management Strategy, applicants should:

1. Liaise with the Environment Agency and the Council to identify and deliver flood risk management schemes to manage flood risk and coastal erosion to existing communities and future development sites, in line with the Medway Estuary and Swale Flood and Coastal Risk Management Strategy;
2. Identify how this infrastructure will be funded, operated and maintained for the lifetime of the development;
3. Identify, and satisfy, the legal requirement under the Habitats Regulations to provide compensatory habitat associated with sea level rise and coastal squeeze; and
4. Through planning obligations, and in line with the approach set out in a *MEAS Contributions Advice Note 2026* and updates, contribute towards the Environment Agency's flood and coastal risk management programme through the delivery of, or financial contribution to, flood risk management schemes which support the Medway Estuary and Swale Flood and Coastal Risk Management Strategy.

Question 62

Do you support or object to Policy C7? What would you add, remove or amend to support it further or to remove your objection?

33 Policy C8 Flood risk

33.0.1 As a coastal borough, Swale has the potential to flood from all sources of flooding, in particular from rivers and the sea, surface water and sewers. This policy seeks to ensure that inappropriate development in areas of flood risk is avoided and that where risks do exist, that development should be made safe for its lifetime, without increasing flood risk elsewhere, taking into account the impacts of climate change. It should be read alongside [Policy B7 The Coast](#), [Policy C6 Coastal Change Management](#), [Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy](#), [Policy C10 Water Quality and Water Resources](#) and in particular, [Policy C9 Sustainable Drainage](#).

33.0.2 New development offers the opportunity to offer multifunctional benefits – linking flood risk management with biodiversity, amenity and recreational improvements, climate change mitigation and adaptation as well as improved water quality and water resources. This policy advocates this multifunctional approach.

The legal, policy and local context

33.0.3 The [National Planning Policy Framework](#)¹⁵⁶ (NPPF, para 162) explains that plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating and drought in line with the objectives of the [Climate Change Act 2008](#)¹⁵⁷.

33.0.4 The NPPF's 'Planning and flood risk' section (paras 170-171) explains that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future), but where development is necessary in such areas it should be made safe for its lifetime without increasing flood risk elsewhere. Strategic policies should be supported by strategic flood risk assessments and manage flood risk from all sources, considering cumulative impacts and taking the advice of the other relevant bodies including the Environment Agency (EA), the lead local flood authorities and internal drainage boards.

33.0.5 The NPPF paragraph 172 explains how all plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, if possible, flood risk to people and property. It sets out how to do this, and manage residual risk through; the application of the sequential and exception tests; the need to safeguard land for flood management; when to use opportunities from new development and infrastructure to reduce the causes and impacts of flooding; and where necessary seek opportunities to relocate development in unsustainable locations (due to flood risk caused by climate change) to more sustainable locations.

33.0.6 The NPPF (paras 173-180) also sets out the role local planning authorities should play when determining planning applications. It explains:

- The approach to the sequential test for planning applications – with the express aim of steering new development to areas with the lowest risk of flooding from any source. It clearly explains that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding, and that the strategic flood risk assessment will be the basis for performing this test;
- When the sequential test should be used, and when it is not required;
- When the exception test may have to be applied and the criteria that need to be demonstrated;
- The importance of new development ensuring that flood risk is not increased elsewhere;
- The role of site specific flood-risk assessments (FRA), and sets out when they are required;
- The importance of the sequential approach at site level;
- That development is appropriately flood resistant and resilient;

¹⁵⁶ https://assets.publishing.service.gov.uk/media/62c8f3b416733cca46251/NPPF_December_2024.pdf

¹⁵⁷ <https://www.legislation.gov.uk/ukpga/2008/27/contents>

- That sustainable drainage is incorporated wherever appropriate;
- That residual risk can be safely managed; and
- Safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

33.0.7 Annex 3 of the NPPF sets out the Flood risk vulnerability classification (essential infrastructure/ highly vulnerable/ more vulnerable/ less vulnerable and water-compatible) for a range of land uses.

33.0.8 Alongside the NPPF sits the [Planning Practice Guidance](#) ¹⁵⁸. This sets out in greater detail than the NPPF how planning can take account of the risks associated with flooding and coastal change in plan-making and the application process. It explains in more detail what is expected of site-specific flood risk assessments, the sequential approach and the Sequential and Exceptions tests that applicants and local authorities should follow, including information on search areas, reasonably available alternative sites, 5-year housing land supply and the role of the Sequential Test in the planning balance. It also explains the role of the relevant bodies (including the EA and the Lead Local Flood Authorities (LLFAs)) in assessing planning applications and the processes involved, as well as approaches to addressing residual flood risk (including emergency planning), addressing cumulative impacts, floodplain storage, where it's appropriate to limit the planned lifetime of development, the issues associated with minor development and changes of use, permitted development rights, proximity to watercourses and flood risk activity permits, sustainable drainage systems and seeking opportunities to reduce the cause and impact of flooding, including through natural flood management. The PPG also contains information on flood resistance and resilience, and coastal change (see [Policy C6 Coastal Change Management](#)) as well as important information on flood zones, links to Annex 3 of the NPPF (above), a table on flood risk vulnerability and flood zone compatibility and a checklist for site-specific flood risk assessments.

33.0.9 The Environment Agency has also produced [Guidance - Flood risk assessment: Flood Zones 1, 2, 3 and 3b](#) ¹⁵⁹ on:

- how to carry out flood risk assessments for planning applications;
- details on the Sequential and Exceptions tests ; and
- other consents/permissions which may be needed alongside planning permission (see also, Consents and Permissions, below).

33.0.10 The government has recently published updated evidence on flood risk and erosion in the form of [National Flood Risk Assessment](#) ¹⁶⁰ (NaFRA) and [National Coastal Erosion Risk Map](#) ¹⁶¹ (NCERM). NaFRA provides a picture of current and future flood risk from rivers, the sea and surface water for England and NCERM provides the most up to date national picture of current and future coastal erosion risk for England, accounting for Shoreline Management Plans (SMPs) (see below).

33.0.11 NaFRA and NCERM data, and information including mapping of flood zones 2 and 3, with climate change, and mapping for surface water, is available as open access data at GOV.UK and through the following websites:

- [Check your long-term flood risk](#) ¹⁶²
- [Flood map for planning](#) ¹⁶³
- [Find a Shoreline Management Plan](#) ¹⁶⁴
- [Explore Coastal Erosion Risk](#) ¹⁶⁵

¹⁵⁸ <https://www.gov.uk/guidance/flood-risk-and-coastal-change>

¹⁵⁹ <https://www.gov.uk/guidance/flood-risk-assessment-flood-zones-1-2-3-and-3b>

¹⁶⁰ <https://www.gov.uk/government/publications/national-assessment-of-flood-and-coastal-erosion-risk-in-england-2024/national-assessment-of-flood-and-coastal-erosion-risk-in-england-2024>

¹⁶¹ <https://environment.data.gov.uk/dataset/9fede91f-5acd-4fd2-9bd8-98153fa3c2ff>

¹⁶² <https://www.gov.uk/check-long-term-flood-risk>

¹⁶³ <https://flood-map-for-planning.service.gov.uk/>

¹⁶⁴ <https://environment.data.gov.uk/shoreline-planning>

¹⁶⁵ <https://environment.data.gov.uk/shoreline-planning/coastal-erosion>

Locally relevant bodies, policies, guidance and studies

33.0.12 The South East Coastal Group is a grouping of local authorities, the EA and other maritime operating organisations who work together to achieve co-ordinated strategic management of the shoreline between the Thames Barrier and Selsey Bill. They have prepared the Shoreline Management Plans (SMPs) for Swale, which identify long-term management policies for the coast. For Swale the SMPs are the [River Medway Swale Estuary \(SMP9\)](#)¹⁶⁶ and the [Isle of Grain to South Foreland \(SMP10\)](#)¹⁶⁷.

33.0.13 Further to the Shoreline Management Plans, and as explained in more detail in [Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy](#), the EA's [Medway Estuary and Swale flood and coastal risk management strategy](#) (MEAS)¹⁶⁸ looks at future flooding and across the estuaries and has determined the most sustainable approach for each section of the coastline.

33.0.14 For Swale, Kent County Council (KCC) is the Lead Local Flood Authority (LLFA) and has an overview role for local flooding (surface runoff, ordinary watercourses and groundwater). KCC have prepared:

- The [Swale Surface Water Management Plan \(SWMP\)](#), 2012,¹⁶⁹ identifies what the local flood risk issues are, what options there may be to alleviate the risks and who should take these options forward. Plans are produced in partnership with internal drainage boards, sewerage companies and the EA.
- [Kent local flood risk management strategy](#), 2024-2034,¹⁷⁰ also a partnership document, it sets out the flood risk in the county, the roles and responsibilities of risk management authorities, the aims of the strategy, progress, challenges, delivery and monitoring.
- [Drainage and Planning Policy](#): Local flood risk management strategy guidance, 2019, sets out KCC's policy requirements for sustainable drainage¹⁷¹.

33.0.15 [Internal Drainage Boards](#)¹⁷² manage water levels in low-lying areas, supervise land drainage and flood defence works to ordinary watercourses in their district. The Lower Medway Internal Drainage Board is the relevant internal drainage board for Swale.

33.0.16 The [Swale Strategic Flood Risk Assessment 2020](#)¹⁷³ (SFRA) was prepared to inform the preparation of the Local Plan. This assessed flood risk from all sources, now and in the future and from cumulative change. It gives guidance on the sequential and exception tests and sets out requirements for site-specific flood risk assessments, as well as assisting emergency planning for Swale, helping to prioritise and targets improvements to flood defences and consider opportunities to reduce flood risk to existing communities. Comprehensive mapping has been prepared (including mapping for a Surface Water Functional Flood Zone) and along with the reports itself, is available on the Council's website.

33.0.17 The SFRA identifies that whilst tidal flooding across Swale has the most severe consequences, surface water is the most frequent cause of flooding and a smaller number of recorded flooding incidents have involved fluvial, groundwater and sewer flooding, which are sometimes concurrent. There are currently

¹⁶⁶ <https://environment.data.gov.uk/shoreline-planning/shoreline-management-plan/SMP9>

¹⁶⁷ <https://environment.data.gov.uk/shoreline-planning/shoreline-management-plan/SMP10>

¹⁶⁸ <https://www.gov.uk/government/publications/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy>

¹⁶⁹ <https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/planning-policies/flooding-drainage-and-water-management-policies-and-guidance/surface-water-management-plans/swale-surface-water-management-plan#:~:text=The%20study%20identified%20a%20number%20of%20generic%20and,Stage%201%20SWMP%20-%20Report%20%28PDF%2C%201.1%20MB%29>

¹⁷⁰ <https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/planning-policies/flooding-drainage-and-water-management-policies-and-guidance/local-flood-risk-management-strategy>

¹⁷¹ <https://democracy.kent.gov.uk/documents/s95051/1900088%20-%20Drainage%20and%20Planning%20Policy%20Statement.pdf#:~:text=This%20policy%20sets%20out%20how%20Kent%20County%20Council,management%20provisions%20associated%20with%20applications%20for%20major%20development>

¹⁷² <https://lowermedwayidb.co.uk>

¹⁷³ <https://swale.gov.uk/planning-and-regeneration/strategic-flood-risk-assessment-completed>

four Flood Alert Areas and five Flood Warning Areas in the borough. There are tidal, coastal and fluvial flood defences along the coastline and tidal watercourses of the borough. The SFRA gives detail of the variable standard of protection and the condition of these assets.

33.0.18 The SFRA recognises that climate change will increase the chance of occurrence and severity of extreme events and that development needs to be planned with this awareness, in particular the significant consequences of storm surge events in the sea leading to high tide levels and potentially severe flooding.

33.0.19 The SFRA advocates the developments should demonstrate opportunities to create, enhance and link green assets, and in doing so provide multiple benefits across several disciplines including flood risk, biodiversity, amenity and recreation.

33.0.20 The SFRA highlights the importance of considering risks from groundwater early in the planning process. Groundwater Flood Maps have been produced as part of the SFRA and the SFRA offers particular guidance on risks from groundwater flooding. It outlines that for all development sites where there is a risk of groundwater flooding (ie not in an area with no risk), a site-specific risk assessment for groundwater flooding should be undertaken to fully inform the likelihood of groundwater flooding and so that the proposed development can be implemented safely. Groundwater levels should be surveyed during winter or early spring, and the amount of rainfall in the months prior to the testing should be assessed. Monitoring should be undertaken, and a geotechnical engineer should then assess the results in an interpretative report and give an assessment of the risk of shallow groundwater.

33.0.21 At the time of writing (2025), the SFRA is being updated to reflect recent government policy and guidance, climate change projections, as well as up to date modelling. As a result of this update this preamble and policy C8 Flood Risk and flood mapping will be updated for the Regulation 19 consultation in 2026.

33.0.22 The latest published SFRA should be referred to by applicants in the preparation of site-specific flood risk assessments.

33.0.23 In parallel to the SFRA, and to supplement the NPPF, PPG and EA policy and guidance, the Council has prepared local guidance on the **Application of the Sequential & Exception Tests for Planning Applications in Swale**. This should be read alongside national guidance and can be found on the SFRA pages of our website.

Flood designations in Faversham Creek

33.0.24 In consultation with the Environment Agency, and as part of the preparation of the Faversham Creek Neighbourhood Plan, in 2010 the Council made provision for consideration of Flood Zone 3a(i). Within this area (previously developed land located at Faversham Creek having a 1 in 20 or greater annual probability of sea flooding in a defended scenario) it was agreed that, whilst there was an acknowledgement of the high flood risk in this area, the strict national policy restrictions associated with functional floodplain (Flood Zone 3b) did not automatically apply.

33.0.25 Flood Zone 3a(i) has been reviewed as part of the 2025 SFRA update. The Environment Agency have advised that, due to changes to national guidance, the latest modelling approaches and outputs, updated surveys and evidence of increasing impacts and frequency of flooding events over the last 15 years, they can no longer support the designation of Faversham Flood Zone 3a(i). As such, and unless evidence is presented to counter this view, Flood Zone 3a(i) will no longer apply in Faversham Creek.

33.0.26 Details of this change of designation will be set out in the forthcoming SFRA.

33.0.27 This change in designation will impact planning applications along the creek, including allocations made in the Faversham Neighbourhood Plan. Developers of sites in this area should consult the Council and the Environment Agency before progressing any applications in this area.

Question 63

Do you have any comments on the change in designation of Flood Zone 3a(i) in Faversham Creek?
Please supply evidence as appropriate.

Consents and Permits

33.0.28 To ensure that development does not increase the risk of flooding or cause harm to the water environment, Land Drainage Consent or Flood Risk Activity Environmental Permits and other consents may be required for works, for example, within 16 metres of a tidal main river/sea defence or within 8 metres of a non-tidal main river/flood defence structure. The relevant authorities are:

- Environment Agency - main rivers;
- Lower Medway Internal Drainage Board - ordinary watercourses within their boundaries;
- Kent County Council - ordinary watercourses that are outside the boundary of the internal drainage board; and
- Marine Management Organisation - for works including construction and dredging in English inshore and offshore areas.

Policy application

33.0.29 This policy should be read alongside the policy and guidance in the NPPF and the PPG as well as [Policy B7 The Coast](#), [Policy C6 Coastal Change Management](#), [Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy](#), [Policy C10 Water Quality and Water Resources](#), and most importantly, [Policy C9 Sustainable Drainage](#).

33.0.30 As set out above, for Swale the Lead Local Flood Authority/Highway Authority is Kent County Council and the Internal Drainage Board is the Lower Medway Internal Drainage Board. Other relevant bodies/teams include: Southern Water and South East Water as the water and sewerage companies (see [Policy C10 Water Quality and Water Resources](#)); the Council's emergency planning function and The Kent and Medway Resilience Forum (a partnership across Kent Police, Kent Fire and Rescue and Kent County Council, which includes emergency planning). Along with the Environment Agency, and as appropriate, any or all of these bodies may be consulted on planning applications with regard to flood risk and the determination of planning applications.

33.0.31 Applications for development must consider and respond to the policies and guidance set out in the documents these organisations have produced, alongside national policy and guidance, the guidance in the SFRA and guidance produced by the Council.

33.0.32 The Council advises that applicants consider flood risk in the early stages of development, in liaison with the relevant bodies, who provide pre-application advice as required.

33.0.33 Site Specific Flood Risk Assessments should be prepared in line with requirements set out in the NPPF, PPG, EA guidance and the SFRA and where relevant, should include Flood Risk Emergency Plans. These should set out:

- An analysis of flood risk;
- Flood warning procedures and hazard prevention;
- An analysis of safe access and egress;
- A proposed evacuation route (mapped);
- Evacuation procedures;
- Details of safe evacuation on site and safe refuge procedures;
- Details of flood resilient and resistant building techniques/materials and details and calculations relating to the structural stability of buildings during a flood;

- How applications have responded to guidance on preparing prior to flood events, as set out in [Personal flood plan - GOV.UK](#)¹⁷⁴ [Business flood plan checklists - GOV.UK](#)¹⁷⁵; and
- Advice and information for the site owner/residents, including whether insurance can be gained or not.

33.0.34 Furthermore, Flood Risk Emergency Plans should reflect the guidance set out in [ADEPT & EA Flood risk emergency plans for new development](#)¹⁷⁶

33.0.35 In accordance with the PPG, the lifetime of residential development is considered to be a minimum of 100 years, and the lifetime of non-residential development, whilst depending on the characteristics of that development, is considered to be a minimum of 75 years.

Question 64

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C8

Flood risk

Development proposals must:

1. Prioritise and seek opportunities to provide natural flood management and multifunctional benefits, linking flood risk management with strategies for green and blue infrastructure, biodiversity net gain, improved health and wellbeing and mitigation and adaptation to climate change;
2. Avoid inappropriate development in areas at risk of flooding. Where development is necessary in areas of flood risk, the development must be made safe for its lifetime, not increase flood risk elsewhere and seek opportunities to reduce the causes and impacts of flooding;
3. Apply the Sequential Test to the location of development and the Exception Test where required, as well as a sequential approach at site level, in accordance with the NPPF, PPG, EA guidance, as well as guidance in the Council's Strategic Flood Risk Assessment and the latest version of the Council's document *The Application of the Sequential & Exception Tests for Planning Applications in Swale*, taking account of all forms of flooding, now and in the future;
4. Provide site specific flood risk assessments (FRAs), where required. These should be prepared in line with the NPPF, the PPG, Environment Agency guidance, KCC policy and guidance set out in the Council's Strategic Flood Risk Assessment, and should address risks from all forms of flooding, cumulative and long-term impacts for the lifetime of the development. FRAs must include:
 - a. details of how development will be made safe from flooding for the lifetime of the development and not increase flood risk elsewhere;
 - b. details of what flood mitigation, flood defences, resilience and resistance measures are to be installed and details of how these will be maintained and managed for the lifetime of the development, taking account of climate change;
 - c. details of how residual risk will be safely managed and mitigated; and
 - d. consideration of all forms of flood risk, including groundwater and the potential for diverting existing groundwater flows.
5. Provide Flood Risk Emergency Plans, where required. These should be prepared in line with the NPPF and PPG, Environment Agency advice, advice set out in the preamble to this

174 <https://www.gov.uk/government/publications/personal-flood-plan/personal-flood-plan>

175 <https://www.gov.uk/government/publications/preparing-your-business-for-flooding/business-flood-plan-checklists>

176 <https://www.adeptnet.org.uk/system/files/documents/ADEPT%20EA%20Flood%20risk%20emergency%20plans%20for%20new%20development%20September%202019....pdf>

policy, guidance set out in the Council's Strategic Flood Risk Assessment and the ADEPT & Environment Agency guidance on Flood risk emergency plans for new development, and updates;

6. Accord, in particular, with [Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy](#) and [Policy C9 Sustainable Drainage](#) and generally, provide details of any necessary contributions to new flood defence or mitigation measures off site, following liaison with the relevant authorities;
7. Take account of the policies and proposals of the relevant Shoreline Management Plans, the Medway Estuary & Swale Flood and Coastal Erosion Risk Management Strategy and the South East Inshore Marine Plan;
8. Ensure there is appropriate space and safeguard land from development that is required, or likely to be required, for future maintenance and new flood risk management infrastructure; and
9. Provide, as necessary, details of the adoption arrangements secured with the relevant public authority or statutory undertaker.

Question 65

Do you support or object to Policy C8? What would you add, remove or amend to support it further or to remove your objection?

34 Policy C9 Sustainable Drainage

34.0.1 Sustainable drainage systems (SuDS) mimic natural drainage processes to reduce the effect of surface water runoff from developments. They can provide multiple benefits including reducing flood risk, improved water quality, groundwater recharge, opportunities for biodiversity, climate change adaptation, urban cooling, carbon sequestration, contribution to a green and blue infrastructure network, enhanced landscaping, health and wellbeing, recreational and educational benefits. This policy seeks to maximise the opportunities for sustainable drainage within the borough with the aim of reducing flood risk whilst achieving multifunctional benefits. It should be read in conjunction with [Policy C8 Flood risk](#) and [Policy C10 Water Quality and Water Resources](#) as well as a potential future strategic policy on Conserving and enhancing the natural environment.

34.0.2 The [National Planning Policy Framework](#) ¹⁷⁷ (NPPF) highlights the priority that should be given to sustainable drainage systems. It explains how developments are required to incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate and it sets out the requirements for these systems. Paragraph 182 of the NPPF states that sustainable drainage systems should be incorporated within applications that could affect drainage, to control flow rates and reduce runoff volumes proportionate to the nature and scale of the proposal. Specifically paragraph 182 (c) states that SuDS provided as part of proposals for major development sites should "have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development". Whenever possible, multifunctional benefits should be provided through facilitating improvements in water quality, biodiversity and amenity benefits.

34.0.3 [Planning Practice Guidance](#) ¹⁷⁸ (PPG) makes clear that for new developments the layout and function of drainage systems needs to be considered at the start of the design process to ensure better integration with road networks and other infrastructure and reduce land-take. The appropriateness of the type of sustainable drainage system considered will depend upon a number of factors including the proposed development and its location, however, preference should be given to multi-functional sustainable drainage systems and solutions that allow surface water discharge, accordingly to the hierarchy of drainage options – water re-use, into the ground, to a surface water body, to a surface water sewer and lastly to a combined sewer.

34.0.4 When considering major development, with surface water drainage, the local authority must consult the Lead Local Flood Authority (LLFA) on proposed drainage arrangements. In addition, and as appropriate, the local authority is also advised to consult the relevant sewerage undertaker, The Environment Agency, the relevant highway authority and the Internal Drainage Board.

34.0.5 The guidance explains that local planning authorities will need to be satisfied that sustainable drainage systems are appropriate and there are clear arrangements for ongoing maintenance.

34.0.6 [National Standards for sustainable drainage systems](#) ¹⁷⁹ are available to provide guidance relating to design, maintenance and operation of sustainable drainage systems. Reference should also be made to the [Environment Agency's approach to groundwater protection](#) ¹⁸⁰

Requirements within Swale

34.0.7 Drainage must be considered at the earliest stages of the development process to ensure that the most sustainable option can be delivered in all cases.

34.0.8 The Strategic Flood Risk Assessment for Swale (2020) includes detail on surface water management and sustainable drainage systems. It outlines the role of the LLFA and the requirements for sustainable drainage. The SFRA outlines the consideration of groundwater vulnerability zones, groundwater source protection zones and nitrate vulnerable zones in the preparation of sustainable drainage schemes

¹⁷⁷ https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

¹⁷⁸ <https://www.gov.uk/guidance/flood-risk-and-coastal-change>

¹⁷⁹ <https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems>

¹⁸⁰ <https://www.gov.uk/government/publications/groundwater-protection-position-statements>

and advocates early dialogue with LLFA. The SFRA also highlights the multifunctional benefits of sustainable drainage as well as the specific consideration that should be given to opportunities for sustainable drainage in development around Iwade and Minster. The Council's SFRA is currently under review and, once published, this version should be referred to with regards to the approach to sustainable drainage.

34.0.9 The LLFA for Swale is Kent County Council (KCC) and as such are responsible for managing local flood risk, including from surface water, ground water and ordinary watercourses, and for preparing local flood risk management strategies. The document [Drainage and Planning Policy – a Local Flood Risk Management Strategy Document](#)¹⁸¹ sets out the policy requirements KCC has for sustainable drainage and should be referred to by all applicants where drainage is an issue.

34.0.10 Development has the potential to change surface water and groundwater flows, depending upon how the surface water is managed within the development proposed. Applications for major development must be accompanied by specific drainage strategies that should demonstrate the drainage scheme is in compliance with KCC's drainage policies, as outlined in their strategy document. The drainage strategy must also demonstrate that the proposed surface water management proposal is consistent and integrated with any other appropriate planning policy and flood risk management measures that are required. Incorporating sustainable drainage is easier if planned at an early stage and as such KCC welcomes pre-application consultation.

34.0.11 Consultation with KCC may also occur for planning applications that are not for major development if they are in areas that may have a higher level of local flood risk or within areas that are within 5 metres of an ordinary watercourse. Consultation on flood risk could also occur with other risk management authorities including the Environment Agency (tidal and fluvial flood risk). If a drainage scheme requires connection to a public sewer, additional approval will be required from the appropriate sewerage undertaker.

34.0.12 Whilst consultation is not undertaken with KCC for minor development, applicants should be aware that the NPPF priorities for sustainable drainage do apply to all development, irrespective of scale. Developers of sites for minor development are encouraged to consider the policies outlined in KCC's [Drainage and Planning Policy](#)¹⁸² – a Local Flood Risk Management Strategy Document. Applicants for these smaller developments are directed to guidance and standing advice, set out in the SFRA and best practice to help minimise flood risk.

34.0.13 Sustainable drainage schemes are generally appropriate for all sites, including contaminated sites, sites at risk of coastal or fluvial flooding or with high groundwater, if considered early enough in scheme design. Natural solutions are sought, where water is returned to where it would naturally go if the development did not exist. Source control techniques are welcomed including the use of rainwater harvesting and green roofs which can help manage small rainfall events, help conserve water as a resource and bring opportunities for biodiversity net gain.

34.0.14 It should also be noted that SuDS schemes can impact on heritage such as archaeology, building foundations and historic drainage ditches. Therefore, when SuDS are planned it is important that any potential impact on the historic environment is fully considered and any unavoidable damage mitigated. Kent County Council's Heritage Conservation group can offer further guidance.

34.0.15 The Environment Agency support the use of sustainable drainage systems and have issued the following advice, to be taken into account in planning applications:

- The collection and dispersal of clean surface water to ground to recharge aquifer units and prevent localised drainage or surface systems flooding in heavy rainfall is encouraged. However, dispersal into the ground through soakaways will always require a site-specific investigation and risk assessment;
- There are areas where, due to shallow groundwater depths, infiltration to the ground might not be possible. This is connected to the need of avoiding any direct discharge to groundwater, which must not

181 <https://democracy.kent.gov.uk/documents/s107027/Item%20F1%20-%20Appendix%202%20Drainage-and-Planning-policy-statement%202019.pdf>

182 <https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/planning-policies/flooding-drainage-and-water-management-policies-and-guidance>

be done. If direct discharge is unavoidable, an alternative method of surface water drainage should be sought; and

- In addition, there should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. Sites impacted, or potentially impacted, by contamination should be suitably assessed prior to any infiltration to the ground being approved.

Policy application

34.0.16 When planning, or specifying SuDS, early consideration of the potential multiple benefits and opportunities will help deliver cost effective SuDS scheme with the best results. KCC, the Environment Agency, the Internal Drainage Board and Southern Water, where relevant, should be contacted at pre-application stage to inform the design process.

34.0.17 Definitions of technical terms referenced in the policy can be found in the KCC Drainage and Planning Policy document, referenced above. The Council also aims to produce Planning Guidance to assist in the interpretation and application of climate and water related policies and this should be referred to by applicants.

Question 66

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C9

Sustainable Drainage

1. Development proposals should, as relevant:

- Demonstrate that sustainable drainage has been considered from the earliest stages of scheme development and that schemes seek to provide multiple benefits to the environment and communities in terms of reducing the causes and impacts of flooding, improving water quality (removing pollutants from run-off) and water resources (water reuse, recharge to groundwater), adapting to climate change and enhancing biodiversity and amenity, as appropriate;
- Use a sustainable drainage management treatment train – that is, use drainage components in series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to surface water bodies and/or groundwater;
- Demonstrate how they link to the objective to provide 20% biodiversity net gain and enhance the green & blue infrastructure network, in line with the objectives of future strategic policies and [Policy B1 Biodiversity and geodiversity conservation and biodiversity net gain](#);
- Demonstrate that post development run-off rates account for the latest climate change allowances as set by the EA, for the lifetime of development, unless it can be demonstrated to the satisfaction of the Lead Local Flood Authority that site specific run off rates are more appropriate. Run-off rates will require a betterment value as agreed by the Lead Local Flood Authority;
- Demonstrate, including to the satisfaction of the Lead Local Flood Authority where relevant, how ongoing management and maintenance will be ensured, taking account of climate change;
- Provide, as relevant, details of the adoption arrangements secured with the relevant public authority or statutory undertaker; and
- Comply with the requirements of any relevant Planning Guidance produced by the Council.

2. Planning applications for major development must be accompanied by site-specific drainage strategies to be approved by Kent County Council as the Lead Local Flood Authority. Drainage

strategies should demonstrate that drainage scheme proposed are in compliance with KCC's sustainable drainage policies, as set out in their Drainage and Planning Policy: A Local Flood Risk Management Strategy document, as follows:

- a. Follow the drainage hierarchy;
 - b. Deliver effective drainage design;
 - c. Maintain existing drainage flow paths and watercourses;
 - d. Seek to reduce and avoid existing flood risk;
 - e. Provide drainage sustainability and resilience;
 - f. Enable sustainable maintenance;
 - g. Safeguard water quality;
 - h. Design for amenity and multi-functionality; and
 - i. Enhance biodiversity
3. Planning applications for proposed development sites that meet with any of the following conditions:
- a. are situated in a high cumulative impact catchment area as defined within the Cumulative Impact Assessment of the Swale Strategic Flood Risk Assessment;
 - b. where the surface water currently discharges to a sewer (either surface water, combined, highway or foul); or
 - c. where the surface water currently discharges to a watercourse that is culverted either at the point of discharge or downstream of the discharge point,

shall only discharge at a rate equivalent to or below Q_{bar} for all designed rainfall events. A staged discharge will not be acceptable. Compliance with this requirement will need to be demonstrated to the satisfaction of the Lead Local Flood Authority.

Question 67

Do you support or object to Policy C9? What would you add, remove or amend to support it further or to remove your objection?

35 Policy C10 Water quality and Water Resources

35.0.1 Clean and plentiful water is essential to our health, the economy and the wider environment and is a fundamental element of our natural capital. Water quality and water resources are intertwined issues and are under increased pressure as a result of population growth and development's increased demand for water, unsustainable levels of abstraction, urban and rural pollution, poor land management and the impacts of climate change. The aim of this policy is to ensure that new development does not negatively impact the water environment and takes opportunities to improve the water resource and water quality of Swale to benefit its economy, society and environment. It should be read in conjunction with [Policy C8 Flood risk](#), [Policy C9 Sustainable Drainage](#) and [Policy C12 Pollution & Land Instability](#).

35.0.2 The [National Planning Policy Framework](#) (NPPF) ¹⁸³ explains that 'planning policies and decisions should contribute and enhance the natural and local environment', including by 'recognising...the wider benefits from natural capital and ecosystem services' and by 'preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of ...water...pollution...Development should, wherever possible help to improve local environmental conditions such as ..water quality, taking into account relevant information such as river basin management plans' (para 187).

35.0.3 It also states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely affects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development' (para 196).

35.0.4 The [Planning Practice Guidance](#) ¹⁸⁴ water supply, wastewater and water quality chapter sets out the legal and policy framework for the water environment and explains how the planning system can plan positively for water supply, wastewater and water quality. It explains the considerations that may need to be made as part of plan making and planning applications and how impacts should be assessed. It includes details of where to find information on the water environment

35.0.5 The Government's [25 Year Environment Plan](#) ¹⁸⁵ sets out what the government intends to do to improve the environment and includes a goal to see 'clean and plentiful water', to 'improve water quality', 'reverse the deterioration of groundwater', see water use fall and achieve best practice improvement in leakage reduction.

35.0.6 The [Independent Water Commission Review](#) ¹⁸⁶ (the Cunliffe Review) was published in July 2025. It includes 88 recommendations aimed at reshaping regulation of water in England and Wales. The government initially accepted 4 recommendations (abolish Ofwat; integrate the functions of the Environment Agency and Natural England; creation of a water ombudsman; stricter oversight) and are due to publish a White Paper with their full response.

35.0.7 The [National Framework for Water Resources 2025: water for growth](#) ¹⁸⁷, nature and a resilient future sets out the increasing pressures on water resources from population growth and climate change and identifies actions needed to meet the challenge.

The local context

35.0.8 Water is a defining feature of the environment and landscape of Swale. The principal water feature in the borough is The Swale, a strip of sea that separates the mainland from the Isle of Sheppey. There

¹⁸³ https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

¹⁸⁴ <https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality>

¹⁸⁵ <https://www.gov.uk/government/publications/25-year-environment-plan>

¹⁸⁶ https://assets.publishing.service.gov.uk/media/687dfcc4312ee8a5f0806be6/Independent_Water_Commission_-_Final_Report_-_21_July.pdf

¹⁸⁷ <https://www.gov.uk/government/publications/national-framework-for-water-resources-2025-water-for-growth-nature-and-a-resilient-future/forewords-executive-summary-and-structure-national-framework-for-water-resources-2025>

are tidal creeks at Queenborough, Halstow, Funton, Milton, Conyer, Oare and Faversham and across the local marshes. As well as The Swale there are a series of spring-fed and surface water streams that flow from the North Downs into the low-lying land of the Swale and Medway marshes, into the Swale. These streams are groundwater dependent, so changes in water abstraction from the North Downs Chalk aquifer can affect stream flow, water and habitat quality. A number of these [streams](#)¹⁸⁸, including the Bapchild Stream, the Downswell Stream and the Westbrook are [chalk streams](#)¹⁸⁹, a globally rare habitat.

35.0.9 Reduced flow (due to high levels of abstraction), pollution from agricultural sources and surface water runoff, physical modifications, sewage pollution and invasive species are negatively affecting the environmental quality of these precious chalk stream habitats. A [World Wildlife Fund report](#)¹⁹⁰ into chalk streams reports that more than three-quarters are failing to meet the required Water Framework Directive 'Good status'.

35.0.10 Much of the land adjacent to The Swale is comprised of low-lying land drained for agriculture (grazing marshes) or kept as wetlands (inter-tidal mud flats), designated internationally for their biodiversity value. The habitat value of these designations depends on adequate water resource and quality aligned with careful surface water management.

35.0.11 This [environment is currently also threatened](#)¹⁹¹ by:

- Pollution, including agricultural, urban and industrial run-off, sewage and microplastics, which leads to poor water quality and eutrophication;
- Fragmentation (and subsequent) degradation of natural habitats;
- Climate change, where impacts include rising sea levels, flooding and inundation and coastal erosion; and
- Invasive species.

35.0.12 [River basin management plans](#)¹⁹² (RBMPs) set the foundation for delivering the government's 25 Year Environment Plan 'clean and plentiful water' goal. The Environment Agency (EA) prepares RBMPs for each river basin district (RBD). The river basin districts relevant to Swale are the Thames Basin RBD and (for a very small area of the borough) the South East RBD. Data for each river basin district, the management and the operational catchments and the waterbodies within them, can be best be accessed through the [Catchment Data Explorer](#)¹⁹³ or through¹⁹⁴ the GOV.UK website on River Basin Management Plans¹⁹⁵.

35.0.13 The government encourages a [Catchment Based Approach](#)¹⁹⁶ (CaBA) to improving the quality of the water environment in the UK. This encourages a wider adoption of an integrated approach to river basin management, focusing on collaborative working at a catchment scale. In north Kent this work is coordinated by the [North Kent Catchment Improvement Group](#)¹⁹⁷, hosted by the Medway Swale Estuary Partnership and the South East Rivers Trust.

35.0.14 The partnership has an action plan that covers:

- Transitional and Coastal Waters;

188 <https://friendsofthewestbrook.wordpress.com/wp-content/uploads/2023/11/final-no-mark-ups-reduced-size-sert-north-kent-chalk-streams-survey-october-2023.pdf>

189 <https://engageenvironmentagency.uk.engagementhq.com/chalk-streams>

190 <https://www.wwf.org.uk/our-reports/state-englands-chalk-streams-report>

191 <https://www.endangeredlandscapes.org/news/restored-reconnected-and-resilient-the-future-of-the-thames-estuary/>

192 <https://www.gov.uk/guidance/river-basin-management-plans-updated-2022>

193 <https://environment.data.gov.uk/catchment-planning/v/c3-plan>

194 GOV.UK <https://www.gov.uk/government/publications/river-basin-management-plans-updated-2022-introduction/river-basin-management-plans-updated-2022-introduction>

195 <https://www.gov.uk/government/publications/river-basin-management-plans-updated-2022-introduction/river-basin-management-plans-updated-2022-introduction>

196 <https://catchmentbasedapproach.org/>

197 <https://mse.org.uk/our-work/north-kent-catchment-improvement-group/>

- The White Drain;
- The Westbrook and Stonebridge Pond (part of the dry valley south of Faversham);
- The Iwade Stream; and
- The Swale Tributary at Lower Halstow/the Libbet.

35.0.15 Groundwater provides the overwhelming majority of Swale's drinking water and is needed to keep springs, streams and ditches across the borough healthy and flowing. The Environment Agency (EA) recognises that over-abstraction is a critical pressure on chalk streams and that the sustainability of abstraction from chalk aquifers needs to be assessed and managed to ensure water supply resilience is balanced against the needs of a healthy environment. ([Policy Paper - Taking action: water for the environment: National Framework for Water Resources 2025](#))¹⁹⁸.

35.0.16 The EA protects groundwater sources (eg wells, boreholes and springs) used to supply drinking water from pollution. The EA have defined [Groundwater source protection zones](#)¹⁹⁹ (SPZs) which show the level of risk to the source from contamination, following the principle that the closer the activity to the water source, the greater the risk of pollution: inner zones (SPZ1) have a 50 day travel time of pollutant to source, outer zones (SPZ2) have 400 day travel times and SPZ3 shows the total catchment - the area around a supply source within which all groundwater ends at the abstraction point.

35.0.17 The Environment Agency has also produced maps of drinking water safeguard zones.

35.0.18 [Nitrate Vulnerable Zones](#)²⁰⁰ (NVZs) are areas designated as being at risk from agricultural nitrate pollution. Certain rules must be followed in relation in these areas.

35.0.19 Nutrient neutrality is a concept that aims to ensure that any land use or development in proximity to a vulnerable water body does not cause an increase in harmful nutrient levels (nutrient pollution). When phosphates and nitrates enter the water and reach a certain level it can cause eutrophication which will lead to algae growth. Dense algae can have effects on the balance of plants and invertebrates as it can deplete oxygen levels, harm water and air quality, food resources and habitats.

35.0.20 The Stodmarsh Nature Reserve is in the Stour valley near Canterbury. It is protected as a National Nature Reserve, a Site of Special Scientific Interest and a Ramsar site as well as a Special Protection Area and Special Area of Conservation under the Habitats Directive. It is managed by Natural England. A review during 2017/18 identified that some of the lakes there had raised nitrogen and phosphorus levels. As a consequence, in July 2020, Natural England issued nutrient neutrality advice for the catchment that feeds the Stodmarsh Nature Reserve. This means that Local Planning Authorities can only approve development if they are certain it will not have an adverse effect on the Stodmarsh Nature Reserve habitat site.

35.0.21 The catchment area of Stodmarsh Nature Reserve impacts a small part of Swale east and south of Dunkirk and east of Oversland.

35.0.22 Natural England has advised competent authorities (including Swale Borough Council) that mitigation measures forming part of a [Habitats Regulations Assessment](#)²⁰¹ must demonstrate no adverse effect 'beyond reasonable scientific doubt' and that the benefits of the mitigation measures must be 'certain at the time of the Assessment' before planning permission can be given. Any development that will have an adverse effect will need to provide suitable mitigation.

35.0.23 Natural England, Kent County Council and the local authorities in the Stodmarsh/River Stour catchment are currently investigating possible mitigation measures with the support of the Ministry of

198 <https://www.gov.uk/government/publications/national-framework-for-water-resources-2025-water-for-growth-nature-and-a-resilient-future/5-taking-action-water-for-the-environment-national-framework-for-water-resources-2025>

199 <https://www.gov.uk/guidance/groundwater-source-protection-zones-spzs>

200 <https://www.gov.uk/government/collections/nitrate-vulnerable-zones>

201 <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>

Housing, Communities and Local Government (MHCLG). This work is ongoing and is not yet published. In the meantime, the Council is taking a precautionary approach and will require [Appropriate Assessments](#) (AA)²⁰² for all relevant development.

35.0.24 Mapping showing areas impacted by nutrient neutrality, source protection zones, nitrate vulnerable zones and drinking water safeguard zones can be found at [Defra's Magic Interactive mapping website](#)²⁰³.

35.0.25 Private Water Supplies - the Council is responsible for the registration, risk assessment, sampling and enforcement of private water supplies and private distribution systems to ensure they are suitable for use and meet the standards set by current legislation, [The Water Industry Act 1991](#)²⁰⁴, [Private Water Supplies \(England\) Regulations 2016](#)²⁰⁵ and [Private Water Supplies \(England\) \(Amendment\) Regulations 2018](#)²⁰⁶. These regulations safeguard public health by ensuring that private water supplies are 'wholesome' and 'safe' to drink, setting quality standards similar to those for mains water supplies. The regulations cover all private supplies, although those serving a single dwelling will only be risk assessed and sampled upon request of the owner or occupier.

35.0.26 A private water supply is a supply that is not provided by a water company, like South East Water or Southern Water. It can serve more than one property and can include features such as wells, springs, boreholes, streams, surface water features and ponds. A private distribution system is a system that occurs when mains water is supplied to a site or property which is then distributed to other buildings not owned by that organisation or person. Users of private distribution systems, pay a landlord directly for the water instead of the water company, for example South East Water.

35.0.27 Southern Water provide wastewater treatment across Swale. New development sites have a legal right to connect to the surface and foul water sewers, but if there is a risk of flooding this is material consideration in planning decisions. The closest point of contact from development sites to the sewage system may not always have adequate capacity. If new development connects where capacity is insufficient, both new and existing customers may experience problems such as poor drainage and/or foul water flooding.

35.0.28 Drainage and Wastewater Management Plans (DWMPs) are used by water companies to plan for future climates and population, who also have duties to reduce storm overflows, flooding and pollution and protect and improve the water environment. Southern Water have prepared the [DWMPs](#)²⁰⁷ relevant to Swale, the majority of which is within the North Kent River Basin Catchment. There are five wastewater treatment plants within the North Kent Catchment (and Swale Borough), at Sittingbourne; Faversham; Queenborough; Teynham and Eastchurch. Other wastewater treatments plants relevant to Swale, but outside the district, include Motney Hill wastewater treatment works in the Medway River Basin Catchment.

35.0.29 Southern Water's analysis has identified challenges for the North Kent Catchment, highlights of which include:

- additional homes and businesses increase the risks of non-compliance in three wastewater systems: Sittingbourne, Queenborough and Faversham. This means further investment will be needed;
- new development in the North Kent Catchment might put additional pressure on internationally designated habitat sites at the Medway and Swale Estuaries. Solutions will need to be found to ensure that development is nutrient neutral;
- climate change will bring greater variability of our weather with warmer wetter winters and hotter drier summers as well as intense summer storms that could exceed the capacity of the drainage and wastewater networks and cause localised flooding;
- wastewater systems need to adapt to future climates. There will be an increasing need to 'slow the flow' entering our sewer networks so the systems can carry the water without flooding homes and businesses

202 <https://www.gov.uk/guidance/appropriate-assessment>

203 <https://magic.defra.gov.uk/>

204 <https://www.legislation.gov.uk/ukpga/1991/56/contents>

205 <https://www.legislation.gov.uk/uksi/2016/618/contents>

206 <https://www.legislation.gov.uk/uksi/2018/707/contents/made>

207 <https://www.southernwater.co.uk/about-us/our-plans/drainage-and-wastewater-management-plans/>

and/or without causing discharges from storm overflows. Preventing additional rainfall entering foul sewer networks, including combined sewer networks, could delay the need to upgrade and enlarge the underground network of sewers; and

- climate change is expected to have an impact on the risk of flooding in several wastewater systems, especially Queenborough. Risk will increase by 2050 across all wastewater systems unless measures are taken. The risk of storm overflow discharges for four systems, Sittingbourne, Queenborough, Faversham and Eastchurch already have a very significant risk in 2020 and will increase without further actions.

35.0.30 The PPG (para 16) sets out that where water quality has the potential to be a significant planning concern, an applicant should be able to explain how the proposed development would affect a relevant water body in a river basin management plan or designated sites of importance for biodiversity, and how they propose to mitigate the impacts.

35.0.31 Where it is likely that a proposal would have a significant adverse impact on water quality then a more detailed Water Quality Assessment will be required, which should form part of the environmental statement. It should include:

- likely impacts of the proposed development (including physical modifications) on water quantity and flow, river continuity and groundwater connectivity, and biological elements (flora and fauna);
- how the proposed development will affect measures in the river basin management plan to achieve good status in water bodies (to ensure local authorities discharge their duty to have regard to river basin management plans when exercising their duties, including making planning decisions); and
- how it is intended the development will comply with other relevant regulatory requirements relating to the water environment (such as those relating to bathing waters, shellfish waters, freshwater fish, drinking water, internationally and nationally designated sites of importance for biodiversity) bearing in mind compliance will be secured through the Environment Agency's permitting responsibilities.

35.0.32 Swale lies within an area of serious water stress as [classified by the Environment Agency](#) ²⁰⁸. Without adequate planning, water resources and consequent pressures on the environment are likely to become more stretched within Swale as the population continues to grow.

35.0.33 The companies relevant to water supply in Swale are South East Water and Southern Water. Southern Water supplies water to the Isle of Sheppey and the west of the borough. South East Water provides water to Faversham and the more easterly parts of the borough. Water companies prepare Water Resources Management Plans and are required to put in place the necessary mechanisms to support the development proposed by the Local Plan. The water companies in the South East of England work collaboratively as Water Resources South East (WRSE) to take a regional approach to planning water resources and have produced a regional plan.

35.0.34 The Water Resources Management Plans for [South East Water](#) ²⁰⁹ and [Southern Water](#) ²¹⁰, along with the Water Resource South East's Regional Plan, identify challenges to water resources from population growth, the need to protect the environment, dry weather/drought resilience and climate change. These factors are leading to needing an extra 188 and 587 million litres of water a day in South East Water and Southern Water's supply areas respectively, by 2075. The water companies intend to address this deficit through a combination of demand management (reducing leakage, improving efficiency) and new water supply options (transferring and storing water (e.g. the Broad Oak Reservoir near Canterbury, proposed for the early 2030s) and finding new sources, for example through water recycling and possibly desalination).

35.0.35 All new development has a responsibility to seek to manage demand for water and make efficient use of this resource. New development also offers the ideal opportunity to include water saving and water

208 <https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>

209 <https://www.southeastwater.co.uk/about/resources/publications/water-resources-management-plan-2024/>

210 <https://www.southernwater.co.uk/about-us/our-plans/water-resources-management-plan/>

35 Policy C10 Water quality and Water Resources

efficiency measures - such as installing water efficient fittings and white goods, smart metering, rainwater harvesting and greywater recycling – and thereby contribute to the challenge of water efficiency across the region.

35.0.36 The [Good Homes Alliance](https://goodhomes.org.uk/) ²¹¹(GHA), in partnership with industry leaders and supported by the Enabling Water Smart Communities project and the UK Water Efficiency Collaborative Fund, has launched a publication – ‘[Water Efficiency and Reuse in Housing: Design Guide for a Changing Climate](https://kb.goodhomes.org.uk/wp-content/uploads/2025/07/Water-Guide-GHA-July-2025_FINAL.pdf)’²¹². The guide sets out a fittings-based approach to water, and related energy, efficiency and provides design guidance, case studies and stakeholder accounts.

35.0.37 Policy DM 21 of Bearing Fruits, the Swale Borough Local Plan 2017, promoted water efficiency in new development, requiring new homes to be designed to achieve a minimum water efficiency of 110 litres per person per day (l/p/d), the most efficient level of the government's Housing: Optional Technical Standards and a standard endorsed at the time by the two water companies within Swale, the Environment Agency and the Catchment Partnership (the North Kent Catchment Improvement Group).

35.0.38 Due to the government's commitment to creating environmental headroom for growth, it is [currently consulting](#) (autumn 2025) ²¹³ on increasing water efficiency targets. In areas where the optional technical standard applies (including Swale) this could mean that this optional national standard is tightened from 110 l/p/d to 100 l/p/d.

35.0.39 As mentioned above, Swale is within an area of serious water stress. The reality of this designation is borne out in Temporary Use Bans and in the visible drying out of internationally designated wetlands and globally rare chalk streams across the borough. Through previous local plan consultations, both Natural England and Southern Water have advocated a stricter water efficiency standard for new dwellings in Swale of 100l/p/d. Ambitious water efficiency standards have been factored into the [Whole Plan Viability Assessment](#)²¹⁴. Furthermore, according to the above referenced DEFRA consultation evidence, while new water efficiency fittings ‘could result in increased new development costs this cost would be minor in comparison to overall building costs’ (para 34 [Reviewing the Water Efficiency Standard in the Building Regulations 2010](#) ²¹⁵). Furthermore, integrating water efficiency into new build saves the costs and difficulties of needing to retrofit schemes in the future, as water efficiency becomes an even more pressing concern.

35.0.40 Water efficiency in non-residential developments should be dealt with via the BREEAM water efficiency standards, also referenced in [Policy C1 Sustainable design and adaptation principles](#).

Policy Application

35.0.41 Whilst water companies have general duties to enable new development to connect to the water supply and treatment network, it is very important that early engagement with the appropriate water company takes place to ascertain any water supply, drainage and treatment issues which may affect a site, including ensuring that development proposals allow future access to drainage, sewerage and water supply infrastructure for maintenance and up-sizing purposes, and any phasing that may be required.

35.0.42 Equally early engagement with the local planning authority, the Council's Environmental Health team, the Environment Agency and the Lead Local Flood Authority is recommended to ensure that water quality and water resource issues are considered early in the planning process.

211 <https://goodhomes.org.uk/>

212 https://kb.goodhomes.org.uk/wp-content/uploads/2025/07/Water-Guide-GHA-July-2025_FINAL.pdf

213 <https://consult.defra.gov.uk/water-efficiency-demand/review-of-water-efficiency-standards/>

214 <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/viability#h2>

215 https://consult.defra.gov.uk/water-efficiency-demand/review-of-water-efficiency-standards/supporting_documents/consultation-call-for-evidence-review-of-building-regulations-part-g2pdf

Question 68

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C10**Water Quality and Water Resources**

1. All development shall:
 - a. take a catchment-based approach to protecting water quality and water resources, prioritising nature-based solutions;
 - b. make efficient use of water resources and protect the yield of public water supplies;
 - c. protect the management catchments, the operational catchments and the water bodies across the borough as well as all groundwater and surface water, including chalk streams; and
 - d. ensure long-term benefits to the water environment and habitats it supports.
2. Where it is likely that a proposal is deemed to have a significant impact on water resources or water quality a detailed Water Quality Assessment will be required, as explained above and set out in Planning Practice Guidance, to the satisfaction of the borough's Environmental Protection Team, the Environment Agency and the Lead Local Flood Authority, as appropriate;
3. Groundwater source protection zones should be safeguarded from pollution, to the satisfaction of the Environment Agency:
 - a. Proposals for development within Groundwater Source Protection Zones will only be permitted if there is no risk of contamination to groundwater sources. If a risk is identified, development will only be permitted if adequate mitigation measures can be implemented;
 - b. Proposals for piled foundations must take account of disturbance to ground and threats to water supply and prevent the creation of pathways from contaminated material to groundwater.
4. Connection points and access – all development connecting to mains drainage and wastewater system must ensure connection at the nearest point of capacity, following advice from the service provider. Proposals must demonstrate that future unconstrained access to existing and future drainage, sewerage and water supply infrastructure for maintenance and up-sizing purposes has been allowed for;
5. Major development intending to connect to mains drainage and wastewater systems must demonstrate that, drainage and wastewater connection and treatment infrastructure, to serve the whole development over its lifetime, is in place before construction commences and that these details have been approved by the appropriate water company and funded by the development where relevant. Details should include how works will be phased and ensure no occupation until all necessary works relating to water and wastewater have been carried out;
6. All development that cannot connect to surface water drainage and/or the sewerage system (such as in some rural and isolated locations) should provide details of how it will effectively treat and dispose of its water prior to commencement of development, to the satisfaction of the Council;
7. Where onsite package treatment works are proposed to deal with foul sewage, it should be noted that any discharge from them to a surrounding waterbody will have to consider this discharge rate alongside the discharge rate proposed for the surface water drainage design – the combined rate should then be considered against the required greenfield run off rate and it demonstrated this is not exceeded for the cumulative discharge rate;

8. In areas within the catchment of Stodmarsh Nature Reserve, development will only be permitted where it can be demonstrated that it will achieve nutrient neutrality through appropriate mitigation measures;

9. Water efficiency standards:

- a. all residential development will achieve a minimum water efficiency of 100 litres per person per day; and
- b. as set out in [Policy C1 Sustainable design and adaptation principles](#), all new non-residential developments (including C1, C2, C2a and C5 uses) are required to achieve water efficiency credits for BREEAM 'Very Good' standard as a minimum. New major non-residential developments (including C1, C2, C2a and C5 uses) of 1,000sqm or more are required to achieve water efficiency credits for BREEAM 'Excellent' standard as a minimum.

10. Private Water Supplies for new developments:

- a. Developers shall ensure any new private water supplies they install are safe and wholesome;
- b. Proposals must not cause an inadequate supply or poor water quality for existing users of shared sources; and
- c. Any proposed developments with private water supplies should inform the Council's Environmental Health team and include a description within their application.

Question 69

Do you support or object to Policy C10? What would you add, remove or amend to support it further or to remove your objection?

36 Policy C11 Air Quality

36.0.1 Air pollution poses significant risk to human health and the environment and is an issue of concern globally, as well as to residents, businesses and the Council within Swale. The Council is committed to improving air quality and protecting the health and amenity of the borough's current and future generations.

36.0.2 Land-use planning plays an important role in improving local air quality, strategically by setting out the broad location for development and locally through individual planning applications. Air quality is a material planning consideration in relevant planning decisions to ensure future problems are prevented. There is also a synergy between efforts to address air quality and those to address climate change.

36.0.3 This policy, a sister policy to [Policy C12 Pollution & Land Instability](#) and [Policy C10 Water Quality and Water Resources](#), aims to ensure that development within Swale does not lead to a detrimental impact on air quality and that where air quality is affected, that development is not permitted unless appropriate mitigation is provided and opportunities for improvements are sought. All applications and decisions on air quality in the borough should take account of national guidance and best practice, the presence of any Air Quality Management Areas, Clean Air Zones (if declared), the borough's [Air Quality Action Plan, 2023](#)²¹⁶ and the Swale Air Quality and Planning - [Technical Guidance 2024](#)²¹⁷ and updates to these documents.

The legal, policy and local context

36.0.4 Air quality in the UK is co-ordinated by the Department for Environment, Food and Rural Affairs (Defra). The [Air Quality Strategy, 2023](#)²¹⁸ for England, Scotland, Wales and Northern Ireland, 2023, provides an over-arching strategic framework for air quality management. The strategy includes national Air Quality Objectives (AQOs) and limit values for nitrogen dioxide (NO₂) and particulates (PM₁₀ and PM_{2.5}), along with several other pollutants prescribed in the²¹⁹ Regulations 2010.

36.0.5 The [Clean Air Strategy 2019](#)²²⁰ sets out the actions required across government and society to improve air quality to protect health, the environment, secure clean growth, reduce emissions and monitor progress. It complements other UK government strategies including the Clean Growth Strategy and the 25 Year Environment Plan.

36.0.6 [UK Air](#)²²¹ is Defra's Air Information Resource and is a free to use database of air quality information for the country which contains information on national air quality objectives, monitoring data and networks. It also holds a comprehensive library of air quality information. [Kent Air](#)²²² website is a useful resource for air quality in Kent.

36.0.7 The Institute of Air Quality Management's document [Land-Use Planning & Development Control: Planning For Air Quality, 2017](#)²²³ has been prepared to ensure that air quality is adequately considered in the land-use planning and development control process and provides guidance as to how to reach sound decisions on air quality and planning matters.

36.0.8 The [National Planning Policy Framework](#)²²⁴ (NPPF) sets the scene for planning for air quality in England. Paragraph 110 states that 'Significant development should be focused on locations that are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health'.

216 https://swale.gov.uk/_data/assets/pdf_file/0019/451432/AQAP-2023-to-2028_-updated-2025-AAA.pdf

217 https://swale.gov.uk/_data/assets/pdf_file/0008/474182/AQPT-Guidance_-2024-update_PDF_2-002-AA.pdf

218 <https://www.gov.uk/government/publications/the-air-quality-strategy-for-england/air-quality-strategy-framework-for-local-authority-delivery>

219 [Air Quality Standards](#) <https://www.legislation.gov.uk/ukxi/2010>

220 <https://www.gov.uk/government/publications/clean-air-strategy-2019>

221 <https://uk-air.defra.gov.uk/>

222 <https://www.kentair.org.uk/>

223 <https://iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

224 https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF_December_2024.pdf

36.0.9 Paragraph 187 of the NPPF goes on to say: 'Planning policies and decisions should contribute to and enhance the natural and local environment by:...e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality..'

36.0.10 Paragraph 198 states 'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development'. Importantly, paragraph 199 goes on to say that 'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan'.

36.0.11 [Planning Practice Guidance](#) ²²⁵ (PPG) sets out the air quality considerations that planning needs to address, with regard to public health, habitats and biodiversity and the formation of ozone. The guidance sets out Defra's national assessment of air quality and the local air quality management (LAQM) regime which requires each local authority to review and assess local air quality and explains when it is necessary to declare Air Quality Management Areas (AQMAs). The guidance also explains that air quality considerations may also be relevant to habitats and species.

36.0.12 The PPG also sets out the role of plan-making with regard to air quality recognising that all development plans can influence air quality, for example through what development is proposed and where, and the provision for sustainable transport. Consideration of air quality issues at the plan-making stage can ensure a strategic approach to air quality and help secure net improvements in overall air quality. The guidance makes it clear that it is important to take into account AQMAs, Clean Air Zones and areas such as sensitive habitats or designated sites of importance for biodiversity. Air quality is also an important consideration in habitats assessment, strategic environmental assessment and sustainability appraisal and can help shape an appropriate strategy for a local plan.

36.0.13 The PPG also contains information on:

- where information on air quality can be found;
- when air quality considerations could be relevant to the development management process and how to assess impacts;
- the importance of engaging at an early stage with the planning and environmental health departments;
- when the Environment Agency might need to be involved;
- the specific issues that may need to be considered;
- information on the detail required in an air quality assessment; and
- detail on how air quality can be mitigated.

Air Quality in Swale

36.0.14 The Council has a statutory obligation to ensure air quality is reviewed and assessed. If levels of air pollution exceed, or are likely to exceed, national Air Quality Objectives (AQOs), the Local Authority (Environmental Protection Team) is required to declare an Air Quality Management Area (AQMA) and

prepare an [Air Quality Action Plan](#) (AQAP)²²⁶, which sets out the intended measures in pursuit of the AQOs. The emissions of particular concern in Swale are nitrogen dioxide (NO₂) and particulate matter (PM₁₀), associated with traffic and congestion.

36.0.15 The Council has a comprehensive monitoring network. Monitoring has identified locations within the borough that exceed the annual Air Quality Objective (AQO) levels for NO₂ and PM₁₀ and subsequently declared AQMAs at these locations. Details on AQMAs can be found on the air quality pages of the Council's [website](#)²²⁷

36.0.16 The Council is required to revoke an AQMA if it demonstrated that air quality objectives are being met and will continue to do so. Revoked AQMAs are still considered Air Quality Sensitive Areas (AQSA), and the Council will continue to monitor these locations. As referenced in the AQAP and [relevant guidance](#)²²⁸ where there are no longer any AQMAs, an Air Quality Strategy (AQS) will be created to ensure air quality remains a high-profile issue and to ensure the Council is able to respond quickly should there be any deterioration in condition of the revoked AQMAs.

36.0.17 The declaration of an AQMA does not mean that there will be no new development within that area. Rather, it means that greater weight must be given to air quality impacts and their mitigation.

36.0.18 Swale's AQAP sets both strategic and local measures targeted at improving air quality in the designated AQMAs and across the borough as a whole. The AQAP may evolve in response to funding, adaptation of measures and policy changes. Applicants should refer to the latest, relevant AQAPs in their applications.

District wide Air Quality Modelling

36.0.19 [Air Quality Modelling](#)²²⁹ for the emerging local plan was prepared to inform the Swale Local Plan Review in 2020 and will be undertaken again at the Regulation 19 Stage, in 2026.

Local guidance

36.0.20 The Council's Air Quality and Planning - [Technical Guidance](#) (July, 2024)²³⁰ and updates has been adapted from the Kent and Medway Air Quality Partnership's Air Quality Planning Guidance (December 2015) in response to changes in national planning policy and guidance and the increased number of planning applications in Swale in which air quality has been a specific issue. The document:

- Explains how air quality is dealt with in planning applications in Swale, providing clarity and consistency for officers within the local authority, and developers and consultants involved in the preparation of development proposals and planning applications, as well as local communities;
- Recommends a range of mitigation measures and explains that standard mitigation is expected for all development;
- Sets out when an Air Quality Assessment (AQA) is required, how this should be undertaken and how it will be used to determine the air quality impacts of planning applications;
- Explains the emissions mitigation assessment (including damage cost calculations) expected for development with potential air quality impacts; and
- Emphasises the importance of applying good design and 'best-practice' measures to all developments, to reduce both pollutant emissions and human exposure.

36.0.21 The guidance primarily focuses on air quality impacts from traffic emissions; however, dust also contributes airborne particulate matter. It should be noted that the Institute of Air Quality Management (IAQM) document [Guidance on the assessment of dust from demolition and construction](#) (January 2024,

²²⁶ https://swale.gov.uk/_data/assets/pdf_file/0019/451432/AQAP-2023-to-2028_-updated-2025-AAA.pdf

²²⁷ https://swale.gov.uk/bins-littering-and-the-environment/air-quality/monitoring_

²²⁸ <https://iaqm.defra.gov.uk/air-quality/featured/england-exc-london-policy-guidance/>

²²⁹ <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence#h2>

²³⁰ https://swale.gov.uk/_data/assets/pdf_file/0008/474182/AQPT-Guidance_-2024-update_PDF_2-002-AA.pdf

Version 2.2)²³¹ and updates is the recommended text to refer to ensure dust generation is minimised where possible. The Environmental Protection team will recommend conditions to an application on a case-by-case basis to ensure dust from all potential sources is addressed (eg a Dust Management Plan).

36.0.22 The Council's [Parking Standards SPD](#), 2020,²³² and updates, sets out local standards and design aspirations for vehicle and cycle parking for new development in Swale. This document includes requirements for parking for ultra-low emission vehicles with the objective of improving air quality. It should be used alongside current Building Regulations on [Infrastructure for charging electric vehicles: Approved Document S](#)²³³

36.0.23 Good site choice and quality design can beneficially influence air quality. Applicants for proposed development in Swale should demonstrate how their proposals have considered air quality in terms of site location, linkages to other sites and infrastructure, layout, land-use, landscaping and building design.

Pre-application advice and guidance

36.0.24 Early engagement with Swale's [Development Management](#) and Environmental Protection teams as part of the pre-application process is recommended for all schemes that may have air quality impacts.²²⁷ should be an integral part of the overall design process.

36.0.25 Applicants should review the Air Quality and Planning - Technical Guidance to determine the significance of their development and whether an Air Quality Assessment (AQA) is required.

36.0.26 Where required, AQAs should be carried out in line with guidance in the Air Quality and Planning - Technical Guidance²¹⁷ and the most up to date industry-prepared best guidance documents including IAQM's²²³ and Defra's Local Air Quality Management (LAQM) [guidance](#)²³⁴.

36.0.27 AQAs may be incorporated into the full Environmental Statement if required for an Environmental Impact Assessment.

Air Quality Mitigation

36.0.28 The Air Quality and Planning - Technical Guidance, sets out the mitigation measures that are likely to be required. Mitigation may need to include measures that support and encourage sustainable travel such as car clubs and investment in sustainable transport. Mitigation measures should be site specific, where possible, discussed with the borough's Environmental Protection Team and reference local air quality concerns, policies and Action Plans. Mitigation may need to include measures that support and encourage sustainable travel such as car clubs and investment in sustainable transport. Mitigation measures should be site specific, where possible, discussed with the borough's Environmental Protection Team and reference local air quality concerns, policies and Action Plans.

36.0.29 Where mitigation is not integrated into a scheme, the Council will generally require mitigation through a planning condition(s). If on-site mitigation/the use of planning conditions is not possible then the Council may seek contribution to wider air quality mitigation measures through the damage cost value and/or section 106 agreement. If the development is within or close to an AQMA and is considered a non-major development, then it will be at the discretion of Swale's Environmental Protection Team to suggest reasonable mitigation options.

36.0.30 An emissions mitigation assessment (also known as a Damage Cost Calculation) is required for all major developments. The purpose of an emissions mitigation assessment is to assess the local emissions from a development and to determine the appropriate level of mitigation (a damage cost value) required

231 <https://iaqm.co.uk/wp-content/uploads/2013/02/Construction-Dust-Guidance-Jan-2024.pdf>

232 <https://services.swale.gov.uk/assets/Planning-Forms-and-Leaflets/Supplementary-Planning-Documents/SBC-Parking-Standards-May-2020.pdf>

233 <https://www.gov.uk/government/publications/infrastructure-for-charging-electric-vehicles-approved-document-s>

234 <https://iaqm.defra.gov.uk/guidance/>

to help reduce the potential effect on health and/or the local environment. As well as guidance within Swale's Air Quality and Planning – Technical Guidance, Defra's Air quality appraisal: damage cost guidance also provides guidance on how to carry out an emission mitigation assessment.

Policy application

36.0.31 It should be noted that guidance may be updated to reflect changes in Government policy, good practice and advances in air quality mitigation; the latest version of the relevant guidance should be consulted.

36.0.32 For the purposes of this policy sensitive uses or receptors includes nurseries, schools, hospitals, care facilities, residential uses and other similar uses and their users.

36.0.33 All major development, or any development where air quality is likely to be a significant issue, is also required to undertake a Transport Assessment and prepare a Travel Plan as set out in [Policy INF1 Managing transport demand & impact](#).

36.0.34 The policy references Supplementary Planning Documents and guidance, which, if prepared, should inform the approach to air quality in the borough.

Question 70

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C11

Air Quality

1. Air quality should be considered in the early stages of a development in consultation with the borough's Environmental Protection Team and with reference to Swale's Air Quality and Planning - Technical Guidance 2024²³⁰, and updates, the latest best practice guidance and any relevant Supplementary Planning Documents;
2. Proposed development should:
 - a. demonstrate they include measures to improve air quality through the location of the site, linkages to other sites, site layout, land-use, landscaping and building design;
 - b. provide standard mitigation for air quality impacts in line with Swale's Air Quality and Planning Technical Guidance; and
 - c. Carry out an Air Quality Assessment in line with the requirements set out in the Council's Air Quality and Planning - Technical Guidance.
3. All major development must carry out an Emissions Mitigation Assessment (also known as a Damage Cost Calculation) and demonstrate that the appropriate level of mitigation has been incorporated into the proposed development;
4. Proposals which would introduce or intensify sensitive receptors' exposure to poor air quality should demonstrate measures that mitigate air quality impacts.

Question 71

Do you support or object to Policy C11? What would you add, remove or amend to support it further or to remove your objection?

37 Policy C12 Pollution & Land Instability

37.0.1 This is a sister policy to [Policy C10 Water Quality and Water Resources](#) and [Policy C11 Air Quality](#) and seeks to ensure that new development is appropriate for its location, doesn't contribute to pollution and land instability and seeks to improve environmental conditions and, where appropriate, bring land back to productive use.

37.0.2 Minimising pollution is one of the [National Planning Policy Framework](#)'s ²³⁵ environmental objectives, a key aspect of sustainable development. The NPPF (para 187) sets out that planning policies and decisions should contribute to and enhance the natural and local environment by 'preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.' as well as 'remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate'. The NPPF goes on to explain how planning policies and decisions should ensure that sites are suitable for proposed uses, taking account of ground conditions, land instability and contamination, are remediated to an established standard and that adequate site investigation information is available to inform these assessments. It makes clear that responsibility for securing safe development rests with the developer/landowner.

37.0.3 The NPPF states that planning should ensure that new development is appropriate for its location, taking into account likely, including cumulative, effects of pollution on health, living conditions and the natural environment as well as the potential sensitivity of the site or wider area to development impacts. It sets out that planning policies and decisions should address noise, tranquillity and light pollution and ensure that new development can be appropriately integrated into existing businesses and community facilities, highlighting that planning is about the acceptable use of land and should not duplicate other permitting regimes.

37.0.4 Pollution, land contamination and unstable land issues are relevant within Swale, particularly due to the legacy of past industrial uses and its economic strengths in manufacturing and distribution. Pollution can be site specific, but its impacts can also be widespread, for instance downstream of sources, affecting sites designated for their environmental quality. Pollution is also an important concern of residents.

Hazardous substances

37.0.5 [Planning Practice Guidance \(PPG\)](#)²³⁶ explains planning controls relating to the storage of hazardous substances and how to handle development proposals around hazardous establishments and the hazardous substances consent process and regulatory framework. The Council holds a register of relevant sites.

Land contamination

37.0.6 Contamination can harm human health, property, water resources and the wider environment. Planning Practice Guidance sets out where planning can deal with contamination where not dealt with by other regimes. The guidance explains the role of site-specific investigations and explains where sources of information as to whether a site might be contaminated can be found. Applications should check whether an environmental permit is required.

37.0.7 PPG also explains the role to which local plans will need to consider contamination including through sustainability appraisal and the choice of land allocations. The PPG sets out what contamination risk assessments should include. PPG also sets out the level of detail required for applications for outline planning permission and when planning permission should be refused on grounds of land contamination. It also includes detail on planning conditions and planning obligations and detail on unacceptable risk. PPG makes clear that as a minimum and after remediation, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

²³⁵ https://assets.publishing.service.gov.uk/media/62a08f3b41073cca46251/NPPF_December_2024.pdf
²³⁶ <https://www.gov.uk/guidance/hazardous-substances>

37.0.8 All aspects of investigation into possible land contamination should follow the Environment Agency guidelines within [Land contamination risk management](#) ²³⁷ (LCRM) guidance. The government's LCRM also gives guidance on the assessment of unacceptable risk, decisions on options to manage risk and implement remediation where needed. It should be remembered that some site investigations themselves may require planning permission. The Council's [Contaminated Land Strategy \(2021-2026\)](#) ²³⁸ should also be referred to by developers.

37.0.9 Where development is approved on previously developed land and made subject to a land contamination condition, the risk assessment undertaken should follow guidance contained in Land contamination risk management guidance, mentioned in the above paragraph and on the government website.

Light pollution

37.0.10 The NPPF (para 198) and the [PPG](#) ²³⁹ advises how to consider light within the planning system. It explains what light pollution considerations planning needs to address and when artificial lighting can become light pollution which can harm people, wildlife and the night sky. Light pollution is particularly harmful in intrinsically dark landscapes including nature reserves which support native nocturnal animals and can impact on tranquillity. It is important to consider design of lighting schemes early in scheme development as it can be expensive to rectify later on.

37.0.11 The PPG also gives advice on what factors can be considered when assessing whether a proposal might have implications for light pollution. These include the impact of existing development on proposed development, the impact of new development on existing sites and impacts on specialist facilities/intrinsically dark landscapes, safety concerns, impacts on species and habitats and use of smooth, reflective buildings (which can affect wildlife). If these impacts are likely the PPG advises that the local planning authority and applicant should consider:

- where the light shines;
- when the light shines;
- how much light shines; and
- possible ecological impacts.

37.0.12 The PPG gives details of how to do this and links to best practice, including advice from the Bat Conservation Trust and the Chartered Institution of Building Services Engineers.

37.0.13 The impact of lighting from development can have a significant effect on tranquillity. The Institute of Lighting Professionals has produced free resources to enable lighting to be sympathetically integrated into development, such as [Guidance Notes for the reduction of obtrusive light](#) ²⁴⁰ which should be referenced in relevant applications. The Department for Environment, Food and Rural Affairs, the Campaign to Protect Rural England, the Campaign for Dark Skies and the Institute of Lighting Professionals has collaborated to produce an information leaflet, [Getting Light Right](#) ²⁴¹, designed to demonstrate how to install security lights effectively to reduce pollution.

Noise and vibration

37.0.14 New development may create additional noise or could be sensitive to existing noise and as such needs to be considered early on in the planning process. The NPPF (para 198) and [PPG](#) ²⁴² advises how planning can determine and manage potential noise impacts in new development, seeking specialist assistance where necessary. It explains what 'observed effect levels' are and how it can be established if noise is a concern (citing the noise exposure hierarchy table), the factors involved (including cumulative

²³⁷ <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>

²³⁸ https://swale.gov.uk/_data/assets/pdf_file/0003/455376/Swale-Contaminated-Land-Strategy-2021-2026-AA.pdf

²³⁹ <https://www.gov.uk/guidance/light-pollution>

²⁴⁰ <https://theilp.org.uk/resource/gn01-ilp-guidance-note-1-the-reduction-of-obtrusive-light-2021.html>

²⁴¹ <https://theilp.org.uk/publication/getting-light-right-defra>

²⁴² <https://www.gov.uk/guidance/noise--2>

impacts, timing and effect on wildlife). It sets out how the risk of conflict between new and existing development can be addressed, how to address effects (engineering, layout, conditions, mitigation) and where other information can be found.

37.0.15 Assessing developments for noise and vibration - both from noise generated from new developments affecting existing development and new development close to existing noise sources - can be complex. The relevant British Standards and guidance, including BS8233 need to be considered. The Council's Environmental Protection Team has published a guidance document, [Noise and Vibration: Planning Technical Guidance Document \(2020\)](#)²⁴³. Developers should refer to this guidance, as well as the latest revised British Standards, in their planning applications.

Land instability

37.0.16 Land instability can result in landslides, subsidence or ground heave and failure to deal with this issue could cause harm to health, property, infrastructure and the environment. [PPG](#)²⁴⁴ sets out advice on how to ensure that development is suitable to its ground condition and how to avoid risks caused by unstable land or subsidence, explaining why planning authorities should be concerned about land stability (minimising risk, ensuring development does not occur in unstable locations, and bringing unstable land back to productive use) and the other regimes involved (eg Building Regulations). PPG explains the role of plans in planning for land instability, where information on land instability can be found, the planning mechanism that can be used to mitigate and minimise risks and the steps applicants should take if they suspect land instability (including a flow chart), what a slope stability report and land stability risk assessment report should contain and who should prepare them and the role of the Coal Authority.

Policy Application

37.0.17 Planning matters related to pollution prevention and land instability in Swale will be dealt with via reference to the NPPF, PPG, all of the guidance listed above and other relevant policies within this Plan, informed by the technical advice of the Council's Environmental Protection Team and the Environment Agency. Applicants should refer to the advice in PPG, as outlined above, and seek the advice of the Council's Environmental Protection Team at the pre-application stage.

Question 72

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy C12

Pollution & Land Instability

1. The responsibility for securing development which is safe from the risks of all forms of pollution and land instability rests with the developer and or landowner;
2. Development will only be permitted where:
 - a. appropriate assessment of all risks has been carried out by competent persons and to the satisfaction of the Council's Environmental Health Team, the Environment Agency or Natural England, whether the risk is to human health or the environment;

²⁴³ <https://swale.gov.uk/your-council/publications/planning-and-planning-policy/noise-and-vibration-planning-technical-guidance>

²⁴⁴ <https://www.gov.uk/guidance/land-stability>

- b. it can be demonstrated that development is appropriate for its location and its layout, design, and construction (including demolition) would not be damaging to the environment, wildlife, property and sensitive receptors as a result of hazardous substances, land contamination, noise, vibration or light pollution;
- c. on land affected by contamination, it can be demonstrated that the contamination and land gas can be satisfactorily managed or remediated so that it is suitable for the proposed end use and will not impact on the groundwater environment, human health, buildings and the wider environment, during demolition and construction phases as well as during the future use of the site;
- d. on unstable land, it can be demonstrated that it will be safe for its lifetime, will not lead to risk to property, infrastructure, the public or wider environment and will seek to bring land back into productive use.

Question 73

Do you support or object to Policy C12? What would you add, remove or amend to support it further or to remove your objection?

38 Policy B1 Biodiversity & geodiversity conservation & BNG

Biodiversity and geodiversity conservation and biodiversity net gain

38.0.1 Swale has an extremely diverse natural environment, but nationally, the Council are faced with its unprecedented decline. The conservation and enhancement of the natural environment is therefore at the core of the Local Plan strategy with further guidance to be set out in a strategic policy on Conserving and Enhancing the Natural Environment at the Reg 19 stage of the plan making process. The aim of this policy is to focus on the conservation and enhancement of biodiversity and geodiversity elements of the strategy.

38.0.2 In seeking to achieve this, the [National Planning Policy Framework](#) ²⁴⁵ (NPPF) states that plans should consider the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and the connections between them, and areas identified for habitat management, enhancement, restoration or creation. Plans should also promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species (NPPF 192).

38.0.3 Furthermore, along with the NPPF which promotes seeking net gains for biodiversity, the Environment Act strengthens this and introduces a mandatory approach to biodiversity net gain. A measurable increase in habitat value will be required, at an absolute minimum of 10%, compared with a pre-development baseline. The Environment Act also requires the production of a [Local Nature Recovery Strategy](#) (LNRS) ²⁴⁶ which should identify opportunities for promoting nature recovery and enhancement and should be integrated within a National Nature Recovery Network.

Biodiversity and geodiversity within designated sites

38.0.4 Large areas of Swale are designated because they contain special habitats or support species which are rare and/or threatened. Designation provides long term protection as well as opportunities to introduce management measures to conserve features of particular importance. The hierarchy of designations within Swale is set out below. Further detail on the range of sites, their statutory obligations, and their impact on the planning system can be found in [Circular 06/2005: Biodiversity and Geological Conservation](#) ²⁴⁷

38.0.5 The most important sites for biodiversity have statutory protection under international legislation and comprise Ramsar sites, Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). The NPPF also states that potential SPAs and SACs, listed or proposed Ramsar sites and sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential SPAs and SACs and listed or proposed Ramsar sites should be given the same protection (NPPF para 194).

38.0.6 Ramsar sites are wetlands of international importance designated under the Ramsar Convention. The designation provides for the conservation and good use of wetlands and for Swale, comprise the Swale and the Medway Estuary and Marshes. They are designated for their high plant and invertebrate species diversity and internationally important bird species.

38.0.7 Special Areas of Conservation are areas which have been given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of wild animals, plants and habitats. SACs are designated at Queendown Warren and the Blean complex. Queendown Warren is designated for its chalk grassland and due to it supporting a number of orchid species. The Blean is designated due to its ancient oak and hornbeam woodland and because it supports a good population of the rare heath fritillary butterfly.

38.0.8 Special Protection Areas are areas classified under Directive 79/409 on the Conservation of Wild Birds, also in accordance with Birds Directive of 1979. They are identified as being of international importance

²⁴⁵ https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

²⁴⁶ <https://www.legislation.gov.uk/ukpga/2021/30/pa/6/crossheading/local-nature-recovery-strategies>

²⁴⁷ <https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005>

for the breeding, wintering or migration of rare and vulnerable species of birds. For Swale, they comprise the Swale SPA and the Medway Estuary and Marshes SPA (both designated for overwintering, on-passage and breeding birds) as well as the Outer Thames Estuary SPA (designated for the red-throat diver).

38.0.9 In 2011, Local Authorities and conservation organisations across north Kent joined together within the North Kent Environment Planning Group to identify the impacts of recreational disturbance on wintering birds within the SPAs. Following a Visitor and Bird Disturbance Survey, a [Strategic Access Management and Monitoring Strategy](#) (SAMMS)²⁴⁸ is now in place, which sets out a range of measures to mitigate any disturbance to birds caused by increasing numbers of recreational visitors.

38.0.10 These strategic measures are funded by developer contributions, applied to all residential development within 6km of the SPAs (the area mostly likely to result in increased recreational pressure on them). These contributions are collected via Section 106 agreements, or, if implemented in the future, a Community Infrastructure Levy. Some larger developments beyond the 6km radius, or those particularly close to the SPA, may require additional mitigation.

38.0.11 Alternatively, developers can gather their own evidence and complete a Habitats Regulations Assessment and implement bespoke mitigation measures. Such an assessment would have to consider the impact of the proposal in combination with other proposed developments, the cost of which is likely to be higher than making a contribution to the implementation of the SAMMS. In most cases, it will not be viable for a development to provide its own bespoke mitigation package. For further information, see [Bird Wise](#)²⁴⁹.

38.0.12 If a development proposal is considered likely to have a significant effect on a protected habitats site (either individually or cumulatively) then an Appropriate Assessment of the implications for the site will be required under the [Conservation of Habitats and Species Regulations 2017](#)²⁵⁰. If the Council, in consultation with other bodies, is unable to conclude that the proposal will not adversely affect the integrity of the site, then it will have to be refused. Applicants will therefore need to provide sufficient information as may be required to undertake the assessment, including implementation of the mitigation hierarchy.

38.0.13 More generally, the Council will take a precautionary approach in requiring Habitats Regulations Assessments to be prepared for individual development proposals until a strategic solution has been prepared or where effects of a proposal are deemed to be uncertain. The Council will consider the need for Habitats Regulations Assessments to be undertaken at the reserved matters stage for sites where outline planning permission has already been granted.

Nationally designated sites

38.0.14 For Swale, nationally designated sites include Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) and Marine Conservation Zones (MCZs).

38.0.15 Sites of Special Scientific Interest are the country's best wildlife and geological sites and are legally protected under the Wildlife and Countryside Act 1981 (as amended). For Swale, they comprise the Swale and the Medway Estuary and Marshes, the Sheppey Cliffs and Foreshore (for geological as well as nature conservation), Church Woods (Blean), Ellenden Wood, Queendown Warren (Hartlip) and a small section of nearby Purple Hill.

38.0.16 National Nature Reserves represent many of the finest wildlife and geological sites in the country. They are used to manage some of the most pristine habitats, rarest species and most significant geology as well as promote public access to natural heritage. For Swale, they comprise the Swale, Elmley and Blean Woods.

248 <https://northkent.birdwise.org.uk/wp-content/uploads/2018/02/Mitigation-Strategy.pdf>

249 <https://northkent.birdwise.org.uk/>

250 <https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>

38.0.17 Marine Conservation Zones are a type of marine protected area, which exist alongside other international and national designations to form an ecologically coherent network of marine protected areas. The Medway Estuary was designated as an MCZ in 2013 and the Swale Estuary was designated as an MCZ in 2016.

38.0.18 Development proposals within these nationally designated sites will only be permitted where they are not likely to have an adverse effect on the site or its interests, either individually or in combination with other developments, unless the benefits of the development clearly outweigh both the impacts it is likely to have on the features of the designated site and its wider environmental network of sites.

Locally designated sites

38.0.19 Local Nature Reserves (LNRs) are for both people and wildlife. They are places with wildlife or geological features that are of special interest locally. They offer people opportunities to study or learn about nature or simply to enjoy it. For Swale, these include Oare Marshes, the South Bank of the Swale, Seasalter Levels and Queendown Warren.

38.0.20 Local Wildlife Sites (LWSs) are identified by the Kent Nature Partnership and are administered and monitored by Kent Wildlife Trust on behalf of the partnership. Site selection takes into account the most important, distinctive and threatened species and habitats within a national, regional and local context, making LWSs some of Kent's most valuable urban and rural wildlife areas. There are 32 LWSs within Swale, the majority of which contain habitats and species that are priorities under the county or UK Biodiversity Action Plans (BAPs) and/or Biodiversity Strategies.

38.0.21 Roadside Nature Reserves (RNRs) are roadside verges that have been specially designated because they contain a scarce or declining Kent habitat or the presence of a rare or notable species. Roadside nature reserves can link existing wildlife areas, helping to reconnect and restore landscape so that wildlife is no longer struggling to survive in isolation. There are currently 13 in Swale, managed by Kent County Council Highways and monitored by Kent Wildlife Trust.

Biodiversity and geodiversity outside of designated sites

38.0.22 Although the hierarchy of formally designated sites is of critical importance to the conservation and enhancement of biodiversity and geodiversity, it must be recognised that important habitats and protected species are not confined to them, and can be found on almost any site. The Council will therefore seek their conservation and enhancement across the whole borough.

Protected species

38.0.23 A series of international conventions, European directives and national laws protect species of animals and plants in the UK, notably the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation of Habitats and Species Regulations 2017. The status of species on development sites must be assessed through appropriate surveys undertaken to clarify the constraints and requirements that could apply to development on these sites.

38.0.24 The decline of pollinators is a global issue, but of particular importance to Swale given the reliance placed upon them by its fruit industry. The Council will support the [National Pollinator Strategy](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794706/national-pollinator-strategy.pdf)²⁵¹ and look for opportunities through development proposals to enhance foraging habitat.



Picture 38.0.1

²⁵¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794706/national-pollinator-strategy.pdf

Landscape scale biodiversity networks

38.0.25 The NPPF in Paragraph 187 encourages local plans to plan for the enhancement of natural capital at a landscape scale. This is important as it enables wildlife to move through the landscape and species to colonise new areas, increase their genetic diversity and adapt better to climate change. Designated sites contain the most valuable habitats and species but links between these sites and the wider countryside are also imperative as they enable larger areas of habitat to be restored and enhanced as well as allowing fragmented habitats to be connected. Landscape scale biodiversity networks also secure natural habitat which can be accessed by the local community. Research has shown that that access to the natural environment increases mental and physical wellbeing.

38.0.26 The Supplementary Planning Document (SPD) entitled Swale Landscape Character and Biodiversity Appraisal, which can be accessed in two parts - [Part 1](#) and [Part 2](#)²⁵² includes an assessment of the current distribution of priority habitats and identifies opportunities for linking these areas to form a more coherent, extended and enhanced biodiversity network to better cope with future environmental change.

Biodiversity Action Plans, Biodiversity Opportunity Areas, and the Kent Biodiversity Strategy

38.0.27 Biodiversity Action Plans (BAPs), for key habitats and species within Swale, were prepared at the national, county and local levels (see Statement 6). They covered both designated and non-designated sites and habitats and species populations outside these areas. Of these BAP habitats, Swale is particularly important for its mudflats, sandflats, wetlands and grazing marsh. The [Swale Biodiversity Action Plan](#) provides a basis for local action to conserve, protect and enhance the biodiversity of the borough and focuses on a number of BAP habitats of importance to the borough.

Statement 3

Biodiversity Action Plan habitats in Swale

UK Biodiversity Action Plan Habitats: chalk grassland, acid grassland, neutral grassland, wood-pasture and parkland, vegetated shingle, maritime cliffs, reedbeds, arable field margins, coastal and floodplain grazing marsh, intertidal mudflats (littoral sediment), saltmarsh, ponds, traditional orchards and hedgerows.

Kent Biodiversity Action Plan Habitats: ancient and/or species rich hedgerows, built-up areas and gardens, cereal field margins, coastal and floodplain grazing marsh, coastal saltmarsh, coastal vegetated shingle, standing open water, wet woodland, lowland calcareous grassland, maritime cliff and slope, mixed broadleaved woodland and plantations, lowland wood-pasture and parkland, mudflats, old orchards, reedbeds, and lowland meadow.

Swale Biodiversity Action Plan Habitats: orchards, estuary habitats, woodlands, wildflower grassland, farmland, built-up areas and gardens.

38.0.28 The Kent Nature Partnership is now working towards the [Kent Biodiversity Strategy \(2020-2045\)](#)²⁵³ targets which supersede the BAPs, however the BAP habitats remain relevant. The targets of the previous Kent Biodiversity Strategy (2015) were expressed spatially through Biodiversity Opportunity Areas (BOAs). Although now superseded by the latest strategy, BOAs remain a useful indicator of where the greatest gains can be made from habitat enhancement, restoration and recreation as these areas still offer the best opportunities for establishing large habitat areas and/or networks of wildlife habitats. As such, they are useful for the development and delivery of green and blue infrastructure and resilient ecological

²⁵² <https://swale.gov.uk/your-council/publications/planning-and-planning-policy/swale-landscape-character-and-biodiversity-appraisal-supplementary-planning-document-2011>

²⁵³ <https://kentnature.org.uk/wp-content/uploads/2022/01/Kent-Biodiversity-Strategy-2020.pdf>

networks. The BOAs are likely to be updated or superseded once the Kent Nature Partnership has adopted a new countywide Nature Recovery Network which is currently in development. Four BOAs are identified for Swale:

- Medway Gap and North Kent Downs;
- North Kent Marshes;
- Mid Kent Downs Wood and Scarp; and
- The Blean.

Biodiversity net gain

38.0.29 Biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. If a development has an impact on biodiversity, it encourages developers to provide an increase in appropriate natural habitat and ecological features over and above that being affected in such a way that the current loss of biodiversity through development will be halted and ecological networks can be restored.

38.0.30 The Government's [25 Year Environment Plan](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf) ²⁵⁴ made a commitment to embed a 'net environmental gain' principle for development to deliver environmental improvements locally and nationally. In 2019, following consultation, the Government announced it would mandate net gains for biodiversity in the then Environment Bill. The now [Environment Act 2021](https://www.legislation.gov.uk/ukpga/2021/30/contents) ²⁵⁵ mandates that all development, with limited exceptions for small applications and brownfield sites, will be required to provide a measurable minimum of 10% biodiversity net gain (BNG). This will be measured against a baseline value of biodiversity and will be calculated using the DEFRA Biodiversity Metric. Developers will be required to provide a BNG plan with supporting calculations from the Metric, which should be accommodated within the rules of the existing mitigation hierarchy, and offsite compensation should be considered as a last resort.

38.0.31 It should be noted that in May 2025, the government consulted on 'Improving the implementation of biodiversity net gain for minor, medium and brownfield development' and the Council awaits the feedback resulting from this consultation.

38.0.32 The Kent Nature Partnership are proposing adopting a 20% target across Kent. This is because Kent has a wonderfully rich and varied biodiversity resource, the pressures on which are specific to Kent's location, such as its proximity to London, being a gateway to Europe, and the resulting significant and unprecedented levels of growth it faces. The Council wholeheartedly supports this approach and will be seeking a 20% BNG through this policy. The Council will continue to work with the Kent Nature Partnership on the evidence base to support the 20% requirement. Viability evidence thus far indicates that a target of 20% rather than 10% has a minimal additional impact upon viability. A [Biodiversity Baseline Study \(2020\)](https://services.swale.gov.uk/assets/Planning%20Policy%202019/Biodiversity%20Baseline%20Study.pdf) ²⁵⁶ has also been prepared which will help guide developers in their approach.

Local Nature Recovery Strategy

38.0.33 Local authorities are required by the Environment act to produce a Local Nature Recovery Strategy (LNRS), which should be integrated within a National Nature Recovery Network. It requires a biodiversity statement and map to be included, which should;

- Describe, identify and map biodiversity features within the Local Authority Boundary, including nationally designated sites, other nature reserves and wider areas of importance for biodiversity; and
- Describe, identify and map priorities and opportunities for promoting nature recovery and enhancement.

²⁵⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf

²⁵⁵ <https://www.legislation.gov.uk/ukpga/2021/30/contents> Page 195

²⁵⁶ <https://services.swale.gov.uk/assets/Planning%20Policy%202019/Biodiversity%20Baseline%20Study.pdf>

38.0.34 The Environment Act does not explicitly link Local Nature Recovery Strategies and biodiversity net gain, however it is implied in the [25 Year Environment](#) ²⁵⁷ biodiversity net gain should be used to contribute to meeting the objectives of the National Nature Recovery network and therefore also local ones.

38.0.35 The Council has worked as a Supporting Authority, in partnership with Kent County Council, the Responsible Authority, to input into the [Kent and Medway LNRS](#), ²⁵⁸ which was published in November 2025.

Local supplementary planning documents

38.0.36 The following adopted supplementary planning documents should be taken into account when formulating development proposals:

- The Swale Landscape Character and Biodiversity Appraisal (2011), which can be accessed in two parts - [Part 1](#) and [Part 2](#) ²⁵⁹ presents guidelines on a character area basis for improvements to biodiversity; and
- The [Kent Design Guide](#), specifically the appendix 'Making it happen – landscaping', demonstrates how developments can create features such as bird roosting/nesting places, aids to hibernation, green and brown roofs, habitats on railways, road and cycle path verges, connected hedgerows, wildlife underpasses and green bridges.

38.0.37 When submitting planning applications, the Council will, as appropriate, require the submission of ecological assessments to determine the extent and importance of habitats and species present and to make recommendations for their avoidance, mitigation and, as a last resort, compensation.

Other initiatives and resources

38.0.38 The [Medway Swale Estuary Partnership](#) ²⁶⁰ is a not-for-profit organisation whose work is centred around the understanding, conservation and promotion of the estuary's natural and historic environments. It hosts the North Kent Catchment Improvement Group which is developing catchment improvement plans for North Kent (estuarine and freshwater).

38.0.39 [Local Nature Partnerships](#) ²⁶¹ (LNPs) were set up through the Environment White Paper (2011). Their purpose is to drive strategic and positive change to the local natural environment to benefit nature, people and the economy. LNPs play a specific role in achieving the Government's environmental objectives locally, including identifying local ecological networks and in being local champions influencing local decision-making. There are two LNP's relevant to Swale, the Thames Gateway Local Nature Partnership and the [Kent Nature Partnership](#) ²⁶².

38.0.40 The [Kent Biodiversity Net Gain Site Register](#) ²⁶³ provides evidence of potential supply of 'off-site' biodiversity units. It is a register of prospective (yet to be surveyed) and surveyed sites for 'off-site' BNG delivery and facilitates contacts between land owners and developers.

38.0.41 There are a number of resources available which applicants should use in developing their planning applications. These include:

- The [ARCH Kent Habitat Survey 2012](#) ²⁶⁴ presents data on the extent of natural habitats in Kent, identifies areas of importance for wildlife and measures habitat changes since the Kent Habitat Survey of 2003.

²⁵⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf

²⁵⁸ <https://www.makingspacefornaturekent.org.uk/>

²⁵⁹ <https://swale.gov.uk/your-council/publications/planning-and-planning-policy/swale-landscape-character-and-biodiversity-appraisal-supplementary-planning-document-spd-2011>

²⁶⁰ <https://msepp.org.uk/>

²⁶¹ <https://www.gov.uk/government/publications/map-of-local-nature-partnerships>

²⁶² <https://kentnature.org.uk/>

²⁶³ <https://www.makingspacefornaturekent.org.uk/https://kentnature.org.uk/publications/kent-biodiversity-net-gain-site-register/>

²⁶⁴ <https://kentnature.org.uk/publications/kent-habitat-survey-2012/>

Other outputs of the ARCH project were a Planning Screening tool to establish whether planning applications require further ecological investigation, and a software tool which identifies where work should take place to re-connect fragmented habitats. An online data portal on the ARCH website gives access to the habitat data and enables queries by location or by habitat.

- The [Kent Landscape Information System \(K-LIS\)](https://webapps.kent.gov.uk/KCC.KLIS.Web.Site/Public/Default.aspx) ²⁶⁵ is a web-based map system that sits alongside ARCH's data portal and aims to enable better informed decision-making by providing detailed information on Kent's landscape and biodiversity. It contains details on countryside access, landscape character and opportunities for habitat creation and landscape restoration and the 2012 Kent habitat survey as well as areas designated for their conservation value.
- The MAGIC [website](https://magic.defra.gov.uk/home.htm) ²⁶⁶, managed by Natural England, provides authoritative geographic information about the natural environment from across government. Using an interactive, it presents information on rural, urban, coastal and marine environments.

Question 74

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy B1

Biodiversity and geodiversity conservation and biodiversity net gain

Part A – For designated sites

Development proposals that have a direct or indirect effect on designated sites, which will be shown on the Proposals Map, which will be available in later stages of the Local Plan, will conserve and enhance them in a manner equal to the significance of their biodiversity and geodiversity status as follows:

1. Within internationally designated sites (including candidate sites), the highest level of protection will apply. The Council will ensure that development proposals only proceed when in accordance with relevant Directives, Conventions and Regulations. Where the proposed development will have an adverse effect on the integrity of a European site, planning permission will only be granted in exceptional circumstances, where there are no less ecologically damaging alternatives, there are imperative reasons of overriding public interest and where the damage can be fully compensated;
2. Within nationally designated sites (including candidate sites) development will only be permitted where it is not likely to have adverse effect on the site or its interests unless the benefits clearly outweigh both the impacts it is likely to have on the features of the site and the wider environmental network of sites and where compensation can be sought for any loss or damage;
3. Within locally designated sites (including candidate sites) development likely to have an adverse effect will only be permitted where the damage can be avoided or adequately mitigated or when its need outweighs the ecological interest of the site. Compensation will be sought for loss or damage to locally designated sites.

Part B – For all sites

Development proposals will:

1. Apply national planning policy in respect of the conservation and enhancement of:

²⁶⁵ <https://webapps.kent.gov.uk/KCC.KLIS.Web.Site/Public/Default.aspx>

²⁶⁶ <https://magic.defra.gov.uk/home.htm>

- a. the habitats, species and targets in UK and local Biodiversity Action Plans and Biodiversity Strategies;
 - b. linear and continuous landscape features or those acting as stepping-stones for biodiversity; and
 - c. ancient or veteran trees and irreplaceable habitat, including ancient woodland and traditional orchards.
2. Be informed by, and further the guidelines and biodiversity network potential of the The Swale Landscape Character and Biodiversity Appraisal (2011), which can be accessed in two parts - [Part 1](#) and [Part 2](#)²⁶⁷;
3. Support, where appropriate, the vision and objectives of the relevant environmental and biodiversity management and action plans;
4. Be accompanied by appropriate surveys undertaken to clarify constraints or requirements that may apply to development, especially where it is known or likely that the development sites are used by species and/or contain habitats that are subject to UK or European law;
5. When significant harm cannot be avoided through consideration of alternative sites or adequate mitigated provided on-site or within the immediate locality, compensatory measures will be achieved within the relevant Biodiversity Opportunity Area, or other location as agreed by the Council;
6. Actively promote the expansion of biodiversity within the design of new development and with reference to the Green and Blue Infrastructure Strategy to be set in strategic policy on Conserving and enhancing the natural environment.

BNG

The local authority will ensure the following steps are taken to secure BNG:

1. Unless exempt, provide a minimum 20% net gain in biodiversity against a pre-development baseline;
2. Enable the optimal outcome to be achieved in accordance with the following hierarchy:
 - a. Within the site; or adjacent to, or in close proximity to the development site;
 - b. Next to, or in close proximity to the settlement or locality accommodating the development; or
 - c. In an area identified for environmental improvement by the Council or other statutory body
3. Consult the BNG Site Register for Kent where 20% BNG cannot be provided on site; and
4. Impose conditions or secure planning obligations to ensure that appropriate management regimes remain in place for at least 30 years after the completion of works.

Question 75

Do you support or object to Policy B1? What would you add, remove or amend to support it further or to remove your objection?

39 Policy B2 Conserving & enhancing valued landscapes

39.0.1 The [National Planning Policy Framework](#) ²⁶⁸ (NPPF) states that the planning system should contribute to enhancing the natural and local environment by protecting and enhancing valued landscapes and recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services. It requires plans to distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value, take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries²⁶⁹.

39.0.2 The NPPF stresses the great weight that should be given to conserving and enhancing landscape and scenic beauty in National Parks and National Landscapes which have the highest level of protection and where the scale and extent of development should be limited²⁷⁰.

39.0.3 [Planning Practice Guidance](#) ²⁷¹ (PPG) explains how planning policies can conserve and enhance landscapes, including nationally and locally designated landscapes and the wider countryside. It explains that where landscapes have a particular local value policies should identify their special characteristics and be supported by evidence. PPG provides guidance on criteria, avoidance, mitigation and cumulative impacts. It explains the role of Management Plans in designated landscapes, landscape character assessments, Natural England's National Character Area profiles, landscape sensitivity assessments and landscape and visual impact assessments.

39.0.4 The PPG also sets out the statutory duties of local planning authorities in relation to nationally designated landscapes and how planning policies and decisions need to take account of their management plans. It explains how development within these areas should be limited and located and designed in a way that reflects their status as landscapes of the highest quality.

39.0.5 Government guidance on [National Landscapes](#) ²⁷² explains that local authorities must make sure that all decisions have regard for the purpose of conserving and enhancing the natural beauty of the National Landscapes, the potential effect within the National Landscapes and the land outside its boundary. It explains where Natural England should be consulted and the role of the National Landscapes Management Plan and gives links to other government guidance on how to review planning applications in protected sites and areas.

39.0.6 Natural England's [National Character Areas](#) (NCAs) ²⁷³ divide England into 159 distinct natural areas each defined by their unique combination of:

- Landscape;
- Biodiversity;
- Geodiversity;
- History; and
- Cultural and economic activity.

39.0.7 Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision-making framework for the natural environment. Within these NCAs, the borough's varied landscape is reflected in three distinct broad character types - the flat, open marshland

²⁶⁸ https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

²⁶⁹ NPPF MHCLG. Paragraph 187-188 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

²⁷⁰ National Planning Policy Framework. MHCLG. Paragraph 189 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

²⁷¹ <https://www.gov.uk/guidance/natural-environment>

²⁷² <https://www.gov.uk/guidance/areas-of-outstanding-natural-beauty-aonbs-designation-and-management#local-authority-responsibilities>

²⁷³ <https://www.gov.uk/guidance/national-character-area-profiles-information-for-local-decision-making#ncas-in-south-east-england-and-london>

of the [Greater Thames Estuary](#) ²⁷⁴, the orchards, arable land, woodland and dry valleys of the [North Kent Plain](#) ²⁷⁵ and the dipping slope, valleys and woodland of the [North Downs](#) ²⁷⁶. Each National Character Area profile contains Statements of Environmental Opportunity which should be reflected in the aspirations of planning applications.

39.0.8 The modern landscape of Swale is also a product of man-made influences over a long period of time. The Kent Historic Landscape Characterisation [Survey](#) (2001) ²⁷⁷ has identified a number of key character areas in Swale:

- Central North Downs: a zone at the highest point of the borough with a mixed character of fields and other types and a general north-east to south-west alignment;
- Northern Horticultural Belt: a large wide area crossing the north Kent plain primarily defined by horticultural activity with a predominance of orchards;
- The Forest of Blean and areas that were formerly part of the Forest, and remains mostly woodland today but where fields encroach into woodland;
- The Northern Coast and Marshland: a visually distinctive area consisting of a relatively balanced mix of reclaimed marsh and coastal landscape; and
- The Isle of Sheppey: itself broken into three sub-areas consisting of reclaimed marsh, post-medieval field systems and urban and industrial development.

39.0.9 The 2004 [Landscape Character Assessment of Kent](#) ²⁷⁸ mapped the County's landscape according to its surviving historic character, looking at aspect of the landscape such as patterns of roads, paths and trackways, hedges and field boundaries and changing vegetation and land-use.

The appraisal of landscape character and biodiversity

39.0.10 The NPPF outlines the importance of protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. Natural England's approach to landscape is that all landscapes matter and that many are highly valued by local people, both those that have historical significance to the community and those that are newly created or recognised. Natural England advocate the use of a landscape character approach, which not only helps us to understand our landscapes, but also assists in informing judgements and decisions concerning the management of change ²⁷⁹. Natural England also publish guidance on how to carry out and use [landscape and seascape character assessments](#) ²⁸⁰.

39.0.11 The Council has an adopted [Swale Landscape Character and Biodiversity Appraisal \(2011\)](#) ²⁸¹ Supplementary Planning Document to ensure the protection and enhancement of the whole of the borough's landscapes and habitats. It has identified and assessed the condition and sensitivity of 42 landscape character areas and sets out guidelines for action for all countryside across the borough. It will be used to determine whether development is appropriate and, if so, how it might be accommodated within the landscape and mitigated sensitively. The Swale Landscape Character and Biodiversity Appraisal values all landscapes in the borough and gives guidance for improvement and enhancement, including habitat enhancements – providing a positive approach to the restoration and enhancement of landscapes. Planning

274 <https://publications.naturalengland.org.uk/publication/4531632073605120?category=587130>

275 <https://publications.naturalengland.org.uk/publication/2900242?category=587130>

276 <https://publications.naturalengland.org.uk/publication/7036466?category=587130>

277 https://www.kent.gov.uk/_data/assets/pdf_file/0017/56312/Kent-Historic-Landscape-Character-volume-3.1.pdf

278 https://www.kent.gov.uk/_data/assets/pdf_file/0010/182368/Landscape-Assessment-of-Kent.pdf

279 Natural England. An Approach to Landscape Character Assessment. October 2014 <https://www.gov.uk/guidance/landscape-and-seascape-character-assessments>

280 <https://www.gov.uk/guidance/landscape-and-seascape-character-assessments>

281 <https://swale.gov.uk/your-council/publication/planning-and-planning-policy/swale-landscape-character-and-biodiversity-appraisal-supplementary-planning-document-spd-2011>

applications should take this document into account when preparing development proposals, in particular emphasising the link between landscapes and biodiversity. The use of this document is a key element in determining planning applications, in accordance with Policy B2.

39.0.12 The [Swale Landscape Sensitivity Assessment \(2019\)](#)²⁸² examined 46 landscape sensitivity assessment areas around the built up areas of Sittingbourne, Faversham, Sheerness/Queenborough, Minster, Iwade, Teynham, Leysdown and Warden, Upchurch, Lower Halstow, Eastchurch, Bredgar, Newington and Boughton and Dunkirk. Through an analysis of factors (topography and scale, natural character, sense of time depth/historic landscape character, visual character, perceptual and experiential qualities and character and setting of existing settlement) overall assessments of landscape sensitivity to residential and employment development were made, ranging from low, through low-moderate, moderate, moderate-high to high sensitivity. Alongside the overall assessment commentary was given and spatial variations identified. The study also included general guidance for development within each area. The findings and guidelines of this study should be referenced and taken into account for any development within the assessment areas.

Landscape Designations

39.0.13 The NPPF expects to Local Plan to distinguish between the hierarchy of national and locally designated sites. In Swale, there are both national and local landscape designations.

39.0.14 These areas have been formally designated because they are landscapes of great value and/or scenic beauty and because they have a particular value for the conservation of selected species, habitats, historic and cultural assets. Within these designations priority will be given to the long term conservation and enhancement of these landscapes relative to their status, whilst having regard to the economic and social wellbeing of their communities.

National landscapes - the Kent Downs National Landscape

39.0.15 In 1968 a large part of the North Downs within the borough was designated as part of the Kent Downs National Landscape. The aim of this national designation was to conserve and enhance the natural beauty of the landscape. The aim of the Kent Downs National Landscape [Management Plan](#)²⁸³ adopted in November 2021 is to secure conservation and enhancement within the National Landscape while supporting local communities. The plan is adopted by the relevant Kent Districts and London boroughs as a material consideration in planning applications with similar weight to a Supplementary Planning Document.

39.0.16 Accompanying the National Landscape management plan are a number of supporting [guidance documents](#)²⁸⁴ which should be taken into account in relevant cases. These include the National Landscape's: Guidance on the selection of and use of colour in development; Farm Diversification Toolkit; Kent Downs Farmsteads Guidance; Managing Land for Horses; Rural Streets and Lanes - A Design Handbook; Position Statement on Renewable Energy and its Companion Report as well as the Landscape Design Handbook. The National Landscape Unit also publish guidance on specific aspects of land management, for example, chalk grassland, orchard, woodland and hedgerow management.

39.0.17 The landscape of the Kent Downs is made up of 13 character areas. The character area of most relevance to Swale is the Mid Kent Downs. Key characteristics and objectives for the Mid Kent Downs have been defined by the AONB Unit and should be reflected in relevant planning applications.

39.0.18 In accordance with the NPPF²⁸⁵ the Council will refuse proposals for major development within the National Landscape unless in exceptional circumstances, and where it can be demonstrated that they are in the public interest and based on an assessment of:

²⁸² https://services.swale.gov.uk/mwg-internal/de5fs23hu73ds/progress?id=o_A1vK8BvRknOI7mLETCR7_kbNhlIgE2FHcPuQvDPlo,

²⁸³ <https://kentdowns.org.uk/landscape-management/management-plan/>

²⁸⁴ <https://kentdowns.org.uk/planning/planning-publications/>

²⁸⁵ Par 190 https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF_December_2024.pdf

- a. the need for the development, including national considerations, and the impact of permitting it, or refusing it, on the local economy;
- b. the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c. any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

39.0.19 In terms of what may constitute 'major development', for the purposes of this Local Plan, it will be a matter of judgement based on relevant circumstances, it will not be made by reference to the definition of major development in the Development Management Procedure Order 2015 or for purposes of determining whether an Environmental Impact Assessment is required.

39.0.20 The importance of the setting of the Kent Downs has been emphasised by the National Landscape management plan and in development management decisions taken in Kent. Where there is a reference to National Landscape in this document, this includes its setting. The setting is broadly speaking the land outside the designated area that is visible from the National Landscape, and from which the National Landscape can be seen, but may be wider when affected by intrusive features including noise and light. Proposals that would affect the setting of the National Landscape are not subject to the same level of constraint as those that would affect the National Landscape itself. The weight to be afforded to setting issues will depend on the significance of the impact. Matters such as the size of proposals, their distance from the National Landscape, incompatibility with their surroundings, movement, reflectivity and colour are likely to affect impact. Where the qualities of the National Landscape, which were instrumental in reasons for its designation are affected, then the impacts should be given considerable weight in decisions²⁸⁶.

39.0.21 Planning Practice Guidance explains how land within the setting of the National Landscape often makes an important contribution to the maintenance of the designation's natural beauty and that poorly located or designed development can do significant harm, especially where there are long views or where the landscape character within and adjoining the designated area is complementary. It stresses the need for sensitive handling that takes potential impacts into account.

39.0.22 The Kent Downs National Landscape Joint Advisory Committee have produced a [Setting Position Statement](#)²⁸⁷. An advisory document that provides guidance on issues of setting, focusing on ensuring avoidance of harm and the conservation and enhancement of the setting of the National Landscape through good design and mitigation measures. It looks at:

- the legislative and policy background (NPPF, PPG and Natural England guidance), and High Court and appeal decisions;
- defining the setting (which may vary with different type of development, topography and height);
- development likely to affect the setting (including impact on views, loss of tranquillity, increased traffic flows and recreational pressure);
- cumulative impacts; and
- conserving and enhancing the setting of the National Landscape.

39.0.23 Within Swale, the dry valleys of the North Downs which share many of the special qualities of the National Landscape, along with land adjacent to the National Landscape, are likely to be included within the setting of the North Downs National Landscape.

39.0.24 To ensure impacts of development within the National Landscape and its setting are considered and addressed from the earliest stages the National Landscape Unit welcome pre-application discussions.

²⁸⁶ Kent Downs National Landscape. Management Plan 2021-2026. Page 29 <https://kentdowns.org.uk/wp-content/uploads/2021/11/The-Kent-Downs-AONB-Management-Plan-2021-2026-Adopted.pdf>

²⁸⁷ <https://kentdowns.org.uk/wp-content/uploads/2022/02/Setting-Position-Statement-FINAL-Updated-2022.pdf>

Local Landscape Designations

39.0.25 Local Landscape designations in Swale were first designated around 40 years ago (as a Kent-wide Strategic Landscape Areas) and their boundaries defined by successive Local Plans. In Swale, the Local Plan of 2000 also identified Local Landscape Areas. These were reviewed by a 2003 landscape assessment and were carried forward into the 2008 Swale Local Plan. Bearing Fruits, the 2017 adopted Local Plan for Swale named these two levels of designation, Areas of High Landscape Value – Kent Level and Areas of High Landscape Value – Swale Level respectively. In 2018 Swale commissioned the **Swale Local Landscape Designation: Review and Recommendations** ²⁸⁸ to review the two tiers of local landscape designation, to develop criteria and examine all locally designated landscapes across the borough, to assess a Valued Landscape consultation, to consider the designation of new areas, to recommend boundary changes to local landscape designations and describe and evaluate their special qualities and significance in a set of Statements of Significance.

39.0.26 The Swale Local Landscape Designation review recommended that one level of local designation is retained for the borough covering the former Kent Level and Swale Level areas. This gives an equal level of protection through planning policy and development management.

39.0.27 The Local Landscape Designations (each with their own Statement of Significance) in Swale are:

- North Kent Marshes: [Medway Marshes](#) ²⁸⁹;
- North Kent Marshes: [North Swale \(Sheppey\) Marshes](#) ²⁹⁰;
- North Kent Marshes: [South Swale Marshes](#) ²⁹¹;
- Kent Downs: [Rodmersham, Milstead and Highsted Dry Valley](#) ²⁹²;
- Kent Downs: [Syndale Valley](#) ²⁹³;
- Kent Downs: [North Street Dip Slope](#) ²⁹⁴;
- [The Blean](#) ²⁹⁵;
- [Lower Halstow Iwade Ridge](#) ²⁹⁶;
- [Blean Edge Fruit Belt](#) ²⁹⁷; and
- [Sheppey Court, Diggs Marshes and Barton's Point](#) ²⁹⁸.

²⁸⁸ https://services.swale.gov.uk/assets/Planning-General/Planning-Policy/Local%20Landscape%20Review/Swale%20Local%20Landscape%20Designations%20Final%20May20%20LRV3_REDUCED.pdf

²⁸⁹ <https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Medway-Marshes-Statement-of-significance-FinalV3.pdf>

²⁹⁰ <https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/North-Swale-Sheppey-Marshes-Statement-of-significance-FinalV3.pdf>

²⁹¹ <https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/South-Swale-Marshes-Statement-of-significance-FinalV3.pdf>

²⁹² <https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Rodmersham-Milstead-and-Highsted-dry-valley-Statement-of-significance-FinalV3.pdf>

²⁹³ <https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Syndale-valley-Statement-of-significance-FinalV3.pdf>

²⁹⁴ <https://services.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/North-Street-dip-slope-Statement-of-significance-FinalV3.pdf>

²⁹⁵ <https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/The-Blean-Statement-of-significance-FinalV3.pdf>

²⁹⁶ <https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Lower-Halstow-Iwade-Ridge-Statement-of-significance-FinalV3.pdf>

²⁹⁷ <https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Blean-Edge-Statement-of-significance-FinalV3.pdf>

²⁹⁸ <https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Sheppey-Court-Diggs-Marshes-and-Barton-Point-Statement-of-significance-FinalV3.pdf>

39.0.28 These local landscape designations will be shown on when the Proposals Maps is prepared later on in the plan making process and identified as Areas of High Landscape Value.

39.0.29 Within these Local Landscape Areas, Policy B2 requires development proposals to be considered in relation to the extent to which they would protect the local landscape and enhance the future appearance of the designated landscape and, where relevant, its nature conservation interest. The qualities and recommendations in the Statement of Significance should be referenced and incorporated into any development proposals. If, after adverse landscape impacts have been minimised/mitigated and compensated for, further adverse impacts still remain, the Policy requires the social and/or economic benefits of a proposal to significantly and demonstrably outweigh the local status of the designation for planning permission to be granted.

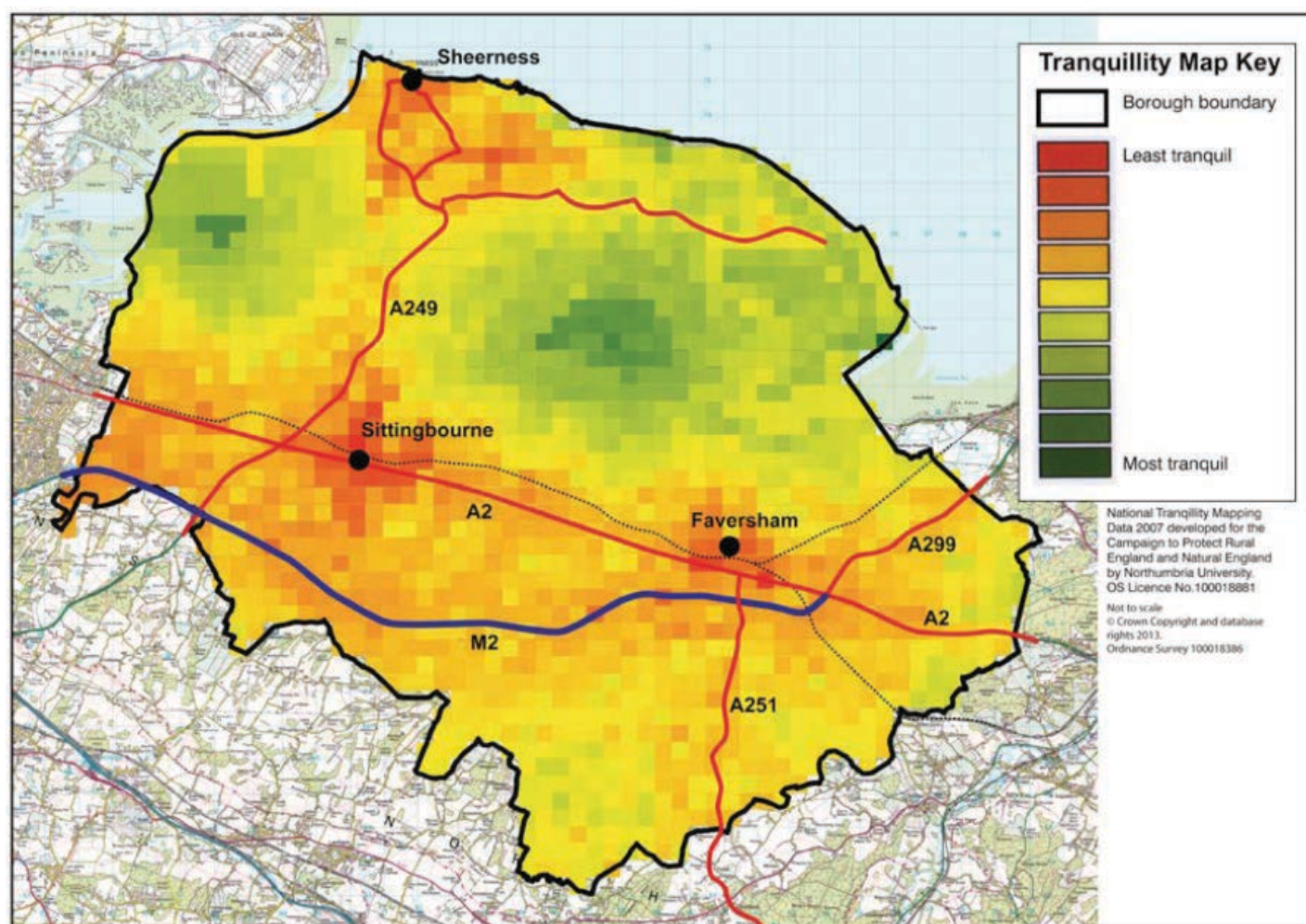
Tranquillity

39.0.30 The NPPF explains that planning policies and decisions should identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason as well as limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation²⁹⁹.

39.0.31 Tranquillity is a valuable resource that once lost is difficult to regain it, having benefits to health and well-being as well as to green infrastructure and biodiversity. It is associated with quiet places, surrounded by elements of nature and is most commonly found in an uncluttered and peaceful countryside, but also within urban areas – for instance in a leafy urban square or park where birdsong is audible. Tranquillity is also often associated with dark skies and the absence of light pollution from roads and built up areas.

39.0.32 The Swale Landscape Character and Biodiversity Appraisal 2011 highlighted tranquillity as a feature of several areas of the borough. The Local Landscape Designation's Statements of Significance also highlight tranquillity as a quality within local landscape designations. The Campaign to Protect Rural England has drawn up a Tranquillity Map for Kent and using this data a Swale section of this map has been developed as a pictorial guide to areas of relative tranquillity in Swale (see below - CPRE Map localised by the Council. Although tranquillity exists in a broad brush fashion within the greener areas on the map, it will not be locally uniform; likewise it may also be present locally beyond the identified more tranquil areas. Applicants should demonstrate how development will affect tranquillity and aim to improve it when seeking to comply both with national planning policy and Policy B2.

²⁹⁹ National Planning Policy Framework. MHCLG, Paragraph 198 https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF_December_2024.pdf



Picture 39.0.1

Question 76

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy B2

Conserving & enhancing valued landscapes

The value, character, amenity and tranquillity of the borough's landscapes will be protected, enhanced and managed.

Part A. For all landscapes:

1. The scale, layout, build and landscape design of development that will have significantly impact, will be informed by landscape and visual impact assessment having regard to the Council's Landscape Sensitivity Assessment and the Landscape Character and Biodiversity Appraisal SPD, including, as appropriate, their guidelines, and the key characteristics, sensitivity, condition and capacity of character area(s)/landscapes, taking opportunities to enhance the landscape where possible, including the removal of visually intrusive features;

2. Development proposals will demonstrate the link between landscape protection and enhancement and biodiversity protection and enhancement in all schemes;
3. Landscape and visual impact assessments will consider the cumulative impacts of both built and permitted development, including impact from noise, lighting and traffic on tranquillity.

Part B. For Areas of High Landscape Value:

Within the boundaries of designated landscape areas to be shown on the Proposals Map (to be illustrated in later stages of the Local Plan), the status given to their protection, enhancement and management in development decisions will be equal with the significance of their landscape value as follows:

1. The Areas of High Landscape Value are designated as being of significance to Swale, where planning permission will only be granted subject to:
 - a. conservation and enhancement of the qualities of the landscape, as outlined in their Statements of Significance, being demonstrated;
 - b. demonstration of how proposals will meet the requirements for these designations, as out in their Statements of Significance;
 - c. avoidance, minimisation, mitigating and compensating adverse landscape impacts as appropriate; and
 - d. when significant adverse impacts remain, that the social and or economic benefits of the proposal significantly and demonstrably outweigh harm to the landscape value of the designation.

Part C. For the settings of designated landscapes:

The impact on the setting of Areas of High Landscape Value will be fully assessed, where relevant, and protected and enhanced commensurate with the status of the designation.

Question 77

Do you support or object to Policy B2? What would you add, remove or amend to support it further or to remove your objection?

40 Policy B3 Kent Downs National Landscape Management Plan

40.0.1 Paragraph 189 of the [National Planning Policy Framework](#) ³⁰⁰ (NPPF) states that great weight should be given to conserving and enhancing the landscape and scenic beauty within the National Landscape. In addition, the Countryside and Rights of Way (CROW) Act 2000, seeks to further the purpose of conserving and enhancing the natural beauty of the National Landscape. The borough of Swale contains part of the Kent Downs National Landscape - an area designated for its national landscape importance. For the Kent Downs, the management plan has been adopted by the Council as a material consideration for decision-taking on planning applications and therefore development proposals will be required to have regard to the policies in the [Kent Downs Management Plan 2021 - 2026](#). ³⁰¹ The existing management plan is currently in the very early stages of review, by the Kent Downs Joint Advisory Committee.

40.0.2 National Landscapes are nationally designated and as such have the highest status of landscape protection. The extent of the National Landscape will be illustrated on the Proposals Map, which will be available in later stages of the local plan.

Question 78

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy B3

Kent Downs National Landscape Management Plan

Within the National Landscape area, the goal of the plan is to ensure the natural beauty and special character of the landscape and vitality of the communities are recognised, valued, enhanced and strengthened well beyond the plan period. Major development within the National Landscape area will only be permitted in exceptional circumstances and where it can be demonstrated that it is in the public interest. Consideration of such applications should include an assessment as set out in the NPPF, that considers applications for development in these areas.

Minor development within the National Landscape and its setting will be permitted provided that:

1. The location, form, scale, materials and design will conserve or enhance the character of the landscape and rural settlements;
2. The development would conserve or enhance the special qualities and condition of the distinctive character and tranquility of the National Landscape;
3. The development supports the adopted National Landscape Management Plan and any associated guidance; and
4. Unless allocated by the Local Plan Review, should avoid the loss of high-quality agricultural land.

Question 79

Do you support or object to Policy B3? What would you add, remove or amend to support it further or to remove your objection?

300 https://assets.publishing.service.gov.uk/media/62c8f3b407b3cca46251/NPPF_December_2024.pdf
301 <https://kentdowns.org.uk/management-plan-2021-2026/>

41 Policy B4 The separation of settlements – Important Local Countryside Gaps

41.0.1 With the focus of much of the development pressure at the major settlements in the borough through windfall and Plan led development, there is the need to prevent coalescence and the erosion of the intrinsic character of the settlements close by. Resultantly, the purposes of this Important Local Countryside Gaps (ILCG) policy are to:

- i. maintain the separate identities and character of settlements by preventing their merging and safeguarding the open and undeveloped character of the areas around them;
- ii. prevent encroachment and piecemeal erosion by built development that can change the rural open character of an area; and,
- iii. influence decisions on the longer-term development of settlements through the preparation and review of the Councils Local Plans.

41.0.2 The [National Planning Policy Framework](#) ³⁰²(NPPF para 187) makes clear that planning policies and decisions should contribute to and enhance the natural and local environment ...recognising the intrinsic character and beauty of the countryside. This is reinforced in [Planning Practice Guidance Natural Environment](#) ³⁰³(PPG Natural environment para 036) that makes clear this approach applies to the wider countryside, as well as to designated landscapes.

41.0.3 The identity, character, and setting of settlements are formed, in part, by their physical separation from one another. Whilst the use of Landscape Character Assessments assists in safeguarding the intrinsic character and beauty of the countryside, in areas where development pressures could lead to coalescence or erosion of settlement separation, defining gaps provides additional emphasis when considering allocations and development management issues.

41.0.4 Within Swale, ILCGs were defined and set out in the 2008 Local Plan and confirmed, with amendments to reflect allocation boundaries, in Bearing Fruits, the 2017 adopted Swale Local Plan. Those gaps were reviewed again in the [Swale Important Gaps Review 2025](#) ³⁰⁴ to determine whether they continued to serve their purpose as a result of development and particularly windfall development and to align with the gap assessment methodology carried out in 2021 to identify if there was a need for new gaps at Teynham and Faversham. With the exception of the gap known as Sittingbourne and the satellite village of Bobbing, all gaps were recommended to be retained with some amendments as a result of development. Whilst the review recommends the gap Sittingbourne and the satellite village of Bobbing be removed ³⁰⁵ an alternative new gap immediately to the west was suggested by the evidence to retain separation between Bobbing and Keycol. Including this new gap the following gaps from the 2025 review are considered appropriate:

- Sittingbourne and the satellite villages of Tunstall, Borden, Chestnut Street;
- Queenborough, Sheerness, Minster and Halfway;
- Upchurch and the administrative boundary with Medway Council;
- Keycol and Bobbing;
- Sittingbourne and the satellite villages of Bobbing and Iwade; and
- Sittingbourne and the satellite villages of Bapchild and Rodmersham Green.

³⁰² https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

³⁰³ <https://www.gov.uk/guidance/natural-environment>

³⁰⁴ https://swale.gov.uk/_data/assets/pdf_file/0006/496581/Swale-Important-Gaps-Review-final-February-2025.pdf

³⁰⁵ Reason for removal: Existing recreational and educational land uses to the east of the A249, and the strong boundary feature of the road itself reinforced by mature vegetation, provide clear separation between the edge of Sittingbourne and Bobbing, which lies north of the railway line. The gap is dominated by the A249 which does not provide a 'countryside' character.

41.0.5 In addition to the existing gaps, a study [Swale Important Gaps 2021](#)³⁰⁶ was undertaken as a result of the Local Plan Review seeing further development pressures across the borough. The review concluded that it was necessary to consider the need for gaps around the settlements of Teynham and Faversham. The following gaps from the 2021 review are considered appropriate:

- Teynham to Lynsted;
- Teynham to Bapchild;
- Faversham to Goodnestone;
- Faversham to Oare; and
- Faversham to Ospringe.

41.0.6 The boundaries of ILCGs will be illustrated on the Proposals Map, which will be available in later stages of the Local Plan, and they follow recognisable physical features, defined built-up area boundaries, boundaries of existing allocations, and consented development.

41.0.7 Not all forms of development are discouraged within the gaps. For example, agriculture, waste management and mineral recycling facilities, public open space, community woodland, nature reserves, recreation, allotments and burial grounds are all uses that could be conducted providing their purposes do not undermine or require the need to protect the countryside being compromised. However, there may be instances within the gaps where even modest development could impact upon their purpose, particularly where there may be:

- i. actual (or the perception of) coalescence;
- ii. the loss of a critical part of the gap and its function;
- iii. resultant pressure arising from a development or an allocation that would be difficult to contain; or
- iv. where the extent of the land remaining undeveloped would not function as maintaining the sense of separation.

Question 80

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy B4

The separation of settlements – Important Local Countryside Gaps

To retain the individual character and setting of settlements, the following Important Local Countryside Gaps are defined on the Proposals Map (to be illustrated in later stages of the Local Plan) as gaps between:

- i. Sittingbourne and the satellite villages of Tunstall, Borden, Chestnut Street;
- ii. Queenborough, Sheerness, Minster and Halfway;
- iii. Upchurch and the administrative boundary with Medway Council;
- iv. Keycol and Bobbing;
- v. Sittingbourne and the satellite villages of Bobbing and Iwade;
- vi. Sittingbourne and the satellite villages of Bapchild and Rodmersham Green;
- vii. Teynham to Lynsted;
- viii. Teynham to Bapchild;
- ix. Faversham to Goodnestone;

- x. Faversham to Oare; and
- xi. Faversham to Ospringe.

Within these gaps, unless allocated for development by the Local Plan, planning permission will not be granted for development that would undermine one or more of their purposes.

Question 81

Do you support or object to Policy B4? What would you add, remove or amend to support it further or to remove your objection?

42 Policy B5 Woodland, orchards, trees and hedgerows

42.0.1 Swale's tree population in particular ancient woodland, traditional orchards, veteran trees and hedgerows contribute greatly to the borough's character, local distinctiveness and beauty. The benefits of trees, woodlands and hedgerows are extensive. They address the effects of climate change, increase biodiversity, provide habitats, boost the local economy, improve air, water and soil quality, regulate temperature, alleviate flooding, preserve heritage and historical value, and improve the health and well-being of local communities. The broad range of benefits provided by trees offer nature-based solutions to the challenges of modern life. They contribute to the quality and character of Swale's urban and rural environments, boost local natural capital and contribute to the wider climate change and ecological emergency agenda, whilst ultimately, improving the lives of residents.

42.0.2 Tree planting is recognised by the Government as being one of the main ways the [UK can achieve Net Zero by 2050](#)³⁰⁷. [The Environment Act \(2021\)](#)³⁰⁸ and Government's [Environmental Improvement Plan \(2023\)](#)³⁰⁹ commit to increase tree canopy and woodland cover from 14.5% to 16.5% of total land area in England by 2050, with an interim target to increase this by 0.26% (equivalent to 34,000 hectares) by 31 January 2028.

42.0.3 [Kent County Council's \(KCC\) Tree Establishment Strategy](#)³¹⁰ has an ambition that the county's tree cover will be extended by 1.5 million, establishing one new tree for every resident living in the county and increasing the tree canopy and woodland cover by 2%. This is in line with the 16.5% target recommended by [DEFRA](#)³¹¹. This commitment is part of a wider strategy for the protection, restoration and creation of natural solutions to mitigate and adapt to climate change, reach net zero and support biodiversity.

42.0.4 Given the many and varied benefits trees provide, and aspirations to increase planting, it is important future development protects existing trees, woodlands and hedgerows and take the opportunity to plant more. Planting woodland, trees and hedges in new development help integrate development into its context and enhance quality and character. It also provides habitats, improve air quality, provide rainwater attenuation and shade – thereby playing an important role in adapting to climate change. New developments should set aside space for tree planting and hedgerows in the open spaces, on the boundaries, on the streets and within the gardens and this should be incorporated into applications. Trees and hedgerows should primarily be native trees of local provenance, disease and climate change resilient, and should, where possible, include large tree species.

42.0.5 The development potential of a site should be optimised in a way that does not result in tree, woodland or hedgerow loss. Where loss is proposed this will only be supported in exceptional circumstances, where the benefit of a development substantially outweighs retention and where there are no feasible alternative including engineering solutions or arboriculture techniques (such as root or canopy pruning) to mitigate any issues. Appropriate mitigation and compensatory tree planting for any loss will be required.

42.0.6 When development proposals are submitted that may affect woodland, orchards, trees and hedgerows the Council will require the submission of a tree survey in accordance with British Standards. Major development schemes shall also submit detailed landscaping scheme and landscape management plan to demonstrate that landscaping and other greening measures are appropriate to the site, can be implemented effectively and will be suitably managed and maintained over the lifetime of the development.

307 <https://www.gov.uk/government/publications/committee-on-climate-changes-2019-progress-reports-government-responses>

308 <https://www.legislation.gov.uk/ukpga/2021/30/contents>

309 <https://www.gov.uk/government/publications/environmental-improvement-plan>

310 <https://www.kent.gov.uk/environment-waste-and-planning/nature-and-biodiversity/trees/kent-plan-tree-our-tree-establishment-strategy>

311 <https://www.gov.uk/government/publications/environmental-improvement-plan>

42.0.7 Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) will be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. Should there be an ancient or veteran tree(s) on the site please see the [Natural England and the Forestry Commission](#) for additional advice ³¹²

42.0.8 Development within or close to an ancient woodland must consider that a minimum 15m buffer between the tree and any development is recommended to protect against root damage, but a larger buffer is often needed to account for other impacts like air pollution or disturbance.

42.0.9 The Council also maintains authority over the statutory protection of trees and hedgerows and will continue to use Tree Preservation and Hedgerow Retention Notices, where necessary, to protect specific trees, groups of trees, woodlands or hedgerows, in the interests of amenity and biodiversity. It is a criminal offence to prune, fell or damage protected trees, including those in conservation areas, without appropriate consent and the Council will enforce breaches in accordance with relevant policy and legislation.

42.0.10 For further information and guidance on how trees can be included in development proposals, including design parameters for the placement of street trees, please refer to the [National Design Guide](#) ³¹³ and [National Model Design Code](#) ³¹⁴.

Question 82

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy B5

Woodland, orchards, trees and hedgerows

The Council supports the conservation, enhancement and sustainable management of existing woodland, trees, orchards and hedgerows. Development proposals will be supported where:

1. Existing trees, groups of trees, woodland, old orchard and hedgerow are retained, and landscaping and public realm schemes maximise opportunities for additional planting within the design and layout. New planting will be at sufficient scale to maintain and enhance the borough's tree and canopy cover, character of the locality and provide for an attractive living and working environment that includes tree lined streets and enhances biodiversity. New planting on development sites should:
 - a. be suitable for the site location and conditions;
 - b. use appropriate tree pit sizes and soil volumes;
 - c. provide suitable, preferably native, species resilient to climate change and from bio-secure sources;
 - d. achieve a net increase in trees and planting;
 - e. be informed by and contribute to local character;
 - f. enhance or create new habitat connectivity, wildlife habitats and refuges;
 - g. be positioned to avoid negative impacts on new and existing buildings, highway safety or disruption to underground utilities taking account of future sustainable growth;

³¹² <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>

³¹³ <https://www.gov.uk/government/publications/national-design-guide>

³¹⁴ <https://www.gov.uk/government/publications/national-model-design-code>

- h. ensure appropriate long-term management and maintenance using best practice in tree care and woodland management; and
 - i. protect retained trees, groups of trees, hedgerows and woodland prior to, during and after construction.
2. Major development schemes shall submit an Arboriculture Survey, detailed landscaping scheme and landscape management plan to demonstrate that landscaping and other greening measures are appropriate to the site, can be implemented effectively and will be suitably managed and maintained over the lifetime of the development;
 3. Minor and Other applications need to be accompanied by an Arboriculture Survey where there are existing trees on site;
 4. Development that would lead to the loss or deterioration of an irreplaceable habitat (including ancient woodland, ancient and veteran trees) will be refused, unless there are wholly exceptional reasons, where the need for, and public benefits of, the development in that location clearly outweigh the loss and a suitable compensation strategy is provided;
 5. The loss or deterioration of protected trees, groups of trees, woodland or important hedgerows will only be permitted in exceptional circumstances and in accordance with the relevant legislation, policy and good practice recommendations. In such circumstances, a replacement of an appropriate number, species, size and location will be required together with appropriate measures to secure their long-term management and maintenance;
 6. Where loss or damage of non-protected trees, woodland or hedgerows is unavoidable, appropriate replacement or compensation planting including appropriate measures to secure their long-term management and maintenance will be required;
 7. The Council will support carefully planned appropriate development, the intended purpose of which is to further the sustainable management of woodland/old orchards;
 8. The Council will use Tree Preservation and Hedgerow Retention Notices, where necessary, to protect specific trees, groups of trees, woodlands or hedgerows, in the interests of amenity and biodiversity.

Question 83

Do you support or object to Policy B5? What would you add, remove or amend to support it further or to remove your objection?

43 Policy B6 Agricultural land

Agricultural land

43.0.1 Swale has some of the highest quality agricultural land in England and the aim of this policy is to ensure that it is only developed when there is an overriding need, when alternative options have been examined first and whilst having regard to other sustainability considerations.

43.0.2 Agricultural land is classified by a grading system of 1-5, with Grade 1 being of the highest quality. Grades 1, 2 and 3a are defined as the best and most versatile (BMV) ³¹⁵. The [National Planning Policy Framework](#) ³¹⁶ (NPPF, para 187b) states that planning policies should take into account the economic and other benefits of best and most versatile agricultural land. Where significant development of agricultural land can be demonstrated as being necessary, areas of poorer quality land should be preferred to those of higher quality (NPPF, footnote 65).

43.0.3 The Swale [Agricultural Land Report - Stage 1: Baseline Information \(September 2024\)](#) ³¹⁷ shows it is difficult to avoid loss on BMV Land (Grades 1 to 3a) when allocating sites when other important constraints are considered.

43.0.4 Swale is one of the most productive agricultural areas in Kent due to the soils and favourable climatic conditions. There is a broad belt of Grades 1 and 2 agricultural land running east to west around the A2, with a large area of Grade 3 south of the M2 and smaller areas of Grades 2 and 3 on the Isle of Sheppey. Around 80% of Swale's land is classified as being suitable for some form of agriculture (grades 1-5), with the borough containing approximately 17% of Kent's Grades 1 and 2 resource.

43.0.5 Agriculture in Swale therefore continues to shape the nature and character of the countryside and remains associated with a long history of fruit production as well as the wider mixture of arable crops and livestock that we see today. As of 2016, more than 24,000 hectares of land is farmed in Swale ³¹⁸ and this shapes much of the diversity of the borough's environment, including internationally important estuarine and coastal habitats in the North Kent Marshes, the central plain of orchards and arable land, the wooded clay outcrop of The Blean and the southern woodlands and dry chalk valleys of the North Downs dip-slope.



Picture 43.0.1

43.0.6 Policy B6, in recognition of the importance of the agricultural sector to the borough in terms of its identity, environment and economy, looks to safeguard one of its most important resources – its soils, and in particular, the proportion of best and most versatile land that is present here. Soil is an essential natural capital asset that provides important ecosystem services, not just for agriculture, but also as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution.

43.0.7 Development of agricultural land should be avoided in the first instance, but where this is demonstrated as being an overriding necessity, and having examined alternative options first, it should be

315 Guide to assessing development proposals on agricultural land (February 2021), Natural England <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land>

316 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

317 <https://services.swale.gov.uk/assets/Planning%20Policy%202019/2024%20Agricultural%20Land%20Report%20-%20Final.pdf>

318 Farming Statistics (December 2017), Defra <https://www.gov.uk/government/statistics/farming-statistics-livestock-populations-at-1-december-2017-uk>

directed to areas of lower quality land in preference to that of a higher quality. Therefore, the presence of best and most versatile land on a site should have a strong influence on whether development should be permitted.

Question 84

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy B6

Agricultural land

Development on agricultural land will only be permitted when there is an overriding need that cannot be met on land within the defined built-up area boundaries as shown that will be shown on the Proposals Map (to be illustrated in later stages of the Local Plan). Development on best and most versatile agricultural land will only be permitted if:

1. The site is allocated for development by the Local Plan; or
2. There is no alternative site on land of a lower grade than 3a or the use of land of a lower grade would significantly and demonstrably work against the achievement of sustainable development. On sites over 1ha in size, where Grade 3 land is not split into 3a and b, an Agricultural Land Classification assessment should be undertaken to identify areas of 3a and 3b; and
3. The development would not result in the remainder of the agricultural holding becoming not viable and lead to accumulated and significant losses of best and most versatile agricultural land.

Question 85

Do you support or object to Policy B6? What would you add, remove or amend to support it further or to remove your objection?

44 Policy B7 The Coast

44.0.1 Swale's 111 km coastline is the longest of any Kent district. It is also one of the borough's defining features and an essential part of its Green & Blue Infrastructure network. The coast combines a wide range of assets that including:

- Seaside resorts at Sheerness, Minster, Warden & Leysdown;
- Swathes of wetlands and marshes along The Swale and The Medway, designated internationally and nationally for their biodiversity interest and representing a distinctive proportion of Kent's ecological sites;
- Marine Conservation Zones at the Medway and the Swale Estuaries;
- Geologically important cliffs on the north coast of Sheppey;
- Locally valued and designated, tranquil, remote and wild landscapes along the Swale and Medway Estuaries;
- Creeks at Queenborough, Halstow, Funton, Milton, Conyer, Oare and Faversham;
- A Country Park at Milton Creek, Sittingbourne and Coastal Parks at Barton's Point, Sheerness and Leysdown;
- A long and rich history and built heritage, in particular at Queenborough, Sheerness and Faversham;
- A natural deep-water harbour and historic former naval dockyard at Sheerness Docks;
- A fishing port at Queenborough;
- Docks at Ridham with connections to the road and rail network;
- Quays and/or marinas at Queenborough, Otterham, Lower Halstow, Conyer, Oare and Faversham;
- Landing stages at Oare and Harty;
- Water sports along the north Sheppey coast and the borough's creeks; and
- The Saxon Shore Way and English Coastal Path.

44.0.2 Swale's coast faces particular threats, including from climate change (with issues such as coastal squeeze of habitats, flooding and erosion) as well as the pressures of development generally. The policy aims to balance the needs of development with those of the coast's sensitive and changing environment, within the context of a wide range of plans and policies at work along the coast. It is also important in meeting the Local Plan's vision of coastal rejuvenation.

The legal, policy and local context

44.0.3 The Marine Strategy Framework has been transposed into UK law, via the [Marine Strategy Regulations 2010](#)³¹⁹. These regulations require the UK to take necessary measures to achieve or maintain Good Environmental Status (GES) of our seas by 2020 through the development of a Marine Strategy. The Marine Strategy, including the characteristics of Good Environmental Status, how they are monitored and the programme of measures to achieve GES has to be reviewed every six years.

44.0.4 [The Water Environment \(Water Directive Framework\) \(England and Wales\) 2017 Regulations](#)³²⁰ establishes a legal framework to protect and restore clean water and ensure long-term and sustainable use.

44.0.5 [The Marine and Coastal Access Act 2009](#)³²¹:

1. requires a publicly accessible long-distance route and land for open-air recreation around the coast of England;
2. designates and protects Marine Conservation Zones (MCZs) which exist alongside European sites (Special Areas of Conservation (SACs) and Special Protected Areas (SPAs)), SSSIs and Ramsar

319 <https://www.legislation.gov.uk/ukxi/2010/1627/contents/made>

320 <https://www.legislation.gov.uk/ukxi/2017/40/contents/made>

321 <https://www.legislation.gov.uk/ukpga/2009/23/contents>

sites. The Marine Conservation Zones of within the borough are [The Swale Estuary MCZ](#)³²² and [The Medway Estuary MCZ](#)³²³; and

3. defines arrangements for the system of marine management and planning in the UK and the creation of the Marine Management Organisation (MMO).

44.0.6 The [UK Marine Policy Statement](#)³²⁴ (MPS, 2011) is the framework for the marine planning system. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine areas must do so in accordance with the Marine and Coastal Access Act 2009 and any relevant adopted Marine Plan (in Swale the [South East Inshore Marine Plan](#)³²⁵ – see below) or the UK Marine Policy Statement unless relevant considerations indicate otherwise.

44.0.7 The [Swale Green and Blue Infrastructure Strategy](#)³²⁶ health of Swale’s residents, wildlife and habitats.

44.0.8 The [National Planning Policy Framework](#)³²⁷ (NPPF, para 187) requires planning policies and decisions to contribute to and enhance the natural and local environment through maintaining the character of the undeveloped coast, whilst improving public access to it where appropriate. It explains how policies and decisions should take account of the UK Marine Policy Statement and marine plans and apply Integrated Coastal Zone Management across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial and marine planning regimes³²⁸ (NPPF, para 183). Integrated Coastal Zone Management is described in [Planning Practice Guidance](#)³²⁹ (PPG) as a process to allow a joined up and participative approach towards the planning and management of different elements in coastal areas, following key principles, including: a long term view; a holistic approach working with relevant bodies; working with natural processes and reflecting local characteristics. The PPG sets out how local planning authorities should collaborate with the Marine Management Organisation.

44.0.9 Work is well underway on the [England Coast Path](#)³³⁰, a new National Trail around all of England’s Coast. The sections relevant to Swale and their status are in table 7.0. Additional accessibility information on the sections with the status "Open the public" and updates on the status of other sections in the table are available on the England Coast Path website³³¹:

	Section	Stage
1	Isle of Sheppey (28)	• Open to the public • Stage 6: Open (Not yet completed - work to establish the route is currently taking place) • Stage 4: awaiting approval
2	Whitstable to Iwade (29)	• Open to the public

322 <https://www.gov.uk/government/publications/marine-conservation-zones-the-swale-estuary>

323 <https://www.gov.uk/government/publications/marine-conservation-zone-2013-designation-medway-estuary>

324 <https://www.gov.uk/government/publications/uk-marine-policy-statement>

325 <https://www.gov.uk/government/collections/south-east-marine-plan#the-south-east-marine-plan-documents>

326 <https://services.swale.gov.uk/assets/Planning%20Policy%202019/7659.012%20Swale%20GBI%20Strategy%20MERGED%20LR.pdf>

327 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

328 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

329 <https://www.gov.uk/guidance/flood-risk-and-coastal-change>

330 <https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast>

331 <https://www.gov.uk/government/publications/england-coast-path-in-the-south-east-of-england>

	Section	Stage
3	lwade to Grain (30)	• Open to the public • Stage 5: Open (not yet available for public use - work to establish the route is currently taking place)

Table 44.0.1 England Coast Path in Swale

44.0.10 The Government's [A Green Future: Our 25 Year Environment Plan to Improve the Environment \(2018\)](#)³³² seeks to achieve good environmental status of our seas whilst allowing marine industries to thrive, as well as to complete an ecologically coherent network of well-managed marine protected areas (MPAs). It aims to improve 'at least three quarters of our waters to be close to their natural state as soon as practical by...reaching or exceeding objectives for rivers, lakes, coastal and groundwaters...whether for biodiversity or drinking water...' ³³³ It seeks to reduce the risk of harm to people, the environment and the economy from natural hazards including flooding, drought and coastal erosion including by making sure everyone is able to access the information they need to assess any risks to their lives and livelihoods, health and prosperity posed by flooding and coastal erosion. It also promotes action to reduce the risk of harm from flooding and coastal erosion including through the greater use of natural flood management solutions.

44.0.11 The Marine Management Organisation (MMO) delivers UK marine policy objectives for English waters through statutory Marine Plans and other measures. Swale is within the South East Inshore Marine Plan area. The [South East Inshore Marine Plan](#)³³⁴ was adopted in June 2021, becoming a statutory document for planning decisions. Under the Marine and Coastal Access Act, any authorisation or enforcement decisions must be made in accordance with the marine plan. Any other decisions which may impact the marine area must have regard to the marine plan. The East Inshore and East Offshore Marine Plans and the South Inshore and Offshore Marine Plans are the adjacent plans to the South East Inshore Marine Plan and should be considered where appropriate.

44.0.12 The MMO is also responsible for issuing [marine licences](#)³³⁵ which may be needed for activities ranging from mooring private jetties to nuclear power plants and offshore windfarms. These may also require consideration under [The Marine Works \(Environmental Impact Assessment\) Regulations 2007 \(as amended\)](#)³³⁶. The MMO also issue consents under the [Electricity Act 1989 \(as amended\)](#)³³⁷ for offshore generating stations (1-100 megawatts) and are a statutory consultee to the Planning Inspectorate for relevant nationally significant infrastructure projects.

44.0.13 Early consultation with the MMO is advised to ensure the effect on coastal processes are minimised or mitigated.

44.0.14 It should be noted that the boundary for marine plans extends up to the level of the mean high water spring tide mark and therefore there will be overlap with terrestrial plans, which generally extend to the mean low water springs mark.

44.0.15 The [Marine Information System](#)³³⁸ *Please note that Google Chrome is recommended when using this system.* is a new digital mapping service of plans, policies and information relating to the marine environment.

³³² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf

³³³ 25 Year Environment Plan 2018. HM Government. Page 25

³³⁴ https://assets.publishing.service.gov.uk/media/60f6f6dde90e0764ccfbd836/FINAL_South_East_Marine_Plan_1_.pdf

³³⁵ <https://www.gov.uk/government/collections/planning-and-development-marine-licences>

³³⁶ <https://www.legislation.gov.uk/ukxi/2007/1518/contents>

³³⁷ <https://www.legislation.gov.uk/ukpga/1989/29/contents>

³³⁸ <https://www.gov.uk/guidance/explore-marine-plans>

44.0.16 [The River Medway and Swale Estuary Shoreline Management Plan \(SMP9\)](#)³³⁹ and [The Isle of Grain to South Foreland Shoreline Management Plan \(SMP10\)](#)³⁴⁰ have been prepared by the South East Coastal Group and identify sustainable long-term management policies for Swale's coast in the face of climate change and sea-level rise. Following on from these, the Environment Agency (EA) has now finalised and adopted the Medway Estuary and Swale Flood and Coastal Erosion Risk Management Strategy (MEASS)³⁴¹. This strategy sets out the economic, environmental and technical approach to managing flood and coastal erosion risk over the next 100 years. The principal objectives of the strategy are to reduce flood and erosion risk to properties and infrastructure in light of coastal change over the next 100 years and maintain the integrity of the Natura 2000 nature protection sites at risk of coastal squeeze.

44.0.17 The [Swale Strategic Flood Risk Assessment 2020](#)³⁴² (SFRA) and updates determine the extent of flood risk in Swale. More detail on this can be found in [Policy C8 Flood risk](#).

44.0.18 Erosion is predicted to increase significantly over the next 100 years as a result of climate change, particularly impacting the north coast of The Isle of Sheppey. [The North Sheppey Erosion Study 2011](#)³⁴³ assessed cliff erosion along the North Sheppey coast from Minster to Leysdown, in particular the undefended frontage where the Shoreline Management Policy is for 'no active intervention'. This study was used to inform the development of the Coastal Change Management Area in the 2017 Adopted Local Plan.

44.0.19 The Environment Agency have recently published the [National coastal erosion risk map](#)³⁴⁴ (NCERM) which aims to improve public access to the latest knowledge on coastal erosion via an online information tool. The NCERM provides the most up to date national picture of current and future areas of coastal erosion risk for England, using the [best available evidence](#)³⁴⁵ from the National Network of Regional Coastal Monitoring Programmes. Along with data from the SFRA, this data is being used to inform updates to the Coastal Change Management Area, [Policy C6 Coastal Change Management](#).

44.0.20 The [North Kent Bird Disturbance Study](#)³⁴⁶ examined the combined effects of development across north Kent districts for their effects on the Special Protection Areas (SPA), with a particular focus on wintering waterfowl, and established a mechanism to provide funding from development contributions for mitigation along the north Kent Marshes. More details on this will be included in a future strategic policy on Conserving and enhancing the natural environment.

44.0.21 The conservation objectives, published by [Natural England](#)³⁴⁷, for the [internationally](#)³⁴⁸ and [nationally](#)³⁴⁹ designated biodiversity sites which stretch along the borough's coast are a fundamental objective to be considered in any development proposal along the coast. More detail on these designations is set out in [Policy B1 Biodiversity and geodiversity conservation and biodiversity net gain](#).

339 <https://environment.data.gov.uk/shoreline-planning/shoreline-management-plan/SMP9>

340 <https://environment.data.gov.uk/shoreline-planning/shoreline-management-plan/SMP10>

341 <https://www.gov.uk/government/publications/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy>

342 <https://swale.gov.uk/planning-and-regeneration/strategic-flood-risk-assessment-completed>

343 <https://services.swale.gov.uk/assets/Planning-General/Planning-Policy/Sheppey-Coastal-Erosion-Study/Sheppey-study-report-V3-for-web-Chapters-1-to-8.pdf>

344 <https://www.gov.uk/guidance/updates-to-national-flood-and-coastal-erosion-risk-information>

345 <https://www.gov.uk/government/publications/national-assessment-of-flood-and-coastal-erosion-risk-in-england-2024/national-assessment-of-flood-and-coastal-erosion-risk-in-england-2024#coastal-erosion-how-our-assessment-of-coastal-erosion-risk-is-changing>

346 <https://northkent.birdwise.org.uk/research-and-strategy-reports/>

347 <https://www.gov.uk/environment/protected-sites-species>

348 <https://publications.naturalengland.org.uk/category/65284164689152>

349 <https://designatedsites.naturalengland.org.uk/SiteSearch.aspx>

44.0.22 The coastline of Swale lies within Natural England's National Character Area profile 81. [Greater Thames Estuary](#)³⁵⁰ In summary, the environmental opportunities identified for this area are:

- maintain and enhance the expansive, remote coastal landscape, maintain internationally important habitats and their wildlife and underlying geodiversity, while addressing climate change and coastal processes;
- work with landowners and managers to improve environmental quality, climate adaptation, prevention of soil erosion and maintain historic character;
- maintain the tranquil and remote character of the estuary, whilst increasing opportunities for recreation and enjoyment of the landscape; and
- encourage a strategic approach to development that is informed by and makes a positive contribution to local character, incorporates green infrastructure, promotes recreation and addresses climate change while maintaining habitats, historic and geological features.

44.0.23 Three of the borough's Local Landscape Designations (the North Kent Marshes: Medway Marshes, the North Kent Marshes: South Swale and the North Kent Marshes: North Swale) run along the coast of the borough. The [Statements of Significance](#)³⁵¹ outline the qualities and attributes of these areas and the requirements going forward – in essence to conserve and enhance the rich biodiversity, sense of remoteness and wildness. These statements should be responded to in any development proposals for Swale's coastline along with other requirements for the landscapes of Swale, as outlined in [Policy B2 Conserving & enhancing valued landscapes](#).

44.0.24 The [Swale Landscape Character and Biodiversity Appraisal Supplementary Planning Document 2011](#)³⁵² is a key resource in ensuring the protection and enhancement of the whole of the borough's landscapes and habitats, including at the coast. More detail on this can also be found in [Policy B2 Conserving & enhancing valued landscapes](#).

44.0.25 The Swale [Green and Blue Infrastructure Strategy 2020](#)³⁵³ looks at Swale's current Green and Blue Infrastructure (GBI) resource, priorities for GBI, the multi-functionality of GBI and the opportunities in the borough for both existing GBI and new GBI provision.

44.0.26 The [Swale Visitor Economy Framework](#)³⁵⁴ and [Action Plan](#)³⁵⁵ has been developed by the the Council in consultation with stakeholders. The Action Plan contains specific 'deliverables' to improve the coastline, sea front and estuary offer across the borough – working with artists, the community, hospitality and leisure providers. It seeks to promote the England Coast Path within the borough, for instance by encouraging locals to take an entrepreneurial approach to initiatives that support increased coastal access. It aims to improve cycle and walking infrastructure and opportunities including 'Wildlife and Heritage Trails' linking the Downs to the Coast. It also seeks to develop water activities such as sailing, wind surfing, wild swimming, boat tours and increased moorings at Milton Creek, as part of that specific area's wider regeneration.

350 <https://publications.naturalengland.org.uk/publication/4531632073605120#:~:text=National%20Character%20Areas%20The%20Greater%20Thames%20Estuary%20National,the%20North%20Sea%20and%20the%20rising%20ground%20inland.>

351 <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/landscape#h2>

352 <https://swale.gov.uk/your-council/publications/planning-and-planning-policy/swale-landscape-character-and-biodiversity-appraisal-supplementary-planning-document-spd-2011>

353 <https://services.swale.gov.uk/assets/Planning%20Policy%202019/7659.012%20Swale%20GBI%20Strategy%20MERGED%20LR.pdf>

354 <https://swalemeansbusiness.co.uk/home/why-swale/a-bit-more-about-swale/the-swale-visitor-economy/the-swale-visitor-economy-framework-2018-2022>

355 <https://services.swale.gov.uk/meetings/documents/s1528/FINAL%20Swale%20Visitor%20Economy%20Framework%20Action%20Plan.pdf>

Policy application

44.0.27 Any development proposal for the coast in Swale should demonstrate how it has responded to the plans, policies and studies outlined above.

44.0.28 This policy applies to both the developed and undeveloped coasts. The developed coast is represented by that inside the defined built up area boundaries shown on the Proposals Map (to be illustrated in later stages of the Local Plan), whilst the undeveloped coast is that beyond it, and its hinterland is defined as the land that directly relates to this coastline in terms of landscape or land use.

44.0.29 The policy also references seascape and coastal processes. Seascape is defined in the [Marine Policy Statement 2011](#)³⁵⁶, as landscapes with views of the coast or seas, and coasts and the adjacent marine environment with cultural, historical and archaeological links with each other. Coastal processes can be described as the processes of erosion, transportation and deposition in which coasts are shaped by the sea and the action of waves.

Question 86

Do you have any specific comments on the preamble above? What would help make it more focused, relatable or complete?

Policy B7

The Coast

Planning permission will be granted for development proposals at or near the coast subject to:

1. Demonstrating the protection, management and enhancement, as appropriate, of biodiversity, landscape, seascape and coastal processes;
2. Maintaining or enhancing access to the coast where it can be appropriately managed;
3. Enabling wildlife to build resilience and adapt to the effects of climate change and contribute towards the Local Plan's Green and Blue Infrastructure Plan and ensuring Biodiversity Net Gain as required by a potential future strategic policy on Conserving and enhancing the natural environment and [Policy B1 Biodiversity and geodiversity conservation and biodiversity net gain](#);
4. Supporting, where appropriate, sustainable and healthy fisheries and protection and enhancement of the marine and coastal environment in line with the objectives of the South East Inshore Marine Plan, the Marine Conservation Zones and the other relevant international and national biodiversity designations;
5. Maintaining the character of the undeveloped coast; demonstrating conformity with the opportunities identified in Natural England's Greater Thames Estuary 'Statements of Environmental Opportunity' and the requirements set out in Swale's Local Landscape Designation's Statements of Significance for the relevant coastal designation as well as the guidelines within the Swale Landscape Character and Biodiversity Appraisal SPD;
6. Taking account of the policies and proposals of the Shoreline Management Plans, the Medway Estuary and Swale Flooding and Coastal Erosion Risk Management Strategy and the South East Inshore Marine Plan;
7. Proposals within the built up area boundaries as defined on the Proposals Maps (to be illustrated in later stages of the Local Plan), contributing to the rejuvenation of the developed coast, particularly where enhancing either existing industrial and maritime infrastructure, coastal heritage, tourism or environmental management;

8. Proposals outside the built-up area boundaries, at the undeveloped coast and its hinterland, supporting conservation, enhancement and Biodiversity net gain;
9. Compliance with [Policy C6 Coastal Change Management](#) for the Coastal Change Management Area.

Question 87

Do you support or object to Policy B7? What would you add, remove or amend to support it further or to remove your objection?

45 Policy B8 Rural Lanes

45.0.1 Swale possesses a rich heritage of rural lanes that contribute to rural amenity, nature conservation and the character of the landscape. Many are experiencing pressures from the rapid rise in rural traffic, urbanisation and changes in the management of verges and the Council want to limit the effects of these. A study undertaken in 1997 by Kent County Council identified the top 20% of these lanes against environmental criteria, and these are shown on the Proposals Map (to be illustrated in later stages of the Local Plan). Only the top 20% are shown on the Proposals Map but this policy applies to all lanes in rural Swale.

45.0.2 In order to safeguard these lanes, the Council will not permit development that would harm their identified qualities, and will implement traffic restraints, speed restrictions, routing agreements with businesses, and tree and hedgerow preservation orders. Development proposals may similarly bring forward such proposals as mitigation of adverse impacts, together with measures such as landscape or historic features restoration.

45.0.3 Given the age of the rural lanes study, applicants may be required to provide further evidence as to the landscape, amenity, biodiversity, historic and archaeological importance of the lane(s) in question. The Council will, when resources permit, update the Rural Lanes Study for Swale.

45.0.4 The Kent Downs National Landscape (Formally known The Kent Downs Area of Outstanding Natural Beauty (AONB)) unit have published [Rural Streets and Lanes: A Design Handbook \(2009\)](#)³⁵⁷ which identifies the characteristics of the rural road network and promotes its conservation and maintenance through detailed design guidance and case studies. This guide has been adopted by Kent County Council and should be referenced for all relevant applications both within and outside the AONB.

Quiet Lanes

45.0.5 The Council would like to designate some of Swale's rural lanes as 'Quiet Lanes'. Quiet Lanes are defined as minor rural roads or networks of minor rural roads appropriate for shared use by walkers, cyclists, horse riders and other vehicles. The aim of Quiet Lanes is to maintain the character of minor rural roads by seeking to contain rising traffic growth. They must be rural in character, carry less than 1,000 vehicles per day and the 85th percentile traffic speed should be less than 35 mph. Narrow, single-track roads are the most suitable to be designated. The process for designating Quiet Lanes involves community involvement to help to define what lanes should be considered and then a formal consultation similar to that required to introduce a Traffic Regulation Order. The Council aim to progress work, in conjunction with Town and Parish Councils, to designate a number of Quiet Lanes within Swale. They require investment therefore implementation will be phased.

Question 88

Do you have any specific comments on the preamble above? What would help make it more focused, relatable or complete?

Policy B8

Rural Lanes

Planning permission will not be granted for development that would either physically, or as a result of traffic levels, significantly harm the character of rural lanes. For those rural lanes shown on the Proposals Map (to be illustrated in later stages of the Local Plan), development proposals should have particular regard to their landscape, amenity, biodiversity, and historic or archaeological importance.

Question 89

Do you support or object to Policy B8? What would you add, remove or amend to support it further or to remove your objection?

46 Policy B9 The keeping & grazing of horses

46.0.1 The borough of Swale is a popular location for equestrian activities and has become a source of income to farmers and others in parts of the borough. Whilst these activities can bring economic benefits to the rural areas, they can, individually or cumulatively, adversely change the rural character of the area with stables, paddocks, fencing, on-site riding facilities and other visual clutter.

46.0.2 In many parts of the borough, such as between Newington, Upchurch, Lower Halstow and the borough boundary with Medway and between Chestnut Street and Oad Street, within the setting of The Blean and around the north coasts of Sheppey, the levels of equestrian activity has had a negative impact upon the landscape. Further proposals will only be allowed where additional cumulative harm would not occur. Landscapes with an open character are less likely to be capable of accommodating such development. The use of higher standards of design of stable buildings, fencing, landscaping and parking that has been achieved in some locations will enable proposals to better reflect and enhance the character of the area.

46.0.3 Should new equestrian enterprises, particularly those of a commercial nature, come forward for consideration, traditional farm buildings should be utilised as a base for their development in the first instance. New equestrian enterprises should be located in or based on buildings of this kind, both to help ensure new uses for traditional buildings and reduce the pressure for new structures in the countryside.

46.0.4 The Council's [Landscape Character and Biodiversity and Biodiversity Appraisal Supplementary Planning Document 2011](https://swale.gov.uk/your-council/publications/planning-and-zoning-policy/swale-landscape-character-and-biodiversity-appraisal-supplementary-planning-document-2011) ³⁵⁸ will be used to guide the acceptability of proposals in terms of their individual or cumulative impacts upon the landscape along with the Council's adopted 'Supplementary Planning Guidance The Erection of Stables and Keeping of Horses', which is a material consideration. Applicants should reference these documents in applications. Within the Kent Downs National Landscape, the Kent Downs National Landscape Unit's document 'Managing Land for Horses' will be a further consideration.

Question 90

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy B9

The keeping and grazing of horses

Planning permission will only be granted for development involving the use of land for the keeping or grazing of horses and ponies in connection with riding or other non-agricultural purposes, if they are of high quality design and of a scale and intensity that is acceptable in landscape character, biodiversity, amenity and highway terms. In considering proposals, the Council will have regard to the cumulative effect of such uses in the local area, the site's accessibility to the bridleway network (having regard to potential conflicts with other path users), or the ability to provide on-site riding facilities.

Question 91

Do you support or object to Policy B9? What would you add, remove or amend to support it further or to remove your objection?

47 Policy HE1 Development involving Listed Buildings

47.0.1 Listed buildings are irreplaceable heritage assets that are recognised as being of special architectural or historic interest in the national context. They are identified on the National Heritage List. Buildings on the list enjoy statutory protection through the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#)³⁵⁹. Protection extends to the whole building, inside and outside, its curtilage and certain structures within its domain. The majority of works to listed buildings require listed building consent (in addition to any other consent required through planning legislation), including fittings, attachments and any decorative schemes of special significance.

47.0.2 Applicants must prepare a heritage statement and a design & access statement for any proposals for listed building consent or for planning permission for development within the curtilage of a listed building. The statements will be required to justify the proposals, demonstrating why works and/or development that would affect the significance of a listed building are necessary or desirable. In all cases the policy seeks to safeguard, and where possible, enhance the special interest and setting of listed buildings.

47.0.3 The Council will use its statutory powers to ensure that listed buildings at risk from neglect or decay are appropriately maintained and repaired.

47.0.4 Extensions and alterations should be sympathetic and not dominate the listed building in scale, material, or situation. Often a building's immediate setting is important to its character, so gardens, yards, other spaces, and boundary details are of value in their own right. Proposals to create off-street parking provision can frequently be damaging to the setting of a listed building.

47.0.5 The significance of a listed building can be harmed by inappropriate repair, alteration or extension. Proposals to repair, alter or extend a listed building must be justified and appropriate. Consequently, a high level of professional skill and craftsmanship will be required in both the design and execution of any scheme. Proposals to repair, alter or extend a listed building that harm its significance will not be permitted unless there is a clear and convincing justification. Substantial harm to, or the loss of a listed building will be firmly resisted in all but the most exceptional of cases.

47.0.6 New development within the setting of a listed building may not always be appropriate if the setting is particularly important to the significance of it. However, in all other instances, new development within the setting of a listed building is required to be of good quality, contextually sensitive in design. Proposed new development within the setting of a listed building that would harm its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.

47.0.7 The best use for a listed building is usually the use for which it was originally designed, but the overriding consideration is securing the future upkeep and conservation of the building. Subsequently, the Council will support necessary and appropriate changes in use. Particular attention will be paid to ensuring that the proposed use will not be harmful to the significance of the listed building and its surroundings, including a careful assessment of any alterations associated with its proposed change of use.

Climate change

47.0.8 Proposals that aim to mitigate and adapt to the effects of climate change should in the first instance explore all opportunities of enhancing energy efficiency and forms of providing renewable energy and improved adaptation to climate change without harming the significance of heritage assets.

47.0.9 Where conflict between climate change objectives and the conservation of heritage assets is unavoidable, the public benefit of mitigating the effects of climate change will be weighed against any harm to the significance of heritage assets, in accordance with the [National Planning Policy Framework](#)³⁶⁰ (NPPF) and the development management policies and principles of this Local Plan. The more significant the heritage asset, the greater the degree of public benefit that will need to be demonstrably achievable to justify even a low level of harm to the heritage asset. Heritage assets are finite resources and with their

359 <https://www.legislation.gov.uk/ukpga/1990/9/contents>

360 https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF_December_2024.pdf

embedded energy and in many cases, adaptability to re-use over a long period of time, they are in many cases already inherently sustainable. As such, there will be instances where proposed alteration in a particular way to help combat climate change will be firmly resisted to ensure that the significance of the heritage asset isn't compromised to an unacceptable degree. Listed buildings make up less than 1% of the borough's stock of buildings, and as such, it is expected that the focus on combating climate change will first and foremost be on that vast majority of buildings that can be adapted to help combat climate change, with little or no harm to their intrinsic character and associated appearance.

Question 92

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy HE1

Development involving Listed Buildings

Development proposals, including any change of use, affecting a listed building, and/or its setting, will be supported where:

1. The listed building's special architectural or historic interest, its setting and any features of special architectural or historic interest which contribute to its significance, are preserved or enhanced, paying special attention to the:
 - a. design, including scale, materials, situation and detailing;
 - b. appropriateness of the proposed use of the building;
 - c. desirability of removing unsightly or negative features or restoring or reinstating historic features; and,
 - d. protection of important views, both of and from, the Listed Building.
2. They help secure a sustainable future for a building at risk;
3. When considering the impact of proposed works and/or a proposed development on the significance of a listed building, great weight will be given to the building's conservation (and the more important the listed building, the greater the weight will be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance;
4. Harm to the significance of a Listed Building or its setting will be permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss of a Listed Building will only be permitted where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
 - a. the nature of the heritage asset prevents all reasonable uses of the site;
 - b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
 - c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - d. the harm or loss is outweighed by the benefit of bringing the site back into use.
5. Where substantial harm or total loss of a Listed Building is permitted, building recording will be secured to advance understanding of the significance of the asset; and
6. Applications should be accompanied by an appropriate, evidence-based heritage statement, sufficient to understand the potential impact of the proposal on the significance of the building.

Question 93

Do you support or object to Policy HE1? What would you add, remove or amend to support it further or to remove your objection?

48 Policy HE2 Development affecting a Conservation Area

48.0.1 Conservation areas are areas of special architectural or historic interest, the character, or appearance of which it is desirable to preserve or enhance. The character of conservation areas can be fragile, and their distinctive quality and character can be damaged by new development, or by other more subtle means such as increased traffic, car parking, signs and noise, or piecemeal changes to key architectural elements such as doors and windows. They are not, though, areas where change will not occur. Development that makes a positive contribution to Swale's local character and distinctiveness will be encouraged. New development within, or adjacent to a conservation area, where appropriate, will be expected to be of an appropriate use, of a very high standard of design, and respond positively to the grain of the historic area by preserving or enhancing the character or appearance of the place.

48.0.2 Applicants must prepare a heritage statement and a design & access statement for any proposals in or adjoining a conservation area that will need to include an objective assessment on the likely impact of their proposals on the significance of any heritage assets or their settings.

48.0.3 The Council will use its statutory powers to ensure that buildings and spaces within conservation areas that are at risk from neglect or decay are appropriately maintained and repaired.

48.0.4 A list of conservation areas, along with their boundary maps, character appraisals and management plans, is available at [Heritage and Landscape- Conservation](https://swale.gov.uk/planning-and-regeneration/heritage-and-landscape/conservation-areas)³⁶¹. The appraisals and management plans provide useful guidance for applicants, borough residents, and public bodies. Swales [Heritage Strategy Action Plan](https://swale.gov.uk/your-council/strategies-and-policies/swales-heritage-strategy-action-plan)³⁶² prioritises the delivery of new and updated conservation area appraisals across the borough.

48.0.5 Whilst it is the quality and interest of an area as a whole that is recognised through designation, it is often the cumulative impacts of small changes over time that erode the special qualities and significance of a place. Where necessary, and with public support, Article 4 Directions will be introduced to help to control potentially damaging alterations.

Spaces and settings

48.0.6 The spaces and settings around and between buildings, other features and conservation areas, together with views to and from the area, are important and should be protected from unsympathetic changes and, where possible, enhanced. Non-listed buildings (Heritage Assets).

48.0.7 Many buildings and features in a conservation area are not listed as being of special architectural or historic interest. Nevertheless, they may make a valuable contribution to the character of a conservation area individually, or as part of a group. In such cases, their demolition will only be permitted in exceptional circumstances.

48.0.8 In reaching such a decision, the Council will examine the cost of maintaining and repairing the building or feature in relation to its importance and the value derived from its use, the adequacy of efforts to maintain the building in an acceptable use, and the merits of alternative proposals for the building. These must demonstrably preserve or enhance the character and appearance of the area in a way that the former building did not. Fundamentally, consent will normally only be given for demolition when a detailed scheme for redevelopment has been agreed. Planning conditions and/or legal agreements will ensure that demolition does not take place without the certainty of timely redevelopment.

Highway features

48.0.9 Many bridges, retaining walls, signs, footpaths, kerb lines, and milestones help to tell the story of the borough's development over time. Modern unsympathetic highway or traffic management works, including signage, lighting and alterations to traffic flows, can have adverse impacts. Those carrying out

361 <https://swale.gov.uk/planning-and-regeneration/heritage-and-landscape/conservation-areas>
 362 <https://swale.gov.uk/your-council/strategies-and-policies/swales-heritage-strategy-action-plan>

such works will therefore need to ensure that the protection of the character and setting of historic highway features are given due consideration, particularly where they form a key positive element of a conservation area.

Question 94

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy HE2

Development affecting a Conservation Area

1. Development proposals within, affecting the setting of, or views into and out of a conservation area, will be supported where they are designed to preserve or enhance all features that contribute positively to the area's special character or appearance;

2. Development should be of high-quality contextual design so that they preserve or enhance a conservation area's significance and have particular regard to:

- a. conservation area character appraisal & management plan documents where these have been prepared;
- b. townscape, buildings, rooflines and the relationships between buildings;
- c. plot coverage and open spaces, including gardens;
- d. scale, form, elevational hierarchy, fenestration pattern, ornamentation and materials;
- e. trees, topography, boundaries and other landscape features;
- f. important views, including those contained within relevant conservation area appraisals and other local views; and
- g. retain unlisted/non designated heritage assets or other structures that make a positive contribution to the character or appearance of the area.

3. Harm to the significance of a conservation area will be permitted only where this is outweighed by the public benefits of the proposal and has clear and convincing justification. Substantial harm or total loss of significance of a conservation area will only be permitted where it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Planning applications for development within or adjacent to a conservation area will be required to include an evidence-based Heritage Statement that demonstrates a clear understanding of the significance of the conservation area, any related individual or group heritage assets affected by proposals and the impact on heritage significance, as applicable.

Question 95

Do you support or object to Policy HE2? What would you add, remove or amend to support it further or to remove your objection?

49 Policy HE3 Parks & gardens

49.0.1 The borough contains four grade II sites on Historic England's register of historic parks and gardens. These are Lees Court, Belmont House, Doddington Place and Mount Ephraim. These semi-natural landscapes were created to serve the grand homes of the landed gentry and big industrial business proprietors and are of significance because of the striking nature of aspects of their designed landscapes. Each displays a range of landscaping, ranging from the highly ornate to the more naturalistic in style in the vein of the most famous English landscape gardener, Lancelot 'Capability' Brown.

49.0.2 Historic Parks and Gardens are a fragile and finite resource that can easily be damaged beyond repair or lost forever. To identify those sites that are of particular historic importance, Historic England is enabled by government to compile the 'Register of Parks and Gardens of special historic interest in England'. Inclusion in the Register recognises that the site is of national importance and they comprise a variety of features including open space, flora, water features, cemeteries, archaeological remains and buildings.

49.0.3 Registration is a 'material consideration' in the planning process, meaning that planning authorities must consider the impact of any proposed development on the special interest of the park or garden.

49.0.4 Applications that affects a registered historic park and garden or their wider setting should be supported by a heritage statement which includes a statement of significance proportionate to the scale and nature of the proposed works.

49.0.5 A number of other parks and gardens, both in private and public ownership, are undesignated but nonetheless play an important role, contributing to the character and distinctiveness of the borough and providing a focus for conservation, access projects, interpretation, education and research. These are considered to be locally important by way of their particular historic or design interest, and the contribution they make to the landscape quality and character of the area; such sites are afforded protection under [Policy HE4 Non-designated Heritage Assets](#).

Question 96

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy HE3

Parks & gardens

1. Development that affects a registered historic park and garden or their wider setting will be supported where they:

- a. do not harm the layout, design, character, appearance or setting of the park or garden, or key views into or out from the park or garden;
- b. are sensitive to the original design intention and subsequent layers of design and the functional evolution of the park or garden and do not prejudice any future restoration; and,
- c. would enhance or better reveal the significance of the Historic Park and garden or would help to secure a sustainable future for a feature within it.

2. Harm to an element that contributes to the significance of a Registered Historic Park and Garden will only be permitted where this is outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of a Registered Historic Park and Garden will only be permitted where it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Question 97

Do you support or object to Policy HE3? What would you add, remove or amend to support it further or to remove your objection?

50 Policy HE4 Non-designated Heritage Assets

Non-designated Heritage Assets (Including Locally listed Buildings, un-registered parks and gardens and Area of High Townscape Value)

50.0.1 Non-designated heritage assets can vary in type and form and should possess a degree of heritage significance that merits consideration in planning decisions. Non-designated heritage assets can be either buildings including locally listed buildings and structures, places such as Sittingbourne's Area of High Townscape Value or non-built assets such as archaeological assets and parks and gardens. Non-designated heritage assets are not protected in the same way as Designated Heritage Assets but the identification of them as a non-designated heritage asset is a planning consideration when determining applications.

50.0.2 The borough contains many buildings, structures and areas that are not statutorily listed but are nonetheless of special historic, architectural, townscape, landscape, social or cultural interest in their local area. These are important to our local communities and make a valuable contribution to local distinctiveness, sense of history and understanding of place. Many of these are captured in the Local Heritage List which identifies heritage assets that are important to the local area but are not statutorily designated. The Local Heritage List defines what is significant about them and identifies assets using selection criteria detailed in a 'Local Heritage List' document. This document and further information of the Local Heritage List is available on the [Council website](#)³⁶³.

50.0.3 Outside the designated conservation area, the Area of High Townscape Value south of Sittingbourne town centre, has a coherent local character, based on townscape, architecture and spatial qualities. Its significance is derived from the combined qualities of groups of elements rather than the value of the elements taken individually. It is an area of Victorian and Edwardian housing, parks, cemeteries, trees and open spaces that mark an important period in the town's post-industrial expansion with many of its street trees being a poignant reminder of the town's marking of The Great War. The Council's objectives in this area are to encourage a high standard of design of new development, the retention and reinstatement of original features and the preservation of the spaces between buildings, landscaping and parks, alongside the retention and expansion of its street trees.

50.0.4 Development proposals that affect non-designated heritage assets with an archaeological significance, or potential significance, should be appropriately investigated and measures taken to protect and record any historic remains. A programme of archaeological recording may be required to be carried out including phases of desk-based assessment and fieldwork, post-excavation analysis, publication of the results and deposition of the site archive in an appropriate repository.

50.0.5 Any archaeological non-designated heritage assets that are demonstrably of equal significance to a Scheduled Monument by way of a heritage assessment and/or Government guidance should be considered under the same policy as a Scheduled Monument, in accordance with [National Planning Policy Framework](#)³⁶⁴ (NPPF para 213 and footnote 75). The relevant Local Plan policy is [Policy HE5 Archaeological heritage](#).

50.0.6 Non-registered parks and gardens are often less apparent than designated sites but nonetheless play an important role, contributing to the character and distinctiveness of the borough and providing a focus for conservation and access projects, interpretation, education and research.

50.0.7 There are a number of processes through which non-designated heritage assets may be identified, including the local heritage list, local and neighbourhood plan-making processes, conservation area appraisals and reviews and as part of the decision-making process on planning applications. Additionally, the Council has a rolling programme of evaluating and recognising the importance and value of local

³⁶³ <https://swale.gov.uk/planning-and-regeneration/heritage-and-landscape/local-heritage-list>

³⁶⁴ https://assets.publishing.service.gov.uk/media/67aa1e8f3b41f783cca46251/NPPF_December_2024.pdf

non-designated heritage assets, through periodic reviews and updates of the Local Heritage List. Any development proposals that relate to non-designated heritage assets and their settings must be accompanied by an assessment of their significance.

Question 98

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy HE4

Non-designated Heritage Assets

1. The Council will actively seek to retain and conserve non-designated heritage assets including those on the Swale's Local Heritage List. Development proposals affecting a non-designated heritage asset or its setting will be supported where they conserve those elements that contribute to its significance.

2. Where development would remove, harm or undermine the significance of such assets, or their contribution to the character and/or appearance of a place, a balanced judgement will be made having regard to the scale of the harm and significance of the heritage asset.

Prior to any approved demolition, alteration, extension or restoration of non-designated heritage assets, the Council may require appropriate building or archaeological recording, relevant to the asset's significance and the scope of works.

Question 99

Do you support or object to Policy HE4? What would you add, remove or amend to support it further or to remove your objection?

51 Policy HE5 Archaeology

51.0.1 Swale has an extensive and important archaeological resource stemming from the borough's strategic position. Half-way along the north coast of Kent, Swale has been an important conduit for transport and communication between London and the open sea, and between inland Kent and the Thames Estuary. Its small towns grew up along creeks cutting inland from the coast whereas its largest port, Sheerness, reflects its wider, global maritime role.

51.0.2 Swale's archaeological heritage covers a vast expanse of time – perhaps over half-a-million years. There have been numerous finds of palaeolithic artefacts in Swale, many from gravel pits such as at Teynham and Hartlip, Bapchild and Tonge, but also collected from the surface. Most of the evidence is in the form of hand axes, as well as the remains of animals that lived alongside early humans such as woolly mammoth and rhinoceros. Though such finds are ephemeral, they represent the great majority of the period within which humans lived in Swale and have the potential to tell us much about humanity's remote past. The end of the last glaciation saw the emergence of new flint technologies reflected in numerous finds of Mesolithic flints such as the chipping floor at High Halstow which produced over 1,000 flint finds and another flint working site at Sittingbourne.

51.0.3 Permanent occupation in Swale seems to have begun in the Neolithic period, as perhaps evidenced by occupation sites at High Halstow, Grovehurst and Kingsborough Manor on Sheppey. Means of exchange are indicated by a possible log boat from Murston. Although burial monuments may well have been constructed in the Neolithic, none have been found so far in Swale and it is not until the Bronze Age that such sites are found, for example as at Shrubsoles Hill and the Aspire School where ring-ditches that would have been constructed around burial mounds have been found. Settlement expanded and occupation comprising huts, ditches and enclosures have been found at Kemsley, Shrubsoles Hill, Kingsborough Manor, Neatscourt and Iwade.

51.0.4 During the Iron Age, a salt-extraction industry seems to have emerged in the borough as evidenced by finds of kiln lining from Neatscourt and High Halstow. Cremation became the main burial rite, as seen in several cemeteries that were established across the borough, for example at Milton Regis, Faversham, and Borden.

51.0.5 During the Roman period, Swale played an important role. The main London to Dover (via Canterbury) Road – Watling Street – ran roughly along the line of the A2 and along it were at least 20 Roman villas, for example at Blacklands, Bax Farm, Sheldwich and Borden. Many of these were close to the creeks that penetrate inland and which were probably transportation routes for the major salt-making and pottery fabrication industries in the area – the marshes north of Upchurch and Lower Halstow contain very many salt and pottery manufacturing sites. Swale also had an extensive ritual landscape with a temple at Boxted (scheduled monument), a walled cemetery near Sittingbourne, a Roman mausoleum at Stone Chapel (scheduled monument) and a possible temple at Luddenham, as well as cremation and inhumation cemeteries from across the borough.

51.0.6 Numerous Roman settlement sites have also been found across Swale. During the Anglo-Saxon period several important centres emerged. Faversham, Milton Regis and Minster became estate centres and trading places and there were numerous small settlements across the borough. Early churches were also found at Teynham, Minster (being accompanied by a 7th century nunnery) and Newington. Early cemeteries containing grave goods have also been found across the borough including at Milton, Faversham and the Meads, Sittingbourne.

51.0.7 Maritime trade is indicated by the Graveney Boat, which dates to the late 9th century and is now in the National Maritime Museum. During the Medieval period, Faversham continued to be an important centre focused on the Abbey (founded 1148) whilst Sittingbourne grew in importance and gradually overtook Milton Regis. Queenborough was founded as an entirely new town and settlements spread across the borough. These are witnessed by the large number of churches and chapels, and high and low status domestic buildings that still survive, as well as archaeological monuments such as salt mounds, deneholes, field systems and fishtraps.

51.0.8 The Post Medieval period saw the rapid expansion of population and settlement in Swale. Key industries were based here such as the nationally important gunpowder industry around Faversham, ship-building in Sheerness and an emerging aviation industry on Sheppey, the archaeological remains of which still survive. There is a wealth of surviving maritime heritage in the form of shipwrecks, barges (both floating and hulks) docks and port installations. The continuing importance of the borough in national and international affairs is demonstrated by the wide range of military sites that still exist in Swale – ranging from the 17th century defences of Sheerness to the stop lines dating from both World Wars. Many historic structures relating to these themes still survive. Often, they have no statutory protection, such as most of the World War structures, and are therefore highly vulnerable. Numerous historic parks and gardens also came into being during this period.

51.0.9 The borough's archaeological heritage sites in a landscape that is also characterised by many survivals from the past and the landscape that is visible today is the result of many centuries of evolution and the pattern of roads, tracks, field boundaries and hedgerows that gives the modern landscape its character is firmly rooted in the past.

51.0.10 The [Swale Heritage Strategy](#)³⁶⁵ (March 2020) presents the overarching strategy for the management of the historic environment in Swale. The Strategy contains a detailed thematic review of the heritage of the borough, identifies its vulnerabilities and opportunities and makes recommendations for the future management of the heritage resource.

51.0.11 Individual archaeological sites will have their own particular vulnerabilities, but the archaeological resource of the borough will generally be vulnerable to natural processes such as erosion and climate change, rural activities such as ploughing and other agricultural techniques, construction and development, including utilities, services and infrastructure works, change of use and general neglect. All of these serve to degrade the archaeological resource and reduce its significance and potential for improving life in the borough.

51.0.12 Archaeological significance derives from whether the heritage asset 'holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.' When preparing development proposals that affect heritage assets it is essential that the heritage interest of the site is correctly assessed. When the heritage interest is an archaeological site, the assessment should include a desk-based assessment and, when necessary, archaeological fieldwork.

51.0.13 Swale's archaeological resource includes both designated and non-designated heritage assets. Designated heritage assets are those protected by law. These include Scheduled Monuments which are mostly archaeological sites and monuments. Other designated assets will also have an archaeological component. Listed Buildings, Registered Parks and Gardens, Protected Military Remains and Conservation Areas all contain archaeological remains that must be treated appropriately within development management processes.

51.0.14 There are several information resources for Swale's archaeological heritage: The Swale Heritage Strategy includes thematic reviews of the borough's heritage including a chapter reviewing Swale's archaeological heritage. The [Kent Historic Environment Record](#)³⁶⁶ is the main database of archaeological discoveries and activities and built heritage assets in Kent. The [National Heritage List for England](#)³⁶⁷ contains information on all designated heritage assets. [Kent Farmsteads Guidance](#)³⁶⁸ (2014, Historic England and Kent Downs AONB Team) The Kent Gardens Trust are currently reviewing many of the Swale sites in the [Kent Compendium of Parks and Gardens](#)³⁶⁹ 'Archaeologia Cantiana' (the journal of the Kent Archaeological Society) and the [Kent Archaeological Review](#)³⁷⁰ (the journal of the former Council for Kentish Archaeology).

³⁶⁵ <https://swale.gov.uk/your-council/strategies-and-policies/swales-heritage-strategy>

³⁶⁶ <https://www.kent.gov.uk/leisure-and-community/history-and-heritage/historic-environment-record>

³⁶⁷ <https://historicengland.org.uk/listing/the-list>

³⁶⁸ https://democracy.kent.gov.uk/documents/s40761/B2%20Appendix%20Part_1_Kent_Farmsteads_Guidance_2013_24%205%2013.pdf

³⁶⁹ <https://heritage.kent.gov.uk/Source/SKE1292>

³⁷⁰ <https://archaeologydataservice.ac.uk/library/browse/series.xhtml?recordId=17>

51.0.15 The Council will promote the enjoyment of Swale borough's archaeological resource through the preservation, protection and enhancement of archaeological sites, monuments and historic landscape features, and will seek to encourage and develop their educational, recreational and tourist potential through research, public access, management and interpretation.

Question 100

Do you have any specific comments on the preamble above? What would help make it more focussed, relatable or complete?

Policy HE5

Archaeological heritage

Where a development proposal will affect, or has the potential to affect, sites with archaeological interest, planning permission will be supported where:

1. They are accompanied by the necessary level of information to enable an assessment to be made as to the likely impact of the proposed development on the archaeological deposits affected, including desk-based assessment, and if necessary, archaeological fieldwork, that:
 - a. characterises the nature, extent and condition of the archaeological deposits in the development area;
 - b. assesses the significance of the deposits and the contribution made by their setting;
 - c. describes and assesses the impact of the development proposals on the archaeological deposits, their significance, and their setting; and,
 - d. describes how the archaeological deposits will be protected during development. Where this is not possible the assessment should clearly justify why this is not possible and should describe the proposals for mitigating any impacts.
2. They will not result in harm to an element that contributes to the significance or setting of a Scheduled Monument or other nationally important remains, unless that harm is outweighed by the public benefits of the proposal. Substantial harm or total loss of a Scheduled Monument or other nationally important remains will be permitted only where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss;
3. They are designed to enhance or better reveal the significances of an archaeological site or will help secure a sustainable future for an archaeological site at risk; and,
4. The impact of the proposal is acceptable in principle and detailed mitigation measures have been agreed with the Council that may include, where appropriate, archaeological monitoring, investigation, provision for recording, analysis, publication, archive deposition and community involvement.

Question 101

Do you support or object to Policy HE5? What would you add, remove or amend to support it further or to remove your objection?

52 Implementation and Monitoring

52.0.1 The successful implementation of the Local Plan vision and objectives cannot be achieved by the Council alone and will involve multiple stakeholders and partners who will work alongside the Council to deliver set goals. A wide range of stakeholders have been involved at various stages in the preparation of the Local Plan and the Council will continue to work in partnership with public, private and voluntary sector agencies to establish robust delivery mechanisms and make the most of funding opportunities in order to deliver the strategy.

52.0.2 It is recognised that there are external factors that will have an influence on delivering the Local Plan strategy. Successfully achieving the Local Plan vision and objectives is dependent on the extent to which the Plan policies are being implemented effectively. The Local Plan will be monitored regularly against policy specific indicators which will be set out in a monitoring framework at a later stage of the plan making process. This will help determine if the policies are achieving the intended policy outcomes.

52.0.3 The main mechanism for reporting the monitoring information will be the Authority Monitoring Report (AMR), which will be published on a yearly basis. The latest published version of the AMR is available on the [Council's website](#)³⁷¹.

52.0.4 The [National Planning Policy Framework](#)³⁷² (NPPF para 34) requires Policies in local plans to be reviewed to assess whether they need updating at least once every five years. Along with the monitoring framework, the triggers and key considerations for updating local plan policies will be developed as the plan making process progresses.

Question 102

Do you have any comments on the monitoring and delivery section of the Local Plan?

Question 103

Do you have any further comments to make on any aspect of the consultation that you haven't yet made?

371 <https://swale.gov.uk/planning-and-regeneration/local-plans/planning-policy>

372 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

Glossary

Accretion (coastal): Land mass increasing due to addition of sediment.

Active Travel: Active travel means a mode of transport that involves physical activity such as walking and cycling to get from one destination to another - including travel to and from the places we live, work, learn, visit and play.

Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision. 238 The Swale Local Plan Review February 2021 9 Glossary of terms Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

Agrioltaics: the inherently combined use of land for solar PV generation and agriculture.

Air Quality Management Areas: These are declared in areas where national objectives for air quality are not being met, or at risk of not being met. They are declared by a Local Authority who must then prepare an Action Plan to identify measures to meet the national air quality objectives.

Albedo: Measure of the reflectivity of a surface, defined as the fraction of incident light or radiation that is reflected by that surface.

Ancient woodland: An area that has been wooded continuously since at least 1600 AD.

Appropriate Assessment/Habitats Regulation Assessment: Study carried out to make sure that sites which are important for biodiversity at European level are protected and will not be damaged by proposals and policies.

Archaeological interest: There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

Article 4 direction: A direction which withdraws automatic planning permission granted by the General Permitted Development Order.

Benefit Area: defined geographic region or area that is expected to receive specific benefits or advantages from a project or development.

Biodiversity Net Gain (BNG): a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

Biodiversity Opportunity Area: BOA maps can be seen as a spatial reflection of the Kent Biodiversity Strategy. They indicate where the delivery of Kent Biodiversity Strategy targets should be focused in order to secure the maximum biodiversity benefits.

Brownfield Land: land that has been previously developed but is not currently in use, and may be potentially contaminated due to its former industrial or commercial use.

British Standard (BS): These are standards published by the British Standard Institution which is the national standards body of the UK. The “EN” prefix indicates that the standard has been adopted by a regional European standardising body.

Building Research Environmental Assessment Methodology: an environmental assessment for rating and certifying non-residential development.

Caravan: Mobile living vehicle used by Gypsies and Travellers; sometimes referred to as trailers. Also used for holiday accommodation.

Coastal squeeze: the loss of natural habitats, or a deterioration in their quality, caused by man-made structures or human activity. As sea levels rise, these structures/activities prevent habitats from naturally migrating inland, causing them to be squeezed.

Carbon dioxide equivalent (CO₂e). The sum of a mixture of gases, in terms of their climate-changing impact in a 100-year period expressed as the amount of CO₂ that would have the same effect. Often shortened to ‘carbon’.

Carbon offsetting: offsetting in the built environment is a financial contribution to an official body (e.g. local authority) to compensate for a shortfall in the required amount of carbon emissions reduction on-site.

Chalet: A small, permanent single storey cabin or house used by holiday-makers, often forming a unit within a holiday complex.

Committee on Climate Change(CCC): The Committee on Climate Change (CCC) is an independent, statutory body established under the Climate Change Act 2008 and its purpose is to advise the UK and devolved governments on emissions targets and to report to Parliament on progress made in reducing greenhouse gas emissions and preparing for and adapting to the impacts of climate change.

Community infrastructure Levy (CIL): a charge which can be levied by local authorities on new development in their area.

Conservation Area: A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Chartered Institution of Building Services Engineers Technical Memorandum (CIBSE TM52 and CIBSE TM59): are standard approach that uses dynamic thermal analysis to predict risk of overheating in building design.

Development Management (DM) policies: Influence the type and location of development by setting design standards, mitigating environmental impacts, promoting social and community development, and addressing infrastructure requirements. They also provide a framework for local authorities to decide on planning applications, influencing the type, scale, and location of developments.

Development plan: a set of statutory documents prepared by a local planning authority (or combined authority) that sets out the framework for how land in an area should be used and developed.

Economic Development: Development, including those within the B Use Classes, public and community uses and main town centre uses (but excluding housing development).

Ecological Networks: These link sites of biodiversity importance.

Ecosystem Services: The benefits people obtain from ecosystems such as, food, water, flood and disease control and recreation.

Embodied Carbon: carbon that was emitted during the production, transport and assembly of a building, infrastructure, vehicle or other product, before the product is in use. As opposed to 'operational carbon' which is emitted due to energy use when operating the building / infrastructure / vehicle / other product.

Energy Use Intensity (EUI): a measure of how much energy a building uses per square metre of floor. Expressed in kilowatt-hours per square metre of floor space per year.

Flood levies: a financial charge to assist with costs associated with flood risk management.

Geodiversity: The range of rocks, minerals, fossils, soils and landforms.

Gigabit ready infrastructure: Gigabit-ready infrastructure is a physical network setup that can support future gigabit-speed internet connections and includes components like ducts, cables, and a network termination point inside a building. For new builds, this infrastructure, such as fibre optic cabling and conduits, must be installed from a distribution point to each home to ensure they are future-proofed for high-speed internet, even if a gigabit connection is not immediately installed.

Gigabit capable broadband connections: Gigabit-capable broadband connections offer speeds of at least 1 gigabit per second (Gbps), or 1,000 megabits per second (Mbps), and are typically delivered using full-fibre (FTTP) technology, where fibre-optic cables run directly to the property. Other technologies, such as some cable networks, can also be gigabit-capable. This type of connection is much faster than traditional broadband and is ideal for activities like downloading large files, streaming in high definition, and using many devices simultaneously.

Greenfield Land: refers to land that has never been previously developed, meaning it has not been built on, and typically exists as agricultural land, forest, or open countryside.

Green Infrastructure: A network of multi-functional green spaces, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. Can include:

- Parks and gardens - including urban parks, country parks and formal gardens;
- Designated and non-designated natural and semi-natural urban and rural green spaces and landscapes - woodlands, urban forestry, street trees, scrub, grassland, downland, commons and meadows, The Swale Local Plan Review February 2021 241 Glossary of terms 9 wetlands, open and running water, wastelands and derelict open land and rock areas. May include historic landscapes and other heritage assets;
- Green corridors - including river and canal banks, road verges, railway embankments, cycle ways, and rights of way;
- Outdoor public or private sports facilities;
- Amenity green space – informal recreation spaces, green spaces in and around housing, domestic gardens and village greens;
- Outdoor play and informal areas;
- Allotments, community gardens and urban farms;
- Cemeteries and churchyards;
- Accessible countryside in urban fringe areas; and
- Green roofs and walls.

For further expansion see the South East Green Infrastructure Framework: From Policy into Practice 2009. The South East Green Infrastructure Partnership a body comprising Natural England, Environment Agency, Government Office for the South East, Forestry Commission, Wildlife Trusts in the South East, Groundwork and the (then) South East England Partnership Board.

Gypsy: Members of Gypsy or Traveller communities. Usually used to describe Romany (English) Gypsies originating from India. This term is not acceptable to all Travellers.

Gypsies and Travellers: Consistent with the Housing Act 2004, inclusive of: all Gypsies, Irish Travellers, New Travellers, Show People, Circus People and Gypsies and Travellers in bricks and mortar accommodation.

Home Energy Model (HEM): A new government calculation methodology designed to assess the energy performance of homes in the UK, set to replace the Standard Assessment Procedure (SAP) in 2025.

Infrastructure Delivery Plan: A strategic document that outlines the infrastructure needs of a community or area to support sustainable development and growth.

Intergovernmental Panel on Climate Change (IPCC): The Intergovernmental Panel on Climate Change (IPCC) is the United Nations body for assessing the science related to climate change.

Kilowatt-hours per square meter (Kwh/m²): energy consumption of a building measured in kilowatt-hours per square meters and used in assessing energy efficiency.

Listed buildings: Buildings of special architectural or historic interest. The protection afforded to a listed building includes its interior and any historic fixtures and fittings. Objects or structures within the curtilage of a listed building, unless constructed after 1 July 1948, are also protected.

Local Development Order: An Order made by a local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a specific development proposal or classes of development.

Local Development Scheme (LDS): a requirement under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). It is a public project plan identifying which local development documents will be produced, in what order and when. It must specify (among other matters) the development plan documents (i.e. local plans) which, when prepared, will comprise part of the development plan for the area. Local planning authorities are encouraged to include details of other documents which form (or will form) part of the development plan for the area, such as Neighbourhood Plans.

Local Nature Partnerships (LNPs): a collaboration of local organisations, businesses and people who want to improve their local natural environment.

Local Nature Recovery Strategy (LNRS): a spatial strategy which plans, maps, and create priorities for nature in a given area.

Local Nature Reserves (LNRs): places with wildlife or geological features that are of special interest locally.

Local Wildlife Sites (LWSs): defined areas identified and selected locally for their substantive nature conservation value.

Marine Conservation Zones (MCZs): areas that protect a range of nationally important, rare or threatened habitats and species.

Microgeneration Certificate Scheme (MCS): certifies, quality assures and provides consumer protection for microgeneration installations and installer of renewable energy.

National Nature Reserves (NNRs): established to protect some of our most important habitats, species and geology.

Natural Flood Management: managing flood and coastal erosion risk by protecting, restoring and emulating the natural 'regulating' function of catchments, rivers, floodplains and coasts.

National Planning Policy Framework (NPPF): sets out government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance (PPGs): Offers additional context and detail for the policies outlined in the NPPF.

Operational carbon: Carbon dioxide emitted during the operational phase of a development.

Partnership Funding: Partnership funding refers to a collaborative arrangement between two or more organizations that join forces to pursue a common goal or project using grant funding.

Performance gap: The difference between the amount of energy a building is predicted to use during design, versus the actual amount of energy it uses. The gap is due to poor prediction methodologies, errors in construction, and unexpected building user behaviour.

Photovoltaics/PV: solar panels that generate electricity.

Passivhaus Planning Package (PHPP): a tool to accurately predict a building's energy use. It is used to design buildings that seek Passivhaus certification but can be used without pursuing certification.

Preamble: a preliminary or preparatory statement; an introduction.

Protected trees: trees protected by a Tree Preservation Order, those located within a Conservation Area and hedgerows meeting the criteria of "important hedgerow" in the Hedgerow Regulations.

Ramsar: A Ramsar site is a wetland site designated to be of international importance under the Ramsar Convention.

Regulated energy: Carbon emissions associated with energy uses that are 'regulated' by Building Regulations Part L. This covers permanent energy uses in the building, (space heating, space cooling hot water, fixed lighting, ventilation, fans, and pumps).

Regulation 18: a local plan consultation document, named after Regulation 18 of the Town and Country Planning (Local Plan) (England) Regulations 2012. It is the first formal consultation stage required of a local planning authority in the preparation of a Local Plan.

Regulation 19: a local plan consultation document, named after Regulation 19 of the Town and Country Planning (Local Plan) (England) Regulations 2012. It is the second formal consultation stage required of a local planning authority in the preparation of a Local Plan. It sets out the proposed policies for an area. It is often called the Publication Stage plan.

Residual risk: in terms of flood risk terms, residual risk refers to the remaining risk of flooding after all mitigation measures have been implemented to protect a site from flooding, of if these measures (eg flood defences) fail.

Roadside Nature Reserves (RNRs): protected and managed road verges which contain threatened habitats or wildlife.

Rural Exception Sites: Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Sensitive receptors: locations or individuals that are particularly vulnerable to the effects of pollution, including air pollution.

Serviced Plot: land with access to a public highway and connections (or reasonably deliverable connections) for electricity, water, and wastewater.

Sequestration: Removal and storage of carbon dioxide (or other greenhouse gases/GHGs) so that it cannot perform its harmful climate-changing role in the atmosphere. Currently only achieved by trees/plants and soil. May be achieved by technologies in future.

Shoreline Management Plans: a strategy for managing flood and erosion risk for a particular stretch of coastline, over short, medium and long-term periods.

Site of Special Scientific Interest: Sites designated by Natural England under the Wildlife and Countryside Act 1981.

Space Heat Demand: The amount of energy needed to heat a building to a comfortable temperature. Expressed in kilowatt-hours per square metre of floor space per year.

Special Areas of Conservation: Areas given special protection under the European Union's Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010.

Special Protection Areas: Network of areas within European Union countries that have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds. These sites are designated under the EU Birds Directive.

Standard Assessment Procedure (SAP) : the national calculation method for residential buildings' energy and carbon, used to satisfy building regulations Part L.

Statutory Consultation: In planning it is a legally mandated process where local authorities must consult specific individuals, groups, and organizations about certain planning decisions or policies.

Stepping Stones: Pockets of habitat that, while not necessarily connected, facilitate the movement of species across otherwise inhospitable landscapes.

Strategic Access Management and Monitoring Survey (SAMMS): sets out a strategy for resolving the additional disturbances to the area's wintering and migrating birds.

Strategic Flood Risk Assessment (SFRA): Local Planning Authorities should carry out SFRAs for their areas to help parties consider flood risk in planning decisions.

Sustainable Development: Development that meets the needs of the present generations without compromising the ability of future generations to meet their own needs.

Strategic Policies: Strategic policies in planning establish the overarching strategy and scale for an area, guiding development for a desired future by providing a framework for housing, employment, infrastructure, and environmental protection, as defined by national and local planning documents like the UK's National Planning Policy Framework (NPPF). These high-level policies address cross-boundary issues and long-term priorities, setting the stage for more detailed, non-strategic policies found in local or neighbourhood plans. Swale will include these at the Reg 19 stage of the Local Plan.

Supplementary Planning Documents: Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Sustainable Urban Drainage System (SuDS): Means of managing surface water drainage to reduce flooding and pollution impacts and provide multifunctional benefits.

Transition window: The [National Planning Policy Framework](#) ³⁷³(NPPF 2024) put in place transitional arrangements to support progress of advanced plans in line with the Government's objective of achieving ambitious Local Plans as quickly as possible. Plans that are submitted by December 2026 can be prepared against the current plan making legislation/guidance (the 'transition window').

Transport Assessment: A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development.

Transport Statement: A simplified version of a transport assessment where it is agreed the transport issues arising out of development proposals are limited and a full transport assessment is not required.

Travelling Showpeople: Commonly referred to as Showmen, these are a group of occupational Travellers who work on travelling shows and fairs across the UK and abroad.

Use Classes: The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. 'Change of use' can occur within the same use class or from one use class to another.

Wildlife Corridor: Areas of habitat connecting wildlife populations.

Windfall Sites: Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.

Whole life carbon: refers to the total greenhouse gas emissions associated with a built asset throughout its entire lifecycle. This includes all emissions from the extraction of raw materials, manufacturing, construction, operation, maintenance, and eventual demolition and disposal of the asset.

Veteran trees: A tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape, or culturally.

List of acronyms

AMR	Authority Monitoring Report
AONB	Areas of Outstanding Natural Beauty
AQA	Air Quality Assessment
AQAP	Air Quality Action Plan
AQMA	Air Quality Management Area
BA	Benefit Area
BAP	Best Available Practice
BAP	Biodiversity Action Plan
BLR	Brownfield Land Register
BNG	Biodiversity net gain
BOA	Biodiversity Opportunity Area
BRE	Building Research Establishment
BREEAM	Building Research Establishment Environmental Assessment Method
BS	British Standard
CCC	Committee on Climate Change
CCMA	Coastal Change Management Areas
CCVA	Coastal Change Vulnerability Assessment
CIL	Community Infrastructure Levy
CIBSE TM	Chartered Institution of Building Services Engineers Technical Memorandum
CO₂e	Carbon dioxide equivalent
CPRE	Campaign to Protect Rural England
CROW	Countryside and Rights of Way Act 2000
CWIS	Cycling and Walking Investment Strategy
Defra	Department for Environment, Food & Rural Affairs
DfT	Department for Transport
DPD	Development Plan Document
DTC	Duty to Cooperate
EA	Environment Agency
ELR	Employment Land Review
FRA	Flood Risk Assessment
FCERM	Flood and Coastal Erosion Risk Management
GES	Good Environmental Status
G&T	Gypsy and Travellers
GIA	Gross Internal Area

List of acronyms

GTAA	Gypsy and Travellers Accommodation Assessment
HEM	Home Energy Model
HLS	Housing Land Supply
HMA	Housing Market Assessment
HRA	Habitats Regulation Assessment
HTL	Hold the line
HQM	Home Quality Mark
IDP	Infrastructure Delivery Plan
ILCG	Important Local Countryside Gap
IPCC	Intergovernmental Panel on Climate Change
KCC	Kent County Council
KCWIP	Kent Cycling and Walking Infrastructure Plan
Kwh/m²	Kilowatt-hours per square meter
LAQM	Local Air Quality Management
LCWIP	Local Cycling and Walking Infrastructure Plan
LDO	Local Development Order
LDS	Local Development Scheme
LGS	Local Green Space
LLFA	Lead Local Flood Authority
LNP	Local Nature Partnership
LNR	Local Nature Reserve
LPA	local planning authority
LPR	Local Plan Review
LTC	Lower Thames Crossing
LNRS	Local Nature Recovery Strategy
LWS	Local Wildlife Sites
MCZ	Marine Conservation Zones
MEAS	Medway Estuary and Swale Flood and Coastal Erosion Risk Management Strategy
MHCLG	Ministry of Housing, Communities & Local Government
MMO	Marine Management Organisation
NCA	National Character Areas
NCERM	National coastal erosion risk map
NDO	Neighbourhood Development Order
NDSS	Nationally Described Space Standards
NNR	National Nature Reserve

NP Neighbourhood Plan

NPPF National Planning Policy Framework

PF Partnership Funding

PHPP Passivhaus Planning Package

PPA Planning Performance Agreement

PPG Planning Practice Guidance

PPTS Planning Policy for Traveller Sites

PV Photovoltaics

RICS Royal Institution of Chartered Surveyors

RNR Roadside Nature Reserve

RP Register Providers

SA Sustainability Appraisal

SAC Special Areas of Conservation

SAMMS Strategic Access Management and Monitoring Strategy

SBC Swale Borough Council

SBCH Self Build Custom Housebuilding

SCI Statement of Community Involvement

SE South East

SFRA Strategic Flood Risk Assessment

S(HMA) Strategic Housing Market Assessment

SHELAA Strategic Housing Economic Land Availability Assessment

SME Small and Medium Enterprises

SMP Shoreline Management Plans

SOCG Statement of Common Ground

SPA Special Protection Area

SPD Supplementary Planning Documents

SME Small Medium Enterprises

SSSI Site of Special Scientific Interest

SuDS Sustainable Drainage Systems

TA Transport Assessment

TCPA Town and Country Planning Association

WPVA Whole Plan Viability Assessment

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Have we missed any terms from the glossary or anything from the list of acronyms that appear in the document and would be useful to be included?

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Appendix II: Table I: Reg 18 Local Plan Development Management Policies

Policy Number	Policy Title	Commentary
Cross-cutting		
Policy G1	General Development Criteria	Updated to reflect the 2024 NPPF and new relevant legislation and the Council signing the TCPA Healthy Homes Pledge.
Good design		
Policy GD1	Local Design Principles	Updated to reflect the 2024 NPPF, new relevant legislation and relevant government design guidance. Includes additional drafting relating to design review and reference to relevant design related guidance documents.
Policy GD2	Alterations & Extensions	Updated to reflect the 2024 NPPF and new relevant legislation. Minor drafting changes.
Policy GD3	Shop fronts, signs & advertisements	Updated to reflect the 2024 NPPF and new relevant legislation. Updated for clarity, particularly the assessment criteria.
Housing		
Policy H1	Affordable Housing	Updated to reflect the 2024 NPPF, new relevant legislation and an updated evidence base. The requirement for First Homes as set out in the latest NPPF has been removed and replaced with more local flexibility on affordable home ownership tenures.
Policy H2	Small and medium sites for housing development	Updated to reflect the 2024 NPPF and new relevant legislation. No significant changes
Policy H3	Rural exception and community-led housing development	Updated to reflect the 2024 NPPF and new relevant legislation. No significant changes
Policy H4	Self-build and custom build	Updated to reflect the 2024 NPPF and new relevant legislation. Additional criteria added requiring plots in mixed

Policy Number	Policy Title	Commentary
		use development to demonstrate how they will be located within it.
Policy H5	Park Homes	Updated to reflect the 2024 NPPF and new relevant legislation. Additional criteria added to ensure new park homes are for the needs of older people as described in the SHMA and will be managed to that effect.
Policy H6	Gypsy, Traveller & Travelling Showpeople Accommodation	Updated to reflect the 2024 NPPF, and new definition of a Gypsy & Traveller in the Planning Policy for Traveller Sites (PPTS) 2024, new relevant legislation and an updated evidence base.
Policy H7	Dwellings for rural workers	Updated to reflect the 2024 NPPF and new relevant legislation. More detail added in the Policy to ensure that temporary permissions are granted where there is a robust plan demonstrating how compliance with the purpose of the policy will be achieved.
Policy H8	Extensions to, & the replacement of, dwellings in the countryside	Updated to reflect the 2024 NPPF and new relevant legislation. No significant changes.
Policy H9	Extending the garden of a dwelling in the countryside	Updated to reflect the 2024 NPPF and new relevant legislation. No significant changes.
Economic Development		
Policy E1	Loss of employment floorspace & land	Updated to reflect the 2024 NPPF, new relevant legislation and an updated evidence base. Policy amended to reflect the new Class E and permitted development changes.
Policy E2	The Rural Economy	Updated to reflect the 2024 NPPF and new relevant legislation. No significant changes.
Policy E3	Proposals for Main Town Centre Uses	Updated to reflect the 2024 NPPF, new relevant legislation and an updated evidence base. No significant changes.

Policy Number	Policy Title	Commentary
Policy E4	New Holiday Parks or extensions to existing parks & the occupancy of holiday parks	Updated to reflect the 2024 NPPF and new relevant legislation. No significant changes.
Infrastructure		
Policy INF1	Managing transport demand & impact	Updated to reflect the 2024 NPPF, new relevant legislation and an updated evidence base. No significant changes.
Policy INF2	Vehicle parking	Updated to reflect the 2024 NPPF, new relevant legislation and an updated evidence base. No significant changes.
Policy INF3	Open space, sport and recreation provision	Updated to reflect the 2024 NPPF, new relevant legislation and an emerging evidence base. No significant changes.
Policy INF4	Local Green Spaces	Updated to reflect the 2024 NPPF, new relevant legislation and an emerging evidence base. No significant changes.
Climate Change, Pollution & The Water Environment		
Policy C1	Sustainable design and adaptation principles	New policy to reflect the ambitions of the Council's Climate and Ecological Emergency.
Policy C2	Net zero operational carbon in new build residential development	New policy to reflect the ambitions of the Council's Climate and Ecological Emergency.
Policy C3	Net zero operational carbon in new build non-domestic development	New policy to reflect the ambitions of the Council's Climate and Ecological Emergency.
Policy C4	Embodied carbon and waste	New policy to reflect the ambitions of the Council's Climate and Ecological Emergency.
Policy C5	Renewable energy development and infrastructure	New policy to reflect the ambitions of the Council's Climate and Ecological Emergency.
Policy C6	Coastal change management	Updated to reflect the 2024 NPPF, new relevant legislation and an emerging evidence base. The coastal management zone,

Policy Number	Policy Title	Commentary
		and policy, have been updated to reflect new evidence that shows more land and existing development (houses) are now likely within the zone.
Policy C7	Implementing the Medway Estuary & Swale Coastal Risk Management Strategy	Updated to reflect the 2024 NPPF, new relevant legislation and an emerging evidence base. The policy looks at the possibility of setting a tariff for new development to contribute to the implementation of the Strategy.
Policy C8	Flood risk	Updated to reflect the 2024 NPPF, new relevant legislation and an emerging evidence base. The policy now highlights changes to the existing flood zone designation at Faversham Creek and boosts the importance of the sequential approach.
Policy C9	Sustainable drainage	Updated to reflect the 2024 NPPF, new relevant legislation and an emerging evidence base and to reflect changes to national standards and comments from Kent County Council as the Lead Local Flood Authority.
Policy C10	Water quality and water resources	Updated to reflect the 2024 NPPF, new relevant legislation and an emerging evidence base. The policy proposes an increased, more ambitious water efficiency standard.
Policy C11	Air quality	Updated to reflect the 2024 NPPF and new relevant legislation. The guidance in the policy has been made simpler to make it easier to use and to reflect current guidance and the updated Swale Air Quality and Planning Guidance.
Policy C12	Pollution & land instability	Updated to reflect the 2024 NPPF and new relevant legislation. No significant changes.

Policy Number	Policy Title	Commentary
Biodiversity and Landscapes		
Policy B1	Biodiversity & geodiversity conservation & BNG	Updated to reflect the 2024 NPPF, new relevant legislation and an emerging evidence base. No significant changes.
Policy B2	Conserving & enhancing valued landscapes	Updated to reflect the 2024 NPPF, new relevant legislation and an updated evidence base. No significant changes.
Policy B3	Kent Downs National Landscape Management Plan	Updated to reflect the 2024 NPPF, new relevant legislation and an updated evidence base. No significant changes.
Policy B4	The separation of settlements – Important Local Countryside Gaps	Updated to reflect the 2024 NPPF, new relevant legislation and an updated evidence base. Policy made clearer as to what the specific gaps are, including the new ones.
Policy B5	Woodland, orchards, trees and hedgerows	Updated to reflect the 2024 NPPF and new relevant legislation and edited for clarity.
Policy B6	Agricultural land	Updated to reflect the 2024 NPPF, new relevant legislation and an updated evidence base. No significant changes.
Policy B7	The Coast	Updated to reflect the 2024 NPPF, new relevant legislation and an updated evidence base. Added reference to new King Charles III England Coast path.
Policy B8	Rural Lanes	Updated to reflect the 2024 NPPF and new relevant legislation. No significant changes.
Policy B9	The keeping & grazing of horses	Updated to reflect the 2024 NPPF and new relevant legislation. No significant changes.
Historic Environment		
Policy HE1	Development involving Listed Buildings	Updated to reflect the 2024 NPPF and new relevant legislation, particularly when considering harm to a heritage asset and those assets most at risk. Edited to ensure that

Policy Number	Policy Title	Commentary
		appropriate level of information is submitted with applications.
Policy HE2	Development affecting a Conservation Area	Updated to reflect the 2024 NPPF and new relevant legislation, particularly when considering harm to a conservation area. Edited to be clearer as to the issues development should have regard to.
Policy HE3	Parks and Gardens	Updated to reflect the 2024 NPPF and new relevant legislation. Updated to preserve registered Parks and Gardens. Non-designated parks and gardens and historic/cultural landscapes and are now covered by policy HE4 and other landscape policies.
Policy HE4	Non-designated Heritage Assets	Updated to reflect the 2024 NPPF separation of designated and non-designated heritage assets. All non-designated heritage assets are subject to the same assessment considerations, therefore they are grouped and managed under a single policy. Also includes provision for recording.
Policy HE5	Archaeological	Updated to reflect the 2024 NPPF and new relevant legislation, particularly when considering harm to archaeology. Also includes provision for assets at risk, recording and archiving.

Sustainability Appraisal for the Swale Local Plan

Scoping Report Update

Draft

Prepared for:
Swale Borough Council
October 2025

Quality information

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Cover image: Faversham Pump

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1. Introduction

1.1. Background

- 1.1.1. AECOM has been commissioned to undertake an independent Sustainability Appraisal (SA) in support of the emerging Swale Borough Local Plan (SBLP). Swale Borough is located in Kent, South East England. The borough boundary is depicted in **Figure 1-1**.
- 1.1.2. As part of preparing the Local Plan for Swale, the SA is being undertaken as a statutory requirement under Section 19 of the Planning and Compulsory Purchase Act 2004, and it incorporates the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations'). The SA ensures that environmental, social, and economic considerations are integrated into the plan-making process from the outset, helping to promote sustainable development and assess reasonable alternatives.
- 1.1.3. The SA is being undertaken in accordance with relevant national guidance, including the National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG). It is an iterative process that informs the development of the Local Plan and supports its legal compliance and soundness.

Figure 1-1: Swale Borough Boundary

1.2. Planning Policy Context

- 1.2.1. The National Planning Policy Framework (NPPF) provides an overarching framework for development in England. It sets out the Government's planning policies for England and how these are expected to be applied. It is supported by planning practice guidance, which is a suite of policy papers covering a broad range of topics, including SEA.
- 1.2.2. The revised NPPF has now been published following the consultation period that ended in September 2024. The new framework includes significant reforms aimed at boosting housing supply and supporting sustainable growth. One of the key changes is the reintroduction of mandatory housing targets, which now require an increased number of dwellings in Swale Borough.
- 1.2.3. The Government requires all Councils to revisit their Local Plans every five years and Swale Borough Council are in the process of reviewing the current Swale Local Plan (Bearing Fruits), which was adopted in July 2017.¹ The SBLP will set out the planning framework for the borough for the period to 2042 and will cover issues such as; housing provision, the economy, retail and town centres; infrastructure provision and the environment. It will also set out policies by which planning applications will be determined, in addition to allocating land for housing, employment and other uses.

1.3. SA Explained

- 1.3.1. Sustainability Appraisal (SA) is a mechanism for assessing and communicating the likely effects of an emerging plan, and reasonable alternatives, with a view to achieving sustainable development and fulfilling the requirements for Strategic Environmental Assessment (SEA).
- 1.3.2. The aim of the SA will be to inform plan-making both directly (i.e. through structured, systematic and evidence-based analysis), and indirectly (by providing stakeholders with information on potential plan impacts and so facilitating effective consultation).
- 1.3.3. Undertaking SA will help ensure consistency in the development and evaluation of the SBLP.

¹ Swale Borough Council (2017). 'Bearing Fruits 2031: The Swale Borough Local Plan' can be accessed through [this link](#).

Strategic Environmental Assessment (SEA)

- 1.3.4. SA and SEA are very similar assessment processes. SEA was established at the international level, whilst SA was established at the national level. SEA is undertaken to meet the requirements of the Environmental Assessment of Plans and Programmes (England) Regulations 2004 ('the SEA Regulations'),² which transposes into national law the EU Strategic Environmental Assessment (SEA) Directive. It applies to many different types of plan documents. SA is a legal requirement for Local Development Plans under Section 19(5) of the Planning and Compulsory Purchase Act 2004. SA usually incorporates SEA to deliver a single assessment process that avoids repetition in the local development plan evidence base.
- 1.3.5. In line with the regulations, there are two key steps for SA / SEA:
- When deciding on 'the scope and level of detail of the information' which must be included in the Environmental Report there is a consultation with nationally designated authorities concerned with environmental issues; and
 - A report (the 'Environmental Report') is published for consultation alongside the draft plan which presents an assessment of the draft plan (i.e. discusses 'likely significant effects' that would result from plan implementation) and reasonable alternatives.

Sustainability Appraisal and Habitats Regulations Assessment

A separate Habitats Regulations Assessment (HRA) is also being undertaken for the Local Plan. While it is a distinct workstream, its conclusions will be taken into account within the SA process to ensure consistency and alignment across assessments.

² UK Government (2004). 'The Environmental Assessment of Plans and Programmes Regulations 2004' can be accessed through [this link](#).

1.4. Scoping

- 1.4.1. A key procedural requirement of the SEA Regulations is to present a scope for the SA, so that the designated authorities (Historic England, Natural England and the Environment Agency) can provide timely comment.
- 1.4.2. Developing the draft scope for the SA as presented in this Scoping Report has involved the following steps:
- Exploring the policy context for the Plan and SA to summarise the key messages arising;
 - Establishing the baseline for the SA (i.e., the current and future situation in the area in the absence of the Plan) to help identify the Plan's likely significant effects;
 - Identifying particular problems or opportunities ('issues') that should be a particular focus of the SA; and
 - Considering this information, developing an SA framework comprising SA Objectives and assessment questions, which can then be used as a guiding framework for the subsequent assessment.
- 1.4.3. The scope is explored and presented under a series of key environmental themes as follows:
- Accessibility (Community Infrastructure)
 - Air Quality and Noise
 - Biodiversity
 - Climate Change Adaptation
 - Climate Change Mitigation
 - Communities and Health
 - Economy and Employment
 - Historic Environment
 - Homes
 - Landscape
 - Soils and Natural Resources

- Transport
- Water

1.4.4. The selected SA themes incorporate the 'SEA topics' suggested by Schedule 2(6) of the SEA Regulations.³ These were refined to reflect a broad understanding of the anticipated scope of plan effects. The discussion of the scoping information for each theme is presented in **Chapters 2 to 14**, and the proposed SA framework is brought together as a whole in **Chapter 15**. Each proposal within the SBLP will be assessed consistently using this Framework.

³ UK Government (2004). '*The Environmental Assessment of Plans and Programmes Regulations 2004*' can be accessed through [this link](#).

2. Accessibility (Community Infrastructure)

2.1. Focus of Theme

- 2.1.1. This theme focuses on identifying accessible locations in the borough with sustainable transport links, essential services, and inclusive infrastructure.

2.2. Policy Context

- 2.2.1. **Table 2-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 2-1: Plans, Policies and Strategies Reviewed in Relation to Accessibility (Community Infrastructure)

Document Title	Year of Publication
National	
<u>10-Year Infrastructure Strategy</u>	2025
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>Levelling-up and Regeneration Act</u>	2023
<u>Building for Life / Building for a Healthy Life</u>	2020
<u>Planning Practice Guidance</u>	various
<u>Planning and Infrastructure Bill</u>	emerging
Local	
<u>Swale Built Facility Assessment and Strategy</u>	2024
<u>Swale Borough Infrastructure Delivery Plan</u>	2020

- 2.2.2. The key messages emerging from the review are summarised below:

- The 10-Year Infrastructure Strategy will provide a long-term vision for national infrastructure planning, with a focus on economic growth, environmental sustainability, and social well-being. It emphasises the integration of housing, transport, digital connectivity, and public services to create more resilient and accessible communities;

- The SBLP will need to have regard for the principles set out in the NPPF, which seek to retain and enhance access to community services and facilities such as educational facilities and open spaces. The NPPF recognises the benefits of having a range of local provision to support community needs, in addition to the benefits of creating cohesive communities in safe environments where the fear of crime (and crime itself) does not undermine resident quality of life. This contributes to ensuring settlement and community identities are protected. The NPPF is complimented by Planning Policy Guidance, which offers practical guidance on how local planning authorities should implement the NPPF's policies;
- The Government's Levelling Up and Regeneration Act seeks to reduce regional inequalities and promote economic growth and opportunities in less prosperous areas. It has been designed to address regional disparities, stimulate economic development, and enhance infrastructure and community well-being in order to create a more balanced and inclusive nation;
- The emerging Planning and Infrastructure Bill is designed to speed up planning approvals and infrastructure delivery, particularly for housing and transport projects. It includes provisions to encourage brownfield redevelopment and to ensure that new housing developments are supported by necessary infrastructure, such as roads, schools, and healthcare facilities;
- Building for a Healthy Life is a design framework that promotes high-quality housing developments with a focus on connectivity, community integration, and sustainability. It encourages developments that prioritise pedestrian-friendly streets, access to public transport, and the inclusion of green and blue infrastructure (such as parks and waterways). The framework also emphasises the importance of social spaces and local facilities, ensuring that new housing developments foster a sense of community;
- The Swale Built Facility Assessment and Strategy (2024) sets out a vision to help residents lead healthier, more active lives by offering the right activities in accessible, affordable, and good-quality spaces. The Council aims to improve physical activity levels, reduce health inequalities, and ensure facilities are flexible, locally available, and fit for future needs; and

- The Swale Borough Infrastructure Delivery Plan (IDP) establishes what additional infrastructure and service needs are required to support the development in to 2038. The IDP will help ensure that the identified additional infrastructure and service needs are delivered in a timely, co-ordinated and sustainable way.

2.3. Baseline Summary

Current Baseline

Facilities and Services

- 2.3.1. Swale Borough is located on the north coast of Kent in South East England. It encompasses the towns of Sittingbourne, Faversham, and the Isle of Sheppey (including Sheerness), offering a blend of rural, coastal, and urban environments. The borough provides a wide range of services and facilities, including healthcare, education, recreational spaces, and community amenities.
- 2.3.2. According to Kent County Council's education website 'KELSI', Swale is home to 61 educational institutions, including nursery schools, special schools, and pupil referral units.⁴ This comprises:
- 49 primary schools (including 33 academies – the highest figure in Kent);
 - Nine secondary schools (all academies); and
 - Three special educational needs (SEN) schools.
- 2.3.3. Further education is available locally at Sheppey College, located in Sheerness.⁵
- 2.3.4. Specialist training and supported employment opportunities are provided by Bemix, a local programme operating within the borough.⁶
- 2.3.5. Healthcare services in Swale include multiple GP practices, community health centres, and minor injury units. More comprehensive care is available at Sittingbourne Memorial Hospital, Sheppey Community Hospital, Faversham Cottage Hospital, and the DMC Community Dermatology Service.⁷

⁴ KELSI (2025). 'Facts and Figures 2025' can be accessed through [this link](#).

⁵ KFE (no date). 'Our Colleges' can be accessed through [this link](#).

⁶ Kent County Council (no date). 'Specialist colleges and training providers' can be accessed through [this link](#).

⁷ NHS (no date). 'Hospitals near Sittingbourne' can be accessed through [this link](#).

- 2.3.6. Swale also offers a broad range of other amenities and community facilities, including public parks, libraries, leisure centres, retail areas, cafés, and entertainment venues. These are primarily concentrated in the borough's larger settlements.

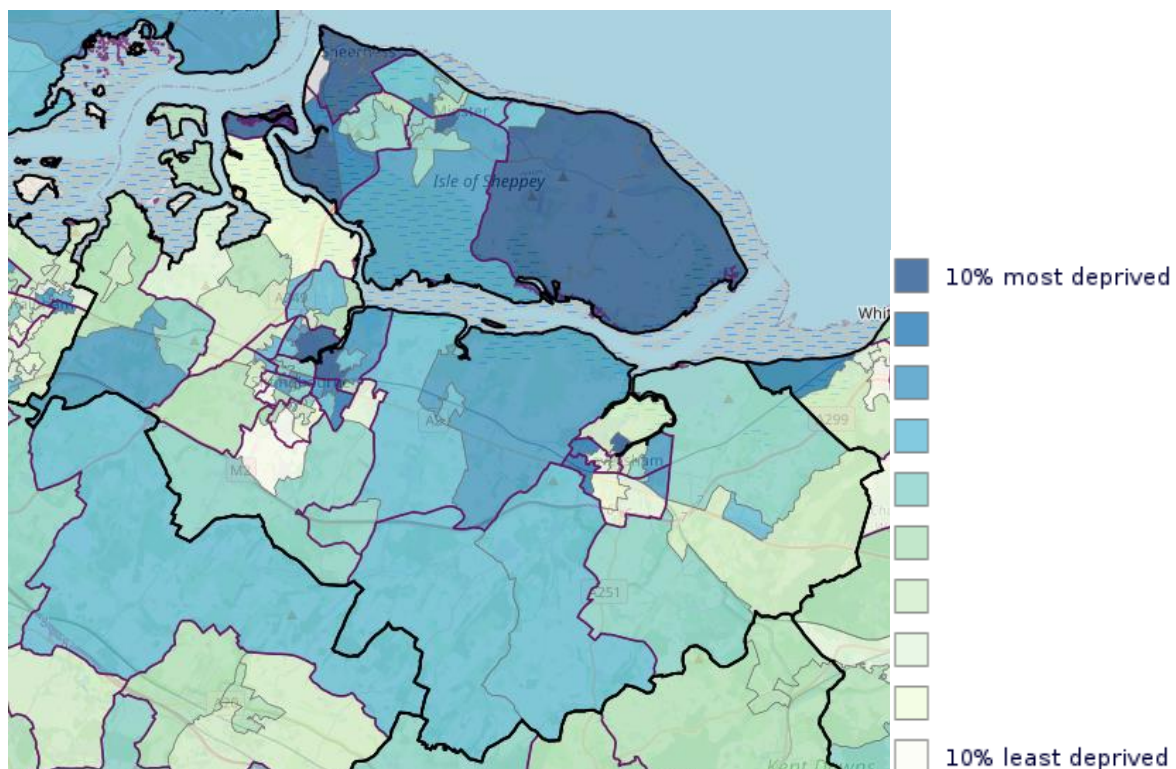
Barriers to Essential Services

- 2.3.7. The Index of Multiple Deprivation 2019 (IMD) is an overall relative measure of deprivation, combining seven different domains. Of particular relevance to the Accessibility (Community Infrastructure) SA theme is the Barriers to Housing and Services domain, which addresses the physical and financial accessibility of housing and local services. It includes indicators such as housing affordability, household overcrowding, and distance to essential services such as GP surgeries and schools.
- 2.3.8. Lower Super Output Areas (LSOAs)⁸ are designed to improve the reporting of small-area statistics in England and Wales. These are standardised geographic units intended to be as consistent as possible, with each LSOA typically containing between 1,000 and 1,500 people. Within this context, the borough spans 85 LSOAs. In relation to the IMD 2019, LSOAs are ranked out of 32,844 in England and Wales, with a rank of 1 indicating the most deprived area.
- 2.3.9. **Figure 2-1** shows the ranking of Swale Borough's LSOAs for the Barriers to Housing and Services domain, while **Table 2-2** provides additional details on the LSOAs within Swale Borough that fall within the 50% most deprived, or worse, areas.
- 2.3.10. An analysis of this data reveals mixed trends regarding the barriers to housing and services domain within the borough. Just over half of Swale Borough's LSOAs are ranked within the 50% most deprived, or worse, LSOAs. Higher levels of deprivation are found in the borough's larger settlements (Sittingbourne and Faversham) along with most of the Isle of Sheppey. Given that these areas are generally well-connected and accessible, the deprivation scores are likely to reflect housing-related factors (such as affordability and overcrowding) rather than physical access to essential services. In contrast, the more rural regions in the borough's western and eastern extents generally report less deprivation under this domain.

⁸ The Indices of Deprivation Explorer can be accessed through [this link](#).

- 2.3.11. As Swale Borough continues to grow, ensuring that residents can easily access essential services such as healthcare, education, and retail will remain a priority. While mainland areas of the borough generally experience fewer accessibility issues, higher levels of deprivation in certain LSOAs highlight challenges in reaching services, particularly in more peripheral areas (including the Isle of Sheppey). Addressing these disparities through targeted improvements in public transport coverage, digital accessibility, and local service provision will help reduce barriers and improve overall accessibility across the borough.

Figure 2-1: Barriers to Housing and Services IMD Domain⁹



⁹ Ministry of Housing, Communities & Local Government (2019). 'Indices of Deprivation: 2019 and 2015' can be accessed through [this link](#).

Table 2-2: LSOAs in Swale Borough Ranked Within 50% Most Deprived or Worse for the Barriers to Housing and Services IMD Domain

Decile	Most Deprived Indices
50% Most Deprived	11
40% Most Deprived	7
30% Most Deprived	11
20% Most Deprived	4
10% Most Deprived	12
Total	45 (out of 85)

Transport and Connectivity

- 2.3.12. Swale benefits from strong transport connectivity, with key road links including the M2 and A249, which connect the borough to the wider Kent region and London. The rail network serves major towns such as Sittingbourne, Faversham, and Sheerness, with direct services to London. The borough is actively promoting sustainable transport, with walking and cycling initiatives supported by both Swale Borough Council and Kent County Council, including local infrastructure plans in Faversham. Public transport plays an important role in mobility, with rail stations and bus services linking communities across the borough and beyond.
- 2.3.13. For further detail on transport infrastructure in Swale Borough, see **Chapter 14**.

Future Baseline

- 2.3.14. Following the UK government's target for a carbon-neutral future, Swale Borough is likely to see further expansion in EV charging points to accommodate the growing number of electric vehicles. This includes potential initiatives to enhance the availability of charging infrastructure in both public and private spaces.
- 2.3.15. As digital infrastructure improves, ensuring equal access to digital services (e.g., online healthcare appointments, remote education) will become increasingly important. Addressing digital accessibility, especially for older residents and those with disabilities, will be a priority.

2.4. Key Issues

2.4.1. Considering the policy context and baseline information, the following key issues (constraints and/ or opportunities) are identified in relation to accessibility:

- High levels of deprivation in certain parts of Swale create barriers to housing and services. Targeted interventions in these areas, such as improved transport and service provision, will help address these challenges;
- The SBLP provides an opportunity to identify an active travel network across the borough and focus efforts/investments towards improving this;
- With increasing reliance on digital services (e.g., online healthcare, remote education), ensuring equal access to digital infrastructure for all residents, including older and disabled groups, is important for reducing inequality in service access; and
- New housing and employment developments should be well-integrated with existing transport and service networks, reducing travel distances and enhancing accessibility for residents.

2.5. SA Objective

2.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objective in relation to accessibility (community infrastructure):

Improve accessibility to essential services and facilities across the borough

2.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...identify priority measures that will improve active travel networks in future growth?
- ...reduce inequalities in access to essential services across Swale Borough, particularly in its most deprived areas?
- ...connect new housing and employment areas with healthcare, education, and community facilities?
- ...enhance digital connectivity and inclusion to ensure all residents can access online services and opportunities?

3. Air Quality

3.1. Focus of Theme

- 3.1.1. This theme focuses on air pollution, in particular: sources of air pollution, air quality hotspots, and areas known to exceed objectives for air quality.

3.2. Policy Context

- 3.2.1. **Table 3-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 3-1: Plans, Policies and Strategies Reviewed in Relation to Air Quality

Document Title	Year of Publication
National	
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>The Environmental Targets (Fine Particular Matter) (England) Regulations 2023</u>	2023
<u>Environment Act</u>	2021
<u>The Clean Air Strategy</u>	2019
<u>A Green Future: Our 25 Year Plan to Improve the Environment</u>	2018
<u>UK plan for tackling roadside nitrogen dioxide concentrations</u>	2017
Local	
<u>Swale 2025 Air Quality Annual Status Report</u>	2025
<u>Swale Air Quality Action Plan (2023-2028)</u>	2023

- 3.2.2. The key messages emerging from the review are summarised below:

- The SBLP will be required to be in general conformity with the NPPF, which seeks early planning to reduce/ mitigate air quality impacts in development and to improve air quality. Measures to improve air quality include traffic and travel management and green infrastructure provision. Strategic development is expected to be focused on locations that have or will be provided with high levels of accessibility; supporting both a reduced need to travel and offering a genuine choice of transport modes. Smaller-scale development should consider the potential for cumulative effects in relation to air quality;

- The SBLP will also be required to be in general conformity with the Environment Act 2021, which introduces the need for the Secretary of State to set an annual mean particulate matter (PM2.5) level target. This links to the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023, which sets out to ensure annual PM2.5 concentrations are equal to or less than 10 micrograms per cubic metre by the 31 December 2040;
- The Clean Air Strategy outlines how the government will tackle all sources of air pollution. The strategy proposes goals to cut public exposure to particulate matter pollution and outlines required action to meet these goals. Furthermore, it seeks to recognise wider sources that cause poor air quality, such as diffuse sources and smaller contributors. The proposed measures include new legislation and local powers to act in areas with air pollution issues. The Air Quality Action Plan for Swale Borough (2023-2028) seeks to reflect this strategy on a more localised scale;
- The 25 Year Environment Plan establishes how the government will expand net gain approaches to include air quality improvements, such as planting more trees in urban areas and changing fuel supplies. In particular, 'Goal 1 Clean air' and the policies contained within 'Chapter 4: Increasing resource efficiency and reducing pollution and waste' directly relate to the air quality SA theme;
- The UK plan for tackling roadside nitrogen dioxide is an air quality plan focused on bringing nitrogen dioxide (NO₂) within statutory limits in the quickest time possible. The plan identifies that improving air quality and reducing carbon emissions is also important and wants to position the UK at the forefront of vehicle innovation by making motoring cleaner;
- Local authorities are required to monitor air quality across the borough, report regularly to Defra and act where nationally set levels and limits of pollutants are likely to be exceeded under Section 82 of the Environment Act (1995). Monitoring is undertaken to assess levels of nitrogen dioxide, sulphur dioxide, ozone, benzene, and particulates. Where exceedances exist, areas are declared as air quality management areas (AQMAs) and local authorities are required to produce an air quality action plan (AQAP) to improve air quality in the area. Under Schedule 11 in the Environment Act (2021), a local authority must identify any parts of its area in which it appears air quality standards or objectives are not likely to be achieved within the relevant period.

- Local authorities must also identify relevant sources of emissions that are considered partly or wholly responsible for failing to achieve air quality standards or objectives in the area. As such, the Swale 2025 Air Quality Annual Status Report (ASR) for 2025 is the last available report for the borough; fulfilling the requirements of the local air quality management (LAQM) as set out in Section 82 of the Environment Act (1995).

3.3. Baseline Summary

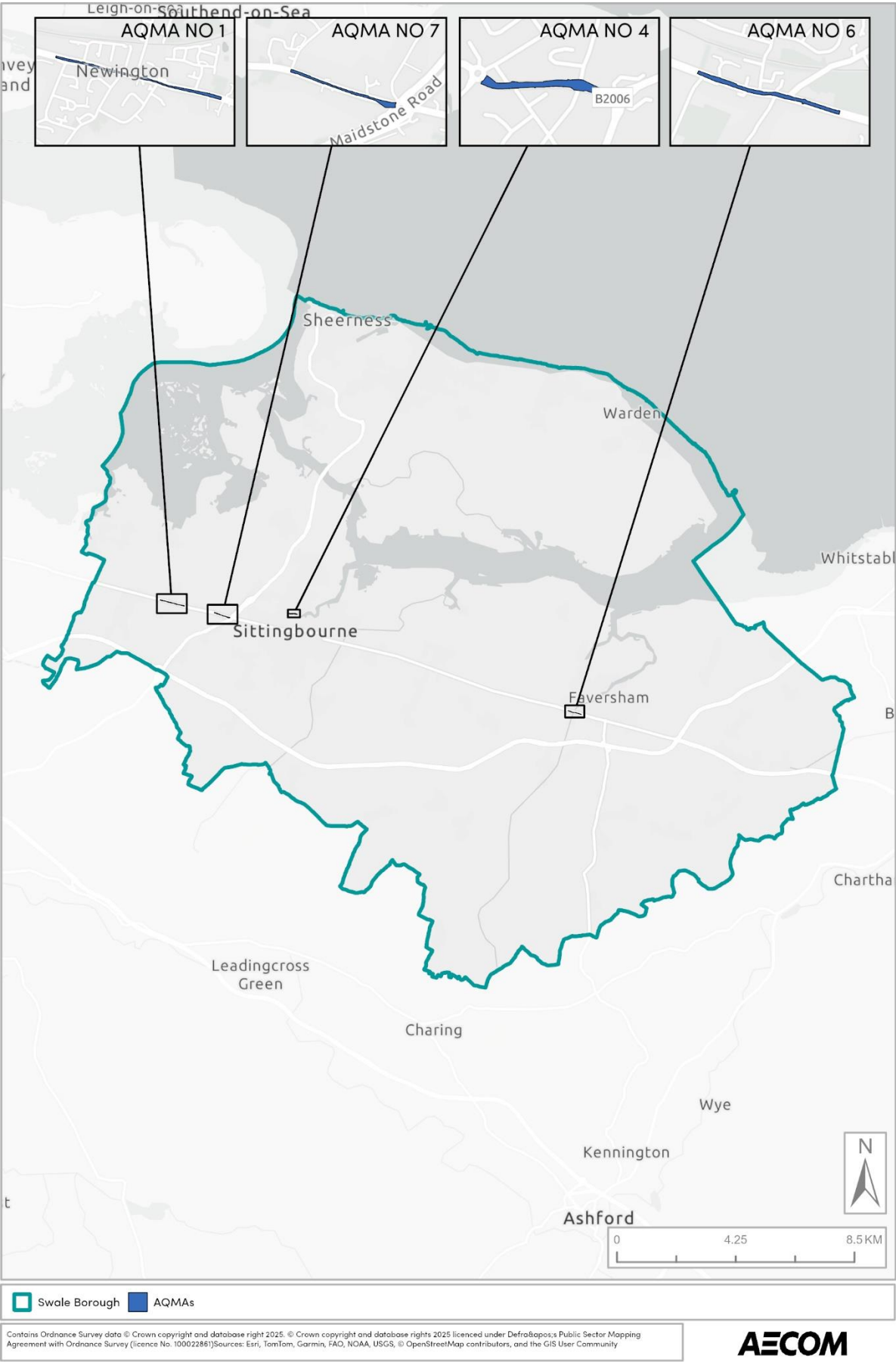
Current Baseline

Air Quality Management Areas

- 3.3.1. Air Quality Management Areas (AQMA) are declared by councils in areas which exceed national objectives for levels of particulates, nitrogen dioxide, sulphur dioxide, ozone, benzene, polycyclic aromatic hydrocarbons, butadiene, carbon monoxide, lead and/ or nitrogen oxides.
- 3.3.2. As shown in **Figure 3-1**, Swale Borough contains four AQMAs, all monitoring concentrations of NO₂ and PM₁₀ (24-hour mean):
- AQMA 1: Newington, (A2 / High St), declared in 2009 for NO₂ exceedances;
 - AQMA 6: the Mount, declared in May 2016 for NO₂ exceedances. Formerly known as AQMA 2, Ospringe Street, Faversham (A2/Ospringe).
 - AQMA 4: St Paul's Street, Milton, Sittingbourne (B2006), declared in January 2013 and amended in October 2020, for NO₂ and PM₁₀ exceedances, respectively; and
 - AQMA 7: Keycol Hill, declared October 2020, for NO₂ exceedances.
- 3.3.3. It should be noted that the following two AQMAs were revoked in September 2025 due to consecutive years of compliance:
- East Street AQMA (declared in January 2013, for NO₂ exceedances);
 - Teynham AQMA (declared in December 2015, for NO₂ exceedances).
- 3.3.4. The main source of air pollution in Swale is from vehicle emissions. The borough has the largest automatic monitoring network in Kent - three automatic stations and 80 NO₂ diffusion tubes.

- 3.3.5. Regarding PM₁₀, the latest Air Quality Annual Status Report for Swale Borough (for 2025) (ASR) notes that there has been a steady improvement in NO₂ concentrations in the borough over the past 6 to 7 years. These air quality improvements are predominantly due to the replacement of older vehicles in the vehicle fleet with newer vehicles that meet stricter emissions standards, and more recently, the uptake of electric vehicles.
- 3.3.6. The ASR also reveals that latest monitoring has shown all three automatic stations (and 67 diffusion tubes) did not exceed the National Air Quality Objective for both NO₂ and PM₁₀ objectives.
- 3.3.7. In line with Local Air Quality and Management guidance (LAQM), the Environmental Health team for Swale Borough Council will be recommending the revocation of Teynham and East Street AQMAs.
- 3.3.8. In terms of localised sources of air quality pollution, Swale's road network comprises a mix of residential streets, local roads, and major transport corridors. While much of the borough is served by smaller local routes, key strategic roads include the A2 and A249, which facilitate significant traffic movements between Sittingbourne, Faversham, the Isle of Sheppey, and neighbouring areas such as Maidstone and Medway. The borough also connects to the M2 motorway, providing access to wider regional and national networks. Additionally, a number of other A and B roads (including the A299, A2500, A251, B2005, and B223) contribute to localised emissions from road traffic and associated air quality pressures.
- 3.3.9. Swale Borough is served by several railway lines forming part of the Southeastern rail network. The Chatham Main Line runs east-west through the borough, connecting Faversham and Sittingbourne with destinations such as Medway, Canterbury, Dover, and London. The Sheerness Line branches north from Sittingbourne to the Isle of Sheppey, serving Kemsley, Swale Halt, and Sheerness-on-Sea. These rail routes can contribute to localised air quality impacts.

Figure 3-1: AQMAs in Swale Borough



Industry

- 3.3.10. In addition to transport, industrial processes can be a significant source of air pollution, particularly in urban areas. Emissions can include particulate matter (PM₁₀ and PM_{2.5}), nitrogen oxides (NO_x), sulphur dioxide (SO₂), and volatile organic compounds (VOCs), depending on the nature of the process.
- 3.3.11. Within Swale, industrial emissions may arise from manufacturing and processing facilities, energy generation sites, waste management and treatment operations, and port-related activities, particularly around Sittingbourne, Faversham, and the Isle of Sheppey. The Port of Sheerness and surrounding industrial estates, including logistics, storage, and vehicle handling operations, are also notable contributors to localised emissions. Further detail is provided in **Chapter 13**.

Construction and Demolition

- 3.3.12. Construction and demolition activities are also a common source of dust and fine particulates, especially during earthworks, site preparation, and materials handling. Emissions from non-road mobile machinery (NRMM) also contribute to local NO_x and PM levels. In areas of the borough undergoing rapid development, multiple construction sites can also lead to cumulative air quality impacts.
- 3.3.13. Dust from construction and demolition is usually coarse (PM₁₀), but fine fractions (PM_{2.5}) are also generated and can remain airborne longer, affecting health and visibility. Controls to mitigate air quality adverse impacts from construction and demolition is regulated through Construction Environmental Management Plans (CEMPs) for major sites.

Aggregates

- 3.3.14. Kent County Council's list of aggregate sites identifies the presence one Secondary and Recycled Aggregate Site in Swale - Faversham Quarry.¹⁰
- 3.3.15. The handling, storage, processing, and transport of aggregates and minerals (such as sand, gravel, and crushed rock) are associated with the release of coarse and fine dust particles, particularly from loading/unloading, screening, and crushing operations. Dust can travel beyond site boundaries without appropriate suppression measures.

¹⁰ Kent County Council (no date). '*Minerals and waste sites in Kent*' can be accessed through [this link](#).

- 3.3.16. To manage these emissions, aggregate sites are required to implement dust management plans. These typically include measures such as wheel washing, road cleaning, and material covering, to minimise the spread of dust and reduce adverse impacts on local air quality.

Future Baseline

- 3.3.17. The growth associated with future development within the borough has the potential for adverse effects on air quality in the short to medium term, due to construction activities and increased levels of traffic and associated pollutants. Although, in line with higher level planning policy, future development should contribute towards improving air quality, supporting opportunities to improve accessibility, particularly in terms of the use of sustainable modes of transport (including active travel modes, working from home and electric vehicle use).
- 3.3.18. The adoption of low-emission vehicles and policies to reduce car dependency are expected to play a significant role in improving air quality over the long term.

3.4. Key Issues

- 3.4.1. Considering the policy context and baseline information, the following key issues (constraints and / or opportunities) are identified in relation to the air quality SA theme:
- There are four active AQMAs in Swale; however, recent monitoring data indicates that all are currently recording pollutant levels below national air quality objectives, suggesting improvements in local air quality;
 - Road traffic remains the primary source of air pollution in the borough, with strategic routes such as the A2, A249, and M2 contributing to localised emissions, particularly in areas with high traffic volumes and congestion;
 - Industrial activities, including those associated with the Port of Sheerness and surrounding estates, continue to contribute to emissions, requiring ongoing monitoring and mitigation;
 - Construction and demolition activities, especially in areas of planned growth, can lead to short-term increases in dust and fine particulates, with cumulative impacts where multiple sites are active concurrently;
 - Processing operations and construction activities are associated with the release of coarse and fine dust particles, necessitating effective site-level dust management to prevent off-site impacts; and

- Future development may temporarily increase air pollution through construction and traffic-related emissions, but also presents opportunities to embed sustainable transport, active travel, and low-emission technologies into planning and infrastructure.

3.5. SA Objective

- 3.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objective in relation to air quality:

Improve air quality, reduce air pollution and reduce exposure to air pollution

- 3.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...reduce key pollutant emissions, particularly nitrogen dioxide (NO₂) and particulate matter (PM₁₀/PM_{2.5})?
- ...ensure that new development, particularly housing in or near AQMAs, is supported by infrastructure improvements that minimise exposure to poor air quality?
- ...promote a shift to low- and zero-emission vehicles and sustainable transport modes?
- ...minimise traffic congestion and encourage active travel and public transport use?
- ...prevent or mitigate adverse air quality impacts from construction, industrial, and aggregate activities?
- ...support compliance with, or improvement beyond, national air quality standards across the borough?

4. Biodiversity

4.1. Focus of Theme

- 4.1.1. This theme focuses on nature conservation designations, habitats, and species within and surrounding the borough.

4.2. Policy Context

- 4.2.1. **Table 4-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 4-1: Plans, Policies and Strategies Reviewed in Relation to Biodiversity

Document Title	Year of Publication
National	
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>Natural England Green Infrastructure Framework</u>	2023
<u>Environmental Improvement Plan</u>	2023
<u>Environment Act 2021</u>	2021
<u>UK Post-2010 Biodiversity Infrastructure Framework</u>	2012
<u>The Natural Choice: securing the value of nature (Natural Environment White Paper)</u>	2011
<u>Biodiversity Infrastructure 2020 Strategy</u>	2011
<u>The Natural Environment and Rural Communities Act</u>	2006
<u>UK Biodiversity Infrastructure Action Plan</u>	1994
Local	
<u>Swale Climate and Ecological Emergency Action Plan</u>	2025
<u>Swale & Ure Drainage Board Biodiversity Action Plan 2025 - 2030</u>	2025
<u>Kent Environment Plan</u>	2025
<u>Kent and Medway Shoreline Pollution Emergency Plan</u>	2023
<u>Swale Green and Blue Infrastructure (GBI) Strategy</u>	2020
<u>Kent Nature Partnership Biodiversity Strategy</u>	2020
<u>Medway Estuary and Swale (MEAS) Flood and coastal Erosion Risk Management (FCERM)</u>	2019
<u>Kent Local Nature Recovery Strategy</u>	emerging

4.2.2. The key messages emerging from the review are summarised below:

- The Local Plan will need to consider the principles set out in the NPPF, which indicate that planning policies and decisions should protect and enhance sites of value for biodiversity. Plans should also identify, map, and safeguard components of wider ecological networks, promote positive action for priority habitats and species, and pursue opportunities to secure biodiversity net gains. The NPPF also states that if development causes substantial harm and cannot be avoided, adequately mitigated, or compensated, then planning permission should be refused;
- The Natural England Green Infrastructure Framework provides a structure to analyse where greenspace in urban environments is needed most. It aims to support equitable access to greenspace across the country, with an overarching target for everyone being able to reach good quality greenspace in their local area. The framework's ultimate goal aims to help increase the amount of green cover in England to 40% in urban residential areas;
- The Environment Act makes provision for biodiversity gain to be a condition of planning permission in England, in addition to creating biodiversity gain site registers and biodiversity credits. It recognises there is a duty to conserve and enhance biodiversity and encourages the identification of suitable areas through biodiversity reports and local nature recovery strategies. Furthermore, habitat maps are expected to include recovery and enhancement areas which are currently, or could become, important for biodiversity;
- The NPPF also supports the establishment and enhancement of habitat networks and green infrastructure to allow for more resilience to current and future pressures for biodiversity;
- Building on the 25 Year Environment Plan (2018), the Environmental Improvement Plan (2023) sets out how the Government will work with landowners, communities and businesses to deliver goals to restore nature, reduce environmental pollution, and increase the national prosperity;
- Over the past decade, policy (for example, The Natural Environment White Paper: Biodiversity 2020) has demonstrated a move away from the traditional approach of protecting biodiversity, to a wider landscape approach to enhancing biodiversity, as part of the overall aims to halt biodiversity loss;

- The Swale Climate and Ecological Emergency Action Plan (2025) outlines seven focus areas to guide the borough toward net-zero emissions, emphasising collaboration and community transformation. It highlights the potential for stronger communities, a green economy, and improved public health through climate and ecological action;
- The Kent Environment Plan sets out Kent County Council's strategy to address climate change, pollution, and biodiversity loss. It focuses on six goals (ranging from reducing carbon emissions and adapting to climate impacts to protecting natural assets and promoting a circular economy) aiming to deliver environmental improvement alongside sustainable economic growth;
- The Swale & Ure Drainage Board Biodiversity Action Plan (2025-2030) sets out targeted conservation actions for habitats and species the Board can influence, particularly those in aquatic and riparian environments. It establishes measurable objectives and integrates biodiversity into all aspects of water level management, maintenance, and operational decision-making;
- The Kent and Medway Shoreline Pollution Emergency Plan (2023) supports biodiversity protection by coordinating rapid responses to pollution incidents that threaten coastal habitats and species. It ensures effective planning, trained personnel, and inter-agency collaboration to minimise ecological harm and safeguard sensitive shoreline environments;
- The Swale Green and Blue Infrastructure Strategy (2020-2039) recognises green and blue spaces as important ecosystems for both people and wildlife, guiding opportunities to enhance biodiversity across the borough. It supports habitat protection, community engagement, and nature-based improvements, particularly in areas of international ecological importance such as Swale's coastline and woodlands;
- The Kent Nature Partnership Biodiversity Strategy (2020-2045) sets out a long-term vision to restore, maintain, and create thriving habitats across Kent's terrestrial, freshwater, intertidal, and marine environments. It aligns with national ambitions in the Government's 25 Year Environment Plan, aiming to leave the natural environment in a better state for future generations;

- The Medway Estuary and Swale Flood and Coastal Risk Management Strategy (2019) sets out a long-term approach to sustainably managing tidal defences and coastal risks in the area. It aims to protect people, property, designated habitats, and agricultural land over the next 100 years through adaptive and resilient flood management;
- The emerging Kent & Medway Local Nature Recovery Strategy will identify priority areas for habitat creation and enhancement to maximise benefits for biodiversity and the wider environment. It will support the delivery of biodiversity net gain, inform local planning, and guide investment and land management decisions to accelerate nature recovery across the region.

4.3. Baseline Summary

Current Baseline

Internationally Important Sites

- 4.3.1. There are many internationally designated biodiversity sites located within Swale and within a 10 km radius of its boundary.(see **Figure 4-1**):

Special Areas of Conservation

- Blean Complex. Located in the east of the borough. Designated for its oak-hornbeam woodland habitat, a rare and ecologically valuable forest type in south-east England. The site supports diverse flora and fauna, including the nationally important heath fritillary butterfly, and benefits from traditional coppice management.
- North Downs Woodlands. Located approximately 3.6 km south-west of the borough.
- Queendown Warren. Located approximately 4.0 km south of the borough.
- Wye & Crundale Downs. Located approximately 5.4 km south of the borough.
- Tankerton Slopes And Swalecliffe. Located approximately 5.6 km north-east of the borough.
- Essex Estuaries. Located approximately 6.7 km north of the borough.
- Stodmarsh. Located approximately 8.3 km east of the borough.
- Peters Pit. Located approximately 9.2 km west of the borough.

Special Protection Areas

- The Swale. Located in central and western parts of the borough. Designated for its internationally important wetland supporting populations of non-breeding waterbirds, including dark-bellied brent goose and dunlin, as well as its rich breeding and wintering bird assemblages.
- Medway Estuary & Marshes. Located in the west of the borough. Designated for its internationally important wetland supporting populations of breeding and non-breeding waterbirds, including species such as dark-bellied brent goose, pied avocet, and little tern.
- Thames Estuary & Marshes. Located approximately 0.5 km west of the borough.
- Foulness (Mid-Essex Coast Phase 5). Located approximately 6.7 km north of the borough.
- Benfleet and Southend Marshes. Located approximately 6.7 km north of the borough.
- Thanet Coast & Sandwich Bay. Located approximately 6.8 km north-east of the borough.
- Stodmarsh. Located approximately 8.3 km east of the borough.

RAMSAR Sites

- The Swale. Located in central and western parts of the borough. Designated for its internationally important wetland supporting populations of non-breeding waterbirds, including dark-bellied brent goose (*Branta bernicla bernicla*) and dunlin (*Calidris alpina alpina*), as well as its rich breeding and wintering bird assemblages.
- Medway Estuary & Marshes. Located in the west of the borough. Located in the west of the borough. Designated for its internationally important wetland supporting populations of breeding and non-breeding waterbirds, including species such as dark-bellied brent goose, pied avocet, and little tern.
- Thames Estuary & Marshes. Located approximately 0.5 km west of the borough.
- Foulness (Mid-Essex Coast Phase 5). Located approximately 6.7 km north of the borough.

- Benfleet And Southend Marshes. Located approximately 6.7 km north of the borough.
- Thanet Coast & Sandwich Bay. Located approximately 6.8 km north-east of the borough.
- Stodmarsh. Located approximately 8.3 km east of the borough.

Nationally Important Sites

- 4.3.2. Sites of Special Scientific Interest (SSSI) are nationally important sites for wildlife and / or geological conservation.
- 4.3.3. There are six SSSI and two National Nature Reserves (NNR) within Swale (see **Figure 4-2**):

Sites of Special Scientific Importance

- Queendown Warren SSSI. Located in the west of the borough. Designated for its species-rich chalk grassland and ancient woodland, supporting two nationally rare plant species and an outstanding assemblage of orchids and other flora. Condition of units during last survey: 100% favourable.
- Purple Hill SSSI. Located in the west of the borough. Designated for its herb-rich chalk grassland, scrub, and woodland, supporting a nationally rare plant species and a diverse range of chalk downland flora. The site is notable for its orchid diversity, including man, fragrant, and pyramidal orchids, and for hosting the rare Kentish milkwort. Condition of units during last survey: 64% favourable; 36% unfavourable-recovering.
- Church Woods, Blean SSSI. Located in the east of the borough. Designated for its extensive broadleaved woodland on London Clay, which supports a nationally rare species, the heath fritillary butterfly, and an outstanding assemblage of invertebrates. Condition of units during last survey: 100% favourable.
- The Swale SSSI. Located on the borough's northern coastline. Designated for its extensive freshwater grazing marshes, mudflats, and saltmarshes, which support internationally important populations of wintering and breeding wildfowl and waders. Condition of units during last survey: 98% favourable; 2% unfavourable-no change.
- Sheppey Cliffs and Foreshore SSSI. Located on the borough's northern coastline. Designated for its exceptional geological features, representing one of Britain's most important Palaeogene fossil sites.

- Medway Estuary and Marshes SSSI. Located on the borough's northern coastline. Designated for its extensive intertidal habitats, including mudflats, saltmarshes, and grazing marshes, which support internationally important populations of wintering and breeding birds. Condition of units during last survey: 54% unfavourable-recovering; <1% unfavourable-no change; 46% unfavourable-declining; <1% destroyed.

National Nature Reserves

- Blean Woods. Located in the east of the borough. Designated for its extensive ancient broadleaved woodland, which supports a rich diversity of flora and fauna, including the nationally rare heath fritillary butterfly.
- Elmley. Located centrally in the borough. Designated for its extensive coastal grazing marsh, which supports large populations of wintering wildfowl and breeding waders.
- The Swale. Located on the borough's northern coastline. Designated for its coastal grazing marsh of high ecological value, supporting significant populations of waterfowl and other wetland species.

4.3.4. There are 12 other SSSI and one NNR within 5 km of the borough boundary.

4.3.5. SSSI Impact Risk Zones (IRZ) are a GIS tool/dataset that map zones around each SSSI according to their sensitivities. They specify the types of development that have the potential to have adverse impacts at a given location, and thresholds of development which indicate a need to consult Natural England. In this respect, there are areas of the borough that overlap with IRZs for development types expected to be brought forward in the SBLP; therefore, consultation with Natural England may be required for any applications that come forward in these locations.

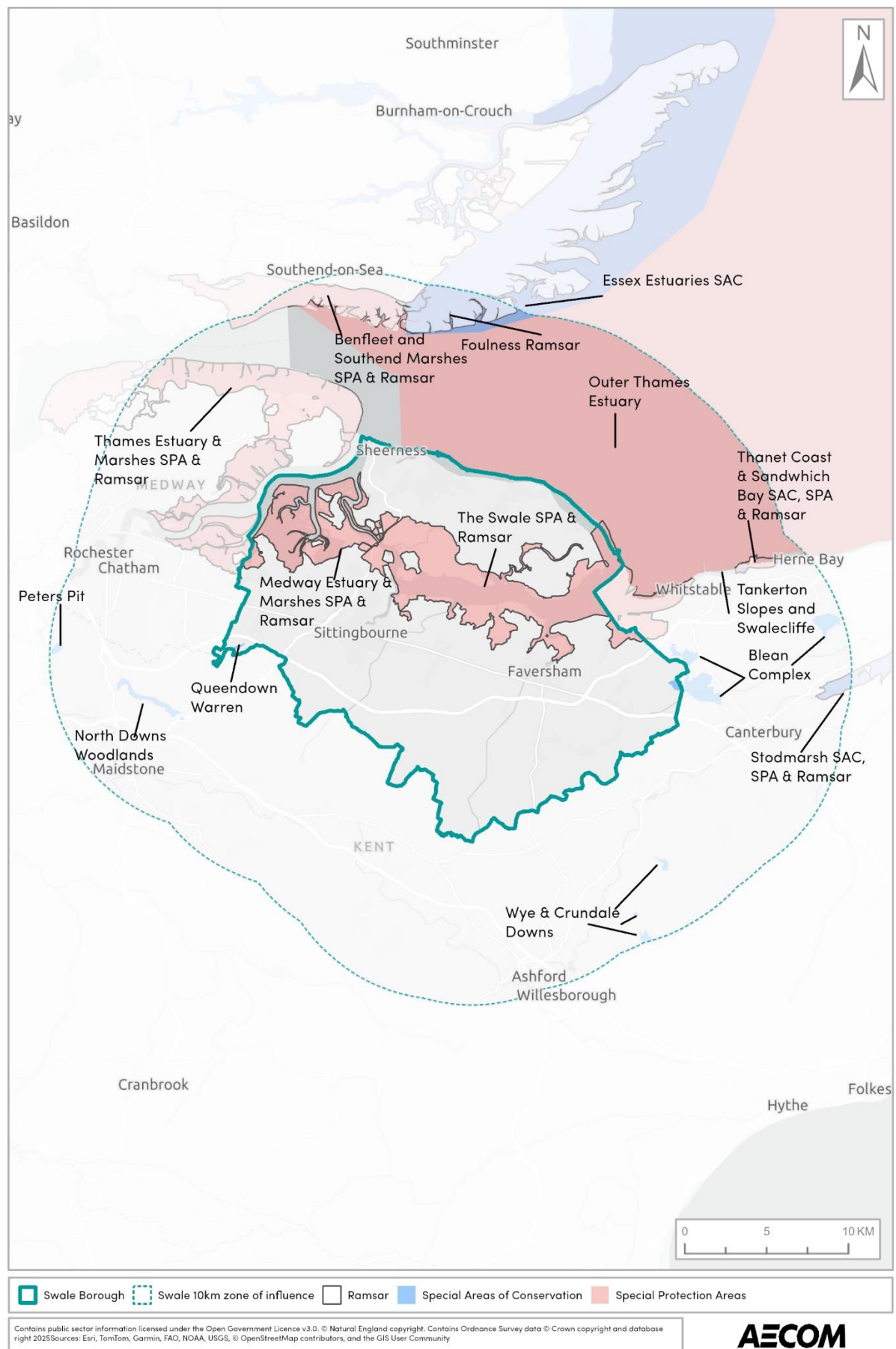
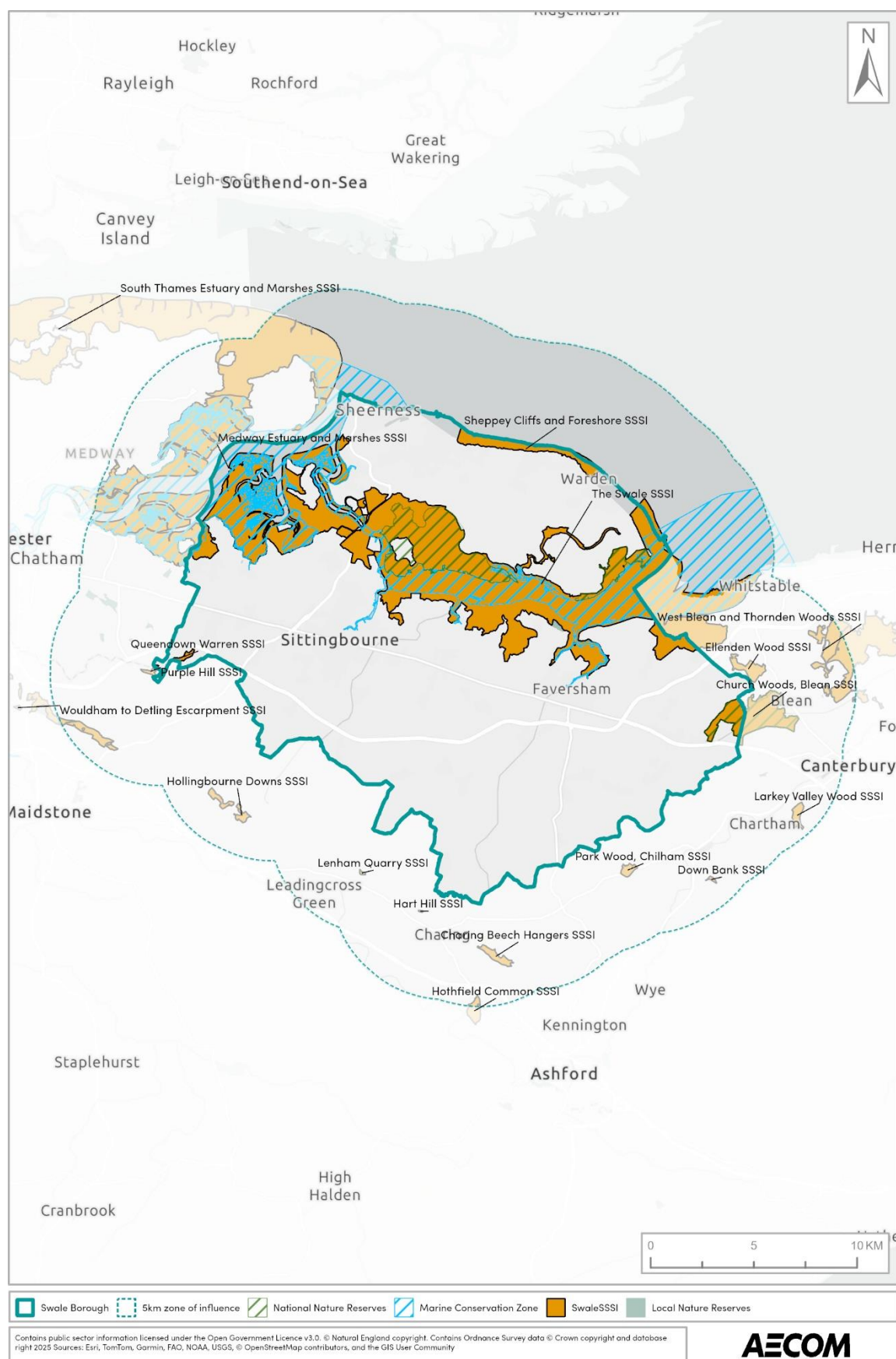
Figure 4-1: International Designations for Biodiversity Conservation in Swale

Figure 4-2: National Designations for Biodiversity Conservation in Swale Borough



Locally Important Sites

- 4.3.6. Local Nature Reserves (LNRs) are designated to conserve locally significant natural habitats, species, and geological features. They provide accessible green spaces for community enjoyment, education, and engagement, while also serving as valuable sites for local ecological research and conservation efforts.
- 4.3.7. There are three LNRs in Swale Borough (see **Figure 4-3**):
- South Bank Of The Swale. Located in the east of the borough.
 - Queendown Warren. Located in the west of the borough.
 - Oare Marshes. Located in the east of the borough.
- 4.3.8. There are also six LNRs within 2 km of the borough.
- 4.3.9. Kent's locally important places for wildlife are recognised as Local Wildlife Sites (LWS) (a non-statutory designation). Over 500 LWS have been identified across Kent. According to the adopted Swale Local Plan (2017) there are 36 LWS in Swale. It is possible that this figure has grown since 2017 with the addition of new sites. Kent's Wildlife Trust website provides a map of the county's LWS.¹¹
- 4.3.10. The adopted Local also notes that there are also 13 Roadside Nature Reserves in Swale. These have been identified through the Road Verge Project (a partnership between Kent County Council, Kent Highways and Kent Wildlife Trust) because they contain rare or threatened habitats or species.

Ancient Woodland

- 4.3.11. Ancient woodland takes hundreds of years to establish. It is considered important for its wildlife (often including rare and threatened species), and soils. Ancient woodland includes land that has been wooded continuously since at least 1600 AD. This means the following is included under its designation:
- Ancient semi-natural woodland mainly made up of trees and shrubs native to the site, usually arising from natural regeneration; and

¹¹ Kent Wildlife Trust (2025). 'Local Wildlife Sites' can be accessed through [this link](#).

- Plantations on ancient woodland sites - replanted with conifer and broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi.¹²
- 4.3.12. Within the borough there are around 200 ancient woodland sites, with many other sites located adjacent to the borough's border (see **Figure 4-3**).¹³ Swales's ancient woodland sites are mostly found in the south of the borough, and include:
- 141 sites of ancient & semi-natural woodland.
 - 57 sites of ancient replanted woodland.

¹² GOV.UK (2022). 'Ancient woodland, ancient trees and veteran trees: advice for making planning decisions' can be accessed through [this link](#).

¹³ Defra (no date). 'Magic' can be accessed through [this link](#).

Figure 4-3: Local Nature Reserves and Ancient Woodland in Swale

Priority Habitats and Species

- 4.3.13. The borough is interspersed with a range of Biodiversity Action Plan (BAP) Priority Habitats,¹⁴ as shown in **Figure 4-4**.
- 4.3.14. In the northern part of Swale, BAP Priority Habitats are predominantly coastal, including, but not limited to, coastal saltmarsh, reedbeds, mudflats, and coastal and floodplain grazing marsh. This pattern reflects the area's proximity to the Thames Estuary and the English Channel.
- 4.3.15. In central and southern parts of the borough, inland habitats such as deciduous woodland and occasional wood-pasture and parkland dominate. These habitats occur in smaller, fragmented patches than in the north, where large areas are covered by BAP designations.
- 4.3.16. The Kent and Medway Biological Records Centre (KMBRC)¹⁵ contains archives of protected and notable species within Swale, including those species protected by the Wildlife and Countryside Act 1981¹⁶ and under Section 41 of the Natural Environment and Rural Communities Act 2006. The BAP Priority Habitats and ecological designations, as well as non-priority habitats, within and surrounding the borough support important populations of protected species.
- 4.3.17. The Swale Biodiversity Baseline Report¹⁷ notes that these habitats collectively support a diverse range of species, including nationally and locally important populations of birds, invertebrates, and plants. Coastal habitats in the north provide important feeding and roosting areas for overwintering and migratory birds, while inland woodlands and parkland in the south offer breeding sites and shelter for mammals, bats, and woodland specialists. The combination of coastal and inland habitats contributes to Swale's overall ecological richness and underpins its role as a key area for biodiversity within Kent.

National Habitat Network

- 4.3.18. The National Habitat Network (NHN) is a set of maps that work to help identify areas for future habitat creation and restoration at a landscape scale (see **Figure 4-5**).¹⁸

¹⁴ Defra (no date). 'Magic' can be accessed through [this link](#).

¹⁵ The Kent and Medway Biological Records Centre website can be accessed through [this link](#).

¹⁶ UK Government (1981) 'The Wildlife and Countryside Act 1981' can be accessed through [this link](#).

¹⁷ Kent Wildlife Trust (2020). 'Swale Biodiversity Baseline Report' can be accessed through [this link](#).

¹⁸ Natural England (2020). 'National Habitat Network Maps' can be accessed through [this link](#).

- 4.3.19. The majority of Swale falls within NHN designations, reflecting its importance for habitat connectivity and restoration. In the northern part of the borough, large areas are identified as restorable habitat, alongside Network Enhancement Zones 1 (deemed most suitable for habitat re-creation supporting the primary habitat) and 2 (most suitable for new habitats and green infrastructure), with some sections classified as Network Expansion Zones (identified as a suitable location for connecting and linking up habitats across a landscape through new habitat creation). Central and southern areas of the borough contain extensive coverage of Network Enhancement Zone 1, highlighting opportunities to strengthen and link existing habitats through targeted restoration and management.

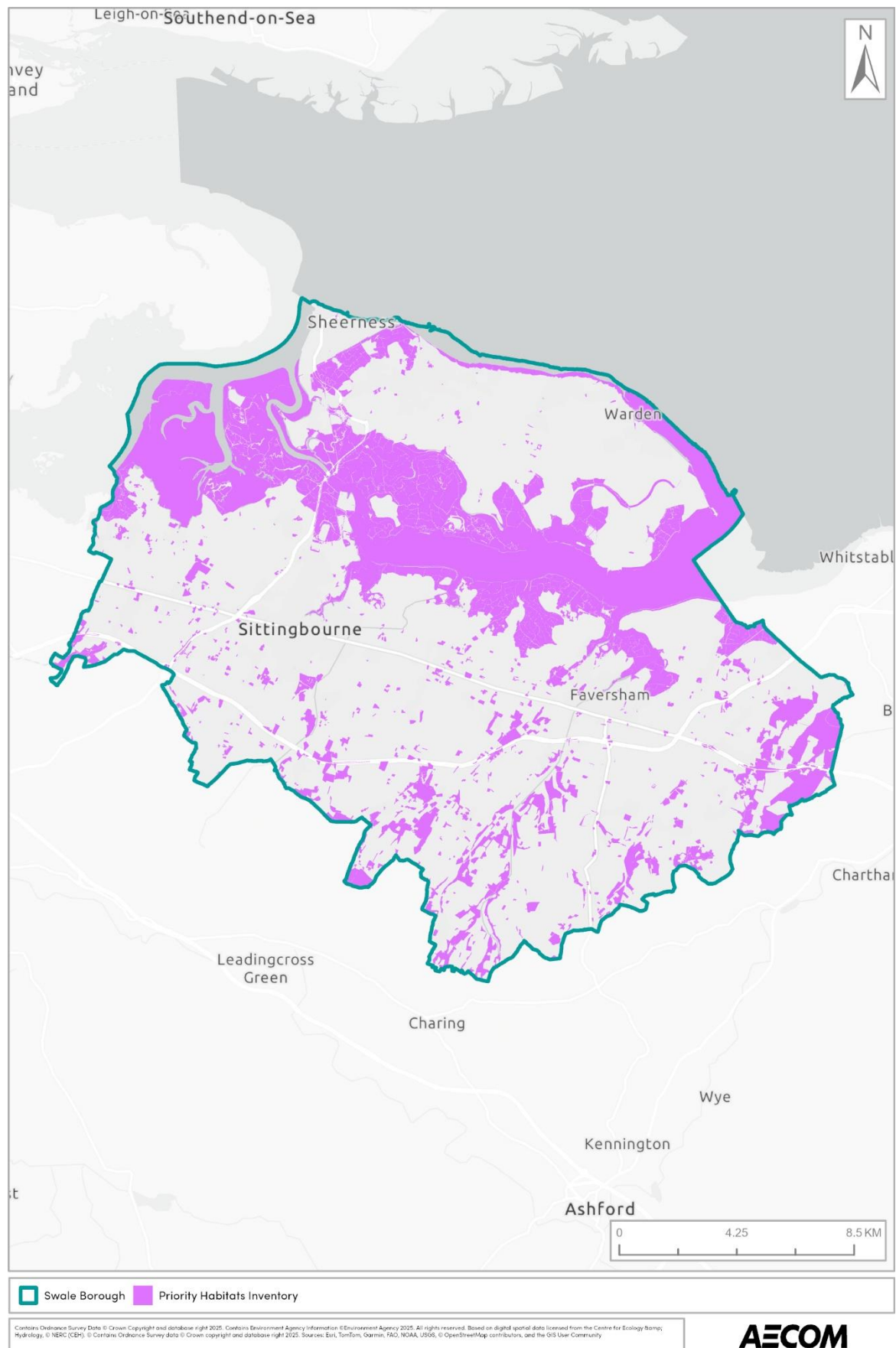
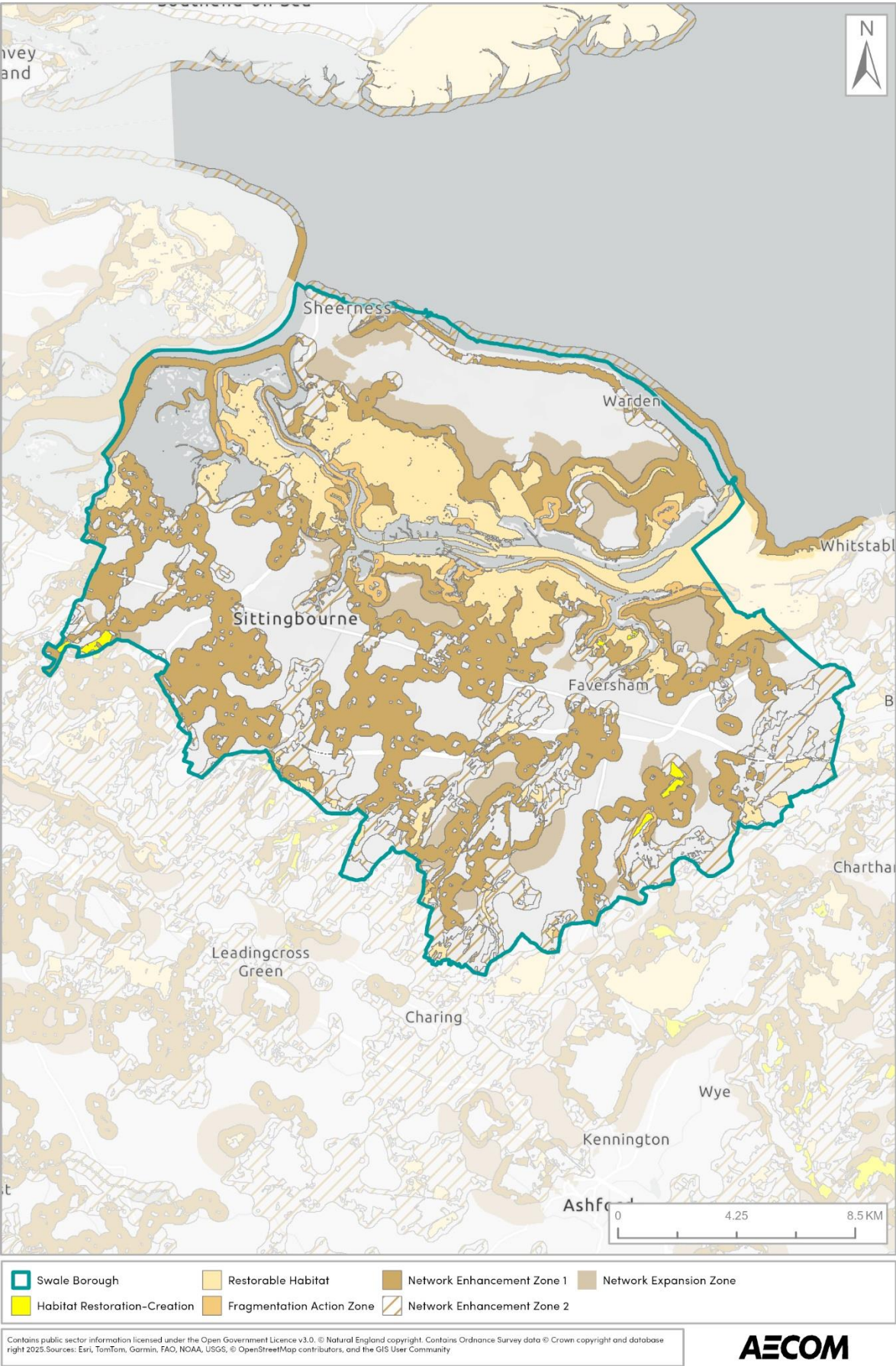
Figure 4-4: Priority Habitats in Swale Borough

Figure 4-5: National Habitat Network in Swale Borough



Wildlife Corridors

- 4.3.21. Wildlife corridors are linear features which connect significant areas of wildlife habitat helping to mitigate some of the adverse ecological effects of habitat fragmentation. These corridors enable the movement and dispersal of species between Swale Borough's many sites of high biodiversity value (including SSSIs, LNRs, and LWSs, as well as priority and non-priority habitats).
- 4.3.22. Swale's Green and Blue Infrastructure Strategy (2020) notes that a key wildlife corridor in the borough is the Saxon Shore Way, a long distance route along the coast which is predominantly off-road. Through Swale, the Saxon Shore Way follows The Swale, passing by creeks, mudflats, saltmarshes and the Oare Marshes Nature Reserve, internationally important for its bird life.

Future Baseline

- 4.3.23. Habitats and species will potentially face increasing pressures from future development within the borough, with the potential for negative impacts on the wider ecological network. This may include a loss of habitats and impacts on biodiversity networks, which may be exacerbated by the effects of climate change. This has the potential to lead to changes in the distribution and abundance of species and changes to the composition of habitats.
- 4.3.24. The SBLP presents an opportunity to maximise benefits for biodiversity by including consideration of important habitats, species, and designated sites at an early stage of planning for future growth. To maintain and improve the condition of biodiversity in the future, it will be important to not only protect, extend and enhance important habitats, but also the connections between them. It will be crucial to effectively coordinate the delivery of new development to ensure that opportunities to improve green infrastructure and ecological corridors are maximised within the borough.

4.4. Key Issues

4.4.1. Considering the policy context and baseline information, the following key issues (constraints and/ or opportunities) are identified in relation to biodiversity and green/ blue infrastructure:

- New development through the SBLP may result in direct or indirect impacts on the integrity of SPAs, SACs, and Ramsar sites within and around the borough. Development proposals should assess and mitigate potential impacts on these designations, such as The Swale SPA/Ramsar site, Medway Estuary & Marshes SPA/Ramsar site, and Thames Estuary & Marshes SPA/Ramsar site;
- The borough contains several SSSIs and NNRs. New development may affect the integrity of these sites if located nearby. Additionally, much of the borough overlaps with SSSI IRZs for development types likely to come forward through the SBLP, indicating a need for consultation with Natural England;
- Development could impact LNRs, LWSs, and Roadside Nature Reserves, which provide important habitats and accessible green spaces for communities and ecological research;
- The borough contains a range of BAP Priority Habitats (including coastal saltmarsh, reedbeds, grazing marsh, and ancient woodland) and designated wildlife corridors. These habitats support protected and notable species. Development may lead to habitat loss and fragmentation, weakening ecological networks and reducing species movement; and
- The SBLP presents an opportunity to deliver and coordinate biodiversity net gain through development location, design and management. This includes creating new habitats, improving connectivity, restoring degraded areas, and strengthening green and blue infrastructure networks to support ecological resilience and climate adaptation.

4.5. SA Objective

4.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objective in relation to biodiversity:

Maintain, create and enhance the extent and quality of biodiversity habitats and networks within and surrounding the borough, and protect species and species diversity

4.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...avoid or mitigate adverse impacts on internationally and nationally designated sites (e.g., SACs, SPAs, Ramsar, SSSIs) and their integrity?
- ...protect and enhance locally important sites such as LNRs, LWSs, and ancient woodlands?
- ...prevent habitat loss, fragmentation, and degradation, maintaining or improving connectivity through wildlife corridors and ecological networks?
- ...promote biodiversity net gain by encouraging habitat creation, restoration, and enhancement in development proposals?
- ...support the conservation of priority habitats and protected species?

5. Climate Change Adaptation

5.1. Focus of Theme

- 5.1.1. This theme focuses on the expected effects of climate change, including flood risk, overheating, and climate change adaptation.

5.2. Policy Context

- 5.2.1. **Table 5-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 5-1: Plans, Policies and Strategies Reviewed in Relation to Climate Adaptation

Document Title	Year of Publication
National	
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>UK Climate Change Risk Assessment</u>	2022
<u>The National Design Guide</u>	2021
<u>National Model Design Code</u>	2021
<u>National Infrastructure Assessment</u>	2021
<u>Net Zero Strategy: Build Back Greener</u>	2021
<u>UK Sixth Carbon Budget</u>	2020
<u>National Flood and Coastal Erosion Risk Management Strategy</u>	2020
<u>Heat Networks: Building a Market Framework</u>	2020
<u>The Clean Air Strategy</u>	2019
<u>Clean Growth Strategy</u>	2019
<u>25-Year Environment Plan</u>	2019
<u>UK (second) National Adaptation Programme 2018 to 2023</u>	2018
<u>How Local Authorities Can Reduce Emissions and Manage Climate Change Risk</u>	2012
<u>Flood and Water Management Act</u>	2010
<u>UK Climate Change Act</u>	2008
Local	
<u>Swale Climate and Ecological Emergency Action Plan</u>	2025

Document Title	Year of Publication
<u>Kent Environment Plan</u>	2025
<u>Kent Local Flood Risk Management Strategy</u>	2024
<u>Kent and Medway Shoreline Pollution Emergency Plan</u>	2023
<u>Swale Green and Blue Infrastructure (GBI) Strategy</u>	2020
<u>Swale Borough Council Level 1 Strategic Flood Risk Assessment</u>	2020
<u>Medway Estuary and Swale (MEAS) Flood and coastal Erosion Risk Management (FCERM)</u>	2019
<u>Swale Surface Water Management Plan</u>	2012
<u>River Medway and Swale Estuary Shoreline Management Plan</u>	2010

5.2.2. The key messages emerging from the review are summarised below:

- The SBLP will be required to be in general conformity with the NPPF, which requires proactive planning to both mitigate and adapt to climate change. Planning policies are expected to improve the resilience of communities and infrastructure to climate change impacts, avoid inappropriate development in the flood plain, and support the move to a low carbon economy. The NPPF recognises the potential for planning to shape places in ways that deliver long-term resilience, including through reuse, regeneration, and conversion;
- The UK Climate Change Risk Assessment is published on a 5-yearly cycle in accordance with the requirements of the Climate Change Act 2008. It required the Government to compile an assessment of the risks for the UK arising from climate change, and then to develop an adaptation programme to address those risks and deliver resilience to climate change on the ground. For both the 2012 and the 2017 UK Climate Change Risk Assessment, the Adaptation Sub-Committee commissioned an evidence report aiming to understand the current and future climate risks and opportunities...

- ...The evidence report contains six priority risk areas requiring additional action between 2017 and 2022, see below:
 - Flooding and coastal change risks to communities, businesses, and infrastructure.
 - Risks to health, well-being, and productivity from high temperatures.
 - Risk of shortages in the public water supply, and for agriculture, energy generation and industry.
 - Risks to natural capital, including terrestrial, coastal, marine, and freshwater ecosystems, soils, and biodiversity.
 - Risks to domestic and international food production and trade; and
 - New and emerging pests and diseases, and invasive non-native species, affecting people, plants, and animals.
- Following the publication of each Change Risk Assessment, the Government must lay out its objectives, policies, and proposals to address the climate change risks and opportunities. The second National Adaptation Programme (NAP2, 2018-2023), setting out these objectives, policies, and proposals, was published in 2018. The ASC is required by the Act to assess the NAP and present progress reports. The most recent report was published in 2019, concluding that climate change adaptation needs to be addressed at a national scale and the Government's response to date has not been successful;
- The National Design Guide (NDG) and the National Design Code address how the Government recognises "well-designed places" including opportunities for climate change measures. Notably the NDG defines what constitutes a well-designed place using ten characteristics under three themes of climate, character, and community. Under the climate theme, homes and buildings should be functional, healthy, and sustainable, resources should be efficient and resilient, and buildings should be made to last;
- The National Infrastructure Assessment is published every five years and analyses the UK's long-term economic infrastructure needs to create a strategic vision and recommendations. The baseline report states that climate change will increase pressures on all sectors, including economic infrastructure;
- The Clean Growth Strategy, Clean Air Strategy, Net Zero Strategy, and the 25-year Environment Plan are a suite of documents which seek to progress the government's commitment under the UK Climate Change Act to becoming net zero by 2050...

- ...The documents set out detailed proposals on how the government will tackle all sources of air pollution, whilst maintaining an affordable energy supply and increasing economic growth. This parallels with the 25-year Environment Plan, which further seeks to manage land resources sustainably, recover and reinstate nature, protect soils and habitats, increase resource efficiency, improve water quality, and connect people with the environment. The documents also interlink with the government's commitment to decarbonising transport, a recognised challenge that needs more work in a timely manner if government are to achieve net zero targets. Furthermore, the decarbonisation plan recognises the twinned need to undertake action to adapt the transport sector and increase resilience to climate change risks; and this challenge is more directly addressed through the UK's National Adaptation Programme;
- The Flood and Water Management Act was introduced in 2010 as a response to the need to develop better resilience to climate change. The Act requires better management of flood risk, creating safeguards against rises in surface water drainage charges, and protecting water supplies for consumers. Good flood and coastal risk management is further outlined through the National Flood and Coastal Erosion Risk Management Strategy (2020). At a local scale, the Swale Borough Council Level 1 Strategic Flood Risk Assessment (2020) provides understanding of flood risk within the borough to inform planning decisions and ensure sustainable development;
- The Committee of Climate Change's 2012 report entitled 'How Local Authorities Can Reduce Emissions and Manage Climate Change Risk' emphasises the crucial role councils have in helping the UK meet its carbon targets and preparing for the impacts of climate change. It outlines specific opportunities for reducing emissions and highlights good practice examples from Local Authorities;
- The Swale Climate and Ecological Emergency Action Plan (2025) outlines seven focus areas to guide the borough toward net-zero emissions, emphasising collaboration and community transformation. It highlights the potential for stronger communities, a green economy, and improved public health through climate and ecological action;

- The Kent Environment Plan sets out Kent County Council's strategy to address climate change, pollution, and biodiversity loss. It focuses on six goals (ranging from reducing carbon emissions and adapting to climate impacts to protecting natural assets and promoting a circular economy) aiming to deliver environmental improvement alongside sustainable economic growth;
- The Kent Local Flood Risk Management Strategy (2024-2034) sets out how the council, as Lead Local Flood Authority, will manage flood risks from surface runoff, groundwater, and ordinary watercourses. It strengthens collaboration between authorities, improves understanding of flood risk, and builds on lessons from previous strategies to enhance resilience across the county;
- The Kent and Medway Shoreline Pollution Emergency Plan provides a coordinated framework for responding to coastal pollution incidents. It defines roles and responsibilities, emergency contacts, operational requirements, and training needs, while consolidating shoreline access, sensitivity data, and booming plans to protect Kent and Medway's coastal environment;
- The Swale Green and Blue Infrastructure Strategy (2020-2039) emphasises the role of green and blue spaces in strengthening climate resilience. It promotes nature-based solutions to manage climate impacts, enhance biodiversity, and protect ecologically significant areas such as Swale's coastline and woodlands, while engaging communities in adaptation efforts;
- The Medway Estuary and Swale Flood and Coastal Risk Management Strategy sets out the Environment Agency's long-term plan to manage tidal defences and coastal erosion sustainably over the next century. It aims to protect communities, property, habitats, and farmland while balancing environmental, technical, and economic considerations in partnership with local stakeholders;
- The Swale Surface Water Management Plan investigates local flood risks from surface runoff, groundwater, and ordinary watercourses. Led by Kent County Council in partnership with other authorities, it identifies priority areas, proposes mitigation options, and sets out an action plan to reduce flood risk and improve resilience across Swale; and

- The Medway Estuary and Swale Shoreline Management Plan (SMP) provides a high-level framework for managing risks from coastal change in a sustainable way. It sets long-term policies to protect people, property, and the natural and historic environment, forming part of the national strategy for flood and coastal defence.

5.3. Baseline Summary

Current Baseline

Flood Risk

- 5.3.1. As shown in **Figure 5-1**, Swale Borough faces significant flood risk due to its coastal location and tidal influences from the Swale tidal channel and Medway estuaries. Most of the northern half of the borough lies within Flood Zone 3, including the main settlements of Sheerness, Sittingbourne, and Faversham, making them particularly vulnerable to tidal flooding.
- 5.3.2. Swale also experiences significant surface water flood risk, linked to its coastal geography and network of drainage channels (see **Figure 5-2**). High-risk hotspots include the Isle of Sheppey, east of Goodnestone, east of Teynham, and east of Newington, while the main settlements of Sheerness, Sittingbourne, and Faversham also face varying degrees of surface water flooding. These vulnerabilities highlight the need for targeted drainage improvements and resilience measures to manage future flood impacts.

Figure 5-1: Fluvial / Coastal Flood Risk in Swale

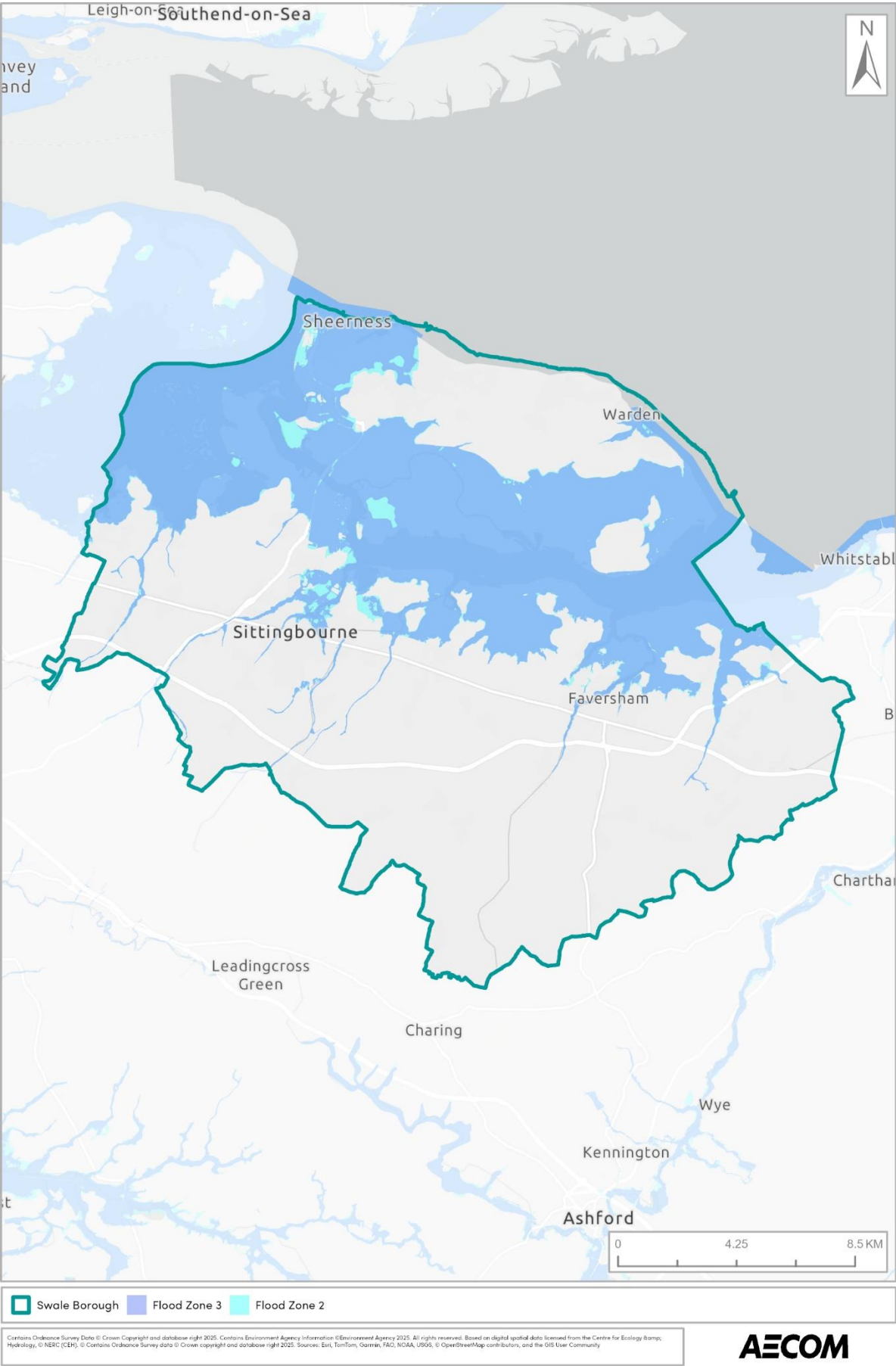
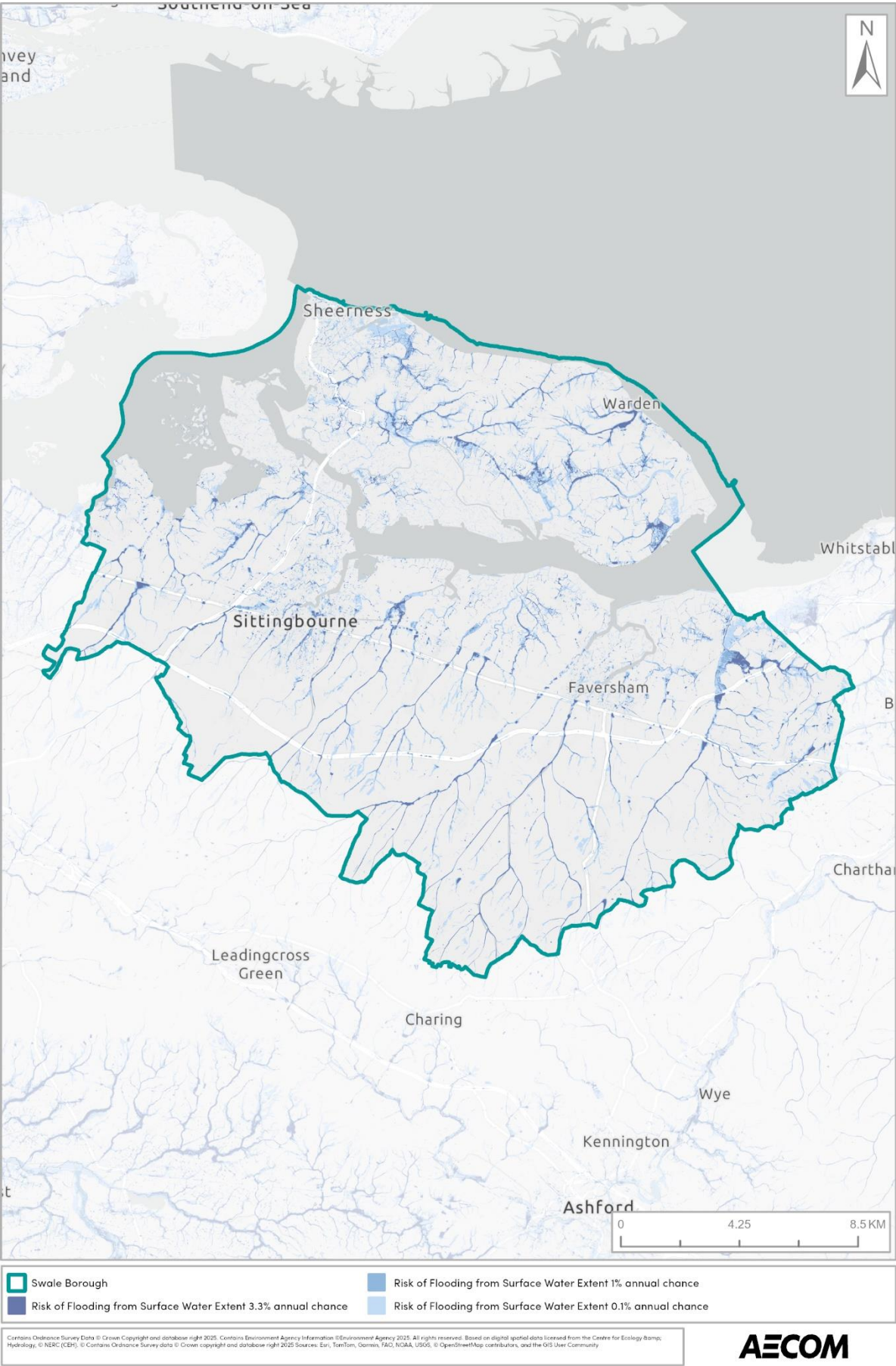


Figure 5-2: Surface Water Flood Risk in Swale



Overheating

- 5.3.3. Overheating refers to situations where indoor temperatures exceed comfortable and healthy levels, often resulting in discomfort, health risks, and increased energy consumption. In the context of climate change, overheating is becoming an increasingly significant issue, particularly in urban areas of the borough, where the combined effects of higher temperatures, reduced green spaces, and increasing urban density can exacerbate the problem. Urban heat islands (UHI) are particularly evident in areas with high population density, where concrete, asphalt, and other materials absorb and retain heat.
- 5.3.4. Adaptation measures are important to manage these risks. Guidance from Kent County Council and partners highlights practical steps such as improving shading, enhancing ventilation, and incorporating green infrastructure to cool urban environments.¹⁹ Initiatives like the Cool Towns and Cool Neighbourhoods projects (with Kent County Council as an associated partner) demonstrate how nature-based solutions and community-led interventions can reduce heat stress at neighbourhood scale. Local planning and design standards should embed these principles to ensure new developments and retrofits are resilient to future heat extremes.

Future Baseline

Impacts of Climate Change

- 5.3.5. Research on the probable effects of climate change in the UK was released in 2018 by the UK Climate Projections (UKCP18) team. UKCP18 gives climate information for the UK up to the end of this century and projections of future changes to the climate are provided, based on simulations from climate models. Projections are broken down to a regional level across the UK and are shown in probabilistic form, which illustrate the potential range of changes and level of confidence in each prediction.
- 5.3.6. As highlighted by the research, the effects of climate change for the South East by 2040 in a 'medium emissions' (RCP4.5) scenario are likely to be as follows:²⁰
- An increase in winter mean temperature of 1°C and an increase in summer mean temperature of 2°C; and
 - A change in winter mean precipitation up to +10% and summer mean precipitation up to -10%.

¹⁹ Kent County Council (no date). 'Kent's changing climate' can be accessed through [this link](#).

²⁰ Met Office (2019) 'Climate change projections over land' can be accessed through [this link](#).

5.3.7. Resulting from these changes, a range of risks exist for the borough, including:

- Effects on water resources, such as a reduction in availability of groundwater for extraction and a need to increase capacity of wastewater treatment plants and sewers;
- Adverse effect on water quality from low stream levels and turbulent stream flow after heavy rain;
- Increased risk of flooding and a need to upgrade flood defences;
- Soil erosion due to flash flooding;
- Loss of species that are at the edge of their southerly distribution and spread of species at the northern edge of their distribution;
- Health impacts, including increased risk of respiratory and cardiovascular illnesses during heatwaves, higher vulnerability among elderly and low-income populations, and mental health impacts associated with extreme weather events;
- Effects on the significance of designated and non-designated heritage assets;
- Increased demand for air-conditioning; and
- Heat stress related issues with infrastructure due to increased temperature.

5.4. Key Issues

5.4.1. Considering the policy context and baseline information, the following key issues (constraints and / or opportunities) are identified in relation to climate change adaptation:

- Parts of the borough face high risks of fluvial, coastal and surface water flooding due to nearby waterbodies. This poses a significant constraint for future development, especially in Swale Borough's main urban areas and this will be a significant consideration in developing the spatial strategy for the plan. Development must consider the requirements of the NPPF for sequential and exception testing alongside the risks and necessary flood mitigation measures;
- Increases in the built footprint of the borough has the potential to exacerbate flood risk issues;

- Climate change may reduce groundwater availability in summer and increase surface water flooding in winter, stressing drainage systems and water quality. Effective water management solutions, like sustainable drainage systems, will be needed to mitigate these risks;
- Following national trends, extreme heat events are likely to occur more frequently in the future in Swale Borough. In addition to this, drought is likely to become an increasing issue in summer. In this respect, climate change resilience strategies should form an integral part of the emerging SBLP policy framework; and
- Higher temperatures and flooding increase risks to public health, particularly in dense urban areas. Vulnerable populations will need better access to cooling and flood protection.

5.5. SA Objectives

- 5.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objectives and assessment questions in relation to climate change adaptation:

Increase resilience to the potential effects of climate change, including flood risk

- 5.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...avoid or reduce flood risk from tidal, fluvial, and surface water sources, particularly in vulnerable urban centres?
- ...incorporate sustainable drainage and water management systems to mitigate increased flood and drought risks?
- ...help reduce overheating by protecting and expanding green infrastructure and increasing permeable surfaces?
- ...support climate-resilient design and infrastructure to safeguard public health, especially for vulnerable populations?

6. Climate Change Mitigation

6.1. Focus of Theme

- 6.1.1. This theme focuses on activities in the borough that contribute to climate change mitigation, including mitigating the borough's emissions, and developing renewable energy infrastructure.

6.2. Policy Context

- 6.2.1. **Table 2-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 6-1: Plans, Policies and Strategies Reviewed in Relation to Climate Change Mitigation

Document Title	Year of Publication
National	
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>UK Climate Change Risk Assessment</u>	2022
<u>The National Design Guide</u>	2021
<u>National Model Design Code</u>	2021
<u>National Infrastructure Assessment</u>	2021
<u>Net Zero Strategy: Build Back Greener</u>	2021
<u>UK Sixth Carbon Budget</u>	2020
<u>Heat Networks: Building a Market Framework</u>	2020
<u>The Clean Air Strategy</u>	2019
<u>Clean Growth Strategy</u>	2019
<u>25-Year Environment Plan</u>	2019
<u>UK National Adaptation Programme 2018 to 2023</u>	2018
<u>How Local Authorities Can Reduce Emissions and Manage Climate Change Risk</u>	2012
<u>UK Climate Change Act</u>	2008
Local	
<u>Swale Climate and Ecological Emergency Action Plan</u>	2025
<u>Kent Environment Plan</u>	2025
<u>Swale Electric Vehicle Strategy (2022-2030)</u>	2022

Document Title	Year of Publication
<u>Swale Green and Blue Infrastructure (GBI) Strategy</u>	2020
<u>Kent and Medway Energy and Low Emissions Strategy</u>	2020
<u>Kent Renewable Energy Action Plan (Update)</u>	2017

6.2.2. The key messages emerging from the review are summarised below:

- The SBLP will be required to be in general conformity with the NPPF, which requires proactive planning to both mitigate and adapt to climate change. Planning policies are expected to improve the resilience of communities and infrastructure to climate change impacts, and support the move to a low carbon economy. The NPPF recognises the potential for planning to shape places in ways that contribute to radical reductions in greenhouse gas emissions, and deliver long-term resilience, including through reuse, regeneration, and conversion;
- The UK Climate Change Risk Assessment is published on a 5-yearly cycle in accordance with the requirements of the Climate Change Act 2008. It required the Government to compile an assessment of the risks for the UK arising from climate change, and then to develop an adaptation programme to address those risks and deliver resilience to climate change on the ground. For both the 2012 and the 2017 UK Climate Change Risk Assessment, the Adaptation Sub-Committee commissioned an evidence report aiming to understand the current and future climate risks and opportunities. The evidence report contains six priority risk areas requiring additional action between 2017 and 2022, see below:
 - Flooding and coastal change risks.
 - Risks to health, well-being, and productivity from high temperatures.
 - Risk of shortages in the public water supply, and for agriculture, energy generation and industry.
 - Risks to natural capital, including terrestrial, coastal, marine, and freshwater ecosystems, soils, and biodiversity.
 - Risks to domestic and international food production and trade; and
 - New and emerging pests and diseases, and invasive non-native species, affecting people, plants, and animals.
- Following the publication of each Change Risk Assessment, the Government must lay out its objectives, policies, and proposals to address the climate change risks and opportunities...

- ...The second National Adaptation Programme (NAP2, 2018-2023), setting out these objectives, policies, and proposals, was published in 2018. The ASC is required by the Act to assess the NAP and present progress reports. The most recent report was published in 2019, concluding that climate change adaptation needs to be addressed at a national scale and the Government's response to date has not been successful. The Sixth Carbon Budget, required under the Climate Change Act, is the legal limit of UK net greenhouse gas emissions and requires the country to reduce emissions by 78% by 2035 relative to 1990 levels. This puts the country on track to achieve net-zero emissions by 2050 at the latest;
- The National Design Guide (NDG) and the National Design Code address how the Government recognises "well-designed places" including opportunities for climate change measures. Notably the NDG defines what constitutes a well-designed place using ten characteristics under three themes of climate, character, and community. Under the climate theme, homes and buildings should be functional, healthy, and sustainable, resources should be efficient and resilient, and buildings should be made to last;
- The National Infrastructure Assessment is published every five years and analyses the UK's long-term economic infrastructure needs to create a strategic vision and recommendations. The baseline report states that climate change will increase pressures on all sectors, including economic infrastructure;
- The Clean Growth Strategy, Clean Air Strategy, Net Zero Strategy, and the 25-year Environment Plan are a suite of documents which seek to progress the government's commitment under the UK Climate Change Act to becoming net zero by 2050. The documents set out detailed proposals on how the government will tackle all sources of air pollution, whilst maintaining an affordable energy supply and increasing economic growth. This parallels with the 25-year Environment Plan, which further seeks to manage land resources sustainably, recover and reinstate nature, protect soils and habitats, increase resource efficiency, improve water quality, and connect people with the environment. The documents also interlink with the government's commitment to decarbonising transport, a recognised challenge that needs more work in a timely manner if government are to achieve net zero targets. Furthermore, the decarbonisation plan recognises the twinned need to undertake action to adapt the transport sector and increase resilience to climate change risks; and this challenge is more directly addressed through the UK's National Adaptation Programme;

- The Department for Business, Energy and Industrial Strategy released a framework for heat networks which includes proposals to increase access to renewable heat sources and achieve a net zero target by 2050;
- The Committee of Climate Change's 2012 report entitled 'How Local Authorities Can Reduce Emissions and Manage Climate Change Risk' emphasises the crucial role councils have in helping the UK meet its carbon targets and preparing for the impacts of climate change. It outlines specific opportunities for reducing emissions and highlights good practice examples from Local Authorities;
- The Swale Climate and Ecological Emergency Action Plan (2025) outlines seven focus areas to guide the borough toward net-zero emissions, emphasising collaboration and community transformation. It highlights the potential for stronger communities, a green economy, and improved public health through climate and ecological action;
- The Kent Environment Plan sets out Kent County Council's strategy to address climate change, pollution, and biodiversity loss. It focuses on six goals (ranging from reducing carbon emissions and adapting to climate impacts to protecting natural assets and promoting a circular economy) aiming to deliver environmental improvement alongside sustainable economic growth;
- The Swale Electric Vehicle Strategy (2022) highlights the growing demand for electric vehicles and outlines how Swale Borough Council will support the transition through well-planned, accessible charging infrastructure;
- The Swale Green and Blue Infrastructure Strategy (2020–2039) highlights the role of green and blue spaces in reducing carbon emissions and supporting climate change mitigation. It promotes nature-based solutions that absorb carbon, enhance biodiversity, and protect key ecological areas such as Swale's coastline and woodlands, while encouraging community involvement in sustainable practices;
- The Kent and Medway Energy and Low Emissions Strategy (2020) sets out a countywide approach to tackling the climate emergency by reducing carbon emissions and promoting clean energy. It calls for collective action from residents, businesses, and public bodies to deliver sustainable growth, improve air quality, and address fuel poverty while positioning Kent as a leader in low-carbon innovation; and

- The updated Kent Renewable Energy Action Plan revises the county's energy and emissions baseline and assesses future demand scenarios. It reviews current renewable and Combined Heat and Power capacity, explores deployment potential, and sets out actions to accelerate renewable energy growth and reduce carbon emissions across Kent and Medway.

6.3. Baseline Summary

Current Baseline

Climate Emergency

- 6.3.1. Swale Borough Council declared a climate emergency in June 2019, setting the borough on a pathway towards carbon neutrality by 2045. Since the climate emergency was confirmed in Swale, a new Climate Change Action Plan has been adopted to enable the Council to meet these commitments.

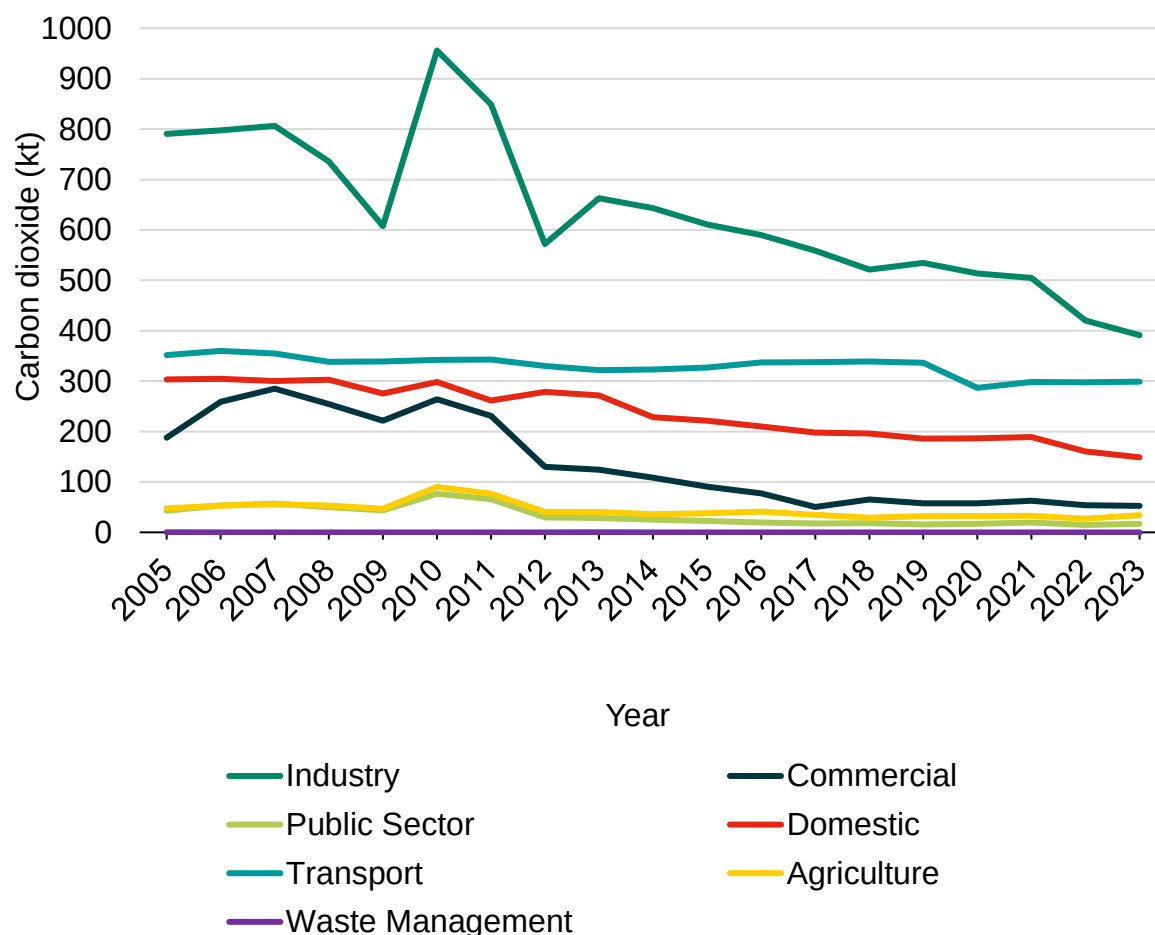
Contribution to Climate Change

- 6.3.2. The Climate Change Act 2008 (2050 Target Amendment) Order of 2019 requires carbon dioxide (CO₂) emissions from the built environment to be monitored and recorded at the local authority level. The CO₂ emissions shown in **Figure 6-1** and **Figure 6-2** are derived from data supplied by the Department for Business, Energy, and Industrial Strategy.²¹
- 6.3.3. Beginning with **Figure 6-1**, it shows that throughout the observed period, the majority of Swale Borough's territorial CO₂ emissions originated from three key sectors: industry, transport, and domestic.
- 6.3.4. Despite significant reductions in emissions over the years, the industry sector has consistently been the largest contributor in Swale, likely influenced by activities such as shipping and manufacturing.
- 6.3.5. Transport emissions are the second-largest source of CO₂ in Swale. Emissions remained relatively stable until 2019, after which there was a notable drop (likely due to reduced travel during the COVID-19 pandemic). By 2021, emissions had begun to rise again, though they remained below the 2018 levels.

²¹ Department for Business, Energy and Industrial Strategy (2025). 'UK local authority and regional carbon dioxide emissions national statistics: 2005-2023' can be accessed through [this link](#). Table 1.2.

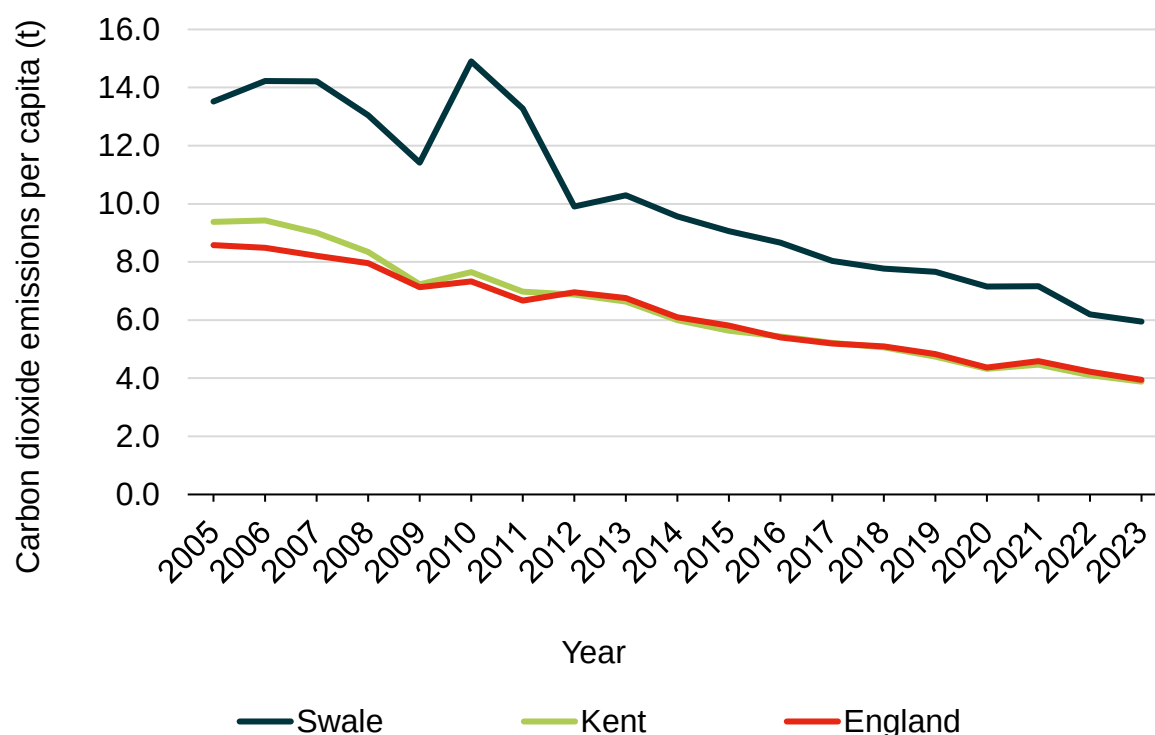
- 6.3.6. In 2005, domestic emissions were relatively high, but have since declined significantly, nearly halving by 2023. This reduction is largely attributed to the decarbonisation of the national grid and increased energy efficiency in homes.

Figure 6-1: Local Authority Territorial Carbon Dioxide Emissions Estimates Within the Scope of Influence of Swale Borough 2005-2023 (kt CO₂e)



- 6.3.7. **Figure 6-2** indicates that since 2013, CO₂ emissions per capita in Swale have remained around 50% higher than the averages for Kent and England. This difference may be attributed to the borough's industrial activity, including sectors such as manufacturing and logistics which are associated with Medway Port.

Figure 6-2: Territorial Carbon Dioxide Emissions per Capita (in Tons) for Swale Borough, and the Whole of England (2005-2023)



Renewable Energy

- 6.3.8. Electric Vehicles (EVs) do not burn fuel and create almost no noise. They are battery powered and have the potential to be 'zero-emission vehicles' (ZEVs) if powered by renewable electricity. As of July 2025, there were 124 public electric charging devices in Swale Borough.²² This figure is the third highest of all the districts and boroughs in Kent.
- 6.3.9. In terms of renewable energy, the Department for Business, Energy and Industrial Strategy publishes annual statistics on renewable energy generation, disaggregated by Local Authority.²³ The most recent data (to 2024) shows that Swale Borough has a total of 3,548 renewable energy (electricity) installations (the majority of which are photovoltaics), amounting to a total renewable electricity capacity of 809.6 MW.

²² HM Gov (2025) 'Electric vehicle charging infrastructure statistics: July 2025' can be accessed through [this link](#) Table 1a.

²³ DBEIS (2025) 'Renewable electricity by local authority, 2014 to 2024' can be accessed through [this link](#). LA-Sites 2024. LA-Capacity 2024.

Energy Efficiency

- 6.3.10. Swale faces significant challenges in improving the energy efficiency of its housing stock. With approximately 55,000 homes, the borough has one of the highest rates of inadequate loft insulation in Kent, affecting an estimated 30,000 properties.²⁴ In addition, 10,000 solid wall homes and 17,500 with empty cavities present further barriers to effective insulation due to the cost and complexity of retrofit works.
- 6.3.11. Comprehensive insulation across all homes in Swale could cost between £64 million and £151 million, but would deliver substantial benefits: an estimated £8 million in annual energy bill savings for residents and a reduction of 33,000 tonnes of CO₂ emissions per year.²⁴
- 6.3.12. Swale Borough Council has already taken steps to address energy efficiency through initiatives like the Rushenden Retrofit Programme on the Isle of Sheppey. Funded by the Community Energy Savings Programme, this national demonstrator project aims to achieve at least 40% carbon savings in both private and social housing. Phase one has delivered retrofit measures to over 60 homes, including external wall insulation, replacement glazing, new boilers, heating systems, and solar panels. Monitoring equipment has been installed to evaluate energy use and behavioural changes post-retrofit.²⁴

Future Baseline

Renewable Energy Uptake

- 6.3.13. In line with UK trends and national commitments, emissions are likely to continue to fall as energy efficiency measures, renewable energy take-up and new technologies, such as EVs and solar PV, become more widely adopted.
- 6.3.14. With regard specifically to transport emissions, the uptake of Ultra Low Emission Vehicles (ULEVs) will contribute positively towards the reduction of road transport related emissions. In line with assumptions made by the Department for Transport's 'Road to Zero' Report (2018)²⁵, it is assumed that ULEV uptake will increase rapidly in the coming decade and aside from Heavy Goods Vehicles (HGVs), many more vehicles could be ultra-low emission (powered either by hydrogen or electricity) by 2030.

²⁴ Kent County Council (no date). 'Kent Environment Strategy Briefing Note Swale' can be accessed through [this link](#).

²⁵ HM Gov (2018) 'The Road to Zero – Next steps towards cleaner road transport and delivering our Industrial Strategy' can be accessed through [this link](#).

6.4. Key Issues

6.4.1. Considering the policy context and baseline information, the following key issues (constraints and/ or opportunities) are identified in relation to climate change mitigation:

- Swale Borough Council declared a climate emergency in 2019, with a target of carbon neutrality by 2045, reinforcing the need to embed climate action in the SBLP;
- The borough's CO₂ emissions are primarily from the industry, transport, and domestic sectors. While emissions have declined, industry and transport remain significant sources, underscoring the need for targeted reductions for these sectors;
- Expanding EV infrastructure is needed to support the transition to electric mobility;
- Increasing renewable energy installations, such as solar panels and wind turbines, is important to reduce reliance on fossil fuels and lower overall CO₂ emissions in the borough; and
- The energy efficiency of Swale's housing stock is below average, requiring targeted action through the SBLP to support retrofit programmes and low-carbon building standards.

6.5. SA Objectives

6.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objectives and assessment questions in relation to climate change mitigation:

Mitigate climate change by increasing decarbonisation, with a focus on industry, transport and the built environment, increasing efficiency and reducing energy use

6.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...guide Swale Borough towards carbon neutrality by 2045 through strong emissions reductions?
- ...ensure new developments achieve high energy efficiency with monitored performance?
- ...accelerate uptake of low-carbon heating?

- ...expand EV charging infrastructure to support the shift to electric vehicles?
- ...increase renewable energy generation?
- ...promote sustainable transport options that reduce transport emissions?

7. Communities and Health

7.1. Focus of Theme

- 7.1.1. This theme focuses on promoting health, wellbeing, and safety by addressing healthcare access, health inequalities, road safety, crime prevention, and the quality of the living environment.

7.2. Policy Context

- 7.2.1. **Table 7-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 7-1: Plans, Policies and Strategies Reviewed in Relation to Health, Wellbeing and Safety

Document Title	Year of Publication
National	
<u>10 Year Health Plan for England</u>	2025
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>Levelling-up and Regeneration Act</u>	2023
<u>Streets for a Healthy Life: A companion guide to building for a Healthy Life</u>	2022
<u>Building for a Healthy Life</u>	2020
<u>Health Equity in England: The Marmot Review 10 Years On</u>	2020
<u>Planning for Sport Guidance</u>	2019
<u>The 25 Year Environment Plan</u>	2018
<u>Healthy High Streets</u>	2018
<u>Spatial Planning for Health: An evidence resource for planning and designing healthier places</u>	2017
<u>Health and Social Care Act</u>	2012
<u>Planning Practice Guidance</u>	various
Local	
<u>Swale Community Safety Plan 2025/26</u>	2025
<u>Empowering You in Swale (2024-2027)</u>	2024
<u>Kent and Medway Integrated Care Strategy (2023-2028)</u>	2023
<u>We Care Strategy (2023 to 2028)</u>	2023

Document Title	Year of Publication
<u>Swale Green and Blue Infrastructure (GBI) Strategy</u>	2020

7.2.2. The key messages emerging from the review are summarised below:

- The 10 Year Health Plan is part of the government's health mission to build a health service fit for the future. It sets out how the government will reinvent the NHS through three shifts:
 - hospital to community.
 - analogue to digital.
 - sickness to prevention.

To support the scale of change needed, the Plan outlines that the government will ensure the NHS is ready to deliver these three shifts at pace:

 - through a new operating model.
 - by ushering in a new era of transparency.
 - by creating a new workforce model with staff genuinely aligned with the future direction of reform.
 - through a reshaped innovation strategy.
 - by taking a different approach to NHS finances.
- The Government's Levelling Up and Regeneration Bill seeks to reduce regional inequalities and promote economic growth and opportunities in less prosperous areas. It has been designed to address regional disparities, stimulate economic development, and enhance infrastructure and community well-being in order to create a more balanced and inclusive nation;
- The SBLP will need to have regard for the principles set out in the NPPF, which seek to retain and enhance access to community services and facilities such as educational facilities and open spaces. The NPPF recognises the benefits of having a range of local provision to support community needs, in addition to the benefits of creating cohesive communities in safe environments where the fear of crime (and crime itself) does not undermine resident quality of life. This contributes to ensuring settlement and community identities are protected;
- As set out in the NPPF, it should be ensured that the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code...

- ...which illustrate how well-designed places that are beautiful, healthy, greener, enduring, and successful can be achieved in practice;
- The NPPF highlights the role of development plans in helping to deliver access to high quality open spaces and opportunities for sport and physical activity, therefore contributing to the health and wellbeing of communities. The health benefits of access to nature, green spaces and green infrastructure are further reiterated in the 25-year Environment Plan, which has a particular focus on the physical and mental wellbeing benefits that the environment provides.;
- The 2020 Health Equity in England Report identifies that the health gap between less and more deprived areas has grown in the last decade, where more people can expect to spend more of their lives in poor health, and where improvements to life expectancy have stalled, or even declined for the poorest 10% of women;
- The Planning for Sport Guidance seeks to help the planning system provide formal and informal opportunities for everyone to take part in sport and be physically active. The Guidance outlines 12 'planning-for-sport' principles;
- In 2017 Public Health England (PHE) published '*Spatial Planning for Health: An evidence resource for planning and designing healthier places*'. The review provides guidance on the role of the built and natural environment in shaping health impacts. The review also explores the impacts of neighbourhood design, provision of housing, transport and the natural environment on public health. Although PHE has since been replaced by the UK Health Security Agency and the Office for Health Improvement and Disparities, the guidance remains a relevant reference for planning and public health;
- In 2018 PHE produced a 'Healthy High Streets' briefing which highlights how health inequalities can be addressed in the design of the built environment. Additionally, 'Building for a Healthy Life' guidance (and its companion 'Streets for a Healthy Life') helps local council applications focus more on active travel, air quality and biodiversity;
- The Health and Social Care Act 2012 transferred responsibility for public health from the NHS to local government, giving local authorities a duty to improve the health of the people who live in their areas. This will require a more holistic approach to health across all local government functions;

- The Swale Community Safety Plan 2025/26 sets out how the Community Safety Partnership will address local safety priorities. Updated annually, it uses strategic assessments and stakeholder input to respond to emerging issues and legislative changes, ensuring actions reflect community needs;
- The Empowering You in Swale Strategy sets priorities for community development to tackle inequalities and improve residents' lives. It focuses on partnership working, skills, health, sustainability, and innovative projects to support communities facing challenges such as the cost of living, housing, and fuel crises;
- The Kent and Medway Integrated Care Strategy (2023-2028) sets out a collaborative approach to improving health and wellbeing across the region. It addresses health inequalities by tackling wider determinants such as housing, education, environment, and employment, and commits system partners to work together for better outcomes than any one organisation could achieve alone;
- The NHS We Care Strategy (2023-2028) sets out four key ambitions to transform community health services and tackle inequalities exposed by the pandemic. Co-designed with patients, carers, and staff, it focuses on improving care quality, aligning with system partners, and driving change through the power of community-based healthcare; and
- The Swale Green and Blue Infrastructure Strategy (2020-2039) recognises green and blue spaces as vital for community health and wellbeing. It sets out opportunities to create healthier, more connected environments through nature-based improvements, urban greening, and safe routes, while fostering partnerships to deliver sustainable projects that enhance quality of life for residents.

7.3. Baseline Summary

Current Baseline

Population Growth

- 7.3.1. Swale's population was 151,700 in 2021, an increase of 11.7% from around 135,800 in 2011. This growth rate is higher than the South East average (7.5%) and England overall (6.6%).²⁶
- 7.3.2. Growth has been most pronounced among older age groups, with residents aged 65 years and over increasing by 27% between 2011 and 2021, compared to 8% growth for those aged 15-64 and 9% growth for those under 15 years. This trend reflects an ageing population.

Health

- 7.3.3. Life expectancy for males in Kent (dashboard data was not available at the Swale level) during the period 2021-2023 was 79.3 years. For females, it was higher, at 83.3 years. Life expectancy for both sexes has remained relatively stable compared to a decade earlier, although life expectancy for males has dropped slightly since 2017-2019 (when it was 79.8). Despite this, Swale's figures remain broadly comparable to national averages.²⁷
- 7.3.4. In the 2021 Census, 80% of Swale's residents recorded their general health as 'good' or 'very good'.²⁸ This is slightly lower than county and national averages, which both were recorded as 82%.
- 7.3.5. Office for Health Improvement and Disparities maintain the Fingertips website, which provides health profiles for each local authority area in England, including Swale. The latest Health Profile for Swale summarises various datasets produced over recent years. **Table 7-2** provides a high-level review of Swale's performance compared to England for the 35 indicators measured (see the Fingertips for further detail).²⁹

²⁶ ONS (2022). 'How the population changed in Swale: Census 202' can be accessed through [this link](#).

²⁷ OHID (2023). 'Health Inequalities Dashboard' can be accessed through [this link](#).

²⁸ Nomis (2021). 'Query Data' can be accessed through [this link](#). See Table TS037.

²⁹ Office for Health Improvement and Disparities (no date). 'Fingertips - Swale Borough Local Authority Health Profile' can be accessed through [this link](#).

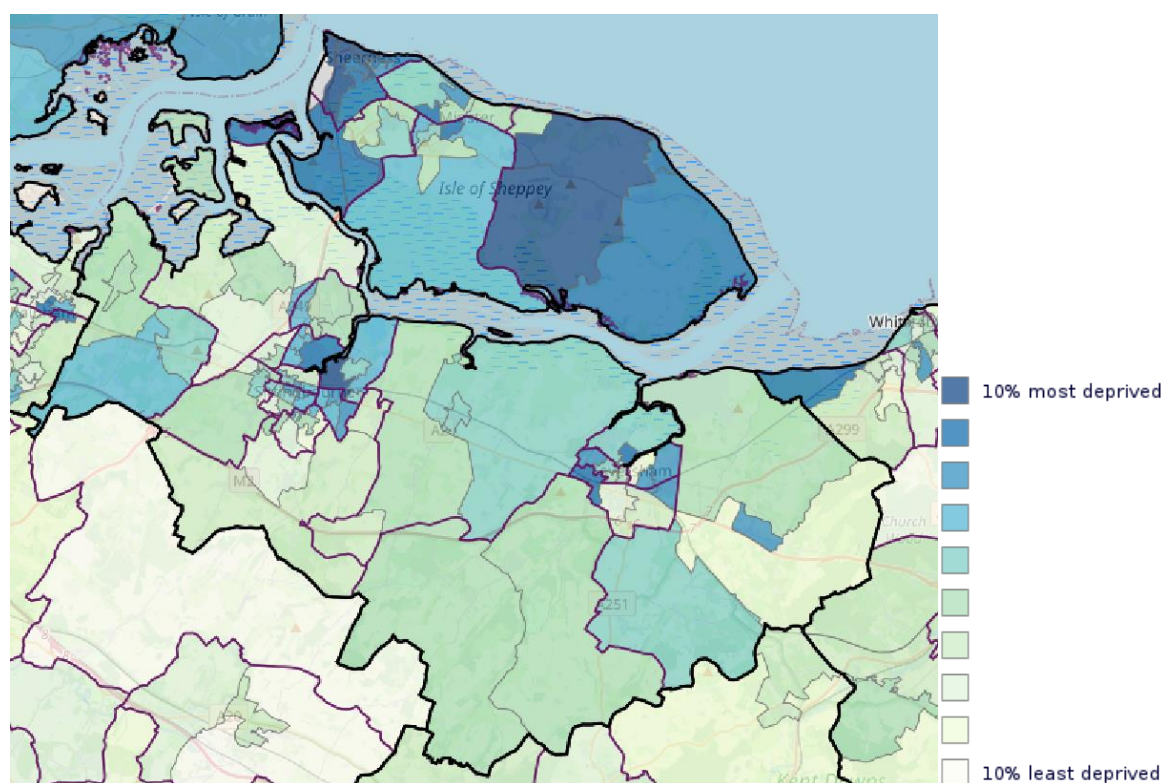
7.3.6. Overall, Swale performs similarly to or better than the national average for most indicators. However, the borough performs worse for:

- Life expectancy at birth (Male, 3 year range);
- Estimated dementia diagnosis rate;
- Under 18s conception rate;
- Year 6 prevalence of obesity (including severe obesity) (10-11 yrs);
- Average Attainment 8 score: and
- Overall deprivation score (IMD 2019).

Table 7-2: Health Summary for Swale Borough

Indicator Category (Number of Indicators)	Significantly Better than England (Better 95%)	Not Significantly Different (Similar)	Significantly Worse (Worse 95%)
Life expectancy and causes of death (8)	0	7	1
Injuries and ill health (5)	2	2	1
Behavioural risk factors (5)	1	4	0
Child health (4)	0	2	2
Inequalities (4)	0	3	1
Wider determinants of health (6)	4	1	1
Health protection (3)	2	1	0
Total	9	21	6

- 7.3.7. The Index of Multiple Deprivation 2019 (IMD) is an overall relative measure of deprivation, combining seven different domains. Of particular relevance to the Health, Wellbeing and Safety SA theme are:
- **Health deprivation and disability:** the risk of premature death and the impairment of quality of life through poor physical or mental health;
 - **Crime:** the risk of personal and material victimisation at the local level; and
 - **Living environment:** the quality of the local environment, categorised into 'indoors living environment' to measure the quality of housing and 'outdoors living environment' to measure indicators like air quality and road traffic accidents.
- 7.3.8. **Figure 7-1** shows the ranking of Swale Borough's LSOAs for the Health and Disability domain, while **Table 7-3** provides additional details on the LSOAs within Swale Borough that fall within the 50% most deprived, or worse, areas.
- 7.3.9. Analysis indicates Swale performs poorly in the Health and Disability domain, with 60% of its LSOAs within the 50% most deprived nationally, including five in the bottom 10%. Higher levels of deprivation are concentrated on the Isle of Sheppey, Faversham, and Sittingbourne.

Figure 7-1: Health and Disability IMD Domain³⁰**Table 7-3: LSOAs in Swale Borough Ranked Within 50% Most Deprived or Worse for the Health and Disability IMD Domain**

Decile	Most Deprived Indices
50% Most Deprived	14
40% Most Deprived	10
30% Most Deprived	9
20% Most Deprived	13
10% Most Deprived	5
Total	51 (out of 85)

³⁰ Ministry of Housing, Communities & Local Government (2019). 'Indices of Deprivation: 2019 and 2015' can be accessed through [this link](#).

- 7.3.10. The Government recently published a draft Outcomes Framework for Local Government, which includes a focus on health metrics.³¹ Regard can be given to those of most relevance moving forward in the SA. Also, consideration can be given to two recent publications from the Town and Country Planning Association and Royal Town Planning Institute, respectively, dealing with the links between local plan-making and health.^{32,33} Those publications both include a considerable emphasis on gathering data that can then be used to inform local plan-making.

Healthcare Facilities

- 7.3.11. Access to primary care services in Swale is a significant concern. A 2025 report by Healthwatch Kent and Diversity House found that Swale has the worst GP-to-patient ratio in the UK, with one GP for every 3,300 patients.³⁴ This shortage has led to difficulties in accessing timely care, particularly for vulnerable groups. The report also highlighted disparities in healthcare experiences based on geography, culture, and ethnicity.
- 7.3.12. Looking ahead, Swale's ageing population is likely to place further pressure on healthcare infrastructure. Older residents typically have more complex and long-term health needs, including chronic disease management, mobility support, and social care services. This demographic shift will require continued investment in both physical healthcare facilities and the workforce, with a particular focus on geriatric care and integrated community services.

Road Safety

- 7.3.13. The Department for Transport provides information on the number and nature of casualties sustained as a result of road traffic accidents reported in Great Britain's roads, with the latest available data coming from 2023.³⁵

³¹ GOV.UK (2025). 'Local Government Outcomes Framework: Call for feedback' can be accessed through [this link](#).

³² Tcra (2024). 'Planning for healthy places – a guide on embedding health in Local Plans and planning policy in England' can be accessed through [this link](#).

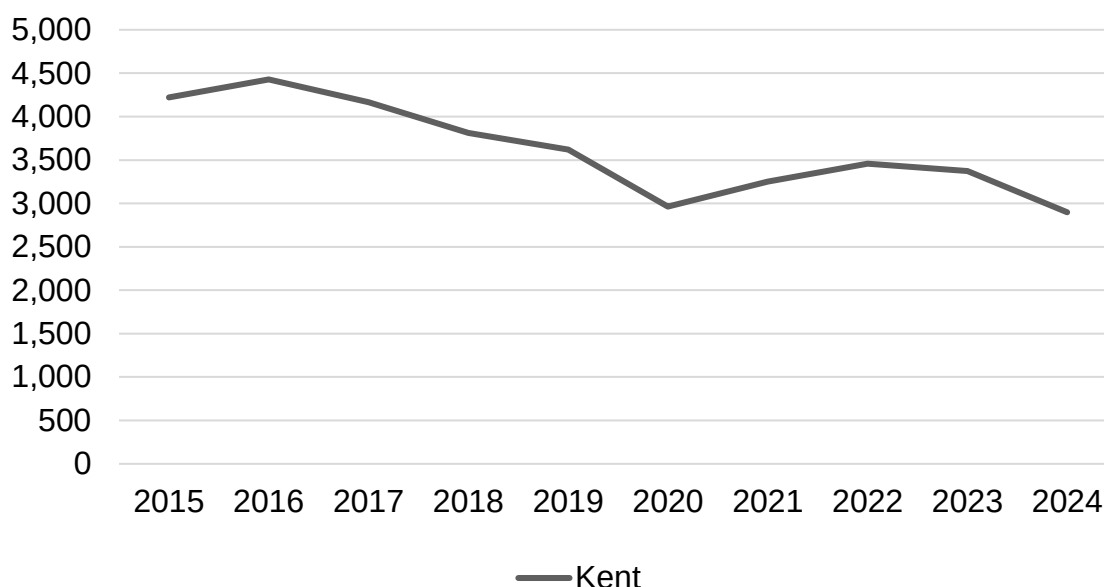
³³ RTPI (2024). 'Project: Local plans and health' can be accessed through [this link](#).

³⁴ Diversity House (2022). 'Access To Healthcare : Looking At Health Inequalities In Swale' can be accessed through [this link](#).

³⁵ Department for Transport (2023). 'Number and rates of reported road collisions by severity and local authority, Great Britain, 10 years up to 2023' can be accessed through [this link](#). [See Sheet RAS0403]

- 7.3.14. Over the last 10 years, there has been a downward trend in reported road collisions (all types) in Kent (see **Figure 7-2**)³⁶, reflecting a wide range of factors including road improvement schemes, improved vehicle safety, and national and local measures to improve the training and skills of road users and their compliance with traffic laws.

Figure 7-2: Road Collisions in Kent (All Severities)(2015-2024)



Crime

- 7.3.15. Swale experiences a slightly higher level of crime compared to other districts in Kent and across England. According to ONS, the overall crime rate in Swale for the year ending March 2025 was 96.5 crimes per 1,000 residents, which is higher than the average crime rate across similar local authority areas (including the average for Kent).³⁷
- 7.3.16. The most commonly reported crimes in Swale (as of February 2024) were:³⁸
- Violence and sexual offences;
 - Anti-social behaviour; and
 - Criminal damage and arson.

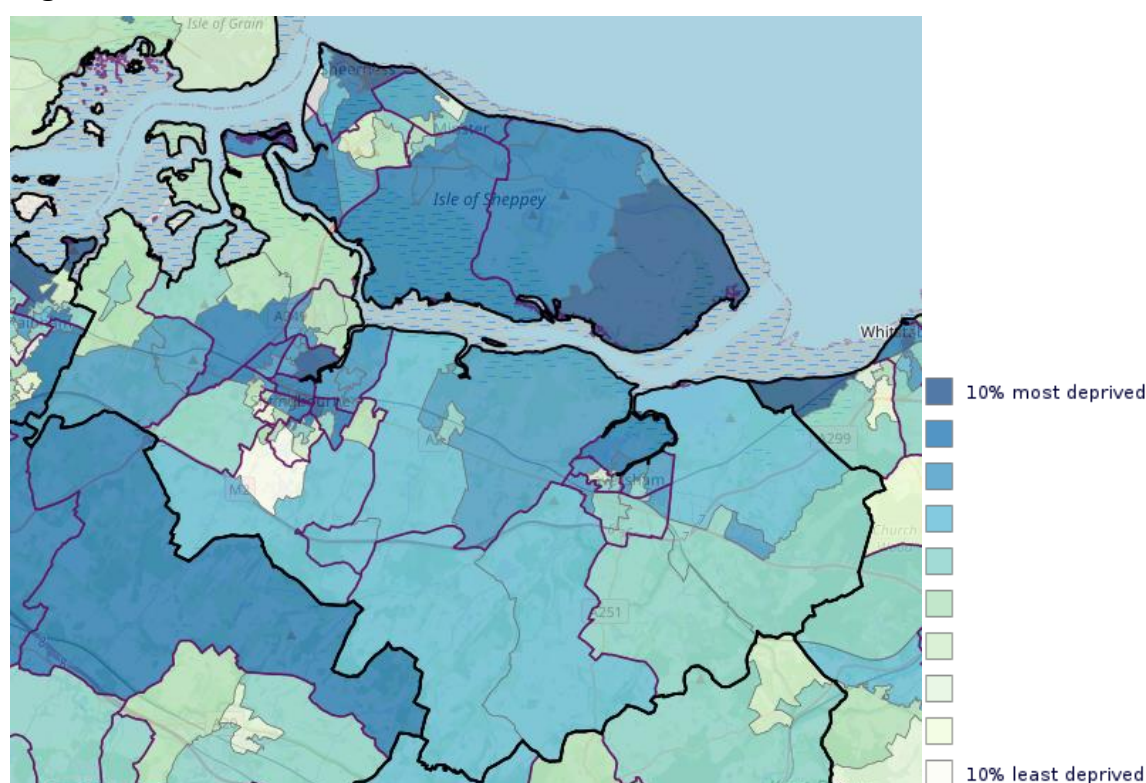
³⁶ Data for Swale was not available.

³⁷ Police.UK (2025). 'Compare your area' can be accessed through [this link](#).

³⁸ Police-uk.org (2024). 'Swale Crime Data, Postcodes, Wards, Map' can be accessed through [this link](#).

- 7.3.17. The Crime domain of the Index of Multiple Deprivation measures the risk of personal and material victimisation at local level, drawing on indicators such as recorded violence, burglary, theft, and criminal damage. **Figure 7-3** shows the ranking of Swale's LSOAs for the Crime domain, while **Table 7-4** provides additional details on the LSOAs within Swale that fall within the 50% most deprived areas.
- 7.3.18. 80% of the LSOAs in Swale Borough fall within the 50% most deprived nationally for crime, with eight LSOAs ranked in the 10% most deprived. The presence of multiple LSOAs in the most deprived category indicates a need for targeted interventions to address crime and its underlying causes in these areas.

Figure 7-3: Crime IMD Domain³⁹



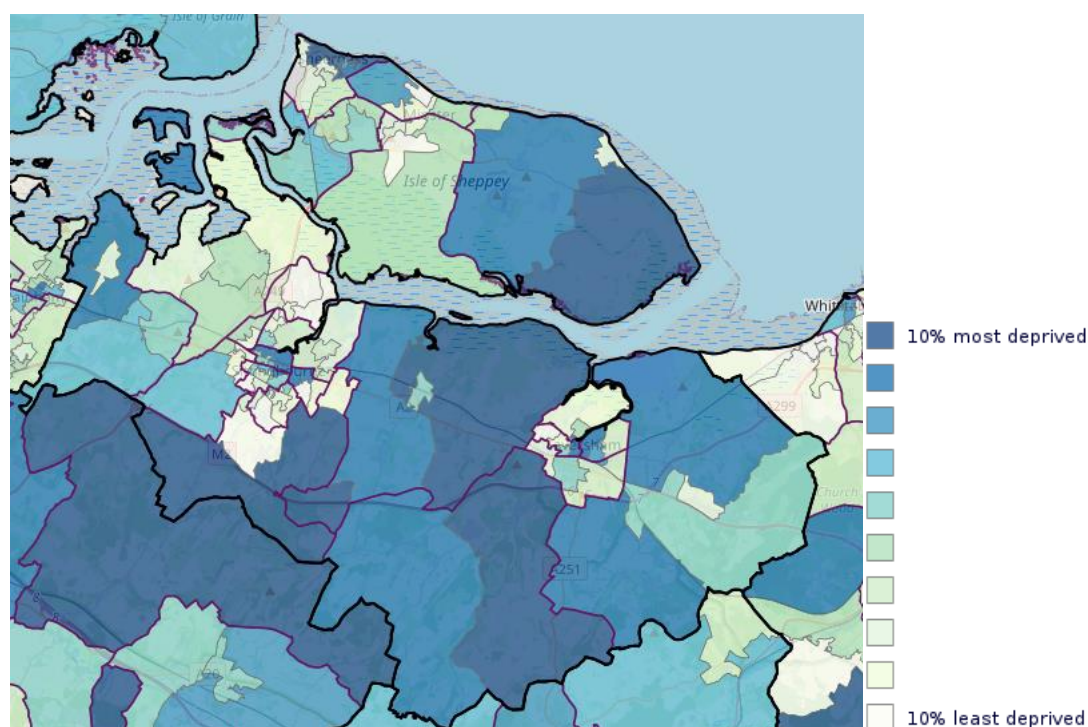
³⁹ Ministry of Housing, Communities & Local Government (2019). 'Indices of Deprivation: 2019 and 2015' can be accessed through [this link](#).

Table 7-4: LSOAs in Swale Borough Crime IMD Domain

Decile	Most Deprived Indices
50% Most Deprived	16
40% Most Deprived	6
30% Most Deprived	22
20% Most Deprived	16
10% Most Deprived	8
Total	68 (out of 85)

Living Environment

- 7.3.19. The Living Environment domain measures the quality of the local environment, combining data on housing condition and wider environmental factors. It includes indicators such as indoor housing quality, air quality, and road traffic accidents. **Figure 7-4** shows the ranking of Swale's LSOAs for the Living Environment domain, while **Table 7-5** provides additional details on the LSOAs within Swale that fall within the 50% most deprived, or worse, areas.
- 7.3.20. Swale generally performs well in this domain, with 60% of its LSOAs among the 50% least deprived nationally, though pockets of deprivation remain, primarily in the east of the Isle of Sheppey and rural central and southern areas.

Figure 7-4: Living Environment IMD Domain⁴⁰**Table 7-5: LSOAs in Swale Borough Living Environment IMD Domain**

Decile	Most Deprived Indices
50% Most Deprived	10
40% Most Deprived	4
30% Most Deprived	3
20% Most Deprived	12
10% Most Deprived	7
Total	34 (out of 85)

⁴⁰ Ministry of Housing, Communities & Local Government (2019). 'Indices of Deprivation: 2019 and 2015' can be accessed through [this link](#).

Green Infrastructure

- 7.3.21. Improving access to greenspace are increasingly being recognised as an important asset for supporting health and wellbeing. This ‘natural capital’ can help local authorities address local issues that they face, including improving health and wellbeing, managing health and social care costs, reducing health inequalities, improving social cohesion and taking positive action to address climate change.⁴¹
- 7.3.22. Swale Borough Council has acknowledged the importance of green infrastructure through its Green and Blue Infrastructure Strategy, which guides opportunities for a greener, healthier, more biodiverse and prosperous borough.
- 7.3.23. Swale benefits from a good supply of open green spaces and rivers, particularly in the peripheral areas of the borough. Many of these are accessible via the local public footpath network, including Public Rights of Way (PROW) (see **Chapter 13**), which are managed by Kent County Council to ensure safe and sustainable access for walking, cycling, and horse riding.
- 7.3.24. Three sites in Swale currently hold Green Flag status (the national benchmark for well-managed parks and green spaces):⁴²
- Milton Creek Country Park
 - Oare Gunpowder Works Country Park
 - Faversham Recreation Ground

Future Baseline

- 7.3.25. As the borough’s population grows, pressure on local services and those in surrounding authorities will increase. This underscores the need to retain existing community facilities and secure new or upgraded infrastructure where possible in future development.
- 7.3.26. An ageing population will continue to strain social care services, particularly for older adults with long-term conditions. Health inequalities may persist, especially in deprived areas. Without targeted interventions addressing chronic illness, mental health, and obesity, improvements in life expectancy could slow.

⁴¹ PHE (2020); ‘*Improving access to greenspace*’ can be accessed through [this link](#).

⁴² Swale Borough Council (2025). ‘*Award winning green spaces*’ can be accessed through [this link](#).

- 7.3.27. Development will likely increase road traffic volumes, raising accident risks, particularly for pedestrians and cyclists. Enhancing active travel infrastructure and networks will be important for safer, more sustainable transport.
- 7.3.28. Crime patterns may shift with population growth and socio-economic change, with theft and violent crime remaining concerns. Higher crime rates could persist unless community safety initiatives, youth engagement programmes, and policing strategies address root causes. Applying 'designing out crime' principles (such as improved street lighting, active frontages, natural surveillance, and well-maintained public spaces) will be important in the emerging SBLP.
- 7.3.29. Environmental pressures will grow as Swale urbanises, affecting air quality, noise, and access to green space. Maintaining and expanding parks and open spaces will be vital for public health, social cohesion, and climate resilience. Poorer air quality may become more pronounced in densely developed areas, making sustainable urban planning critical.

7.4. Key Issues

- 7.4.1. Considering the policy context and baseline information, the following key issues (constraints and / or opportunities) are identified in relation to health, wellbeing and safety:
- Population growth will increase demand for healthcare, housing, education, and community facilities, requiring coordinated infrastructure planning;
 - A significant rise in older residents will drive demand for social care, specialist services, and dementia support;
 - Deprivation hotspots, particularly on the Isle of Sheppey and parts of Sittingbourne and Faversham, continue to experience poorer community and health outcomes;
 - Swale's GP-to-patient ratio is among the worst nationally, creating barriers to timely healthcare and exacerbating inequalities;
 - Violent crime, anti-social behaviour, and theft remain concentrated in deprived areas, impacting wellbeing and perceptions of safety;
 - Maintaining and enhancing parks, open spaces, and waterways is important for health, wellbeing, biodiversity, and climate resilience.

7.5. SA Objective

- 7.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objective in relation to communities and health:

Promote and protect health, wellbeing, and safety by ensuring access to healthcare, reducing health inequalities, improving road safety, enhancing green infrastructure, and creating safe and sustainable communities

- 7.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...improve access to healthcare services and facilities for all residents?
- ...reduce health inequalities, particularly in deprived areas?
- ...support physical and mental health outcomes across different population groups?
- ...address key health challenges such as obesity and long-term conditions?
- ...enhance road safety, particularly for pedestrians, cyclists, and vulnerable road users?
- ...strengthen social cohesion and community wellbeing?
- ...reduce crime rates, particularly in hotspot areas?
- ...address residents' fear of crime?

8. Economy and Employment

8.1. Focus of Theme

- 8.1.1. This theme focuses on improving Swale Borough's economic well-being by supporting diverse employment opportunities, enhancing workforce skills, and addressing challenges like qualification gaps and the changing nature of work.

8.2. Policy Context

- 8.2.1. **Table 8-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 8-1: Plans, Policies and Strategies Reviewed in Relation to Economy and Employment

Document Title	Year of Publication
National	
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>Get Britain Working White Paper</u>	2024
<u>Planning Practice Guidance</u>	various
<u>Invest 2035: UK Industrial Strategy Green Paper</u>	emerging
Local	
<u>Kent and Medway Economic Framework</u>	2024
<u>Empowering You in Swale</u>	2024
<u>Swale Corporate Plan</u>	2023
<u>Framing Kent's Future 2022-2026</u>	2022
<u>Swale Workforce Strategy 2020 to 2025</u>	2020
<u>Swale Economic Improvement Plan</u>	2020

- 8.2.2. The key messages emerging from the review are summarised below:

- The National Planning Policy Framework (NPPF) (supported by Planning Practice Guidance) sets out the Government's planning policies for England and how these are expected to be applied. The 2024 revision emphasises the importance of aligning planning policies with economic growth objectives. It encourages local authorities to identify and support sectors crucial for modern economies, such as laboratories, gigafactories, data centres, digital infrastructure, and logistics...

- ...by facilitating appropriate development in these areas, the NPPF aims to stimulate economic activity and create employment opportunities. It requires that Local Plans should:
 - Set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;
 - Support existing business sectors;
 - Plan for new or emerging sectors;
 - Flexibility to accommodate needs not anticipated;
 - Identify priority areas for economic regeneration;
 - Facilitate flexible working practices;
 - Policies should avoid protecting land for employment where there is no reasonable prospect of a site being used for the allocated employment use; and
 - Planning policies should support economic growth in rural areas.
- The Get Britain Working White Paper, published in 2024, focusses on policies to increase employment and improve workforce skills. It is aimed at supporting economic recovery and addressing barriers to work, outlining actions to tackle unemployment, promote job creation, and ensure that individuals have the skills needed by industries to boost productivity and workforce participation.
- The emerging Invest 2035: UK Industrial Strategy Green Paper outlines plans for the future of the UK's industrial base, focusing on innovation, investment, and skills. While still emerging, its goal is to support economic growth by encouraging investment in key sectors such as manufacturing, digital, and green technologies;
- The Kent & Medway Economic Framework (2024) aims to build a productive, sustainable and inclusive economy by enabling innovative businesses, widening opportunities, and unlocking talent. It focuses on resilient infrastructure and vibrant places to attract investment, create jobs, and strengthen long-term economic growth;
- The Empowering You in Swale Strategy sets priorities for community development to tackle inequalities and improve residents' lives. It focuses on partnership working, skills, health, sustainability, and innovative projects to support communities facing challenges such as the cost of living, housing, and fuel crises;

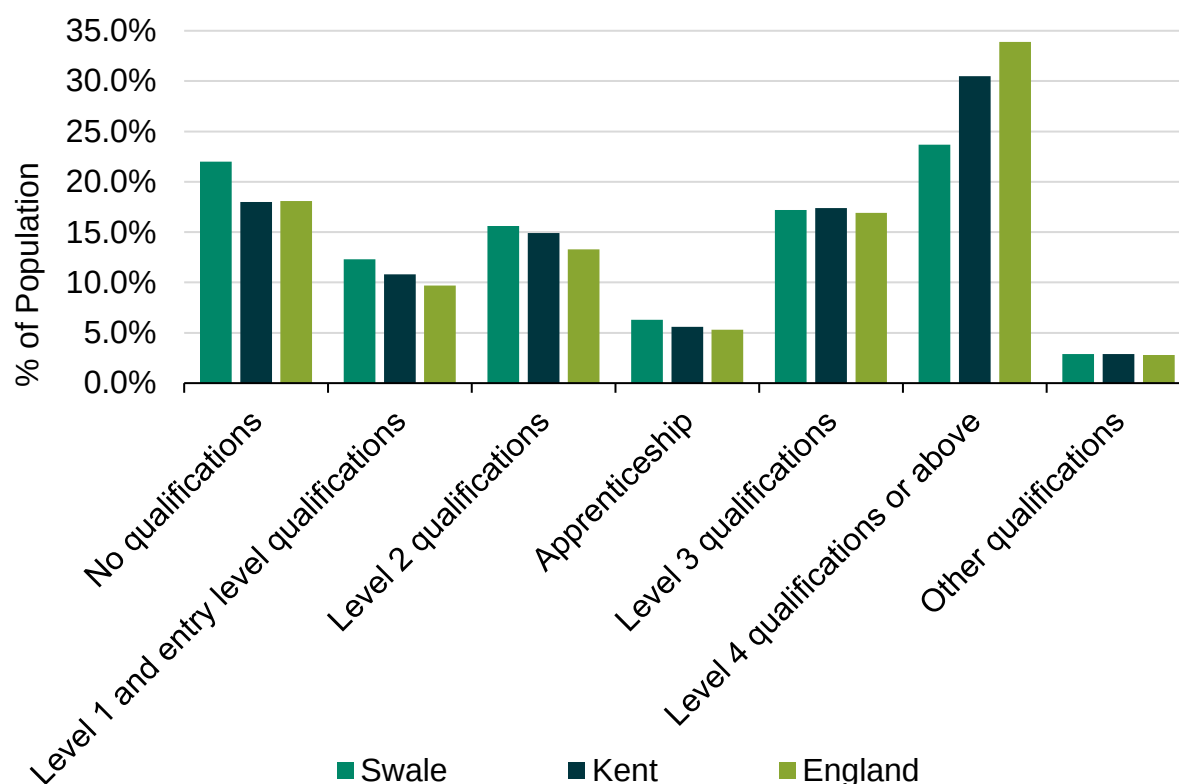
- The Swale Corporate Plan (2023–2027) aims to boost the local economy by using Levelling-Up and Shared Prosperity funds for regeneration, supporting town centre development, and implementing a Property Asset Strategy to increase income. It also focuses on skills development, an Economic Development Strategy, and sustainable transport solutions to create jobs and strengthen economic resilience;
- Framing Kent's Future (2022–2026) prioritises levelling up the county's economy, improving skills, and reducing inequalities to boost employment opportunities. It also focuses on infrastructure investment and digital connectivity, creating the conditions for business growth and a stronger workforce;
- The Swale Workforce Strategy (2020-2025) focuses on ensuring the council has the right people with the right skills to deliver services effectively. By analysing current and future workforce needs, it supports economic resilience through a skilled, adaptable workforce that underpins local employment and service delivery; and
- The Swale Economic Improvement Plan (2020-2023) focused on raising Swale's profile, attracting investment, and improving infrastructure to drive economic growth. While the plan period has now ended, its priorities (supporting local businesses and enhancing skills) remain relevant for sustaining jobs and competitiveness in the borough.

8.3. Baseline Summary

Current Baseline

Qualifications

- 8.3.1. Swale Borough's population is generally less qualified compared to regional and national rates. In the borough, only 24% of residents aged 16 and above having at least a Level 4 Qualification, as shown in **Figure 8-1**. This is lower than the regional (31%) and national (34%) comparators. There are also slightly more people in the borough that have no qualifications (22%) compared to the regional and national averages (both 18%).
- 8.3.2. The relatively lower levels of qualifications in Swale may have implications for local economic growth and employment opportunities. A workforce with fewer higher-level qualifications may limit the borough's ability to attract certain high-value industries and knowledge-based businesses. Conversely, sectors that require lower formal qualifications, such as skilled trades and administrative roles, may remain dominant within the local economy.

Figure 8-1: Highest Level of Qualification in Swale Borough (2021)⁴³

8.3.3. The Index of Multiple Deprivation 2019 (IMD) is an overall relative measure of deprivation, combining seven different domains. Of particular relevance to the Economy and Employment SA theme are:

- **Education, skills, and training:** the lack of attainment and skills in the population;
- **Employment:** the proportion of the working-age population involuntarily excluded from the labour market, including those who want to work but cannot; and
- **Income:** the proportion of the population experiencing a deprivation relating to low income.

8.3.4. **Figure 8-2** shows the ranking of Swale Borough's LSOAs for the Education, Skills and Training domain, while **Table 8-2** provides additional details on the LSOAs within Swale Borough that fall within the 50% most deprived, or worse, areas.

⁴³ Nomis (2021). 'Query Data' can be accessed through [this link](#). See Table TS067.

- 8.3.5. An analysis of this data reveals significant educational deprivation in Swale. Over 70% of the borough's LSOAs rank within the 50% most deprived areas nationally for education, skills, and training, with 22 of these in the bottom 10%. The most deprived areas are concentrated on the Isle of Sheppey and northern parts of the mainland, including Faversham and Sittingbourne. This indicates the need for both broad policy measures to improve education and targeted interventions in the most affected areas.

Figure 8-2: Education, Skills and Training IMD Domain⁴⁴

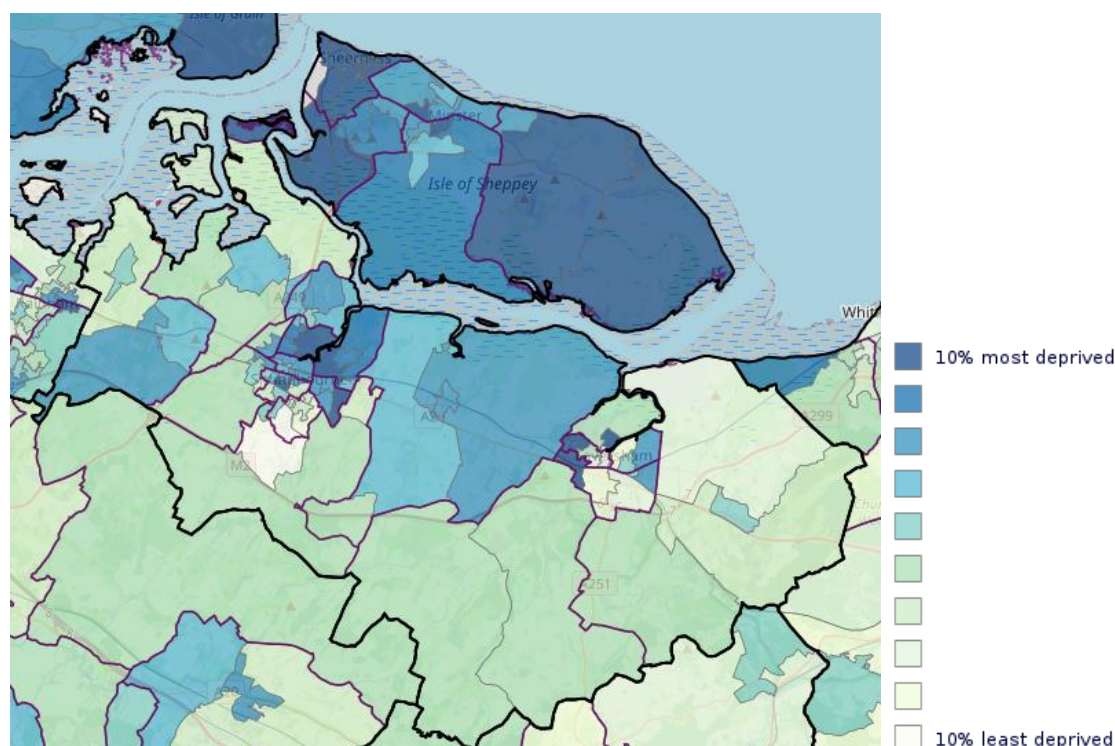


Table 8-2: LSOAs in Swale Borough Ranked Within 50% Most Deprived or Worse for the Education, Skills and Training IMD Domain

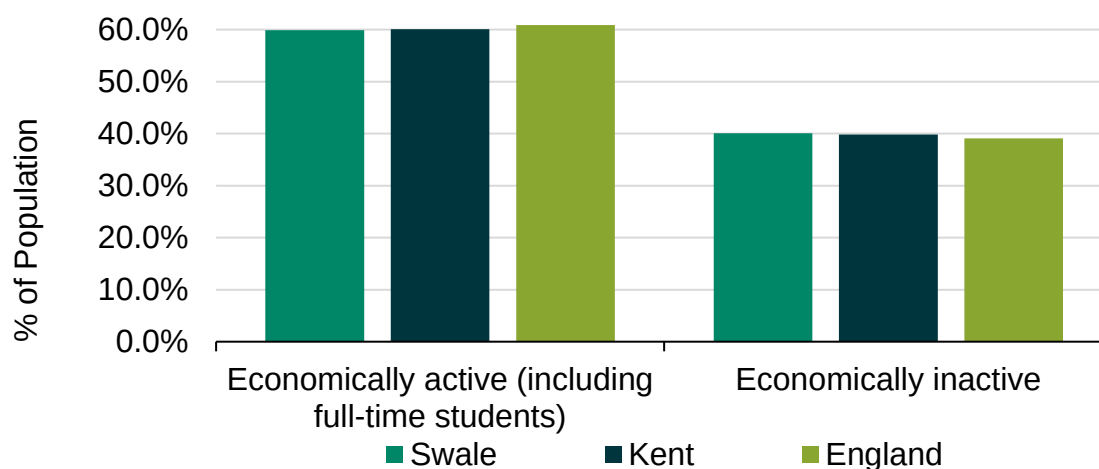
Decile	Most Deprived Indices
50% Most Deprived	6
40% Most Deprived	9
30% Most Deprived	51
20% Most Deprived	14
10% Most Deprived	22
Total	61 (out of 85)

⁴⁴ Ministry of Housing, Communities & Local Government (2019). 'Indices of Deprivation: 2019 and 2015' can be accessed through [this link](#).

Economic Activity Rates

- 8.3.6. As **Figure 8-3** illustrates, economic activity rates in Swale are broadly in line with regional and national comparators, with 59% of the population economically active compared to 60% in the South East and 61% nationally.
- 8.3.7. Swale's Economic Improvement Plan (EIP) notes that the borough's economy has experienced growth in recent years, reflected in increased activity and job availability across the borough. However there are still challenges to the local economy, including a low ratio between jobs and working age population and below-average workplace earnings.⁴⁵ The EIP emphasises the need to diversify Swale's economic base, particularly by supporting Small and Medium Enterprises, the visitor economy, and underrepresented sectors such as creative industries and professional services. It also highlights the importance of improving job quality, addressing the skills gap, and promoting sustainable growth that aligns with environmental priorities.

Figure 8-3: Economic Activity Rates in Swale Borough (2021) ⁴⁶



- 8.3.8. The Employment domain measures the proportion of the working-age population excluded from the labour market due to unemployment, sickness, disability, or caring responsibilities. It reflects the availability of and access to secure employment opportunities. **Figure 8-4** shows the ranking of Swale Borough's LSOAs for the Employment domain, while **Table 8-3** provides additional details on the LSOAs within Swale Borough that fall within the 50% most deprived, or worse, areas.

⁴⁵ Swale Borough Council (2020). 'Swale Economic Improvement Plan' can be accessed through [this link](#).

⁴⁶ Nomis (2021). 'Query Data' can be accessed through [this link](#). See Table TS066.

- 8.3.9. Employment deprivation mirrors educational deprivation, with 67% of Swale's LSOAs ranking within the 50% most deprived areas nationally for employment, including 15 in the bottom 10%.

Figure 8-4: Employment IMD Domain⁴⁷

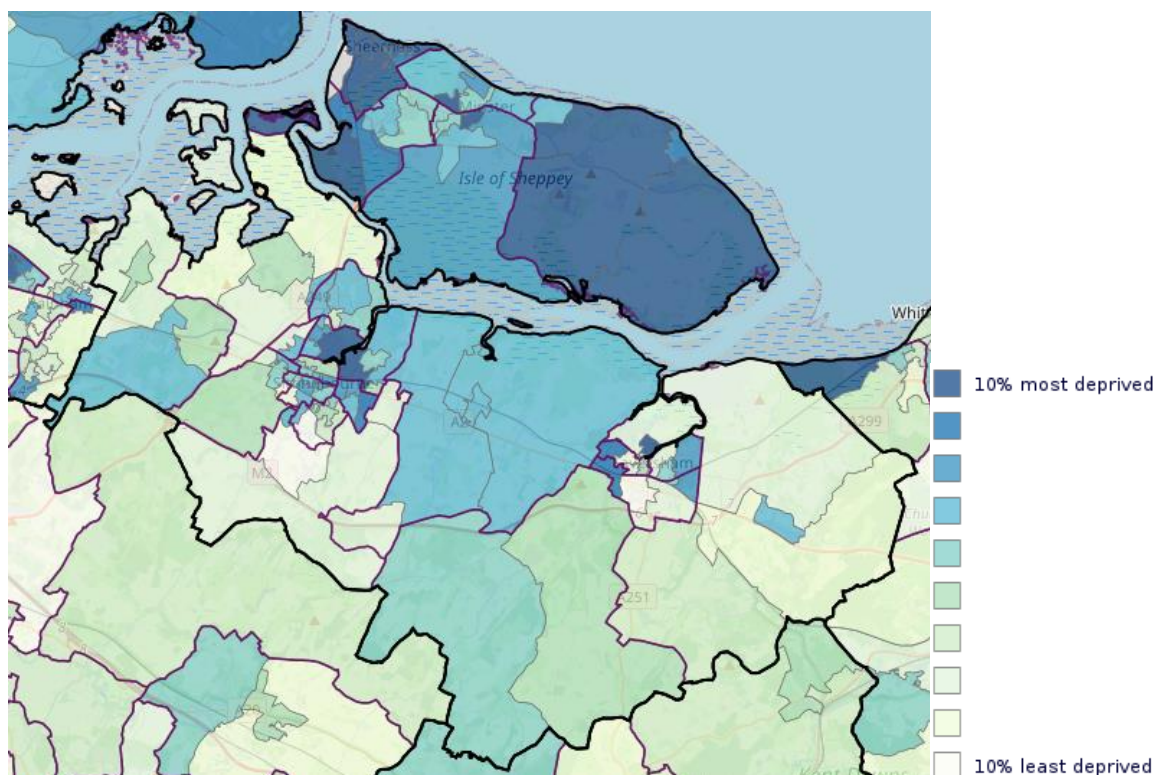


Table 8-3: LSOAs in Swale Borough Ranked Within 50% Most Deprived or Worse for the Employment IMD Domain

Decile	Most Deprived Indices
50% Most Deprived	12
40% Most Deprived	17
30% Most Deprived	21
20% Most Deprived	6
10% Most Deprived	15
Total	57 (out of 85)

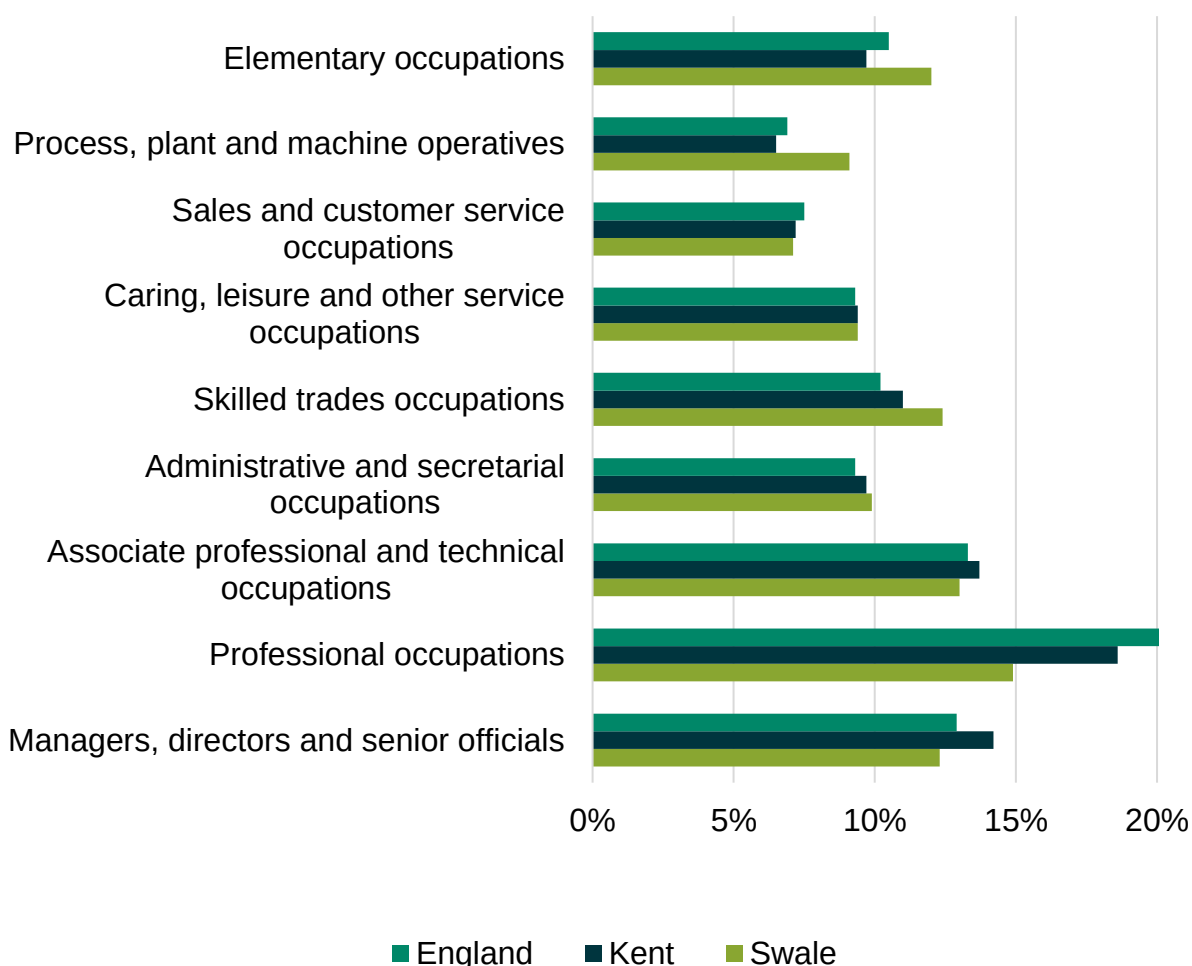
⁴⁷ Ministry of Housing, Communities & Local Government (2019). 'Indices of Deprivation: 2019 and 2015' can be accessed through [this link](#).

Occupation

8.3.10. **Figure 8-5** highlights the occupation of working-age residents in Swale.

8.3.11. Occupational data shows Swale has slightly higher shares in elementary occupations (12%) and process, plant and machine operatives (9%) compared to Kent and England averages. Skilled trades are also marginally higher. In contrast, professional occupations account for only 15% of employment, which is lower than Kent (19%) and England (20%). The remaining categories are broadly similar to regional and national patterns. Overall, Swale's employment structure leans towards traditional trades and operational roles, with fewer professional and technical positions.

Figure 8-5: The Occupation of Residents Aged 16 and Over In Employment (2021)⁴⁸



⁴⁸ Nomis (2021). 'Query Data' can be accessed through [this link](#). See Table TS063.

Income

- 8.3.12. The Income domain of the Index of Multiple Deprivation measures the proportion of the population experiencing deprivation related to low income. It captures those in receipt of income-related benefits and tax credits, reflecting the extent of financial hardship within an area. **Figure 8-6** shows the ranking of Swale Borough's LSOAs for the Income domain, while **Table 8-4** provides additional details on the LSOAs within Swale Borough that fall within the 50% most deprived, or worse, areas.
- 8.3.13. Income deprivation is significant, with 68% of Swale's LSOAs ranking within the 50% most deprived areas nationally, and 16 of these in the bottom 10%. Areas such as the Isle of Sheppey, Faversham, and Sittingbourne experience the highest levels of financial hardship.

Figure 8-6: Income IMD Domain

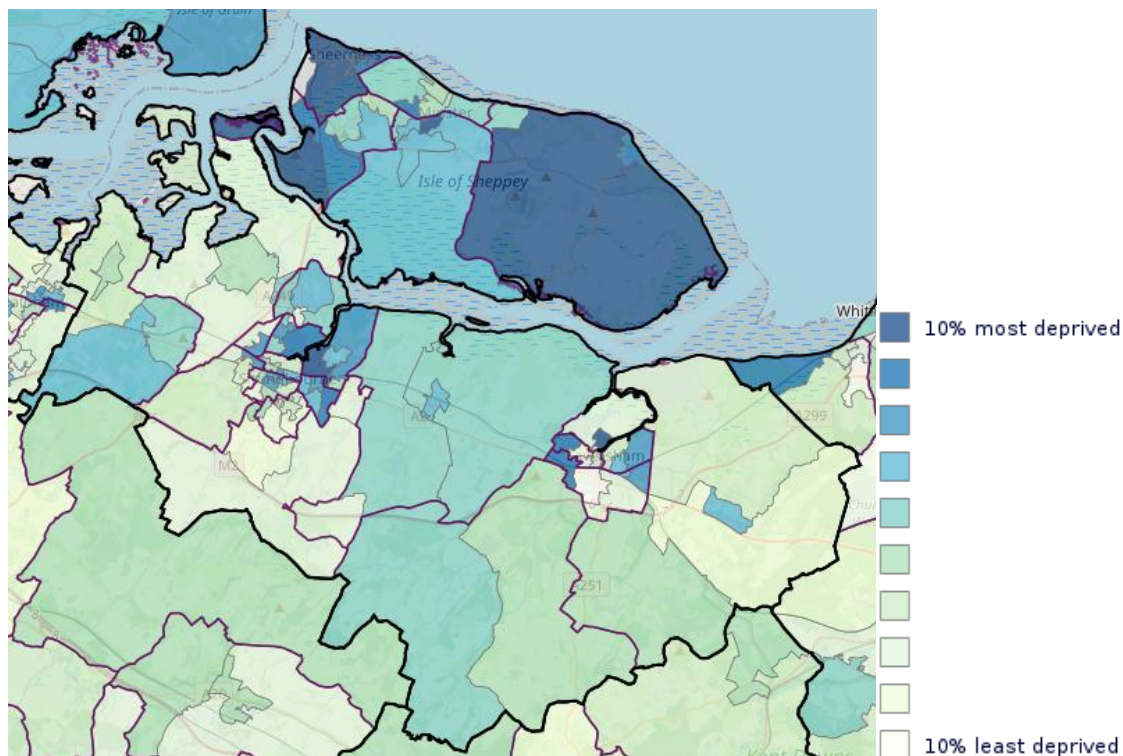


Table 8-4: LSOAs in Swale Borough Ranked Within 50% Most Deprived or Worse for the Income IMD Domain

Decile	Most Deprived Indices
50% Most Deprived	14
40% Most Deprived	13
30% Most Deprived	9
20% Most Deprived	12
10% Most Deprived	16
Total	58 (out of 85)

Barriers to the Local Economy

- 8.3.14. Swale's EIP notes that the borough faces infrastructure constraints that affect economic performance. There is a need for improved broadband connectivity, sustainable transport options, and investment in town centres to support economic activity and adapt to changing patterns of work.⁴⁹
- 8.3.15. The EIP sets out four priorities for Swale's economy: raising Swale's profile, securing investment and infrastructure, supporting local businesses, and improving skills. Actions include promoting Swale's assets to attract investment and grow the visitor economy, ensuring sufficient employment land supply, and encouraging modal shift through walking, cycling, and sustainable transport. Support for start-ups and SMEs is also important to creating a more diverse and resilient economy, alongside measures to improve the availability of co-working and grow-on space. Addressing skills deprivation is a key focus, with ambitions to enhance further and higher education provision and strengthen employer engagement in training and apprenticeships.

Future Baseline

- 8.3.16. Without significant investment in skills and higher education, Swale is likely to maintain a higher proportion of workers in elementary occupations, process and plant operatives, and skilled trades, while continuing to have fewer professional roles compared to national averages. This could influence the types of businesses attracted to the borough, with an emphasis on sectors requiring lower-to-mid-level skills.

⁴⁹ Swale Borough Council (2020). 'Swale Economic Improvement Plan' can be accessed through [this link](#).

- 8.3.17. The ongoing shift towards homeworking, self-employment, and home-based businesses is likely to shape Swale economic landscape during the SBLP period. As remote and hybrid working models become more embedded, there may be increased demand for co-working spaces, digital infrastructure, and local business hubs. This trend could provide opportunities for economic diversification and support a more resilient local economy, particularly if emerging industries such as digital services, creative industries, and technology-based enterprises are encouraged.
- 8.3.18. As housing and employment land are allocated, it will be important to ensure developments provide access to varied job opportunities and skills training initiatives to bridge qualification gaps and support a balanced, future-proof economy.

8.4. Key Issues

- 8.4.1. Considering the policy context and baseline information, the following key issues (constraints and/ or opportunities) are identified in relation to economy and employment:
- Fewer residents in Swale Borough have higher-level qualifications compared to regional and national averages, which may place reliance on in-commuting to fill high-skilled jobs and growth industries located in the borough;
 - Significant educational and employment deprivation is concentrated in areas such as the Isle of Sheppey, Faversham, and Sittingbourne, highlighting the need for targeted interventions;
 - The borough's employment structure shows slightly higher shares in elementary occupations and process, plant and machine operatives, with fewer professional roles than Kent and England, indicating a reliance on manual and operational work and associated workspaces;
 - Income deprivation affects a large proportion of the borough, with over two-thirds of LSOAs ranking within the 50% most deprived nationally;
 - Infrastructure constraints (including limited broadband connectivity, transport challenges, and town centre decline) act as barriers to economic performance and adaptation to changing work patterns;
 - Out-commuting remains high due to a low ratio of jobs to working-age population and below-average workplace earnings, reinforcing the need to create more local job opportunities and more competitive economic opportunities;

- The rise of homeworking and self-employment will increase demand for digital infrastructure, co-working spaces, and local business hubs; and
- Ensuring sufficient employment land supply based on evidenced needs is important to support a diverse economy.

8.5. SA Objective

- 8.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objective in relation to employment and economy:

Support a productive, diverse and resilient economy that provides opportunities for all

- 8.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...improve skills and qualifications among residents to support access to higher-skilled jobs?
- ...create diverse, well-paid, and locally accessible employment opportunities across the borough?
- ...support growth sectors and address existing and future skills gaps through training and education initiatives?
- ...enable flexible working through investment in digital infrastructure and adaptable workspaces?
- ...protect and enhance employment land?

9. Historic Environment

9.1. Focus of Theme

- 9.1.1. This theme focuses on designated and non-designated heritage assets and features (including archaeology) and their setting.

9.2. Policy Context

- 9.2.1. **Table 9-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 9-1: Plans, Policies and Strategies Reviewed in Relation to Historic Environment

Document Title	Year of Publication
National	
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>Levelling-up and Regeneration Act</u>	2023
<u>Historic England: Heritage and Climate Change</u>	2022
<u>Historic England Advice Note 11: Local Planning and the Historic Environment</u>	2022
<u>Historic England Advice Note 4: Tall Buildings Advice Note</u>	2022
<u>The National Design Guide</u>	2019
<u>Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management</u>	2019
<u>The 25 Year Environment Plan</u>	2018
<u>Historic England Good Practice Advice: The Setting of Heritage Assets</u>	2017
<u>Historic England Advice Note 8: Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)</u>	2016
<u>Historic England Advice Note 3: The Historic Environment and Site Allocations in Local Plans</u>	2015
<u>Enterprise and Regulatory Reform Act</u>	2013
<u>Ancient Monuments and Archaeological Areas Act 1979</u>	1979
<u>Planning (Listed Buildings and Conservation Areas) Act 1990</u>	1990

Document Title	Year of Publication
<u>Historic Buildings and Ancient Monuments Act</u>	1953
Local	
<u>Kent Heritage Conservation Strategy</u>	2022
<u>A Heritage Strategy for Swale</u>	2020

9.2.2. The key messages emerging from the review are summarised below:

- The key high-level principles for the conservation and enhancement of the historic environment are as follows:
 - The historic environment is a shared resource;
 - Everyone should be able to participate in sustaining the historic environment;
 - Understanding the significance of places is vital;
 - Significant places should be managed to sustain their values;
 - Heritage is a finite and non-renewable resource that should be conserved for the benefit of present and future generations;
 - Decisions about change must be reasonable, transparent, and consistent; and
 - Documenting and learning from decisions is essential.⁵⁰
- The significance of places is the key element which underpins the conservation and enhancement of the historic environment. Significance is a collective term for the sum of all the heritage values attached to a place, be it a building an archaeological site or a larger historic area such as a whole village or landscape;
- The Local Plan will be required to be in general conformity with the NPPF, which ultimately encourages the conservation and enhancement of historic environment assets in a manner appropriate to their significance. The NPPF seeks planning policies and decisions which are sympathetic to local character and history without preventing or discouraging appropriate innovation of change. The NPPF supports the use of area-based character assessments, design guides and codes and masterplans to help ensure that land is used efficiently while also creating beautiful and sustainable places;

⁵⁰ Historic England: Conservation Principles, Policies and Guidance

- The NPPF requires local plans to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should recognise the wider social, cultural, economic and environmental benefits that conservation can bring;
- When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, reflecting the statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings and conservation areas;
- Additionally, as set out in the NPPF, it should be ensured that the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code. Design Codes can set out a necessary level of detail in sensitive locations, for example, with heritage considerations, and they can set out specific ways to maintain local character;
- Planning Practice Guidance expands on the NPPF recognising the proactive rather than passive nature of conservation;
- A number of Acts provide the statutory framework for protecting the historic environment, all of which are relevant to Local Plan-making. The Ancient Monuments and Archaeological Areas Act 1979 establishes protection for scheduled monuments and designated archaeological areas, while the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out duties for local planning authorities in relation to listed buildings and conservation areas. The Historic Buildings and Ancient Monuments Act 1953 underpins the state's powers to acquire, preserve, and provide grants for historic properties, forming part of the wider legislative background. More recent changes were introduced by the Enterprise and Regulatory Reform Act 2013, which reformed aspects of heritage consent, including heritage partnership agreements and listed building consent orders. The Levelling-up and Regeneration Act 2023 brings reforms to the planning system, including changes to Local Plan preparation and environmental assessment, which affect how historic environment considerations are addressed;
- The role of the historic environment, as part of healthy and thriving ecosystems, landscapes and cultural values, including settlement identity, is reiterated through the key messages of the Environmental Improvement Plan and National Design Guide;

- Historic England's Advice Notes, Good Practice Advice, and Climate Change strategy provide further guidance in relation to the conservation and enhancement of the historic environment. Of particular relevance for the Local Plan is the emphasis on the importance of:
- Understanding the different types of special architectural and historic interest which underpin designations, as well as how settings and/ or views contribute to the significance of heritage assets;
 - Advising on mitigating, managing risks, and adapting to challenges posed by climate change;
 - Recognising the value of implementing controls through Local Plans, conservation area appraisals and management plans; and
 - Appropriate evidence gathering, including clearly identifying those issues that threaten an area or assets character or appearance and that merit the introduction of management measures.
- The Kent Heritage Conservation Strategy (2022) sets out a vision to conserve, enhance, and promote Kent's rich heritage for public benefit. Its five strategic aims focus on improving historic environment advice, conserving KCC assets, raising awareness, achieving financial sustainability, and addressing the climate emergency; and
- The Swale Heritage Strategy (2020-2032) sets out a vision for valuing and conserving heritage assets while addressing risks from development and climate change. Its five priorities focus on conservation, sustainable growth, local distinctiveness, tourism integration, and raising awareness of heritage's cultural and social benefits.

9.3. Baseline Summary

Current Baseline

Listed Buildings

- 9.3.1. Listed buildings are designated heritage assets, of national importance, which are protected through the Planning (Listed Buildings and Conservation Areas) Act 1990.⁵¹ To assess the historic environment, the National Heritage List for England, provided by Historic England,⁵² has been utilised. There are a total of 1,440 listed buildings in the borough:
- 1,310 Grade II;
 - 93 Grade II*
 - 37 Grade I.
- 9.3.2. A hotspot map for listed buildings in the borough is presented in **Figure 9-1**.

Scheduled Monuments

- 9.3.3. In England, scheduled monuments are nationally important archaeological sites or historical building designated and protected by Historic England under the Ancient Monuments and Archaeological Areas Act 1979.⁵³ There are 24 scheduled monuments in Swale, including prehistoric burial sites, Roman remains, and medieval fortifications.
- 9.3.4. Scheduled monuments are shown in **Figure 9-2**.

Conservation Areas

- 9.3.5. Conservation areas are places of historical or architectural importance protected under the Planning (Listed Buildings and Conservation Areas) Act 1990. Stricter planning rules apply, requiring permission for demolitions, significant alterations, or new developments to preserve their character.
- 9.3.6. Swale Borough has 51 conservation areas (see **Figure 9-2**), each with their own distinct historical character and identity.⁵⁴ These include market towns such as Faversham, rural villages, and coastal settlements.

⁵¹ UK Government (1990) 'Planning (Listed Buildings and Conservation Areas) Act' can be accessed through [this link](#).

⁵² Historic England (no date) 'National Heritage List for England – Search the List – Advanced Search' can be accessed through [this link](#).

⁵³ Ancient Monuments and Archaeological Areas Act (1979) can be accessed through [this link](#).

⁵⁴ Swale Borough Council (no date). 'Conservation Areas' can be accessed through [this link](#).

9.3.7. Fourteen conservation areas currently lack published appraisals, indicating a gap in baseline information. These include:

- Baldesmere;
- Doddington and Newnham;
- Eastling;
- Hernhill;
- Newington Church;
- Newington High Street;
- Newington Newington Manor;
- Painter's Forstal;
- Selling;
- Sheldwich;
- Stalisfield Green;
- Staplestreet;
- Throwley Forstal; and
- Whitehill.

Registered Parks and Gardens

9.3.8. Registered parks and gardens are designated areas of special historic interest in the UK, recognised for their significant landscape design, historical associations, or horticultural value. These sites are listed on the Register of Historic Parks and Gardens, maintained by Historic England, to ensure their preservation and protection for future generations. Swale has four Grade II registered parks and gardens (see **Figure 9-2**).

Heritage at Risk

9.3.9. According to the latest Heritage at Risk register (2024), 15 of Swale's heritage designations are known to be at risk⁵⁵ of being lost due to neglect, decay, or inappropriate development. This highlights vulnerability and the need for proactive management. The 'at risk' assets are listed in **Table 9-2**.

⁵⁵ Historic England (2024) '*Heritage at Risk 2024 Registers*' can be accessed through [this link](#).

Table 9-2: Swale's Heritage at Risk (2024)

Asset Type	Asset Name	Grade	Condition
Conservation Area	Milton Regis High Street		Poor
Conservation Area	Sheerness: Royal Naval Dockyard & Bluetown, Sheerness		Very bad
Conservation Area	Sheerness: Marine Town, Sheerness		Fair
Conservation Area	Sittingbourne High Street		Very bad
Conservation Area	Cellar Hill and Greenstreet, Lynsted with Kingsdown / Teynham		Poor
Listed Building	The Boat Store, Sheerness Dockyard, Sheerness	I	Very bad
Listed Building	Former Working Mast House, 26, Jetty Road, Sheerness Dockyard, Sheerness	II*	Poor
Listed Building	Church of St Giles, Church Road, Tonge	I	Poor
Listed Building	Church of St Peter and St Paul, Water Lane, Ospringe	II*	Poor
Conservation Area	Sheerness: Mile Town, Sheerness		Poor
Conservation Area	Upchurch		Poor
Listed Building	Church of St Peter, Church Road, Oare	I	Poor
Conservation Area	Newington High Street, Newington		Poor
Listed Building	Parish Church of the Holy Trinity, North Street, Milton Regis, Sittingbourne.	I	Poor
Scheduled Monument	Sheerness Defences, Swale, Sheerness		Very bad

Figure 9-1: Listed Building Hotspot Map for Swale

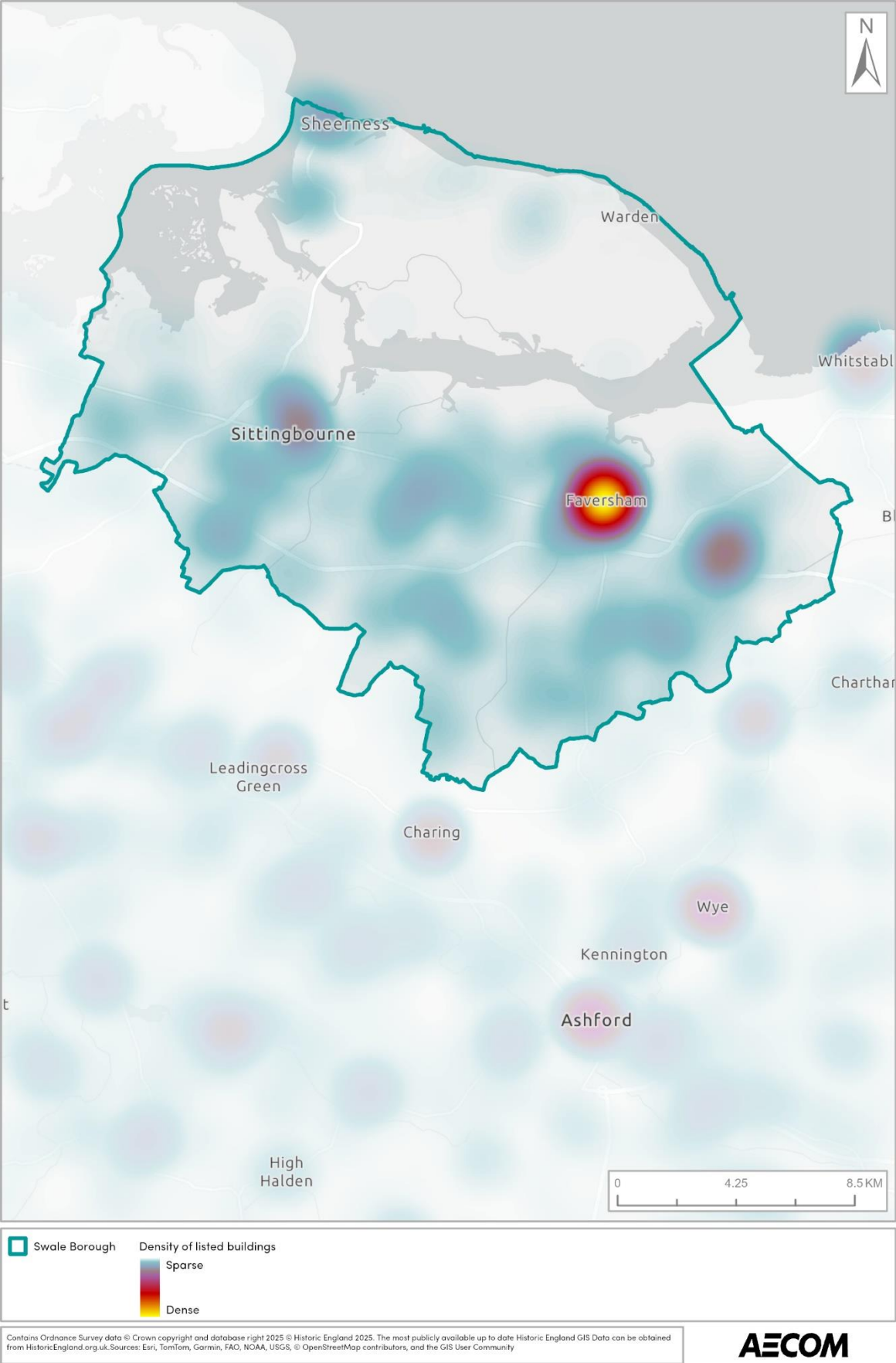
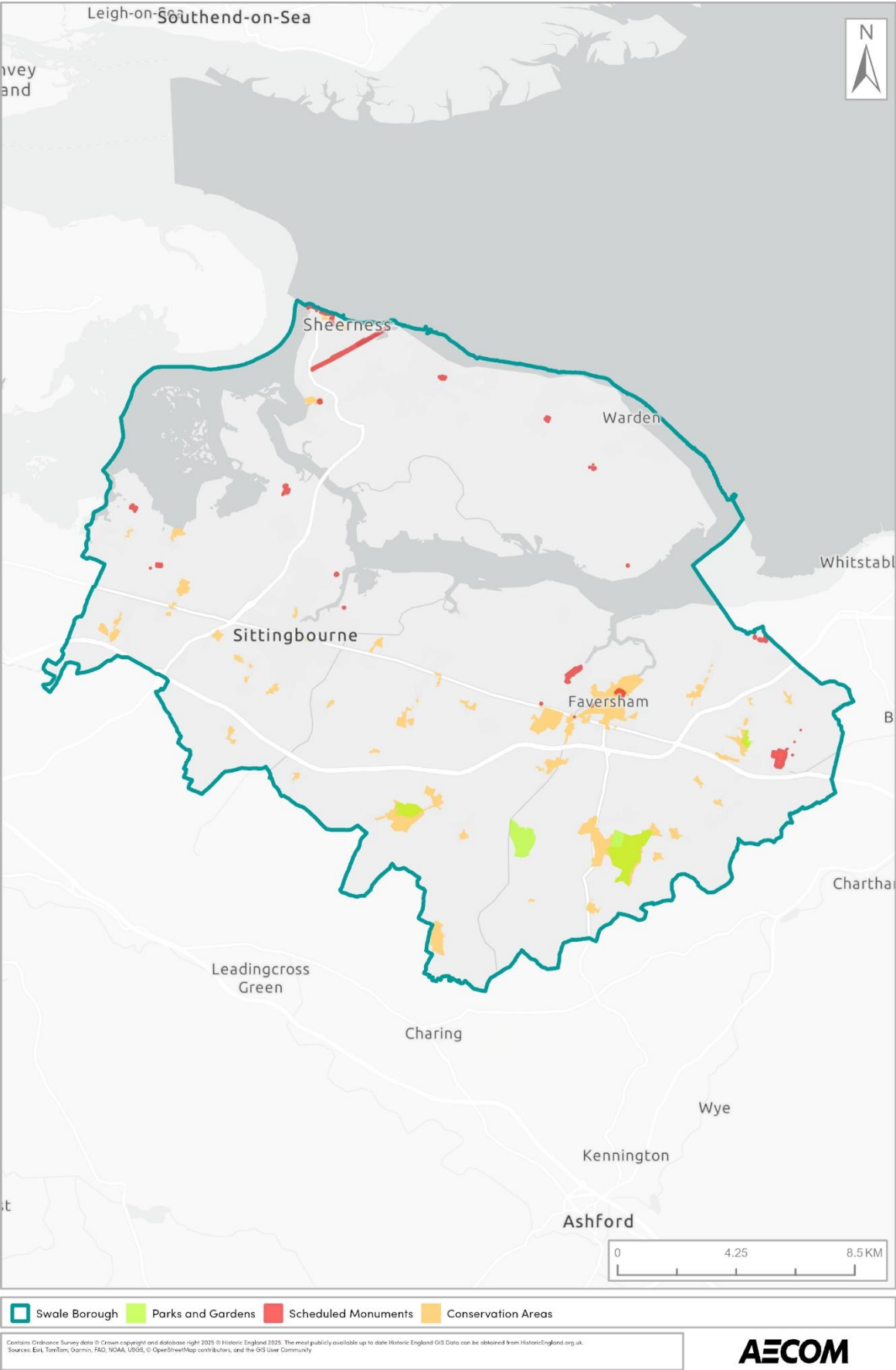


Figure 9-2: Designated Historic Environment Assets in Swale



Locally Important Heritage Features

- 9.3.10. It is noted that not all of the borough's historic environment features are subject to statutory designations and non-designated features contribute a large part of what people interact with on a day-to-day basis. Although not designated, many buildings and areas are of historic interest and are important to local communities.
- 9.3.11. As of October 2025, Swale Borough's Local Heritage List comprises 150 assets.⁵⁶
- 9.3.12. The Kent Historic Environment Record (HER) identifies important and distinctive structures or features that positively contribute to the local sense of place and distinctiveness of the county. Following a high-level review of HER website⁵⁷, there are over 6,500 documented local records returned when the term 'Swale' is input in the search bar. During the subsequent stages of the SA process, the HER and Swale Borough Council's Local Heritage List shall be explored in further detail to consider the potential impacts associated with the SBLP proposals on these assets.

Archaeological Significance

- 9.3.13. Information in this section is drawn from the Swale Heritage Strategy 2020-2032.⁵⁸
- 9.3.14. Swale has an exceptionally rich and varied archaeological resource, reflecting its strategic location at the mouth of the Thames and Medway rivers and its role as a conduit for people and trade between the continent and London. Archaeological evidence spans the entire period of human habitation, from Palaeolithic flint tools to 20th-century defence structures, and includes buried remains, earthworks, landscape features, and wrecks along the coastline.
- 9.3.15. A summary of Swale's archaeology through the ages is provided below:
- **Prehistoric Period:** Palaeolithic flint tools have been found in brickearth and gravel deposits. Neolithic and Bronze Age activity is evidenced by camps, ritual monuments, and burial sites, including extensive enclosures discovered at Kingsborough Manor on the Isle of Sheppey. Iron Age remains include hilltop earthworks at Perry Wood near Selling;

⁵⁶ Swale Borough Council (2025). 'Local Heritage List' can be accessed through [this link](#).

⁵⁷ Kent County Council (2025) 'Search' can be accessed through [this link](#).

⁵⁸ Swale Borough Council (2020). 'A Heritage Strategy for Swale' can be accessed through [this link](#).

- **Roman Period:** The borough's Roman landscape is particularly significant. The main Roman road (Watling Street) ran through Swale along the present A2 corridor, accompanied by roadside settlements at Ospringe/Syndale (the reputed site of Durolevum), Newington, and Radfield. Numerous villa sites, pottery production areas, saltworking sites in marshlands, and burial grounds have been recorded. A recent major discovery at Newington revealed a Roman road, industrial area, and a Romano-Celtic temple;
 - **Anglo-Saxon Period:** Rich cemeteries with grave goods have been found, notably the Kings Field cemetery at Faversham and sites at The Meads, Bobbing;
 - **Medieval Period:** Archaeology illustrates the origins of historic towns and villages, including Faversham and Milton as port towns and Queenborough as a planned medieval town with its castle mound still visible. Moated sites such as Castle Rough (Milton) and Sayes Court (Harty) are scheduled monuments; and
 - **Post-Medieval and Modern:** Defence heritage is extensive, including 18th-century forts, the Sheerness Lines, and First World War anti-invasion defences forming part of the Chatham Land Front. Aviation archaeology is nationally significant, with remains of early aerodromes at Eastchurch and Leysdown, linked to the pioneers of flight and later military use. Industrial archaeology includes dispersed remains of the gunpowder industry around Faversham, papermaking sites in Sittingbourne, and brickmaking landscapes across the northern borough.
- 9.3.16. Swale is also rich in marine archaeology, with foreshore and offshore areas containing archaeological remains. Submerged landscapes, hulks of barges, and wrecks such as the Second World War munitions ship USS Richard Montgomery lie along the coast. Dead Man's Island near Queenborough exposes 19th-century graves, and the unique Saxon boat discovered at Graveney Marsh in 1970 is now held by the National Maritime Museum.

Future Baseline

- 9.3.17. Whilst designated and non-designated assets will continue to be afforded protection under the provisions of the NPPF and the Local Plan, it is recognised that future development has the potential to negatively affect historic character and settings, detract from historic settlement qualities and disrupt valued viewpoints; being susceptible to insensitive design and layout in new development.

- 9.3.18. Climate change threatens heritage assets through extreme weather, rising sea levels, and erosion. Increased rainfall and humidity can accelerate material decay, while coastal sites risk permanent loss. Sustainable conservation strategies, like improved drainage and digital documentation, are important to protecting historic sites for the future.

9.4. Key Issues

- 9.4.1. Considering the policy context and baseline information, the following key issues (constraints and/ or opportunities) are identified in relation to historic environment:

- Swale Borough has a range of designated and non-designated historic assets. These must be protected from inappropriate development that could damage their historic character or settings, ensuring that future developments do not negatively impact these assets;
- Fourteen conservation areas lack published appraisals, creating gaps in baseline information;
- Fifteen heritage assets are recorded as being at risk, highlighting the need for proactive intervention and long-term conservation strategies;
- Non-designated heritage assets, including those on the Local Heritage List and recorded in the Kent HER, make a significant contribution to local character and sense of place; these require consideration in planning decisions;
- Swale's archaeological resource is exceptionally rich and varied, spanning from the Palaeolithic to the modern era, including nationally significant discoveries such as the Romano-Celtic temple at Newington. Development proposals should safeguard archaeological remains and ensure appropriate investigation and recording;
- Climate change poses a growing threat to heritage assets through flooding, coastal erosion, and accelerated material decay, particularly for assets in low-lying marshland and coastal areas;
- Future development could erode historic settlement patterns, disrupt valued views, and harm the setting of heritage assets if not carefully managed. This is particularly relevant in Faversham, a historic main town with significant heritage value and strong transport connectivity, where growth pressures may create tensions between development needs and heritage conservation;

- Planning for future growth through the SBLP will support the minimisation of impacts on heritage assets. It can also seek opportunities for public realm improvements, and accessibility improvements which can indirectly benefit access to and enjoyment of the historic environment; and
- Sustainable conservation strategies, such as improved drainage systems and digital documentation, are important for safeguarding Swale Borough's historic assets amidst future development.

9.5. SA Objective

- 9.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objective in relation to the historic environment:

Protect, conserve and enhance the historic environment, heritage assets and their setting within the borough

- 9.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...protect and conserve designated and non-designated heritage assets from harm or inappropriate development?
- ...respect and enhance the character, setting, and integrity of conservation areas and historic viewpoints?
- ...safeguard archaeological sites?
- ...address climate change risks to heritage through sustainable conservation and adaptation measures?
- ...promote public access, awareness, and enjoyment of the borough's historic environment?

10. Homes

10.1. Focus of Theme

- 10.1.1. This theme focuses on meeting housing needs, including affordable housing, housing mix (size, type, and tenure), and specialist accommodation needs.

10.2. Policy Context

- 10.2.1. **Table 10-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 10-1: Plans, Policies and Strategies Reviewed in Relation to Homes

Document Title	Year of Publication
National	
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>Levelling-up and Regeneration Act</u>	2023
<u>Homes England Strategic Plan 2023 to 2028</u>	2023
<u>Long-Term Plan for Housing</u>	2023
<u>The National Housing Federation's Vision for a Long-Term Housing Strategy</u>	2023
<u>Planning Policy for Traveller Sites</u>	2023
<u>10-Year Infrastructure Strategy</u>	emerging
Local	
<u>Kent and Medway Housing Strategy (2025–2030)</u>	2025
<u>Swale Housing, Homelessness and Rough Sleeping Strategy (2023-2027)</u>	2023

- 10.2.2. The key messages emerging from the review are summarised below:

- The NPPF sets out the government's planning policies for England and provides a framework within which local plans should be prepared. It emphasises sustainable development, efficient use of land, and delivering a sufficient supply of homes. The latest reforms to the NPPF aim to refine planning policies to better support housing supply and infrastructure needs, contributing to the government's ambition of delivering 1.5 million new homes;

- Levelling-up and Regeneration Act 2023 introduces reforms to accelerate the planning system, strengthen local democracy, and support regeneration. It aims to enable the delivery of new homes and infrastructure, aligning with the government's levelling-up agenda;
- The Homes England Strategic Plan 2023 to 2028 outlines Homes England's mission to increase housing supply, support affordable housing, and ensure sustainable development across England;
- Long-Term Plan for Housing sets out a vision for housing delivery, focusing on regeneration, urban densification, and the provision of high-quality, safe, and affordable homes in areas with high growth potential;
- National Housing Federation's Vision for a Long-Term Housing Strategy presents recommendations from housing experts and associations on delivering a long-term housing strategy, emphasising the importance of affordable housing and community well-being;
- The emerging 10-Year Infrastructure Strategy outlines the government's approach to delivering infrastructure projects over the next decade, ensuring that housing development is supported by necessary transport, utilities, and social infrastructure;
- The Planning Policy for Traveller Sites (2023) sets out the Government's planning policy for traveller sites. The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community;
- The Kent and Medway Housing Strategy (2025-2030) seeks to accelerate housing delivery and improve affordability while ensuring homes are safe, sustainable, and resilient to climate risks. It prioritises plan-led growth, infrastructure investment, and tackling homelessness to create healthy, secure communities; and
- The Swale Housing, Homelessness and Rough Sleeping Strategy (2023 - 2027) focuses on delivering affordable homes, preventing homelessness early, and reducing time in temporary accommodation. It also aims to improve private housing conditions and provide support for vulnerable households through partnerships and targeted initiatives.

10.3. Baseline Summary

Current Baseline

Population

- 10.3.1. As noted in **Chapter 7**, Swale's population was 151,700 in 2021, an increase of 11.7% from around 135,800 in 2011. This growth rate is higher than the South East average (7.5%) and England overall (6.6%).⁵⁹
- 10.3.2. Growth has been most pronounced among older age groups, with residents aged 65 years and over increasing by 27% between 2011 and 2021, compared to 8% growth for those aged 15-64 and 9% growth for those under 15 years. This trend reflects an ageing population and has implications for future housing needs.

Housing Stock (Type and Size)

- 10.3.3. The 2021 Census identifies 60,495 households in Swale. Semi-detached houses make up the largest proportion at 34%, followed by terraced houses at 30%, detached houses at 24%, and flats at 10%, with 2% in other types.
- 10.3.4. In terms of size, Swale's housing stock is predominantly medium-to-large properties: 46% are three-bedroom homes, 26% two-bedroom, 20% four or more bedrooms, and 9% one-bedroom.
- 10.3.5. Following national trends, demand for smaller homes is likely to increase due to demographic changes, including more single-person households and an ageing population.

Tenure and Affordability

- 10.3.6. Homeownership is the dominant tenure, with 67% of households owning their homes (outright or with a mortgage).⁶⁰ Private renting accounts for 18%, social renting for 13%, and shared ownership for 1%. These rates are broadly consistent with Kent but show higher ownership and lower rental compared to national averages.

⁵⁹ ONS (2022). 'How the population changed in Swale: Census 202' can be accessed through [this link](#).

⁶⁰ Nomis (2021). 'Query Data' can be accessed through [this link](#). See Table TS054.

- 10.3.7. The average house price in Swale was £292,000 in July 2025, up from £285,000 in July 2024.⁶¹ Detached homes averaged £480,000, semi-detached £312,000, terraced £249,000, and flats £154,000. Prices are lower than the South East average (£382,000) but still high relative to local incomes. House prices and private rents have risen faster than local incomes, widening the affordability gap for many households.
- 10.3.8. Private rents have also risen in Swale, averaging £1,105 per month in August 2025, an annual increase of 8%. These trends highlight a growing affordability gap for first-time buyers and lower-income households.

Housing Growth and Planned Development

- 10.3.9. Population growth has driven housing demand, and the SBLP will identify allocations to meet future needs. The major growth areas are likely to be focused on Sittingbourne, the Isle of Sheppey, and Faversham. Strategic priorities include balancing development with infrastructure capacity and environmental constraints, particularly in sensitive rural and coastal areas.

Infrastructure and Services

- 10.3.10. Swale Borough benefits from a range of infrastructure and services supporting its residential communities. The borough's transport network includes road and rail connections facilitating commuter access to central London and neighbouring areas. Essential services such as schools, healthcare facilities, and recreational amenities are distributed throughout the borough, contributing to residents' quality of life.

Homelessness

- 10.3.11. Homelessness is associated with severe poverty and is a social determinant of health. It often results from a combination of events such as relationship breakdown, debt, and adverse experiences in childhood and through ill health.
- 10.3.12. In April 2024, Swale Borough Council declared an Affordable Housing Emergency, reporting 1,859 households on the housing register in 2024/25, with high demand for affordable rented homes.⁶² The council's strategy prioritises early intervention, reducing temporary accommodation, and partnership working to prevent homelessness.

⁶¹ ONS (2025). 'Housing prices in Swale' can be accessed through [this link](#).

⁶² Swale Borough Council (2025). 'Affordable Housing Emergency – Update' can be accessed through [this link](#).

- 10.3.13. Although dated, the 2018 Homelessness Review found that parental eviction and loss of private tenancies accounted for half of all cases.⁶³ Rising housing costs, limited affordable options, and Local Housing Allowance rates below market rents have made private renting inaccessible for many low-income households, increasing demand for temporary accommodation and costs to the council.

Specialist Housing Need

- 10.3.14. The ageing population will increase demand for specialist housing and care provision. The Housing Review (2018) noted that provision for specialist accommodation in Swale is much lower than recommended. The council aims to increase housing suitable for older people, including well-designed single-level homes and extra care schemes, subject to Kent County Council's commissioning priorities.

Gypsy and Traveller

- 10.3.15. Swale's Gypsy and Traveller and Travelling Showperson Accommodation Assessment (2022/23) identifies that in 2023 there were 232 pitches across 87 sites and one Travelling Showperson's yard with one plot.⁶⁴
- 10.3.16. The assessment indicates that there is an overall need for 114 additional Gypsy and Traveller pitches across Swale Borough over the period 2022/23 to 2037/38.
- 10.3.17. To meet this need, the Council could regularise unauthorised sites and expand or intensify existing sites, potentially delivering 72-78 authorised pitches between 2023-2028, and four pitches from turnover, meeting short-term requirements and leaving a longer-term need for 34 pitches.

⁶³ Swale Borough Council (2019). '*Housing, Homelessness & Rough Sleeping Strategy (2019-2023)*' can be accessed through [this link](#).

⁶⁴ Swale Borough Council (2023). '*Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2022/23*' can be accessed through [this link](#).

Future Baseline

- 10.3.18. The population in Swale is projected to continue growing over the plan period, driven by net migration and natural change. Estimates suggest the borough could reach around 178,000 residents by the 2043, with the most significant growth among older age groups.⁶⁵ The population aged 75 and over is expected to rise sharply, increasing demand for downsizer-friendly homes, accessible housing, and specialist accommodation such as extra care and care homes. This demographic shift will require housing policies that address both affordability and adaptability for an ageing population.
- 10.3.19. The SBLP is likely to deliver an increased level of growth, reflecting government housing targets and local growth pressures. Delivery will focus on strategic allocations in Sittingbourne, the Isle of Sheppey, and Faversham, alongside smaller sites across the borough.
- 10.3.20. The construction of new housing developments in Swale Borough will put increased pressure on local services, including schools, healthcare facilities, public transport, and emergency services. As the population grows, existing infrastructure may struggle to meet rising demand, leading to overcrowded GP surgeries, longer waiting times at hospitals, and insufficient school places for children. Additionally, increased road traffic and higher usage of public transport could strain an already busy network. To ensure sustainable growth, investment in upgrading and expanding these essential services must accompany new housing developments.

10.4. Key Issues

- 10.4.1. Considering the policy context and baseline information, the following key issues (constraints and / or opportunities) are identified in relation to housing:
- Swale Borough's population grew by 11.7% between 2011 and 2021, outpacing regional and national averages. Continued growth will increase pressure on housing supply, affordability, and infrastructure;
 - Swale Borough Council declared an Affordable Housing Emergency in April 2024, highlighting the urgent need for more affordable options, including social rent, shared ownership, and low-cost private rental properties;

⁶⁵ ONS (2019). 'National population projections: 2018-based' can be accessed through [this link](#).

- The housing stock is dominated by medium-to-large homes, while demographic trends (such as an ageing population and more single-person households) are driving demand for smaller properties;
- Planned housing growth must be supported by investment in schools, healthcare, transport, and digital infrastructure to avoid service strain and congestion;
- The over-75 population is projected to rise significantly, increasing demand for downsizer-friendly homes and specialist accommodation, including extra care and assisted living;
- Homelessness remains a major challenge in the borough, with 1,859 households on the housing register in 2024/25 and high demand for affordable rented homes, highlighting the need for proactive prevention and support services; and
- There is an identified need for 114 additional Gypsy and Traveller pitches by 2037/38. Many existing pitches are on unauthorised or tolerated sites, requiring regularisation and suitable site allocations in the SBLP.

10.5. SA Objective

- 10.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objective in relation to the housing:

Support the delivery of a range of housing to meet identified needs, with a focus on improving affordability for those most in need

- 10.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...increase the supply of affordable and accessible housing for all residents, including lower-income and vulnerable groups?
- ...deliver a balanced housing mix that meets the needs of different household types, including smaller homes and specialist housing for older people?
- ...address homelessness and provide appropriate accommodation for Gypsy and Traveller communities?
- ...ensure that housing growth is supported by adequate infrastructure, services, and community facilities?

11. Landscape

11.1. Focus of Theme

- 11.1.1. This theme focuses on designated/ protected landscapes within or near to the borough, as well as landscape character, landscape quality, and visual amenity.

11.2. Policy Context

- 11.2.1. **Table 11-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 11-1: Plans, Policies and Strategies Reviewed in Relation to Landscape

Document Title	Year of Publication
National	
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>Protected Landscapes Targets and Outcomes Framework</u>	2024
<u>Environmental Improvement Plan</u>	2023
<u>National Model Design Code</u>	2021
<u>The National Design Guide</u>	2019
Local	
<u>Kent Downs National Landscape Management Plan 2021-2026</u>	2021
<u>Swale Green and Blue Infrastructure (GBI) Strategy</u>	2020
<u>River Medway and Swale Estuary Shoreline Management Plan</u>	2010

- 11.2.2. The key messages emerging from the review are summarised below:

- The SBLP will be required to be in general conformity with the NPPF which gives great weight to conserving and enhancing protected landscapes, as well as landscape character and scenic beauty. The NPPF recognises the role of green infrastructure in landscape settings, as well as the importance of designated biodiversity sites, habitats, woodland, historic features, agricultural land and cultural landscapes. The positive contribution that land remediation can make in terms of addressing despoiled, degraded, derelict, contaminated and unstable land is also recognised;

- The Protected Landscapes Targets and Outcomes Framework sets out a shared, non-statutory ambition for all 44 of England's Protected Landscapes, including National Parks and National Landscapes. It establishes targets for these areas to contribute to national environmental and climate commitments, including the 30by30 goal to protect 30% of land and sea for nature by 2030. The framework is designed to be embedded within Protected Landscape management plans, ensuring consistent and effective delivery of nature recovery, climate resilience, and public access objectives across these designated areas;
- The Environmental Improvement Plan and National Design Guide complement each other with their aims for a cleaner, greener country which puts the environment first and celebrates the variety of natural landscapes and habitats. Design is focused on beautiful, enduring and successful places, which respond to local character and provide a network of high quality green open spaces;
- The National Model Design Code states that all design codes should include a landscape and open space strategy that incorporates the existing natural features and new structural elements. It recognises that landscapes can be major drivers in the design process;
- Management plans for National Landscapes (NLs) within, and in proximity of, the National Park should influence policies in the SBLP. A management plan has been made for Kent Downs NL, which contains aims and objectives for the conservation and enhancement of the NL;
- The Swale Green and Blue Infrastructure Strategy (2020-2039) recognises green and blue spaces as important ecosystems and landscape features for both people and wildlife, guiding opportunities to enhance biodiversity across the borough. It supports habitat protection, community engagement, and nature-based improvements, particularly in areas of international ecological importance such as Swale's coastline and woodlands; and
- The Medway Estuary and Swale SMP provides a high-level framework for managing risks from coastal change in a sustainable way. It sets long-term policies to protect people, property, and the natural and historic environment, forming part of the national strategy for flood and coastal defence.

11.3. Baseline Summary

Current Baseline

Nationally Protected Landscapes

- 11.3.1. There is one nationally protected landscape within Swale: Kent Downs, covering large areas in the south of the borough. The NL is characterised by rolling chalk hills, ancient woodlands, and picturesque valleys. The landscape also features historic sites such as medieval churches, ancient pathways like the Pilgrims' Way and traditional Kentish villages.⁶⁶
- 11.3.2. There are no other NLs within 10 km of the borough's boundary.

National Character Areas

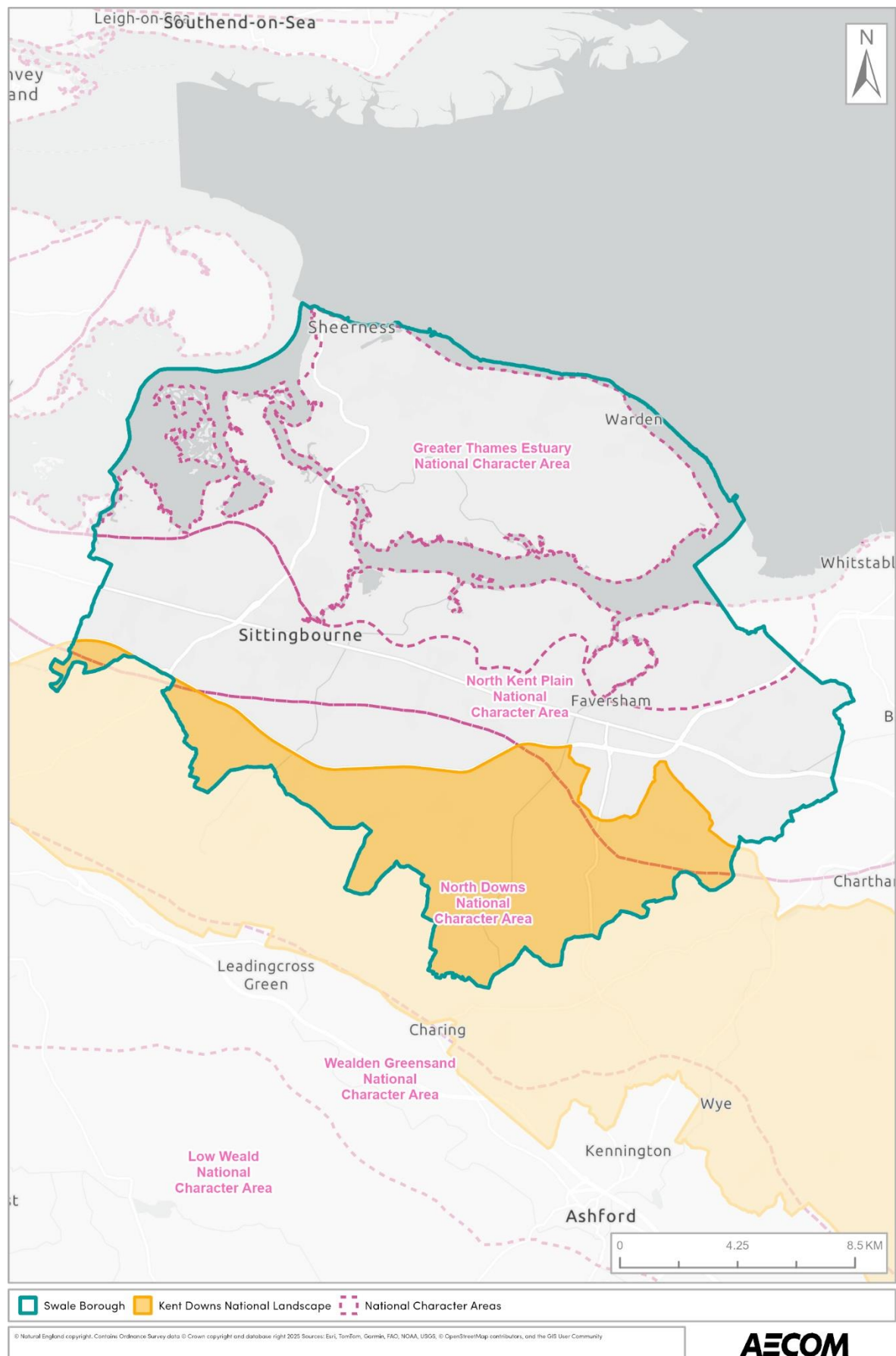
- 11.3.3. Swale is covered by three National Character Areas (see **Figure 11-1**):
- Greater Thames Estuary (NCA81): Located in the northern third of the borough, covering Swale's mainland northern coast and the Isle of Sheppey. The NCA is a remote, low-lying coastal landscape of estuaries, mudflats, salt marshes, and reclaimed marshland stretching from the North Sea inland along the Thames. Environmental opportunities for the NCA include:
 - Conserve coastal habitats and processes: Maintain and enhance the remote coastal landscape and its internationally important habitats by addressing climate change, coastal squeeze, and supporting natural coastal dynamics.
 - Support sustainable land management: Work with landowners to improve biodiversity, geodiversity, soil and water quality, and climate resilience, while preserving the area's agricultural productivity and historic character.
 - Protect estuarine tranquillity and heritage: Conserve the estuary's peaceful character by enhancing coastal habitats and safeguarding its distinctive historic and geological features, while promoting responsible recreation.
 - Guide sustainable development: Promote development that respects local character, integrates green infrastructure, supports ecosystem services, and protects key habitats and heritage features.

⁶⁶ Kent Downs (no date). 'What is special about the Kent Downs?' can be accessed through [this link](#).

- North Kent Plain (NCA 113): Running through the borough's central belt, encompassing the towns of Sittingbourne and Faversham. The NCA is a low, open, and fertile agricultural landscape between the Thames Estuary and Kent Downs, known for its arable farming, fruit-growing heritage, and scattered ancient woodlands. Environmental opportunities for the NCA include:
 - Sustain farmed landscapes and heritage: Maintain the historic, farmed character of the landscape by enhancing ecological networks, supporting biodiversity and geodiversity, improving soil and water quality, and preserving traditional fruit-growing practices that reinforce Kent's identity as the Garden of England.
 - Manage coastal change: Support natural coastal processes and sustainable management to protect landscape character, enhance biodiversity, reduce flood risk, and create opportunities for habitat and recreation.
 - Conserve and connect woodlands: Protect and manage ancient semi-natural woodlands, expand broadleaved woodland where appropriate, and improve habitat connectivity to support biodiversity and recreational use.
 - Enhance urban character and green infrastructure: Protect urban heritage and character while planning new green spaces and corridors to support development, enhance local distinctiveness, and deliver social and environmental benefits.
- North Downs (NCA 119): Located in the southern third of the borough, partially overlapping with the Kent Downs NL. The NCA is a scenic chalk landscape stretching from Surrey to Dover, marked by traditional villages, ancient lanes, and distinctive architecture, with much of the area designated for its outstanding natural beauty. Environmental opportunities for the NCA include:
 - Conserve rural character and heritage: Manage and enhance the North Downs' historic landscape, settlement patterns, and cultural landmarks while protecting its tranquillity for future generations.
 - Enhance and manage woodlands: Restore and sustainably manage diverse woodlands for biodiversity, cultural value, recreation, and climate resilience, while supporting local timber and biomass markets.
 - Promote sustainable farming: Support mixed farming and protect semi-natural habitats like chalk grassland through sustainable practices that benefit the environment and maintain food production.
 - Deliver multifunctional green space: Plan for well-managed green infrastructure in urban and fringe areas to provide social, environmental, and economic benefits while reinforcing local landscape character.

- 11.3.4. The ecosystem services provided by the three NCAs should be protected, including food provision, water availability, regulating soil erosion, regulating soil quality, regulating water quality, sense of place / inspiration, sense of history, recreation, biodiversity, and geodiversity.

Figure 11-1: National Landscapes and National Character Areas in Swale



Swale Local Landscape Designations

- 11.3.5. In support of the SBLP, a Local Landscape Designation review report was published.⁶⁷ The report highlights the rich and varied landscapes of Swale and provides a summary of the borough's landscape context.
- 11.3.6. At the county level, Swale contains three Areas of High Landscape Value (Kent Level), which are considered strategic landscape assets:
- The lower dip slope to the north of the National Landscape and associated dry valleys - North Kent Downs;
 - The marshlands along the Swale's coastal edge forming part of the North Kent Marshes SLA extending across the Borough boundaries; and
 - Blean Woods in the east forming part of the wider complex of ancient woodland in Canterbury District.
- 11.3.7. At the borough level, four Areas of High Landscape Value (Swale Level) have been identified as locally important strategic assets:
- Tonge and Luddenham;
 - Iwade, Newington and Lower Halstow;
 - Boughton Street, Hernhill, Dargate and Staplestreet; and
 - Sheppey Court and Diggs Marshes.
- 11.3.8. These designated areas are illustrated in Figure 1.1 of the Local Landscape Designation Review.⁶⁷
- 11.3.9. In addition to these designations, the Swale Landscape Character and Biodiversity Appraisal identifies 42 individual Landscape Character Areas across the borough, reflecting the diversity and complexity of Swale's landscape.⁶⁸
- 11.3.10. This landscape evidence provides a valuable baseline for understanding the sensitivity of different areas to change, and supports the assessment of potential environmental effects within the SA.

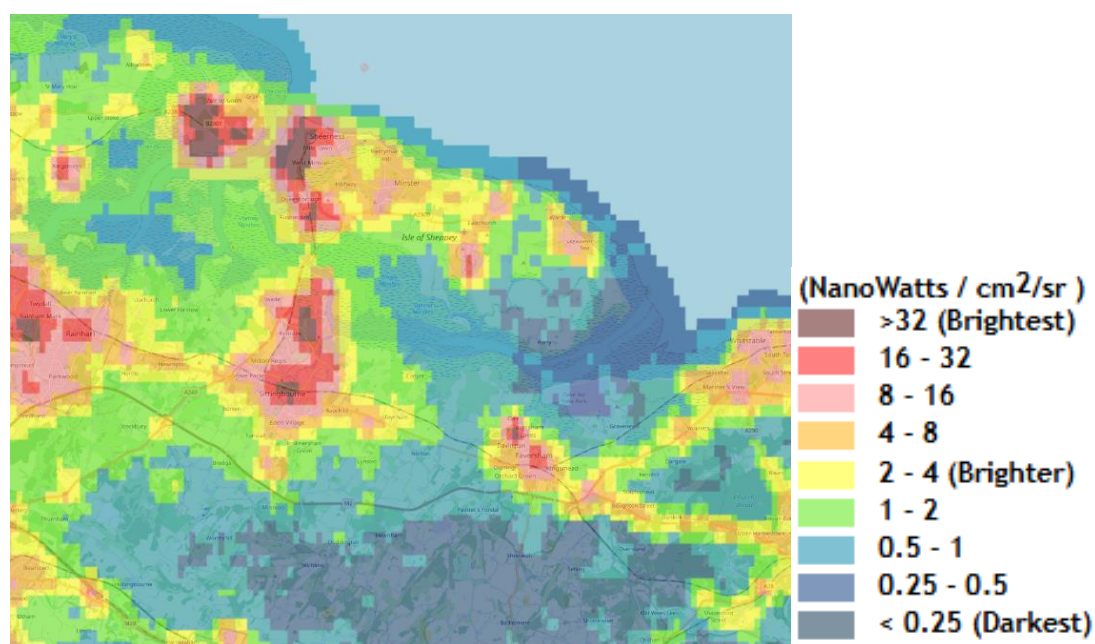
⁶⁷ LUC (2018). 'Swale Local Landscape Designations - Review and recommendations' can be accessed through [this link](#).

⁶⁸ Jacobs (2011). 'Swale Landscape Character and Biodiversity Appraisal' can be accessed through [this link](#).

Dark Skies and Tranquillity

- 11.3.11. Tranquillity is an established component of landscape character, recognised in planning guidance and case law as contributing to the quality and enjoyment of rural areas. Tranquil areas typically exhibit low levels of visual intrusion, artificial lighting, and noise, supporting biodiversity, recreation, and cultural heritage. Dark skies are similarly valued for their ecological benefits and contribution to sense of place, with national guidance encouraging minimisation of light pollution.
- 11.3.12. Light pollution affects the sense of remoteness and tranquillity for which the area is valued. In 2016, Campaign to Protect Rural England (CPRE) produced an interactive map depicting the level of light pollution and dark skies in Britain.⁶⁹ As shown in **Figure 11-2**, the borough's least tranquil areas are concentrated along major transport corridors (the M2, A2, A249, and A299) and around urban centres such as Sittingbourne, Faversham, and Sheerness. These areas experience high levels of traffic, lighting, and built development, reducing opportunities for quiet recreation and dark skies. In contrast, the most tranquil zones occur in Swale estuary and parts of the North Kent Downs, where open landscapes, limited development, and low light levels prevail.
- 11.3.13. Development in less tranquil areas of the borough may have limited additional impact, whereas proposals affecting the coastal areas or rural downs could significantly erode these qualities.

Figure 11-2: Swale Tranquillity Map⁶⁹



Source: CPRE

⁶⁹ CPRE (2016). 'England's Light Pollution and Dark Skies' can be accessed through [this link](#).

- 11.3.14. A further study conducted by CPRE in 2023 suggests that areas of ‘severe’ light pollution have been documented in several locations in the borough (including Sheerness, Faversham and Lower Halstow), based on the number of stars visible to the naked eye in the night sky.⁷⁰ The study does not discuss results on a local scale, however concluded that around three quarters of people living in the UK have an obscured view of the night sky.

Local Countryside Gaps

- 11.3.15. A review of Local Countryside Gaps around Sittingbourne, Upchurch and Sheerness was published in 2025.⁷¹ The report assessed six designated gaps in Swale (see Figure 1.1 of the review), using criteria including: existing settlement identity and pattern; landscape character; visual character; gap extent; boundary defensibility; and potential for enhancement.
- 11.3.16. Most gaps were found to fully meet the criteria for continued designation. In contrast, the gap between Sittingbourne and Bobbing (SG6) was recommended for removal due to its dominance by transport infrastructure and lack of rural character.
- 11.3.17. The findings offer important context for understanding how future development might affect the character and function of the borough’s landscapes, and will help inform the assessment of spatial options and environmental effects within the SA.

Local Views

- 11.3.18. It is useful to note that views of and across the borough are also an important factor to consider in the planning process, as the scale, height, and mass of development can ultimately impact on important views. Changes like development and landscape change can see these important views and vistas degraded overtime. The emerging LWNP may designate locally important viewpoints to provide additional protection to these assets.

Tree Preservation Orders

- 11.3.19. A Tree Preservation Order (TPO) is a legal measure used by local planning authorities to protect specific trees, groups of trees, or woodlands from being cut down, topped, lopped, uprooted, or otherwise damaged without prior consent. TPOs are typically placed on trees that offer significant amenity value to the local environment. Similar protections are afforded trees within designated conservation areas.

⁷⁰ CPRE (2023). ‘*Star Count 2023*’ can be accessed through [this link](#).

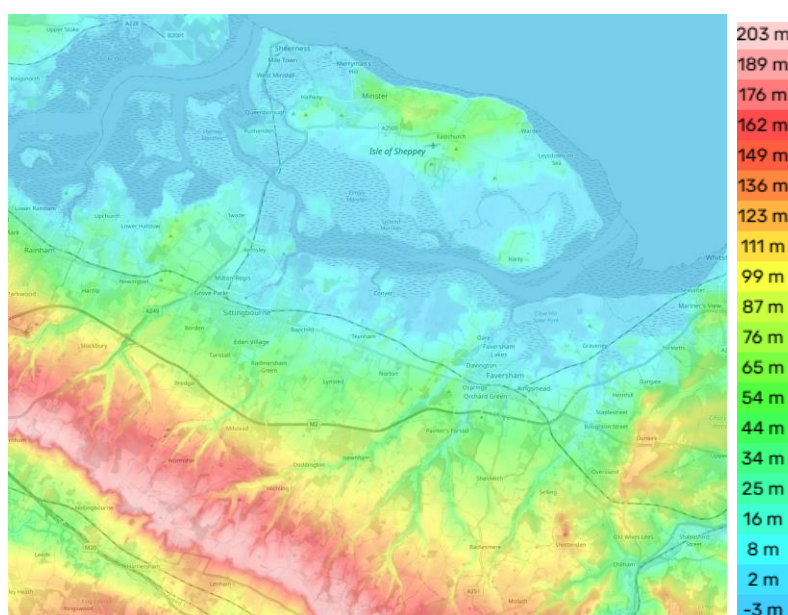
⁷¹ LUC (2025). ‘*Swale Important Local Countryside Gaps*’ can be accessed through [this link](#).

- 11.3.20. Swale contains a number of TPOs across the borough, reflecting the value placed on its trees and woodlands for their contribution to local character, biodiversity, and landscape quality.

Topography

- 11.3.21. In terms of the Swale Borough's topography, the borough's landscape transitions from hilly terrain in the south to flatter, lower-lying areas in the north.
- 11.3.22. The southern parts of the borough are characterised by rolling hills and elevated ground. Moving north, the elevation gradually decreases, with areas like Sittingbourne and Faversham sitting at a moderate level. The terrain continues to flatten towards the north of the borough, towards the coastal landscapes.
- 11.3.23. It is therefore recognised that any future growth within the southern area of the borough is likely to be relatively elevated in the landscape in comparison to the surrounding areas.

Figure 11-3: Topography of Swale Borough⁷²



Future Baseline

- 11.3.24. Urban growth in Swale is likely to change the landscape, particularly due to its rural areas and green spaces. New developments could place pressure on the surrounding countryside, including areas of high environmental value. Considered site selection and design will be necessary to maintain the borough's rural character and prevent the erosion of important green spaces.

⁷² Topographic-map.com (2025). 'Home', available through [this link](#).

- 11.3.25. New development has the potential to lead to incremental changes in landscape quality within and surrounding the borough. This could place increased pressure on Swale's designated landscapes. Development also has the potential to disrupt views to and from Swale Borough, especially if built in the south of the borough.
- 11.3.26. Climate change may alter Swale Borough's landscape, with potential adverse effects anticipated on its green spaces, historic assets, local wildlife, and agricultural land.
- 11.3.27. Coordinated delivery of green infrastructure, recreational spaces, and any regeneration opportunities could support landscape enhancements in the borough. The SBLP therefore presents an opportunity to plan for development in a way which minimises landscape impacts and maximises improvement/ enhancement to the landscape resource where possible.

11.4. Key Issues

- 11.4.1. Considering the policy context and baseline information, the following key issues (constraints and / or opportunities) are identified in relation to the landscape SA theme:
- The Kent Downs NL requires safeguarding from inappropriate development, including within its setting, to maintain its scenic quality, cultural heritage, and ecosystem services;
 - Development should respect the distinct characteristics of the Greater Thames Estuary, North Kent Plain, and North Downs National Character Areas, including their biodiversity, agricultural heritage, and sense of place;
 - Areas of High Landscape Value (Kent and Swale levels) and the 42 Landscape Character Areas are sensitive to change and should be considered in spatial planning;
 - Tranquillity and dark skies are vulnerable to light pollution and visual intrusion; development near transport corridors may have limited additional impact, but proposals affecting marshlands or rural downs could significantly erode these qualities;
 - Local countryside gaps remain important for preventing settlement coalescence and preserving rural character;
 - Existing Tree Preservation Orders and conservation area protections should be maintained to safeguard amenity value and biodiversity;

- Elevated areas in the south are more visually prominent, requiring careful design to avoid adverse landscape impacts;
- Expansion of settlements could threaten green spaces and natural features, requiring careful site selection and design to maintain rural character; and
- Climate change may impact Swale Borough's green spaces, historic assets, agricultural land, and biodiversity. Planning for climate resilience, including habitat restoration and green infrastructure, is essential for maintaining landscape quality.

11.5. SA Objective

- 11.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objective in relation to landscape:

Protect and enhance the character and quality of the landscape, including green infrastructure corridors

- 11.5.2. The following questions will help assess how well each option supports the SA objective. Will the Option help to:

- ...conserve nationally and locally designated landscapes, including the Kent Downs NL and Areas of High Landscape Value?
- ...respect the distinctive features and character of the Greater Thames Estuary, North Kent Plain, and North Downs National Character Areas?
- ...preserve tranquillity and dark skies, avoiding significant increases in noise or light pollution?
- ...integrate and promote green infrastructure, including tree planting, parks, and natural corridors, to support biodiversity, recreation, and climate resilience?

12. Soils and Natural Resources

12.1. Focus of Theme

- 12.1.1. This theme focuses on the quality of soil resources the extent of mineral resources in the borough, and includes consideration of related issues such as waste management, landfill sites, and the redevelopment of brownfield land.

12.2. Policy Context

- 12.2.1. **Table 12-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 12-1: Plans, Policies and Strategies Reviewed in Relation to Soils and Natural Resources

Document Title	Year of Publication
National	
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>The 25 Year Environment Plan</u>	2018
<u>Safeguarding our Soils: A strategy for England</u>	2009
Local	
<u>Kent Minerals and Waste Local Plan (2024–2039)</u>	2025
<u>Kent Mineral Sites Plan</u>	2020
<u>Swale Contaminated Land Strategy</u>	2010

- 12.2.2. The key messages emerging from the review are summarised below:

- The SBLP will be required to be in general conformity with the NPPF, which seeks to protect high quality soil resources; recognising the wider benefits of natural capital and derived from ecosystem services. Furthermore, the NPPF recognises the need to take account of the long-term implications of climate change and build resilience in this respect. The NPPF encourages efficient land use, utilising brownfield land opportunities and land remediation schemes where appropriate and delivering environmental gains;
- The NPPF places a requirement on mineral planning authorities to prepare an annual Local Aggregate Assessment (LAA), which reports on the demand for and supply of aggregates in their area. The relevant LAA for Swale Borough is Kent's 11th Local Aggregate Assessment (2023);

- The 25-year Environment Plan presents a focus for environmental improvement in the next couple decades, with aims to achieve clean air, and reduced risk from environmental hazards. This includes measures to improve soil quality, restore and protect peatlands, reduce pollution, maximise resource efficiency and minimise environmental impacts. This leads on from and supports the soil strategy for England (Safeguarding our soils) which seeks to ensure that all England's soils will be managed sustainably, and degradation threats tackled successfully by 2030, as well as the national waste plan which seeks to identify measures being taken to move towards a zero-waste economy;
- The Kent Minerals and Waste Local Plan (2024-2039) reaffirms a commitment to sustainable resource management and climate action, promoting a circular economy and near elimination of landfill. It safeguards mineral supply chains and wharves while ensuring extraction and waste practices minimise carbon impacts and protect landscapes, biodiversity, and communities;
- The Kent Mineral Sites Plan identifies specific locations for quarrying essential minerals to support growth, ensuring extraction is managed without causing unacceptable harm to communities or the environment. It also promotes site restoration for recreational use and biodiversity, balancing resource provision with landscape and ecological protection;
- The Swale Contaminated Land Strategy (2021-2026) sets out how the council will identify and manage land posing unacceptable risks to health or the environment, following DEFRA statutory guidance. It promotes a proportionate, evidence-based approach to investigations and remediation, while supporting residents and guiding developers on contamination issues.

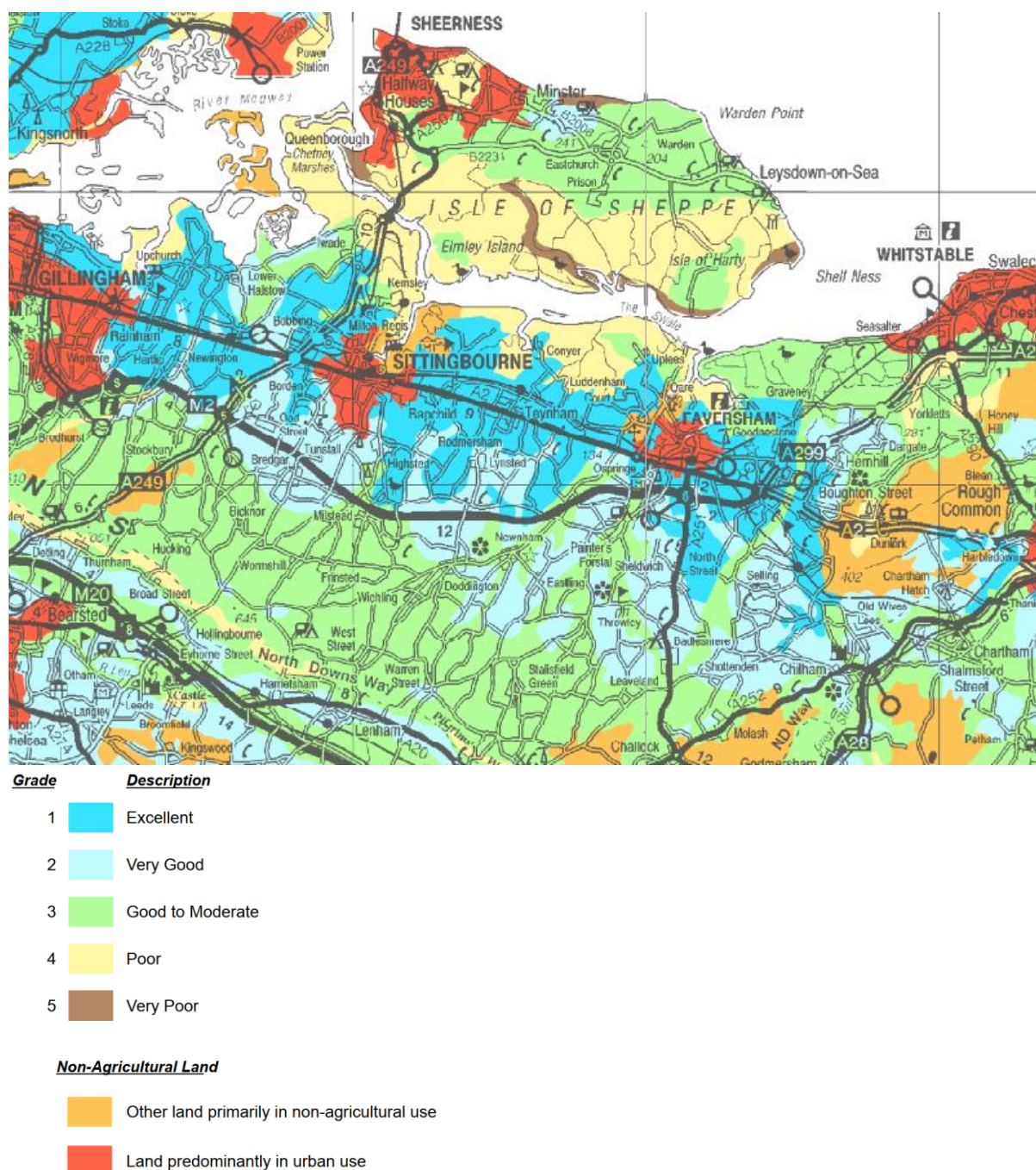
12.3. Baseline Summary

Current Baseline

Agricultural Land

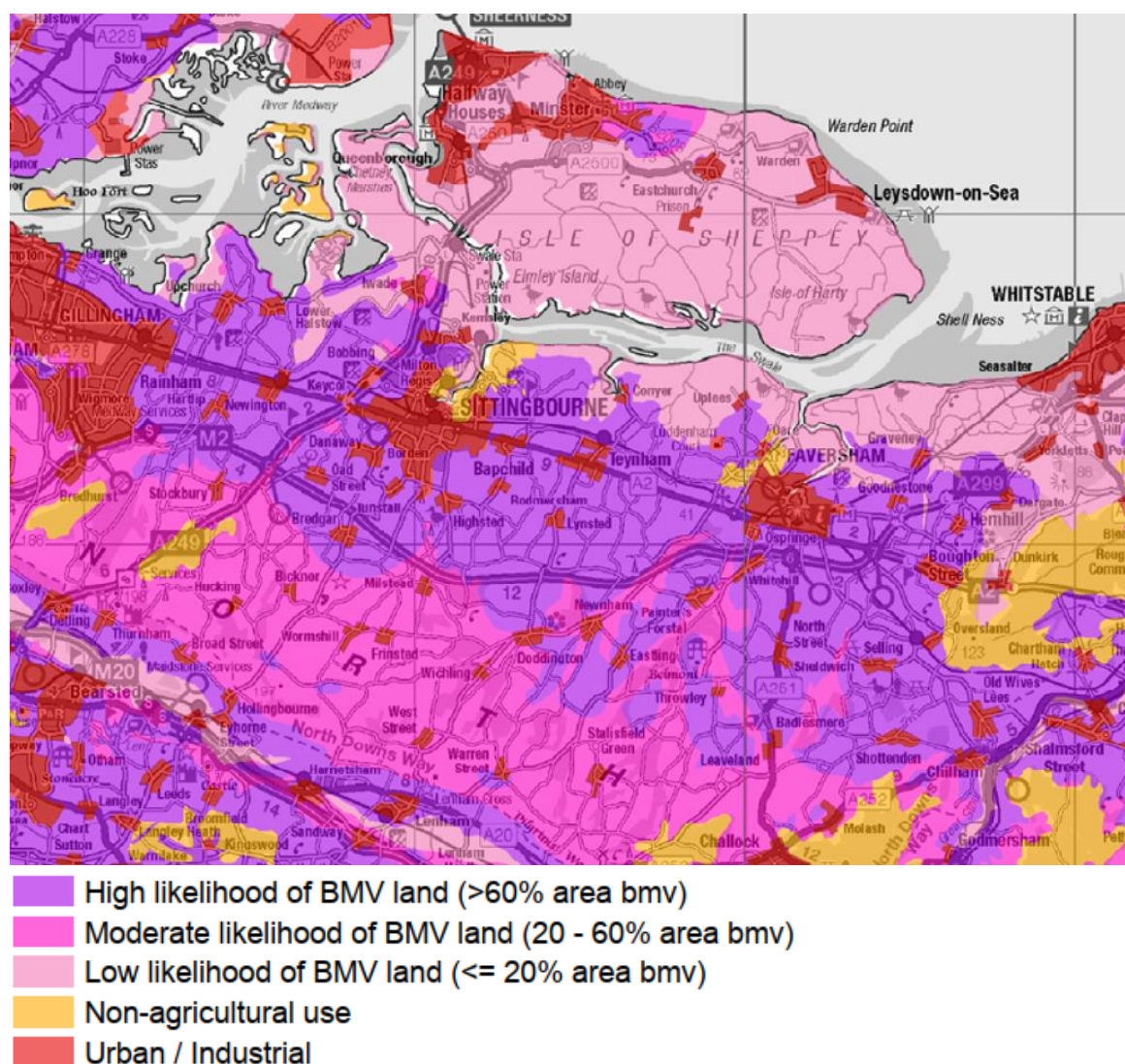
- 12.3.1. The Agricultural Land Classification (ALC) classifies land into six grades (plus 'non-agricultural land' and 'urban'), where Grades 1 to 3a are recognised as being the 'best and most versatile' (BMV) land and Grades 3b to 5 are of poorer quality.
- 12.3.2. As shown in **Figure 12-1**, the borough is underlain by a range of ALC grades, with a majority of higher-grade land.

- 12.3.3. Grade 1 (Excellent) and Grade 2 (Very Good) land is concentrated across the central belt of the borough, with some additional Grade 2 land also present in the northern part of the Isle of Sheppey.
- 12.3.4. The southern areas of the borough are largely underlain by Grade 3 (Good to Moderate) land, which also covers much of the northern half of the Isle of Sheppey. It should be noted that, in the absence of detailed ALC surveys, it is not possible to distinguish between sub-grade 3a land (Best and Most Versatile) and sub-grade 3b land (not BMV).
- 12.3.5. Remaining areas of the borough comprise a mix of Grade 4 (Poor), Grade 5 (Very Poor), and land in urban use.
- 12.3.6. Therefore, development in many parts of the borough could result in the loss of high-quality agricultural land, with an element of uncertainty at this stage. It will be important to protect the higher quality agricultural land from future development and promote the use of previously developed land where possible.

Figure 12-1: Agricultural Land Classification for the Borough⁷³

12.3.7. **Figure 12-2** also shows the results of Natural England's 'Predictive Best and Most Versatile Land Assessment' for the London and the South East region. It indicates that the majority of mainland Swale has moderate (20%-60%) or high (+60%) likelihood for BMV land. Conversely, the majority of the Isle of Sheppey is graded as low likelihood (<20%) for BMV land.

⁷³ Natural England (2010) 'Agricultural Land Classification map London and the South East (ALC007)' can be accessed through [this link](#).

Figure 12-2: Likelihood of BMV Land Within the Borough⁷⁴

Mineral Resources

- 12.3.8. Mineral resources are defined as natural concentrations of minerals or bodies of rock that have the potential to be of economic interest in the present or the future due to their inherent properties. As minerals are a non-renewable resource, minerals safeguarding is deployed as the process through which it is ensured that non-minerals development does not needlessly prevent the future extraction of mineral resources.⁷⁵

⁷⁴ Natural England (2017) 'Likelihood of Best and Most Versatile (BMV) Agricultural Land – Strategic scale map London and the South East (ALC019)' can be accessed through [this link](#).

⁷⁵ UK Government (2014) 'Guidance: Minerals' can be accessed through [this link](#).

- 12.3.9. There are three mineral safeguarding areas in Swale, as designated in the Kent Minerals and Waste Local Plan.⁷⁶ These are: River Terrace; Brickearth Swale Areas; and Wharfs and Rail Depots.
- 12.3.10. Swale contains a range of mineral-related sites and facilities.⁷⁷ Faversham Quarry, operated by Brett Aggregates Ltd, is a key site for secondary and recycled aggregates, supporting sustainable construction practices. In addition, Ridham Dock serves as a major wharf for aggregate handling and import/export, operated by Brett Aggregates and Lafarge Tarmac, facilitating marine-dredged sand and gravel movements.
- 12.3.11. Beyond aggregates, Swale hosts several brickearth extraction sites, including Claxfield Farm, Hempstead House, and sites at Paradise Farm (Hartlip) and Orchard Farm (Iwade), operated by Weinerberger Ltd and Ibstock Building Products. Brickearth is an important raw material for brick manufacturing. The borough also includes a clay site at Norwood Quarry, managed by FCC Environment (UK) Ltd.⁷⁷
- 12.3.12. As noted in the adopted Local Plan for Swale, in the event that mineral reserves are identified on sites allocated for development, developers should work with the Minerals Planning Authority (Kent County Council) to ensure the timely working of the site, provided that there is a sustainable and viable outlet for the resource which allows extraction without an unreasonable impact on development coming forward.

Waste

- 12.3.13. Swale Borough Council is part of the Mid Kent Waste Partnership alongside Ashford and Maidstone, with waste collection services delivered by SUEZ Recycling and Recovery UK since March 2024. The borough operates a fortnightly collection for residual waste and dry recyclables, weekly food waste collections, and a charged garden waste service. Non-recyclable waste is sent to energy-from-waste facilities, with no waste going to landfill.⁷⁸
- 12.3.14. The latest DEFRA data suggests that 40.1% of Swale's household waste is recycled; this ranks 184 of 333 local authorities.⁷⁹ For comparison, the national average recycling rate for household waste is 44%.

⁷⁶ Kent County Council (2025). '*Kent Minerals and Waste Local Plan*' can be accessed through this link. See p191.

⁷⁷ Kent County Council (no date). '*Minerals and waste sites in Kent*' can be accessed through [this link](#).

⁷⁸ Swale Borough Council (2025). '*Annual Performance Report for the Waste Collection & Street Cleansing Service*' can be accessed through [this link](#).

⁷⁹ Wikiwaste (2025). '*Key Metric Rankings*' can be accessed from [this link](#).

- 12.3.15. There are two household waste sites in Swale: Sittingbourne Household Waste Recycling Centre and Sheerness Household Waste Recycling Centre.⁸⁰

Brownfield Sites

- 12.3.16. Brownfield sites are previously developed land that is no longer in use. They are preferred for new developments because they help reduce urban sprawl, make use of existing infrastructure, and regenerate neglected areas.
- 12.3.17. The most recent Swale Borough Brownfield Register (2024)⁸¹ identifies 55 sites within Swale Borough. Of these sites, 41 have been permissioned, one is marked as 'permitted', one is marked as 'prior notification', and 13 are marked as 'not permissioned'.
- 12.3.18. Development on brownfield sites can pose risks of mobilising pollutants from contaminated land, which could adversely affect groundwater quality. It will be important that all development proposals incorporate appropriate site investigations and remediation measures to prevent contamination. Development should be designed and implemented in line with the Environment Agency's Approach to Groundwater Protection, ensuring that groundwater resources are safeguarded and that no adverse impacts occur as a result of construction or operational activities.⁸²

Historic Landfill Sites

- 12.3.19. Historic landfill sites (HLS), once used for waste disposal, can create challenges for development due to potential contamination from harmful gases and leachate. Development sites near to HLS must conduct site assessments to check for environmental risks, which may require remediation efforts like soil removal or gas monitoring. Development on Historic Landfills may also require an environmental permit.
- 12.3.20. There are several HLS across Swale, particularly around Faversham, north of Sittingbourne, and in the western part of the Isle of Sheppey. The locations of these sites can be viewed online.⁸³

⁸⁰ Kent County Council (no date). 'Our Household Waste Recycling Centres' can be accessed from [this link](#).

⁸¹ Swale Borough Council (2024). 'Part 1 of the Brownfield Land Register' through [this link](#).

⁸² Environment Agency (2018). 'The Environment Agency's approach to groundwater protection' can be accessed through [this link](#).

⁸³ Arcgis.com (no date). 'Historic landfills in England' can be accessed through [this link](#).

Future Baseline

- 12.3.21. Future development has the potential to affect soil resources in the neighbourhood area through the loss of BMV ('excellent', 'very good' and 'good') quality agricultural land. Due to the prevalence of BMV land across the borough, it is likely that development outside of the urban settlement could lead to the permanent loss of this resource. However, it is recognised that detailed land classification has not been carried out and therefore uncertainty remains in this respect.
- 12.3.22. Rising temperatures and shifting rainfall patterns may lead to more frequent droughts or floods, affecting soil moisture, structure, and agricultural productivity. Soil erosion risks may also increase due to extreme weather, reducing soil fertility and agricultural potential, especially in BMV land.
- 12.3.23. Demand for waste processing is likely to grow alongside population increases and urban expansion. The capacity of existing waste management infrastructure will need to be regularly assessed to ensure it can cope with the increasing demand. Additionally, with the identification of potential sites for new waste facilities, it will be important to assess any potential impacts these facilities might have on nearby communities, as well as any associated environmental risks such as emissions or leachate.

12.4. Key Issues

- 12.4.1. Considering the policy context and baseline information, the following key issues (constraints and / or opportunities) are identified in relation to soils and mineral resources:
- Development outside urban areas could result in the permanent loss of BMV agricultural land, particularly in the central belt and parts of the Isle of Sheppey. This could impact food production and soil quality;
 - Redevelopment of brownfield sites offers opportunities to reduce urban sprawl, utilise existing infrastructure, and support regeneration. However, development on these sites may pose contamination risks to groundwater, requiring appropriate site investigations and remediation;
 - The borough contains designated Mineral Safeguarding Areas for River Terrace, Brickearth, and Wharfs/Rail Depots, which should be protected to avoid sterilisation of mineral resources by non-mineral development;
 - Historic landfill sites across the borough, particularly near Faversham, Sittingbourne, and the Isle of Sheppey, present contamination risks from harmful gases and leachate. Development near these sites may require environmental permits and remediation measures;

- Population growth and urban expansion will increase demand for waste processing infrastructure. Existing facilities must be monitored and potentially expanded to meet future needs, while ensuring that any new facilities do not adversely affect nearby communities or the environment; and
- Climate change may increase the risk of soil erosion, drought, and flooding, affecting soil structure, moisture levels, and agricultural productivity, especially in areas with BMV land.

12.5. SA Objectives

- 12.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objectives and assessment questions in relation to soils and natural resources:

Protect soil and mineral resources, promote efficient land use, and manage waste effectively

- 12.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...protect BMV agricultural land from unnecessary loss or degradation, prioritising development on brownfield or lower-quality land?
- ...safeguard mineral resources within Mineral Safeguarding Areas, ensuring that non-mineral development does not prevent future extraction?
- ...manage development proposals near historic landfill sites to prevent environmental contamination and health risks?
- ...support the sustainable management and expansion of waste processing infrastructure to meet growing demand?

13. Transport

13.1. Focus of Theme

- 13.1.1. This theme focuses on transport infrastructure, transport usage, traffic flows and congestion, and accessibility levels in the borough.

13.2. Policy Context

- 13.2.1. **Table 13-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 13-1: Plans, Policies and Strategies Reviewed in Relation to Transportation

Document Title	Year of Publication
National	
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>Decarbonising Transport: A Better, Greener Britain</u>	2021
<u>Decarbonising Transport: Setting the Challenge</u>	2020
<u>The National Design Guide</u>	2019
<u>The Transport Investment Strategy – Moving Britain Ahead</u>	2017
<u>The Department for Transport's Cycling and Walking Investment Strategy</u>	2016
Local	
<u>Swale Local Cycling and Walking Infrastructure Plan</u>	2025
<u>Kent Local Transport Plan 5</u>	2024
<u>Kent Bus Service Improvement Plan (BSIP)</u>	2024
<u>Swale Transport Strategy (2022–2037)</u>	2022
<u>Kent Active Travel Strategy</u>	2017

- 13.2.2. The key messages emerging from the review are summarised below:

- The Local Plan will be required to be in general conformity with the NPPF, which seeks the consideration of transport issues from the earliest stages of plan-making and development proposals to address any known issues and maximise opportunities to increase accessibility, particularly by walking, cycling and public transport...

- ...Larger developments are expected to be delivered in areas which are or can be made sustainable by limiting the need to travel and offering a genuine choice of transport modes. However, it is recognised that sustainable transport solutions will vary between urban and rural environments;
- National transport strategies set out investment priorities which ultimately all seek to improve the connectivity, effectiveness and reliability of transport networks, whilst reducing impacts on the natural environment (including through decarbonisation). Furthermore, they place great emphasis on making cycling and walking the natural choice for shorter journeys, or as part of a longer journeys. This includes investment in new and upgraded infrastructure, changing perceptions, and increasing safety;
- Swale's Local Cycling and Walking Infrastructure Plan (2025) aims to both encourage and facilitate the modal shift away from motorised vehicles to more active modes, transforming areas in ways which support active travel, reduce congestion, support local economies and improve physical and mental health in line with sustainable visions at a local to a national level;
- Kent's Local Transport Plan 5: Striking the Balance (2024-2037) sets out Kent County Council's overarching transport strategy. It aims to deliver a balanced approach to transport across Kent, integrating proposals with sub-strategies such as the Bus Service Improvement Plan and the Kent Cycling and Walking Infrastructure Plan for more detailed actions. This is also accompanied by Kent's Active Travel Strategy (2017); and
- The Swale Transport Strategy (2022-2037) sets out a framework to reduce car dependency and promote sustainable and active travel across the borough. It supports housing growth while aiming to improve air quality, enhance safety, and create healthier, more affordable travel options. The strategy's vision is to deliver a sustainable transport network that meets local needs and encourages greener, more active lifestyles.

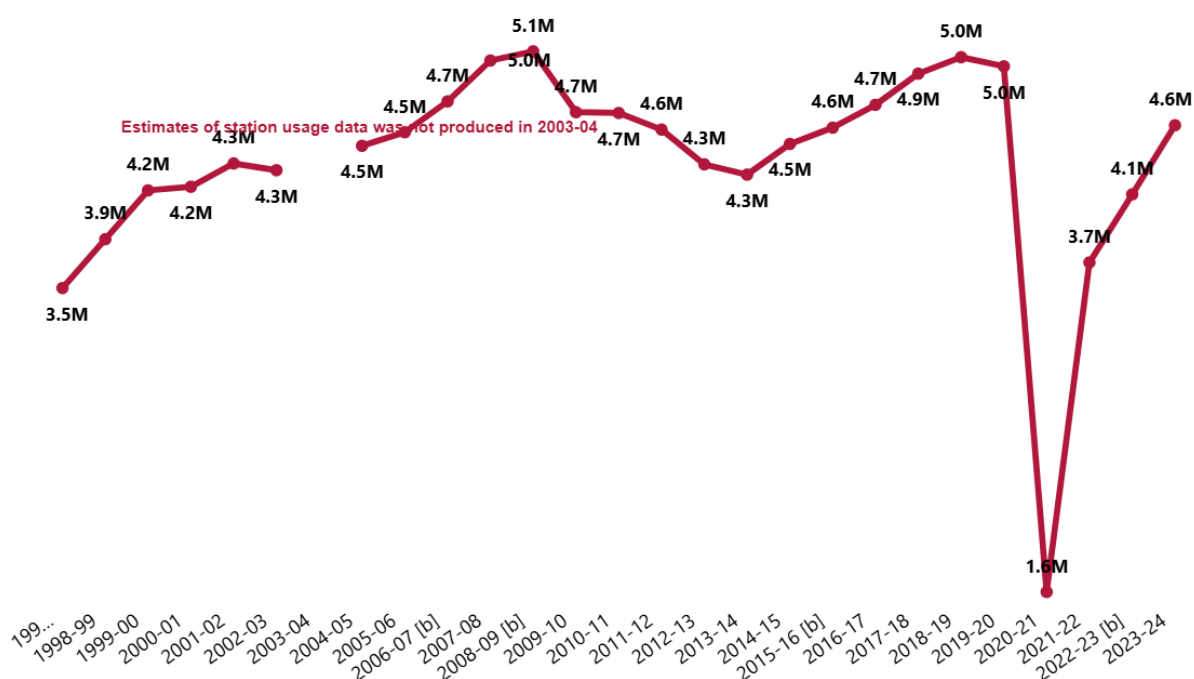
13.3. Baseline Summary

Current Baseline

Rail Network

- 13.3.1. The rail network in Swale is primarily served by the Sheerness Line, which connects Sittingbourne on the Chatham Main Line to the Isle of Sheppey via stations at Kemsley, Swale Halt, Queenborough, and Sheerness-on-Sea. This line provides an important link between the island and the mainland, crossing the Kingsferry Bridge, and supports both passenger and freight movements, including traffic to local industrial sites such as Ridham Dock and Sheerness steelworks.⁸⁴
- 13.3.2. Sittingbourne acts as the main interchange, offering connections to London and East Kent, including high-speed services from nearby Faversham.
- 13.3.3. In addition to the mainline services, Swale features heritage railways such as the Sittingbourne & Kemsley Light Railway, which operate seasonally for tourism and leisure purposes.
- 13.3.4. According to the Office of Rail and Road, estimated usage of Swale Borough's train stations has shown steady growth between 1997 and 2024, increasing from 3.5 million to 4.6 million annual entries and exits over this period (see **Figure 13-1**). There was a significant dip in usage in 2020-21, reflecting the impact of the COVID-19 pandemic and associated travel restrictions. Since then, usage has not recovered but not yet surpassed pre-pandemic levels.

⁸⁴ Visit Swale (no date). 'Heritage Railways in Swale' can be accessed through [this link](#).

Figure 13-1: Passenger Numbers at Swale Borough's Train Stations⁸⁵

Bus Network

13.3.5. The bus network in Swale is operated by three main providers:

- ;
- Stagecoach; and
- Chalkwell Buses; and
- Travelmasters.

13.3.6. Buses in Swale provides essential connections between key towns such as Sittingbourne, Faversham, and Sheerness, as well as links to surrounding rural areas.⁸⁶ Services cover local routes within the borough and longer-distance connections to destinations including Maidstone and Canterbury.

13.3.7. The network supports access to employment, education, and healthcare, and includes school and community transport options. Recent improvements have focused on fare reductions through national schemes, real-time tracking, and contactless payment systems, making services more affordable and convenient.⁸⁷

⁸⁵ Office of Rail and Road (2025) 'Estimates of station usage' can be accessed through [this link](#).

⁸⁶ Kent County Council (no date). 'Bus Routes in Swale Area' can be accessed through [this link](#).

⁸⁷ Swale Borough Council (no date). 'Travel by bus or rail' can be accessed through [this link](#).

Road Network and Congestion

- 13.3.8. Swale Borough's road network is shaped by its strategic position in North Kent, incorporating major routes such as the A2, A249, and M2. The A2 provides an important east–west corridor linking Sittingbourne and Faversham, while the A249 connects the Isle of Sheppey to the mainland and serves as a key route to the M2 and wider Strategic Road Network. These roads are essential for local travel, freight movements from Sheerness Docks, and regional connectivity.
- 13.3.9. Swale's Transport Strategy (2022-2027) notes that congestion is a persistent challenge, particularly along the A2 through Sittingbourne and at junctions on the A249, where traffic volumes are compounded by housing growth and commercial development. The borough's rural character and dispersed settlements mean car dependency remains high, placing additional pressure on these corridors.
- 13.3.10. Several improvement schemes are underway to address these issues, such as improvements to Key Street and Grovehurst Road junctions on the A249, which aimed at reducing queuing and improving journey time reliability.⁸⁸

Public Rights of Way (PRoW) and Cycleways

- 13.3.11. Swale benefits from an extensive network of public rights of way, including footpaths, bridleways, and byways, which provide access to its varied landscapes from the Thames Estuary to the Kent Downs. These routes support leisure, tourism, and active travel, offering opportunities for walking, cycling, and wheeling.⁸⁹
- 13.3.12. Long-distance trails such as the Saxon Shore Way, North Downs Way, and the King Charles III England Coast Path pass through the borough, alongside numerous shorter circular and linear routes that connect rural villages with towns like Sittingbourne and Faversham. This network is complemented by seafront promenades and country lanes, forming part of the National Cycle Network Routes 1 and 174, which runs through Swale and links to wider Kent and national routes.

⁸⁸ Kent County Council (2023). 'A249 Key Street and Grovehurst Road junction Improvements' can be accessed through [this link](#).

⁸⁹ Swale Borough Council (no date). 'Swale's Cycling and Walking Pathways' can be accessed through [this link](#).

- 13.3.13. Swale Borough Council is actively working to improve and expand this infrastructure through its Local Cycling and Walking Infrastructure Plan (2025). The plan aims to create a cohesive, safe, and accessible network by upgrading existing paths, adding new cycle lanes, improving signage, and introducing better lighting and crossings. These enhancements are designed to encourage modal shift from car travel to active travel, reduce congestion, and improve air quality, while supporting health and wellbeing.

Future Baseline

- 13.3.14. Swale Borough is expected to see continued population growth, driven by new developments such as those in the emerging SBLP. As the population increases, there will be greater demand for transport services and infrastructure.
- 13.3.15. National and local health agendas are expected to drive greater emphasis on walking and cycling. Investment in safe, connected active travel networks will be essential to encourage modal shift, reduce emissions, and improve wellbeing.
- 13.3.16. Climate change will impact Swale Borough's transport network, with extreme weather increasing risks like flooding, road damage, and public transport disruptions. Heavy rainfall may waterlog roads, while extreme heat could degrade surfaces and affect rail reliability, potentially leading to greater car dependency, congestion, and emissions. To mitigate these risks, future transport planning must integrate climate resilience measures and promote sustainable travel options.

13.4. Key Issues

- 13.4.1. Considering the policy context and baseline information, the following key issues (constraints and/ or opportunities) are identified in relation to transportation:
- Rail services in Swale Borough provide essential connectivity but face capacity challenges as demand grows. Continued development will require improvements to service frequency and resilience to maintain accessibility and reliability;
 - The bus network offers important links between towns and rural areas but may become strained with population growth. Enhancements in service frequency, coverage, and integration with rail will be needed to make public transport a viable alternative to car travel;

- Swale has an extensive network of public rights of way and cycle routes. Further investment will be important to reduce car dependency, improve health outcomes, and address severance issues between north and south of the borough;
- Major roads such as the A2, A249, and M2 experience congestion, particularly at key junctions. Growth in housing and freight movements could exacerbate this, requiring strategies to manage traffic flow and promote sustainable alternatives; and
- Climate change poses risks to the transport network, including flooding and heat-related damage to roads and rail infrastructure. Future planning must incorporate climate resilience measures to safeguard infrastructure and maintain service reliability.

13.5. SA Objective

- 13.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objective in relation to transportation:

Promote sustainable transport use and reduce the need to travel

- 13.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...connect future development with sustainable transport networks?
- ...enhance bus service frequency, reliability, and integration?
- ...expand and improve active travel infrastructure, including cycle routes and footpaths, to reduce car dependency and address severance issues?
- ...manage road congestion effectively through traffic flow improvements, road upgrades, and promotion of alternative transport modes?
- ...integrate climate resilience measures to protect transport infrastructure from flooding, heat damage, and other extreme weather impacts?

14. Water

14.1. Focus of Theme

- 14.1.1. This theme focuses on water supply resources and water quality (including wastewater treatment) in Swale Borough.

14.2. Policy Context

- 14.2.1. **Table 14-1** presents the most relevant documents identified in the policy review for the purposes of the SA.

Table 14-1: Plans, Policies and Strategies Reviewed in Relation to Water

Document Title	Year of Publication
National	
<u>National Planning Policy Framework (NPPF)</u>	2024
<u>The 25 Year Environment Plan</u>	2018
<u>Future Water: The government's water strategy for England</u>	2011
<u>Water for Life</u>	2011
Local	
<u>Kent Local Flood Risk Management Strategy</u>	2024
<u>Southern Water North Kent Drainage and Wastewater Management Plan</u>	2022
<u>Swale Surface Water Management Plan</u>	2012
<u>River Medway and Swale Estuary Shoreline Management Plan</u>	2010

- 14.2.2. The key messages emerging from the review are summarised below:

- The SBLP will be required to be in general conformity with the NPPF, which seeks to improve the water environment and recognises the wider benefits of natural capital and derived from ecosystem services. Furthermore, the NPPF recognises the need to take account of the long-term implications of climate change and build resilience in this respect;

- The 25-year Environment Plan presents a focus for environmental improvement in the next couple decades, with aims for clean and plentiful water and reduced risk from environmental hazards. This includes measures to restore and protect peatlands, use water more sustainably, reduce pollution, and minimise environmental impacts. This leads national water strategies which seek to secure sustainable and resilient water resources and improve the quality of waterbodies;
- The Kent Local Flood Risk Management Strategy (2024-2034) sets out how the council, as Lead Local Flood Authority, will manage flood risks from surface runoff, groundwater, and ordinary watercourses. It strengthens collaboration between authorities, improves understanding of flood risk, and builds on lessons from previous strategies to enhance resilience across the county;
- The Southern Water Drainage and Wastewater Management Plan (2022) focuses on reducing storm overflow spills, improving sewer resilience, and mitigating flood risks by managing excess rainwater in the North Kent River Basin Catchment. It also addresses the ecological and nutrient impacts of wastewater discharges on local rivers and estuaries while planning for future development and protecting groundwater quality;
- The Swale Surface Water Management Plan investigates local flood risks from surface runoff, groundwater, and ordinary watercourses. Led by Kent County Council in partnership with other authorities, it identifies priority areas, proposes mitigation options, and sets out an action plan to reduce flood risk and improve resilience across Swale; and
- The Medway Estuary and Swale SMP provides a high-level framework for managing risks from coastal change in a sustainable way. It sets long-term policies to protect people, property, and the natural and historic environment, forming part of the national strategy for flood and coastal defence.

14.3. Baseline Summary

Current Baseline

Water Quality

- 14.3.1. The borough lies within the Thames River Basin District, with most of its area falling under the Kent North Management Catchment and White Drain and Lakes Operational Catchment. It also includes the following water bodies:
- Murston Lakes, angling lakes Water Body; and
 - White Drain.
- 14.3.2. Areas west of Sittingbourne fall within the Medway Management Catchment and the Medway Lower Operational Catchment.
- 14.3.3. The borough's coastline is part of the Thames TraC Management Catchment and the Medway Swale Estuary Operational Catchment, which includes the following water bodies:
- Medway;
 - Murston Lakes; and
 - Swale.
- 14.3.4. In the latest survey year (2022), the White Drain water body was assessed as having poor ecological status, while Murston Lakes was rated good; other water bodies were recorded as moderate. However, all water bodies failed the most recent chemical status assessment (2019), primarily due to polybrominated diphenyl ethers (PBDE), with additional failures linked to mercury and benzo(g,h,i)perylene in certain areas.
- 14.3.5. The Medway Swale Estuary Partnership (MSEP) works to conserve and improve the ecological health of the Medway and Swale estuaries and their tributaries through community engagement and targeted projects.⁹⁰ Their initiatives include developing a Catchment Action Plan under the Catchment Based Approach (CaBA), tackling issues such as pollution and invasive species, and supporting habitat restoration.⁹¹

⁹⁰ MSEP (no date). 'Welcome to the Medway Swale Estuary Partnership' can be accessed through [this link](#).

⁹¹ MSEP (no date). 'North Kent Catchment Action Plan' can be accessed through [this link](#).

- 14.3.6. MSEP also collaborates with local councils and groups on projects like improving the Iwade Stream and Westbrook in Faversham, and runs volunteer programs for monitoring and practical conservation work.⁹²
- 14.3.7. Nitrate Vulnerable Zones (NVZs) represent areas at risk from agricultural nitrate pollution, identifying rules in relation to the use of fertilisers and manures as well as a requirement to prevent water pollution from farming areas. Figure 10-1 in the Swale Borough Council Level 1 Strategic Flood Risk Assessment (SFRA) shows that the borough contains a groundwater NVZ located between Sittingbourne and Faversham, as well as a surface water NVZ on the borough's eastern border.⁹³

Water Resources

- 14.3.8. In England, watercourses can be designated as 'main rivers'. These are usually larger rivers and streams, and are managed by The Environment Agency. The designated main rivers in Swale Borough include:⁹⁴
- River Medway;
 - Otterham Creek;
 - Iwade Stream;
 - Milton Creek;
 - Windmill Creek;
 - The Swale;
 - Scrapsgate Drain;
 - Warden Bay Stream;
 - Capel Fleet Drain;
 - Faversham Creek;
 - White Drain.

⁹² MSEP (no date). 'Introduction' can be accessed through [this link](#).

⁹³ Swale Borough Council (2020). 'Swale Borough Council Level 1 Strategic Flood Risk Assessment' can be accessed through [this link](#).

⁹⁴ Swale Borough Council (2020). 'Swale Borough Council Level 1 Strategic Flood Risk Assessment Appendix B' can be accessed through [this link](#).

- 14.3.9. Rivers that are not designated as main rivers are known as ‘ordinary watercourses’, and are instead managed by lead local flood authorities, borough councils and internal drainage boards. Swale Borough has many ordinary watercourses, which are smaller streams, tributaries, and drainage channels that contribute to the local water network.⁹⁵
- 14.3.10. Swale also has many waterbodies throughout the borough, with named examples including Bysing Wood Pool and Stonebridge Pond in Faversham, Mill Pond in Tonge, and Lasher’s Lake in Hernhill.
- 14.3.11. In relation to water resources, the borough is served by Southern Water South East Water. The Environment Agency have published a document entitled ‘Water Stressed Areas – 2021 classification’ which included a map of England, identifying areas of relative water stress. In this regard, the whole of Southern Water and South East Water’s supply area is shown as an area of ‘Serious’ water stress, based upon the amount of water available per person both now and in the future.⁹⁶
- 14.3.12. Within their Water Resource Management Plans (WRMPs) water companies refer to their Water Resource Zones (WRZs). WRZs are the largest possible zone in which all resources, including external transfers, can be shared and hence the zone in which all customers experience the same risk of supply failure from a resource failure. In this respect, the borough falls within the Kent Medway West WRZ, Kent Medway East WRZ, and Ashford WRZ which experience pressures due to climate change and population growth.

Groundwater

- 14.3.13. Groundwater plays an important role in the borough’s water resource system, contributing to both water supply and ecological health. Swale sits upon aquifers, which are vulnerable to pollution, over-abstraction, and changes in infiltration patterns due to urban development.

⁹⁵ Swale Borough Council (2020). ‘*Swale Borough Council Level 1 Strategic Flood Risk Assessment Appendix B*’ can be accessed through [this link](#).

⁹⁶ Environment Agency and DEFRA (2021) ‘*Water stressed areas – 2021 classification*’ can be accessed through [this link](#).

14.3.14. All development through the SBLP must be consistent with the Environment Agency's Approach to Groundwater Protection, which sets out principles for safeguarding groundwater from contamination and unsustainable use.⁹⁷ This includes:

- Preventing pollution from hazardous substances and contaminated land;
- Ensuring infiltration-based drainage systems (for example, SuDS) do not compromise groundwater quality or increase flood risk; and
- Conducting site-specific groundwater risk assessments where development may affect aquifers or involve subsurface works.
- Groundwater protection is also important for maintaining long-term water availability, especially in a borough identified as being within a seriously water-stressed area. Sustainable water management should therefore include:
 - Minimising demand on groundwater through water-efficient design and technologies;
 - Protecting recharge zones and avoiding development that could reduce infiltration in appropriate areas; and
 - Remediating contaminated sites prior to development to prevent leaching into groundwater.

14.3.15. Groundwater Source Protection Zones (SPZs) have been defined by the Environment Agency in England and Wales to protect groundwater sources such as wells, boreholes, and springs that are used for public drinking water supply. According to the SFRA (see Figure 10-1 in the SFRA), large areas in southern half of the borough fall within an SPZ.⁹⁸

⁹⁷ Environment Agency (2018). 'The Environment Agency's approach to groundwater protection' can be accessed through [this link](#).

⁹⁸ Swale Borough Council (2020). 'Swale Borough Council Level 1 Strategic Flood Risk Assessment' can be accessed through [this link](#).

Future Baseline

- 14.3.16. Climate change is expected to have significant implications for water resources in Swale Borough, exacerbating existing pressures on both water availability and quality. Rising temperatures and changing rainfall patterns could lead to more frequent droughts, reducing river flows and increasing competition for already scarce water supplies in the area. More intense rainfall events may also result in increased surface water runoff, heightening the risk of pollution in local watercourses.
- 14.3.17. Future development also has the potential to affect water quality through increased consumption, diffuse pollution, waste-water discharges, water run-off, and modification. Southern Water South East Water are likely to maintain adequate water services over the SBLP period; therefore, it will be important for new development to avoid negative impacts on water quality, and instead contribute to reducing consumption and improving efficiency.
- 14.3.18. It is also noted that the requirements of the Water Framework Directive, as transposed into national legislation, are likely to lead to continued improvements to water quality within the SBLP and wider area. However, it will nonetheless be important for new development to avoid impacts on water quality, and support demand management measures by contributing to reduced consumption and improved efficiency.
- 14.3.19. To support this, the SBLP should set strong targets for greenfield runoff rates, ensuring that post-development runoff does not exceed pre-development levels. The use of SuDS will be important in achieving this, helping to manage surface water, improve water quality, and enhance biodiversity.
- 14.3.20. Given that the borough is located within a seriously water-stressed area (as identified in the Environment Agency's latest Water Stressed Areas classification), all new residential developments must meet the higher water efficiency standard of 110 l per person per day, as set out in the Building Regulations &c. (Amendment) Regulations 2015.^{99,100}
- 14.3.21. For non-residential developments of 1,000 m² or more, the SBLP should encourage achievement of the BREEAM 'Excellent' standard for water consumption (WAT 01) or an equivalent benchmark.¹⁰¹
- 14.3.22. Increased water efficiency in new developments enables growth to be realised without placing additional pressure on water resources.

⁹⁹ Gov.uk (2021). 'Water stressed areas – 2021 classification' can be accessed through [this link](#).

¹⁰⁰ Gov.uk (2015). 'The Building Regulations &c. (Amendment) Regulations 2015' can be accessed through [this link](#).

¹⁰¹ BREEAM (no date). 'An Introduction to BREEAM' can be accessed through [this link](#).

Developers are encouraged to incorporate water-efficient technologies, fixtures, and fittings (such as low-flow taps and toilets, rainwater harvesting systems, and greywater recycling).

14.4. Key Issues

14.4.1. Considering the policy context and baseline information, the following key issues (constraints and / or opportunities) are identified in relation to Water:

- Water bodies in the borough show mixed ecological status: White Drain is 'poor', Murston Lakes is 'good', and others are 'moderate'. Future development must ensure no further deterioration and should contribute to achieving good ecological status as required by the Water Framework Directive;
- All water bodies failed the most recent chemical status assessment (2019), primarily due to PBDE, with additional failures linked to mercury and benzo(g,h,i)perylene. Development should avoid introducing pollutants and support measures to improve chemical quality;
- Swale Borough contains several NVZs, meaning parts of the borough are at risk of agricultural nitrate pollution. New development should minimise the risk of water pollution from urban runoff, construction, and wastewater discharge;
- Increased housing and associated infrastructure could lead to higher water consumption and wastewater generation, which may place additional pressures on water treatment facilities and local watercourses;
- The borough lies within an area of 'serious' water stress, requiring development to incorporate water efficiency measures to reduce demand;
- Climate change and population growth are placing additional pressures on the borough's WRZ. New development should consider sustainable water management, including rainwater harvesting, greywater recycling, and water-efficient appliances;
- Groundwater SPZs are present in parts of the borough, meaning development in these areas must prevent contamination of drinking water sources.

14.5. SA Objective

- 14.5.1. Considering the key issues discussed above, it is proposed that the SA should include the following objective in relation to water:

Protect and enhance water quality and resources, ensuring sustainable water management to support current and future needs while reducing pollution risks

- 14.5.2. The following questions will help assess how well each option supports the SA objective. Will the option help to:

- ...improve the ecological status of all water bodies, supporting the achievement of good status as required by the Water Framework Directive?
- ...address chemical status failures by reducing pollutants such as PBDE, mercury, and hydrocarbons?
- ...minimise pollution risks from nitrate vulnerable zones, urban runoff, construction, and wastewater discharge?
- ...reduce water consumption through incorporation of water-efficient technologies such as rainwater harvesting and greywater recycling?
- ...protect Groundwater Source Protection Zones from contamination linked to development and land use changes?

15. Proposed SA Framework

- 15.1.1. The SA framework has been established through the identification of key issues and environmental objectives as part of the scoping exercise. This draws upon the baseline position and policy context that has been prepared for a range of SA themes (as set out in **Chapters 2-14**).
- 15.1.2. The framework consists of a set of headline objectives and supporting assessment questions, which will be used to appraise the environmental effects of the draft Plan (and reasonable alternatives).
- 15.1.3. **Table 15-1** below outlines the proposed SA framework, bringing together the objectives and assessment questions that have been set out at the end of each SA theme.
- 15.1.4. Example supporting questions for each SA Objective are listed at the end of each SA theme's chapter.

Table 15-1: Proposed SA Framework

SA Theme	SA Objective
Accessibility	Improve accessibility to essential services and facilities across the borough
Air Quality	Improve air quality, reduce air pollution and reduce exposure to air pollution
Biodiversity	Maintain, create and enhance the extent and quality of biodiversity habitats and networks within and surrounding the borough, and protect species and species diversity
Climate Change Adaptation	Increase resilience to the potential effects of climate change, including flood risk
Climate Change Mitigation	Mitigate climate change by increasing decarbonisation, with a focus on industry, transport and the built environment, increasing efficiency and reducing energy use
Communities and Health	Promote and protect health, wellbeing, and safety by ensuring access to healthcare, reducing health inequalities, improving road safety, enhancing green infrastructure, and creating safe and sustainable communities
Economy and employment	Support a productive, diverse and resilient economy that provides opportunities for all
Historic Environment	Protect, conserve and enhance the historic environment, heritage assets and their setting within the borough
Homes	Support the delivery of a range of housing to meet identified needs, with a focus on improving affordability for those most in need
Landscape	Protect and enhance the character and quality of the landscape, including green infrastructure corridors
Soils and Natural Resources	Protect soil and mineral resources, and manage waste effectively
Transport	Promote sustainable transport use and reduce the need to travel
Water	Protect and enhance water quality and resources, ensuring sustainable water management to support current and future needs while reducing pollution risks

16. Next Steps

16.1. SA Stages

- 16.1.1. Scoping (the current stage) is the first stage of the SA process. The next stage will involve appraising reasonable alternatives for the SBLP against the SA framework. The findings of this appraisal will be documented within an Interim SA Report, which will accompany the Regulation 18 draft plan for consultation.

16.2. Consultation on the Scoping Report

- 16.2.1. Public involvement through consultation is a key element of the SA process. At this scoping stage, the SEA Regulations require consultation with statutory consultation bodies but not full consultation with the public.
- 16.2.2. The statutory consultation bodies are the Environment Agency, Historic England, and Natural England. This scoping report has been released to these three statutory consultees.
- 16.2.3. Consultees are invited to comment on the content of this scoping report, particularly the evidence base for the SA, the identified key issues, and the proposed SA Framework.
- 16.2.4. The consultation period runs from **XXXX 2025 to XXXX 2025**. Comments on the scoping report should be sent to:

Antonio Vinti, AECOM (antonio.vinti@aecom.com)
- 16.2.5. All comments received on the scoping report will be reviewed and will influence the development of the SA where appropriate.

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Appendix IV: Table of Comments Made and Changes Requested at PTPWG 4th November 2025 on Local Plan Review – Regulation 18 Consultation Launch

Comments from PTPWG	Response
General Points	
SANGS (Suitable Alternative Natural Greenspaces) should have their own policy (or be clear within the Natural Environment Strategic Policy). The aims of and criteria for a SANGS should be set out within the policy.	Noted. To be addressed at the Reg 19 stage of the Local Plan in a strategic policy.
The document needs to be clearer that the policies within the Reg 18 are draft and do not become Council policy until the Local Plan is adopted after the Examination in Public.	Wording will be added to section 1.1 'What is a Local Plan?' explaining that all of the policies in the Reg 18 are draft and the document reviewed for other areas where this could usefully be clarified.
Members requested that signposting was added for residents explaining that strategic policies will be included at the next stage – Reg 19.	A sentence will be added after paragraph 1.4.4 explaining that strategic policies will be set out at the Reg 19 stage and the document reviewed for other areas where this could usefully be clarified.
Rural exceptions sites don't need to be linked to the settlement hierarchy.	Whilst it is important to offer local communities the opportunity to bring forward affordable housing in their own areas where there are no alternatives, it is still important that development is sustainably located. By retaining the phrase 'settlement hierarchy', it makes clear that proposed development should seek to be located near a level of services available to the scale of development being proposed.
There may be benefit in developing a policy on stewardship and governance for strategic sites.	Officers will investigate the feasibility of including a policy on stewardship and governance for the Reg 19 Local Plan and will bring their research to a future meeting of PTPWG.
There is a need to ensure adequate health provision in the Local Plan.	Noted. This would be addressed in a future Strategic Health policy and within the Infrastructure Delivery Plan and alongside allocation policies.

The new Climate Change policies are ambitious, but welcomed.	Noted. They have been strengthened and expanded to meet the Council's Climate and Ecological Emergency declaration, the Corporate Plan, the Climate Change Act and the National Planning Policy Framework.
DM Policies: Housing	
Policy H4 – Members encouraged giving consideration to enabling standalone sites for self and custom build housing rather than solely as part of larger sites.	Officers will explore this through HEELA work and the developer engagement process. If feedback from that and to the Reg 18 consultation shows demand the policy will be amended at Reg 19 stage.
DM Policies: Infrastructure	
INF 1 – Sittingbourne urban hierarchy image is not correct/basemap not up to date - Figure 22.0.5.	Noted. It shows a point in time and the copyright declaration shows the production date. Officers will seek to change the diagrams for Reg 19.
DM Policies: Climate Change, Pollution and the Water Environment	
Policy C5: There was concern that heat networks should not impact end user affordability.	Policy C5 (end of point 9) text amended as follows (new text underlined): Under each stage of the above hierarchy, it is essential that any connection or development of heat networks must demonstrate that they result in a lower on-site energy demand and carbon emissions than an individual renewable heating system approach, <u>and do not negatively impact affordability for end users.</u>
Glossary	
Brownfield and Greenfield definitions need to be added to the glossary.	Done.

Appendix V: Table of Comments Made and Changes Requested at P&R 18th November 2025

Comments from Members at PTPWG	Officer Response
General	
Thanks and praise for all of the hard work put in by both current and past members of the planning team on drafting the Reg 18 Local Plan.	Noted.
All policies within the Reg 18 are draft until the Local Plan is adopted.	Noted.
How will this interact with Local Government Reorganisation (LGR)?	The Government has been clear that Local Authorities need to continue to make progress with their Local Plans whilst LGR is progressing. A shadow authority will not have any say on any sovereign decisions, and once adopted by Swale, this would remain the Local Plan until a new Council develops their own.
Highsted set out that deliverability and viability do not need to be taken into account when permission is granted. Can we consider adding into G1 that proposals/planning applications must demonstrate that they are viable and deliverable? It would prevent approved developments not being delivered.	A Local Plan has to be deliverable and viable, unlike in the past. This is why the Whole Plan Viability Assessment is carried out. Deliverability can be a material consideration, particularly if a Local Planning Authority is giving weight to a benefit that requires the development to be delivered in a certain time. However, it is for the decision maker to decide whether it is material or not – meaning this would be an unreasonable request to make of all applicants; but it can be made when appropriate. An applicant always needs to submit viability evidence if they are not meeting all the planning obligations that the Council would expect. In short, viability evidence could not be insisted on if the planning application is policy compliant. A concern raised was that a developer could build out half a scheme and then not be able to build out the benefits of that scheme. However, that is prevented by the Section106 linked to a planning permission. Therefore, adding a clause into G1 that proposals/planning applications must

	demonstrate that they are viable and deliverable is not recommended.
In terms of process, as consultation responses come back what then happens?	All the comments received are read, compiled and reported to members and policies are altered as a result of comments made if members agree. The Local Plan then goes out to consultation again, as a Reg 19 Local Plan. Comments received during this consultation are submitted to the Examiner, along with the submission version of the Local Plan.
In terms of the accessibility of consultation – when members of public go on-line, do they have to fill in all the questions?	No, you only have to fill in those questions that are of interest to you.
Environment	
SANGS (Suitable Alternative Natural Greenspaces) should have their own policy (or be clear within the Natural Environment Strategic Policy). The aims of and criteria for a SANGS should be set out within the policy. It was raised at PTPWG and officers agreed to add it at Reg 19, however, it should be in now to allow it to be tested.	As officers advised at PTPWG, this will be addressed at the Reg 19 stage of the Local Plan, as it will be a strategic policy which are not being consulted on at this stage.
Policy wording should be added around the preservation of chalk streams. This is mentioned in the pre-ambles, however, there is no specific policy.	The policy direction supports this comment and therefore reference to chalk streams will be added to the policy. New wording agreed with the relevant member, as requested, as: <i>‘protect the management catchments, the operational catchments and the water bodies across the borough as well as all groundwater and surface water, including chalk streams;’</i>
There is no policy on groundwater protection zones (SPZs.)	They are covered by Policy C10 Water Quality and Water Resources.
Recommend a policy excluding solar farms on Best and Most Versatile (BMV) Agricultural land.	P&R voted that officers look into the feasibility of undertaking a piece of evidence base around this topic and reporting back to PTPWG. If it is deemed feasible, it would feed into the Reg 19, not the Reg 18 LP.
Policy B1 – clarification was requested as to the status of the Local Nature Recovery Strategy (LRNS) publication date and making sure the position in the Reg 18 is correct in its references.	Noted. At the printing cut-off date officers will ensure the most up to date information is included within the document.
Policy B7 The Coast, paragraph 44.0.9 ‘open to the public’ needs clarifying as	Noted. The status was taken from the official Coastal Path website. A new sentence has

some of the public can't access all of Swale's coast.	been included at paragraph 44.0.9 for additional clarification on accessibility: <i>"Additional accessibility information on the sections with the status "Open to the public" and updates on the status of other sections in the table are available on the England Coast Path website."</i>
Housing	
Rural exceptions sites shouldn't be linked to the settlement hierarchy.	Whilst it is important to offer local communities the opportunity to bring forward affordable housing in their own areas where there are no alternatives, it is still important that development is sustainably located. Retaining the phrase 'settlement hierarchy' makes clear that proposed development should seek to be located near a level of services appropriate to the scale of development being proposed. It is felt appropriate to keep 'settlement hierarchy' in to give steer to sustainability and ensure appropriateness of scale.
Policy H1 – why the change to the affordable housing percentages?	The Council has recently published the Whole Plan Viability Assessment (WPVA) which tested policy aspirations for the Local Plan including the affordable housing need identified within the Council's housing market assessment 2020. The WPVA provides the evidence base for what affordable housing contributions can be achieved across the borough. Local Plan Review Evidence - Viability
Policy H5 - needs consistent language as there are a couple of different phrases used 'over 55s' and 'older persons'..	Noted. The terminology references used are those taken from the Housing Market Assessment (SHMA 2020) paragraphs 6.10 to 6.17. For consistency with the supporting text Policy H5 criteria 4 uses of the term "older people" and this has been amended "older persons". The use of the term over 55 years olds in the supporting text is referring to SHMA 2020 that discusses persons of 55 years or older who may not need specialist older persons housing but general housing of a smaller scale. To make this general need for over 55 years old homes clearer paragraph 13.0.7 has been amended to: <i>For Park Home proposals that are for general accommodation needs for</i>

	<i>the over 55 year olds as set out in the SHMA 2020 at paragraph 6.17...</i>

Full Council	
Meeting Date	10 th December 2025
Report Title	Local Plan Review - Statement of Community Involvement – Consultation Feedback and Adoption
EMT Lead	Emma Wiggins – Director of Regeneration & Neighbourhoods
Head of Service	Joanne Johnson - Head of Place
Lead Officers	Anna Stonor – Principal Planning Officer (Policy) and Christopher Mansfield - Planning Officer (Policy)
Classification	Open
Recommendations	1. To adopt the Statement of Community Involvement, as set out in Appendix IV

1 Purpose of Report and Executive Summary

- 1.1 At the Policy and Resources Committee (P&R) on 17th October 2024, it was agreed that the draft Statement of Community Involvement (SCI), subject to minor changes as minuted, be published for public consultation.
- 1.2 A six-week public consultation period on the draft SCI was undertaken. This ran from 21st May to 2nd July 2025. The results of this consultation were reported to Planning and Transportation Policy Working Group (PTPWG) on 16th September 2025 where it was recommended that the proposed changes were noted, that P&R agree the proposed changes and that the SCI proceeds to Full Council for adoption.
- 1.3 On 5th November 2025 the SCI was discussed at P&R who resolved that the updated SCI, subject to changes discussed and agreed, be recommended to Full Council for adoption.
- 1.4 The purpose of this report is to present the revised draft SCI following public consultation and amendments made at both PTPWG and P&R and to recommend the SCI, as set out in Appendix IV, for adoption.

2 Background

- 2.1 The SCI sets out how the community can get involved in local planning matters. It explains how people can play a part in the preparation of Local Plans, Neighbourhood Plans and Supplementary Planning Documents, as well as the consideration of planning applications and dealing with unauthorised development. It also sets out what is expected from those proposing developments.

2.2 Local Planning Authorities are required to produce SCIs and review them every 5 years. The current SCI was adopted in 2018 and updated in 2021 to reflect guidelines related to COVID 19. As such, the current SCI is now in need of a refresh, and on 16th of October 2024, a draft updated SCI was agreed for consultation at P&R.

2.3 The process of consultation with the public, and feedback from PTPWG and P&R has resulted in a series of responses/amendments to the SCI, as set out in the Appendices:

- Appendix I – comments from the public consultation and responses
- Appendix II – comments from PTPWG on 16th September and responses
- Appendix III – comments from P&R on 5th November and responses. Please note, Appendix III also includes a table of typographical corrections/updates and clarifications
- Appendix IV - the updated draft SCI (dated December 2025)

3 Proposals

3.1 To adopt the Statement of Community Involvement, as set out in Appendix IV.

4 Alternative Options Considered and Rejected

4.1 That members reject some, or all, of the suggested changes to the SCI as set out in Appendix IV. The SCI has been through public consultation, PTPWG and P&R and it is considered to be a document that reflects both legislative requirements and the public and members' views on how to involve the community in planning matters. As such this alternative is rejected.

4.2 That members do not adopt the SCI, as set out in Appendix IV, and retain the current version. It is a legislative requirement to update SCIs every five years, and it is beneficial to have an up-to-date SCI published in advance of the next consultation phases of the Local Plan. The Local Plan can then be consulted on in line with the new document. As such this alternative is rejected.

5 Consultation Undertaken or Proposed

5.1 Specific consultation for the draft SCI took place from 21st May for six weeks. Officers have worked with colleagues in the Planning Applications and Planning Investigations teams in preparing and updating the SCI before and after consultation. The draft SCI has also been reviewed by Planning and Transportation Policy Working Group at their meeting of 16th September 2025 and Policy and Resources Committee on 5th November 2025.

6 Implications

Issue	Implications

Corporate Plan	The proposals in the report align with the following Corporate Plan action: A Local Plan with local needs and capacity at its heart.
Financial, Resource and Property	The Local Plan work programme is fully funded across a combination of base budget and committed reserves and central government grant.
Legal, Statutory and Procurement	Updating the SCI every five years is a legislative requirement, therefore publishing an updated SCI will help meet the Council's statutory requirements.
Crime and Disorder	There are no direct crime and disorder impacts arising from this decision.
Environment and Climate/Ecological Emergency	No implications identified at this stage.
Health and Wellbeing	No implications identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	No implications identified at this stage.
Risk Management and Health and Safety	No implications identified at this stage.
Equality and Diversity	The SCI enables all members of Swale society to be involved in the planning process.
Privacy and Data Protection	No implications identified at this stage.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: SCI Public Consultation Comments (Summaries) and Responses
- Appendix II: Table of Comments and Responses following Planning and Transportation Working Group, 16th September 2025
- Appendix III: Table of Comments and Responses following Policy and Resources Committee, 5th November 2025
- Appendix IV: Draft Statement of Community Involvement, December 2025

8 Background Papers

- 8.1 [\(Public Pack\)Agenda Document for Planning and Transportation Policy Working Group, 17/09/2024 19:00](#) and [Minutes Template](#) for Planning and Transportation Policy Working Group Committee on Tuesday, 17 September 2024, 7.00 pm
- 8.2 [\(Public Pack\)Agenda Document for Policy and Resources Committee, 16/10/2024 19:00](#) and [Minutes Template](#) for Planning and Resources Committee on Wednesday, 16 October 2024 7. Pm
- 8.3 Details of Public Consultation (including Draft SCI), May to July 2025: <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/public-consultation#h2>
- 8.4 Agenda, reports and minutes of the PTPWG, 16th September 2025: [Agenda for Planning and Transportation Policy Working Group on Tuesday, 16 September 2025, 7.00 pm](#)

Chapter 1: Introduction

Question 1: Do you agree with the description of what a Statement of Community Involvement is and why it is relevant? Do you have any additional comments on Chapter 1?

Response by	Reference	Summary	SBC Response
Mr Nigel Heriz-Smith	SCI25/3-3	1. The comment argues that all households affected should be consulted on key planning issues, specifically the Local Plan (both Reg 18 and Reg 19), Conservation Areas, and the revocation of AQMAs. It stresses that these are central to SBC's responsibilities for national and local planning objectives. The comment opposes reliance on only "those who have shown interest" in the past, as this excludes new residents and others not actively following Council updates.	No change agreed 1. The consultee makes a good point about involving all households in the borough. However, writing to all residents each time there is a local plan consultation, a Conservation Area Appraisal consultation or a revocation of an AQMA would be extremely costly to the Council in terms of printing and delivery. To address this issue in a more cost effective way, the Council will continue to publish details of consultations and to encourage general involvement in planning issues in its biannual Inside Swale Magazine (which is delivered in paper form to all households across the borough) and through the Swale Means Business website and ebulletin - and to make engagement in planning issues regular items in these publications. The Council will also issue press releases, and engage in social media and other engagement events (eg with parish councils, members, community groups, the public generally etc), as appropriate, to ensure that consultations/planning issues are advertised through paper and digital news outlets to enable widespread engagement.
Graveney with Goodnestone Parish Council	SCI25/4-4	1. Agrees that the SCI introduction clearly explains its role, scope, and the importance of early, ongoing community engagement. Suggested improvements include: 2. Adding brief definitions or a glossary for technical terms like "Supplementary Planning Documents" and "unauthorised development." 3. Expanding on how communities, particularly underrepresented groups (non-digital users, young people, minorities), will be proactively engaged, with specific inclusive practices. 4. Providing examples to clarify the distinction between legal requirements and additional actions in paragraph 1.5. 5. Briefly referencing other relevant legislation, such as the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011, to establish the statutory foundation.	Partial changes agreed 1. Welcomes support 2. Agree that a glossary would be very useful and this will be included 3. Paragraph 2.5 of the SCI sets out the principles for involving communities and a commitment to including potentially disengaged groups. How this will be done will vary for different planning matters, but for local plan consultations may include methods such as presentations/videos to, for example, school groups and consultation with representatives of the Travelling Community. The SCI makes clear that digital and online technology will play an important part in the planning process going forward but that engagement via other methods, including letters to those on our consultation database, newsletters promoting signing up for that database, specific engagement events, publication of paper as well as online documents and maps and press releases will also play a key role. The Council will also look to borough and parish councillors to help cascade information to its electorate. 4. With regard to the distinction between legal requirements and additional actions, it is felt that this is made very clear with the explanation in paragraph 1.5 and the distinctions set out in subsequent chapters, for example in Chapter 4 - 4.7, 4.8, 4.11, 4.12, 4.14, 4.15, 4.17, 4.18, 4.20, 4.21. It should be noted that where eg 4.12 the document says 'will also' these are not legally required engagement methods. 5. Agree that a reference to the legislation would be helpful and this will be included as a footnote to paragraph 1.1.

Duchy of Cornwall	SCI25/5-7	1. The comment welcomes the SCI's clarity and relevance but suggests: 2. Making it clearer who the intended users of the SCI are. 3. Emphasising that the SCI forms part of the Local Plan framework. 4. Expanding Section 2.6 to highlight that the SCI not only guides the Council's consultation but also sets a minimum standard that third parties are encouraged to follow.	Change agreed 1. Welcomes support 2. Agree that the users of the SCI could be made clearer and reference to 'residents, businesses and other stakeholders' will be added as a description of 'the community' in paragraph 1.1. 3. With regard to the SCI being part of the Local Plan framework, paragraph 1.1 will be amended to make clear that the SCI is a statutory planning document. 4. With regard to expanding Section 2.6 (chapter 2), this will be amended to include reference to neighbours and businesses. The paragraph clearly sets out what is expected of developers in terms of pre-application engagement and, while it is encouraged, it is not considered necessary to make this a 'minimum standard'. (See also responses to SCI25/5-5 in Chapter 7 below).
Bredgar Parish Council	SCI25/9-1	No comment	No response required
Mrs K Murphy	SCI25/10-1	1. Comment raises concerns with a current planning application and democracy in planning, but also raises the issue of people who do not use computers and their ability to engage in consultations.	No change agreed 1. The point about the need to engage with people who do not have access to computers is well made. In our Digital Age, it is an essential that planning consultations continue to make provision for those who prefer/need to look at paper documents and speak to people, rather than access information digitally. Section 4 of the draft SCI sets out how this will be done for the Local Plan (eg paper documents and mapping being available at Council offices/libraries) and chapters 5 & 6 set out the process for SPDs and Neighbourhood Plans. With regard planning applications and chapter 7: applications of certain types are advertised in newspapers, site notices are posted which include contact details, and letters are sent to neighbouring residents with contact details for submitting responses in writing. Contact details are available on our website at https://swale.gov.uk/your-council/contact-us/contact-a-council-service/planning or by telephoning the Council on 01795 417850. These details have been added to the draft SCI.
A Ayres	SCI25/11-1	1. Although the comment is mainly regarding a planning application and several impacts of it, this comments on people without computers, or private cars, which could impact their way of communicating with the Council on future consultations.	No change agreed 1. The point about the need to engage with people who do not have access to computers, or private cars, is well made. In our Digital Age, it is an essential that planning consultations continue to make provision for those who prefer/need to look at paper documents and speak to people, rather than access information digitally. Section 4 of the draft SCI sets out how this will be done for the Local Plan (eg paper documents and mapping being available at Council offices/libraries which are generally reasonably accessibly by public transport) and chapters 5 & 6 set out the process for SPDs and Neighbourhood Plans. With regard planning applications and chapter 7: applications of certain types are advertised in newspapers, site notices are posted which include contact details, and letters are sent to neighbouring residents with contact details for submitting responses in writing. Contact details are available on our website at https://swale.gov.uk/your-council/contact-us/contact-a-council-service/planning or by telephoning the Council on 01795 417850. These details have been added to the draft SCI.
Mr P Dixon	SCI25/12-1	No comment	No response required
Natural England	SCI25/13-1	1. Natural England welcomes early and meaningful engagement in local planning and supports community and statutory body involvement in shaping policy and decisions. However, it cannot comment in detail on individual SCIs.	No response required 1. Grateful for comments made and support for meaningful engagement.
Canterbury City Council	SCI25/14-1	No comment	No response required

Mr H Boswell	SCI25/16-1	1. Writing as a holiday park owner - agrees with the SCI definition. Notes that planning decisions impact tourism business, infrastructure, visitor economy. They urge the Council to acknowledge tourism operators and static caravan park owners as key stakeholders, noting their importance to the local economy, infrastructure, visitor experience, and land management with environmental and community implications.	No change agreed 1. The Council agrees that tourism operators and static caravan park owners are key stakeholders in the borough, however, it is not felt that specific reference to them needs to be made in the SCI. The document already recognises (eg paragraph 2.4) that it will be necessary to tailor the engagement approach for specific issues and audiences and listing specific groups would lead to unnecessary detail in the document, making it overly long and potentially less flexible.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-1	1. TWBC agrees with the definition and relevance of the Statement of Community Involvement in paragraph 1.3 and supports the approach in paragraph 1.5, distinguishing between consultation methods the Council is legally required to do (“will”) and additional, optional methods (“may”).	No response required 1. Welcomes support.

Chapter 2: Principles of Community Involvement

Question 2: Do you have any comments on the principles of community involvement set out here, or any suggested amendments to Chapter 2?

Response by	Reference	Summary	SBC Response
Mr Nigel Heriz-Smith	SCI25/3-3	1. Criticises the ambiguity in paragraphs 2.4 and 2.5, arguing that vague phrases like “where necessary” and “fit for purpose” allow for weak communication practices. It calls for stronger commitments. 2. Swale-wide issues: - Letters should be sent to all households and businesses. 3. Localised issues (e.g., AQMA revocations): All directly affected households and businesses should be contacted, with “impacts” interpreted broadly, not just by postcode. 4. Clarity in consultation lists: The current wording risks overlooking groups. The default should be that all residents and businesses within or near the scope of a policy are notified, given the significant impacts of planning decisions.	No change agreed 1. The Council considers the language used in paragraphs 2.4 and 2.5 to be appropriate and allows a flexible range of engagement types to suit different events. 2./3. /4. For a response to comments that all residents and businesses should be contacted by letter, please see the Council's response to comments SCI25/3-3 and SCI25/11-1 above.

Graveney with Goodnestone Parish Council	SCI25/4-5	1. The comment welcomes the clear principles in Chapter 2 and the Council's commitment to engaging communities, but suggests several improvements: 2. The list of principles in paragraph 2.5 should be reformatted for clarity, as some points are too long and cover multiple themes. 3. Expand on commitments to reach non-digital users through printed materials, phone consultations, drop-in events, and use of libraries/local centres. 4. Go further in outlining how participation from harder-to-reach groups will be actively encouraged. 5. Welcomes commitment to feedback which should be prompt and accessible including clear summaries of how decisions were made. 6. Require developers/landowners submitting major applications to provide a Community Engagement Statement summarising feedback and how it shaped proposals. 7. Strengthen the equalities section by referencing the use of Equality Impact Assessments and inclusive venues/communication methods.	Partial changes agreed 1. Grateful for support and suggestions for improvement. 2. List under paragraph 2.5 has been amended to improve clarity. With regard the longest point of paragraph 2.5 (about appropriate representations), it is felt that his needs to be kept as is, due to the number of inappropriate representations received. 3. With regard to detail of how to reach non-digital users, this is set out elsewhere in the draft SCI as is too detailed for this section about 'principles'. 4. With regard to detail of how to reach hard to reach groups, this is set out elsewhere in the draft SCI as is too detailed for this section about 'principles'. 5. Noted 6. The draft SCI (7.17) sets out that 'information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application'. Not including such a statement of engagement would not be a reason for refusing planning permission and as such, while it is encouraged, it is not considered appropriate to make it a 'requirement'. 7. An Equalities Impact Assessment for the Local Plan will be published at the Regulation 19 stage and will be published on the SBC website. A reference to this will be added to Chapter 3. Equalities Impact Assessment are not mandatory for planning applications but can be useful to inform both an assessment in relation to the application of the Equalities Act 2010 and the assessment of a planning application. If an applicant chooses to submit one, the Council would have regard to it.
Duchy of Cornwall	SCI25/5-3	1. The comment values the Council's focus on accessibility and transparency but recommends two enhancements: 2. Explicitly include early engagement by landowners/applicants within the Council's own principles (to align with Section 2.6 and set a clear example). 3. Add a principle on conducting Equality Impact Assessments (EQIAs) to better understand diverse community needs, linking to sections 2.5.v and 2.9, with reference to pro forma EQIAs used by other councils.	Partial changes agreed 1. Welcomes comments and suggestions for improvement. 2. With regard to recommended enhancements: a new bullet point has been added about engagement by landowners/applicants 3. An Equalities Impact Assessment for the Local Plan will be published at the Regulation 19 stage and will be published on the SBC website. A reference to this will be added to Chapter 3. Equalities Impact Assessment are not mandatory for planning applications but can be useful to inform both an assessment in relation to the application of the Equalities Act 2010 and the assessment of a planning application. If an applicant chooses to submit one, the Council would have regard to it.
Sarah Moakes	SCI25/6-2	1. Developer consultations are one-sided and should show how community concerns were addressed. 2. Calls for more transparency in developer-planning officer interactions, with all discussions minuted and publicly available.	No change agreed 1. The draft SCI (7.17) sets out that 'information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application'. Not including such a statement of engagement would not be a reason for refusing planning permission and as such it is not considered appropriate to make it a 'requirement'. 2. Best practice applications will set out the history of the application process, the engagement undertaken and how the community's concerns have been addressed. However, in order to enable frank discussions between officers and applicants, it is necessary for meetings such as these to remain confidential and this is standard practice across the industry.

Mr H Boswell	SCI25/16-2	1. Agrees with the principles, especially the use of varied engagement methods 2. Suggests adding seasonal businesses (like holiday parks) to the groups needing tailored engagement 3. Suggests avoiding consultations during peak tourism seasons to allow meaningful participation.	No change agreed 1. Welcomes comments and overall agreement with principles. 2. Specific reference to seasonal businesses in this chapter of the SCI (about principles) would not be appropriate. Please also see responses to SCI25/16-1, SCI25/16-4 and SCI25/16-5. 3. Local Plan consultations seek to avoid key holiday periods or if they can't be avoided are generally lengthened. It is considered that this valid point is rather detailed to be explicitly referenced in the principles of the SCI, for example as it cannot apply to planning applications (where there is a legislative requirement to consult once applications are validated). In general, the point about 'using a variety of methods (paragraph 2.5) which make it easier for people to take part in the planning process' covers this issue.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-2	1. The community involvement principles in paragraph 2.5 clear are fair but suggests amendments: 2. Renaming the subheading to “Early pre-application engagement by landowners and developers” to stress early public/stakeholder input. 3. Adding a requirement for a Record of Community Involvement with planning applications. 4. Including a section on the Duty to Cooperate with neighbouring authorities under Section 2 for greater emphasis.	Partial changes agreed 1. Welcomes support and suggested amendments. 2. The subheading above paragraph 2.6 about 'engagement by landowners and developers' has been renamed 'Pre-application engagement by landowners and developers' and the point about early engagement by these bodies has also been added to the principles under paragraph 2.5. 3. The draft SCI (7.17) sets out that 'information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application'. Not including such a statement of engagement would not be a reason for refusing planning permission and as such, while it is encouraged, it is not considered appropriate to make it a 'requirement'. 4. An explanation of the Duty to Cooperate process and statement has been added to chapter 3.
Chapter 3: Planning for the future of Swale Borough Council			
Question 3: Do you have any comments on Chapter 3 and the documents that are produced in planning for the future of Swale?			
Response by	Reference	Summary	SBC Response
Graveney with Goodnestone Parish Council	SCI25/4-1	No comment	No response required
Duchy of Cornwall	SCI25/5-6	1. The comment praises the clear outline of planning documents but suggests strengthening the chapter by: 2. Adding brief explanations or links on how each document is prepared, including its evidence base and approval process (better placed here than in Chapter 4). 3. Including information on democratic oversight and decision-making, clarifying how documents are ratified. 4. Providing a short explanation of the hierarchy of plans (from the NPPF down to local planning documents) to give context to the Council's obligations and the purpose of each document.	Changes agreed 1. Welcomes comments and suggested amendments. 2. Reference to evidence base has been added to this chapter, as well as links to the sections of the website where documents are available. 3. More detail has been added on the context for planning in Swale, the role of councillors etc. Brief detail on the role of Council in ratifying local plan stages is also included in Chapter 4. 4. Detail on the hierarchy of the planning system has been added (3.1-3.6)
Sarah Moakes	SCI25/6-1	1. Regrettable that SBC does not use the Community Infrastructure Levy (CIL), noting it's a fixed, non-negotiable charge tied to development size and type, making it harder for developers to avoid paying	No change required 1. Comment noted.
Mr H Boswell	SCI25/16-3	No comment	No response required

Planning Policy Tunbridge Wells Borough Council	SCI25/17-3	1. List of main policy documents comprehensive but suggests adding the Authority Monitoring Report to show how policy effectiveness is monitored. 2. The list should be kept under review in light of upcoming national plan-making guidance.	Partial change agreed 1. Reference to the Authority Monitoring Report has been added to Chapter 3. 2. SCIs need to be reviewed every 5 years. References to this has been added to 3.7. Any changes to processes and required documents will be updated during that review, or earlier if deemed necessary.
Chapter 4: Engagement process for Local Plans			
Question 4: Do you have any comments or suggestions on Chapter 4, around the engagement process for Local Plans?			
Response by	Reference	Summary	SBC Response
Environment Agency	SCI25/2-1	No comment	No response required.
Mr Nigel Heriz-Smith	SCI25/3-4	1. The comment is strongly critical of SBC's past public engagement in the Local Plan Review, arguing that failures during the Reg 18 and Reg 19 stages caused public distrust. The commenter calls for a proactive, universal notification policy and a clearer, more inclusive list of consultees to rebuild trust and ensure meaningful engagement. 2. The comment also requests that water companies should be specifically included in the list of non-statutory consultees.	Partial change agreed 1. The strength of feeling behind this representation is understood. However, as set out above, the cost of writing to all residents and businesses at all stages of the Local Plan process, as is being requested, is beyond the scope of the Local Plan's budget and as such, the approaches set out in Chapter 4 are considered appropriate in the circumstances. 2. With regard to the inclusion of water companies in the list of consultees, water companies are already included as 'utility companies', but for clarity this has been amended to 'utility companies, including water companies'.
Graveney with Goodnestone Parish Council	SCI25/4-7	The comment requests greater clarity and stronger commitments in Chapter 4: 1. Clearly explain how individuals/consultees can register to be notified or informed (Sections 4.5 ix, 4.17 iii, 4.20 ii). 2. State the minimum notice period for intention to produce a Local Plan (Section 4.7 i). 3. Make provision of paper copies of the Inspector's Report and adopted Local Plan at main libraries mandatory, not optional (Sections 4.18 i, 4.21 i), to match the approach in 4.12 i.	Partial change agreed 1. Agree that details of how to be added to the consultation database would be helpful and this has been added to the end of paragraph 4.5 2. Regulation 18 of the Town and Country Planning Regulations 2012 concerns the preparation of a local plan. The minimum notice period is not set out explicitly, however, we would consider it to be 6 weeks. 3. It is our intention to provide paper copies of the Inspector's Report and the adopted Local Plan at main libraries, however, final decisions on this will be made at the time, depending on resources within the Local Plan's team.
Duchy of Cornwall	SCI25/5-1	1. The comment welcomes the clarity of this chapter but suggests several improvements. 2. Clarity of stages: Explicitly name statutory stages (e.g., Regulation 18 and 19) for easier cross-reference with national guidance. 3. Add a diagram showing the planning hierarchy from national to local levels for accessibility. 4. In section 4.6 soften wording about elected members' responsibility for notifying residents, as it may be misleading. 5. In sections 4.7 & 4.12 Expand on communication methods by incorporating a wider mix of digital channels and site notices alongside print media. 6. In section 4.10 provide a fuller explanation (or hyperlink) on the Planning Inspectorate's role. 7. Insert a description of the Council's internal democratic processes for finalising the Local Plan before submission to the Inspector.	Partial changes agreed 1. Welcomes support and suggestions for improvements. 2. Agree reference to the Regulation stages would add clarity and these have been added to paragraph 4.3. 3. The planning hierarchy has been explained in further detail in amendments to Chapter 3. It is thus not considered necessary to include a diagram to this chapter as well. 4. The last sentence of 4.6, around Ward Members, has been included following member request and discussion at Policy and Transportation Planning Working Group, 17th Sep 2024, however the emphasis has been amended. 5. 4.7 and 4.12 are considered appropriate for the resources the Council has and flexible enough to go further when needed. 6. A hyperlink to the Planning Inspectorate has been added. 7. A reference to the local plan needing to be agreed by relevant committees and ratified by Council has been added to 4.19.

SARAH MOAKES	SCI25/6-3	1. Local Plans should be subject to referendum like Neighbourhood Plans.	No response required 1. This is a matter of national legislation, and not one that can be addressed in this SCI.
National Highways	SCI25/7-1	1. Comment emphasises early engagement with National Highways in planning related matters and gives details of how to do this.	No response required. 1. Welcomes comment on importance of early engagement.
Mrs V Rook	SCI25/15-1	1. The comment raises concern about the hamlet of Dargate and the fragmentation of its surrounding farmland following its sale. Much of the land has been converted into various uses with multiple new highway accesses created, often without formal change of use. The request is for the Council to adopt strong policies to protect farmland, questioning whether the existing Boughton and Hernhill Fruit Belt Policy is sufficient to safeguard this important local asset and its historic orchards.	No response required 1. This is a matter for the Local Plan itself, not the SCI. The comment is noted.
Mr H Boswell	SCI25/16-4	1. The process is thorough but recommends directly consulting holiday park owners on Local Plan proposals affecting tourism, rural land use, or environmental designations, and giving clearer guidance on how Local Plans will address tourism-related development and infrastructure improvements.	No change agreed 1. Businesses, including holiday park owners etc, will be consulted on the Local Plan directly if they have signed up to the consultation database. This will be encouraged through press and publicity, including through the Swale Means Business website and emails. The Local Plan team is grateful for the effort Mr Boswell has put into his responses to this consultation and will contact him to discuss how best to get holiday related businesses to sign up to the consultation database. Issues about how the Local Plan will address tourism-related development and infrastructure improvements will be made through the forthcoming Local Plan consultations and is beyond the scope of the SCI itself.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-4	1. The chapter clearly explains the Local Plan preparation process and supports the proposed consultation methods, while noting the need to review them in light of future national guidance. They suggest: 2. Adding “residents” higher in the list of consultees under paragraph 4.5 for inclusivity. 3. Referring to social media and newsletters as possible engagement tools at all plan-making stages for consistency. 4. If Swale has a consultation database, including details in this section on its existence and how to join.	Partial change agreed 1. Welcomes comments and suggestions for improvements. 2. Considers the current listing of people to be involved is appropriate, as it generally follows a logical scale from the national to the local. 3. Social media and newsletters are already included as potential methods of engagement. 4. Agree - details of how to be added to the consultation database are included at the end of 4.5.

Chapter 5: Engagement process for supplementary planning documents

Question 5: Do you have any comments or suggestions on Chapter 5, around the engagement process for Supplementary Planning Documents?

Response by	Reference	Summary	SBC Response
Mr Nigel Heriz-Smith	SCI25/3-1	1. The comment is highly critical of SBC’s approach to consultation in Chapter 5, arguing it is bureaucratic, passive, and inaccessible to most residents. The commenter calls for mandatory, proactive outreach and extended consultation times (to 12 weeks) to ensure genuine public involvement in planning.	No change agreed 1. Comment on more proactive engagement and 12 week consultation period for a range of Council consultations is well made. However, Council resources and the timetable for local development consultations would rarely allow such approaches. It should be noted that the consultation period of 4 weeks which is mentioned in this chapter is a statutory minimum. It is likely that most consultation periods will be for 6 weeks, depending on circumstances at the time.
Graveney with Goodnestone Parish Council	SCI25/4-8	No comment	No response required.

Duchy of Cornwall	SCI25/5-4	1. The comment supports the approach to SPDs but recommends that all SPDs adopt a minimum six-week consultation period, consistent with Local and Neighbourhood Plans, to align with best practice and public expectations.	No change agreed 1. The consultation period of 4 weeks which is mentioned in this chapter is a statutory minimum. It is likely that most consultation periods will be for 6 weeks, but this is dependant on circumstances at the time.
National Highways	SCI25/7-2	1. Comment emphasises early engagement in planning related matters	No response required. 1. Welcomes comment on importance of early engagement.
Mr H Boswell	SCI25/16-5	1. Supports the approach but calls for more targeted engagement with tourism and leisure businesses on SPDs affecting holiday parks, and for specific guidance to address the unique planning challenges holiday parks face.	No change agreed 1. Welcomes comment and suggested amendments. Any SPD related to holiday parks would seek to involve targeted consultation with those experienced and working in leisure and tourism locally, in line with point i of 5.5 (Early engagement and preparation of a draft SPD). The need for specific guidance on holiday parks is outside the scope of the SCI.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-5	1. This chapter is comprehensive, covering all relevant stages and consultation methods in line with Regulations.	No change required 1. Welcomes support for this chapter.

Chapter 6: Engagement process for neighbourhood development plans

Question 6: Do you have any comments or suggestions on Chapter 6, around the engagement process for Neighbourhood Plans?

Response by	Reference	Summary	SBC Response
Graveney with Goodnestone Parish Council	SCI25/4-3	No comment	No response required.
National Highways	SCI25/7-3	1. Comment emphasises on early engagement in planning related matters	No response required. 1. Welcomes comment on importance of early engagement.
Mr H Boswell	SCI25/16-6	1. Council should ensure that local businesses, especially holiday parks, should be actively invited to participate in planning. They warn that ignoring tourism in planning policies could harm growth and investment in the sector.	No change required but action for planning policy team recommended. 1. The planning policy team will carry out an exercise to ensure that local holiday park operators are included in the consultation database where possible.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-6	1. The chapter on Neighbourhood Plan preparation is thorough and useful but suggests: 2. Adding under paragraph 6.14 that the LPA submits the Plan to the examiner. 3. Including a brief explanation of what a referendum is and how voting works, either in paragraph 6.17 or in the section's introduction.	Changes agreed. 1. Welcomes support and suggested recommendations. 2. Additional text has been added to 6.12 to reflect these comments. 3. Additional text has been added to 6.17 to reflect these comments.

Chapter 7: Engagement process for planning applications

Question 7: Do you agree with the engagement process for planning applications as set out in Chapter 7? Do you have any additional comments?

Response by	Reference	Summary	SBC Response

Graveney with Goodnestone Parish Council	SCI25/4-2	1. Para 7.4 Parish councils should be provided with information on 'prior approval' developments within their parish. 2. Para 7.15, the table on 'Major Applications' should include placing an advert in the local press.	Partial change agreed. 1. Prior approval applications appear on the weekly list that is circulated to those who have requested it and is available at https://pa.midkent.gov.uk/online-applications/search.do?action=weeklyList. This allows a search by parish or ward. Details of how to access the weekly list will be added paragraph 7.20. 2. Table 1 is a list of engagement activities that developers can engage with, not requirements for the council to do, which are set out in paragraph 7.22. 7.22 will be enhanced with a reference to newspaper adverts, a link to where the statutory publicity requirements are set out, which for major applications includes newspaper adverts. A hyperlink to the relevant legislation will also be added.
Duchy of Cornwall	SCI25/5-5	1. The comment welcomes the Council's explanation of planning application engagement but suggests several improvements: 2. Section 7.3: Add a link to more information on permitted development rights. 3. Section 7.3(b): Clarify the term "time limits," which may be misleading. 4. Consultation summaries: Require applicants for minor, major, and large-scale major applications to submit a Summary of Consultation, supported by a standard template. 5. Section 7.26: Strengthen wording to confirm that all issues will be considered "up to the point of determination." 6. Scope: Expand Chapter 7 to cover strategic sites, hybrid/outline applications, masterplans, reserved matters, and discharge of conditions (especially pre-commencement and pre-occupation). 7. Guidance: Include links to further guidance and policy documents to aid users seeking deeper understanding.	Partial changes agreed. 1. Welcomes comment and suggested improvements. 2. Link to more information on PD rights added (GPDO and Planning Portal) 3. Phrase 'time limits' has been removed - phrase 'time periods' remains 4. The draft SCI (7.17) sets out that 'information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application'. Not including such a statement of engagement would not be a reason for refusing planning permission and as such, while encouraged, it is not considered appropriate to make it a 'requirement'. 5. Paragraph 7.26 has been amended to include this point about consideration of issues up to point of determination. 6. Strategic sites, hybrid, outline, reserved matter applications are handled in the same way as full applications for planning permissions and no distinction has been made in the SCI between them, and is not needed. As a rule the Development Management team do not consult the public in relation to discharge of condition applications. 7. Reference to the NPPF and PPG as material considerations has been included in paragraph 7.7 of this chapter
SARAH WOAKES	SCI25/6-4	1. Applicants should not just be encouraged, but required, to consult affected parties and provide evidence they have done so.	No change agreed. 1. Planning Practice Guidance (Paragraph: 027 Reference ID: 5-027-20150415) directs us to where pre-application public consultation is mandatory. Otherwise, pre-application engagement with the local community is encouraged (and specifically referred to in paragraph 41 of the NPPF and in the SCI (Chapters 2 & 7)), but is discretionary.
National Highways	SCI25/7-1	1. Comment emphasises on early engagement in planning related matters	No response required. 1. Welcomes comment on importance of early engagement.
Southern Water Services Ltd	SCI25/8-1	1. Comment suggests that sustainability should mention sustainable urban drainage solution. Additionally, although water companies are not statutory consultees they prefer to be consulted	Change agreed 1. 'Flood risk, water quality and water resources' have been added to the (non-exclusive) list of material considerations to improve clarity and understanding.

Mr H Boswell	SCI25/16-7	1. Supports the process and pre-application engagement but asks that: 2. Holiday park owners be notified and consulted on nearby developments due to their insight on tourism and local impacts. 3. The Council provide plain-English summaries of complex applications to help busy small business	Partial change agreed 1. Welcomes support and specific requests. 2. Sections 7.22 and 7.23 outline the processes for consulting neighbours, including neighbouring businesses. It is noted that this might not include all neighbours that the commentor is requesting. In response more detail on how information on planning applications in Swale can be found is now set out in paragraph 7.20 (details of Planning Public Access and the weekly list of planning applications). 3. A plain English summary of complex applications is a welcome suggestion, but would be too resource intensive for the Council. However, Council's website of planning applications, mentioned here and now included in paragraph 7.20 of the SCI, includes a succinct summary of the application in the application title. Once the application has been found, the 'Document Types' which outline the applications best are generally the Design and Access Statements and the Planning Statements where they have been prepared and well as 'proposed' plans.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-7	1. Generally agrees with the proposed engagement process for planning applications but notes it should be reviewed pending potential government changes. Suggested additions include: 2. 'Before the Application is Submitted' - define what constitutes a major and larger-scale major application in Table 1. 3. Include reference to submitting a Record of Community Involvement with planning applications. 4. 'During the Application Process': clarify when letters or site notices will be used, suggesting consistent use of one or both methods. 5. Include reference to amendments to applications and the associated re-consultation process.	Partial change agreed 1. SCIs need to be reviewed every 5 years. Any changes to processes will be updated during that review, or earlier if deemed necessary. 2. Explanation of development scales has been included as a footnote. 3. The draft SCI (7.17) sets out that 'information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application'. Not including such a statement of engagement would not be a reason for refusing planning permission and as such, while encouraged, it is not considered appropriate to make it a 'requirement'. 4. Reference to legislation/guidance on site notices (Development Management Procedure Order) will be added as a hyperlinks to 7.22 and 7.22 will be expanded to add reference to newspaper adverts. 5. As a rule the Council does not reconsult the public in relation to amendments and discharge of conditons applications. This is in accordance with the Planning Practice Guidance (Paragraph: 026 Reference ID: 15-026-20190722) "Where an application has been amended it is up to the local planning authority to decide whether further publicity and consultation is necessary in the interests of fairness. In deciding what further steps may be required local planning authorities should consider whether, without re-consultation, any of those who were entitled to be consulted on the application would be deprived of the opportunity to make any representations that they may have wanted to make on the application as amended." A judgement will be made in each case as to who should be consulted and how long the window of opportunity to comment should be.

Chapter 8: Dealing with unauthorised development

Question 8: Do you have any comments on Chapter 8, around how the Council deals with unauthorised development?

Response by	Reference	Summary	SBC Response
Mr Nigel Heriz-Smith	SCI25/3-2	1. The comment argues that enforcement should not be left solely to Council discretion. 2. It suggests creating a formal mechanism for residents and businesses to trigger stronger enforcement responses, such as through referenda or petitions. It also proposes that local councillors should be empowered to initiate formal action when requested by their communities. This would make the process more democratic, transparent, and responsive.	No change agreed. 1. Planning Practice Guidance (Paragraph: 003 Reference ID: 17b-003-20140306 at https://www.gov.uk/guidance/ensuring-effective-enforcement) advises that planning enforcement is discretionary, as does paragraph 60 of the NPPF which states that 'Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control'. 2. There are mechanisms in place to allow residents, buisnesses and councillors to raise concerns and initiate enforcement processes. Anyone can report a suspected breach online, and Councillors are already empowered to act on behalf of the public, who can submit enforcement enquiries on behalf of residents, and raise matters directly with senior staff.

Graveney with Goodnestone Parish Council	SCI25/4-6	No comment	No response required.
Duchy of Cornwall	SCI25/5-2	1. The comment appreciates the Council's explanation of enforcement but suggests improvements: 2. Avoid language that implies enforcement is unlikely or optional. 3. Include a clear statement that planning consent is a legal requirement. 4. Provide an outline of the enforcement process and the potential costs/risks for those who breach planning rules, to strengthen understanding and deterrence.	Partial changes agreed. 1. Welcomes comments and suggested amendments. 2. The PPG (Enforcement and post-permission matters) sets out that local authorities have discretion to take enforcement action - when expedient and in the public interest, acting in a proportionate way. The SCI aligns with this approach. 3. Paragraph 8.1 has been amended in response to this comment and after further consultation with the enforcement team. The SCI now makes it clearer that unauthorised development can be unlawful. 4. Paragraph 8.1 has been amended to briefly set out the steps the Council takes when making decisions on whether and how to take enforcement action.
SARAH MOAKES	SCI25/6-5	1. The comment argues that SBC's enforcement stance does not align with government guidance by adding "where resources permit," which suggests action may be rare. This risks undermining public confidence in the planning	No change agreed. 1. The PPG (Enforcement and post-permission matters) sets out that local authorities have discretion to take enforcement action - when expedient and in the public interest, acting in a proportionate way. The SCI aligns with this approach.
Mr H Boswell	SCI25/16-8	No comment	No response required.
Planning Policy Tunbridge Wells Borough Council	SCI25/17-8	No comment	No response required.

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Appendix II - Table of comments from PTPWG, 16th September 2025, with responses from Planning Policy Team		
	Comments from PTPWG, 16th September 2025 (Minutes - Planning and Transportation Policy Working Group Minutes: Minutes Template)	Response from Planning Policy team
1	Glossary needs to be added	Change agreed. Glossary now included in the SCI version for P&R Committee.
2	Important to include sustainable drainage as a material planning consideration.	Change agreed. 7.7 vii Flood risk, water quality and water resources supplemented with the phrase: <u>(including sustainable drainage)</u>
3	Include comprehensive list of the statutory authorities/ consultees.	Change agreed. List of statutory consultees added to the glossary. A reference will be added to 4.5, 1 and 7.22, v.
4	Important to highlight how the Council engages with neighbouring local authorities as well as hard to reach groups and residents.	Partial change agreed. 4.5 explains how neighbouring local authorities are engaged in the preparation of the Local Plan. For clarity, 7.23 iv 'Consult with other organisations such as the Environment Agency, Natural England, Historic England etc, where applicable' has been moved to 7.22 under 'The Council will'. The SCI principles of engaging with hard to reach groups, as well as individuals/residents, is established in the document, including in sections 2.5 and 4.5. The detail of how this will be done for local plans, SPDs and neighbourhood plans with vary with each consultation. Local Plan consultation processes will be reported in a Consultation Statement to accompany the Regulation 19.
5	Needs to be more explicit about how the Council was transparent in its reporting, as required by the National Planning Policy Framework (NPPF).	Change agreed At the end of 4.8 and 4.12 bullet 'Report all comments received though the consultation to the relevant committees along with a summary of key issues highlighted and the Council's response to these issues' added.
6	SCI should include some wording on the Council's commitment to review the document within the next five years.	No change agreed Already explicit in 3.7.

7	Explanation of how representations to local plans are used and what feedback is given.	Partial change agreed. Approach to this is already set out in 2.5 viii. Furthermore, amendments listed in item 5, above, add clarity on this point.
8	Referred to paragraphs 7.13 and 7.14 of the draft SCI and stated that not all applicants engaged with the local community including Ward Councillors	Partial change agreed. Comment noted. Chapter 7 sets out the approach to applications and the encouragement the Council gives to pre-application engagement, in line with the NPPF. Reference to Ward Councillors added to 7.12.
9	With regard 7.17 of the draft SCI, asked that the word 'must' replaced the word 'should' in the second sentence	No change agreed. As explained at the PTP meeting on 16 th September, not reporting engagement can't be made a requirement (as it can't be a reason for refusal) and so the word 'must' is not appropriate.
10	There should be an obligation on officers to inform Ward Members and Parish Councils when a major application was coming forward	No change agreed. Notifying ward members is not a matter for the SCI. Established practice is that ward members receive the weekly list of planning applications. Para 7.23 ii sets out that 'The Council may...notify Town or Parish Councils of relevant planning applications in proximity to their area, inviting comments'.
11	Referred to paragraph 7.22 of the draft SCI and requested that the wording "Notify ward councillors...." be added to point (iii);	As 10 above.
12	Referred to paragraph 7.25 of appendix II and said it should be made clear that for public speaking at Planning Committee there was only one slot for each category. The current wording gave the impression that anyone could register.	Change agreed. 7.25 iii amended as follows: 'If the application is considered at Planning Committee, provide applicants, Town and Parish Council representatives of the parish in which the application is situated, and those who have commented on a planning application, an opportunity to register to speak at Planning Committee, noting that one Parish Council representative, one supporter, one objector and the applicant or their agent can speak, each for no longer than three minutes.'
13	Paragraph 7.32 of the draft SCI, 'Appealing a Planning Decision', should also include details of procedures for legal challenges to applications which had been granted permission by the Council.	Change agreed. New para at 7.32 'Those opposed to a grant of planning approval by a public body such as the Council or the Planning Inspectorate have the right to apply for Judicial Review.

		There are strict criteria for this, and set timeframes. Legal advice should be sought.'
14	Concerned that not all the relevant planning documents for Kent County Council (KCC) planning applications were published on Swale's 'Find or comment on a planning application' website, this needed to be addressed. Also need confirmation that comments made on Swale's planning public access are seen by KCC.	Change agreed. This issue highlighted in 7.20 with the inclusion of the additional sentence: 'Details of applications made to Kent County Council can be found on the following website: Planning applications - Kent County Council . Please note this Statement of Community Involvement only relates to the procedures of Swale Borough Council'
15	Should be made clear that Regulations 18 and 19 were for a 'minimum' six-week consultation period, but the relevant committee had discretion to extend.	Partial change agreed. Added to end of 4.8 iv. 'for a minimum of six weeks'. For Regulation 19, the phrase 'for a minimum' in 4.12 already implies that the consultation period can be extended if the Council wishes.
16	The SCI should note that it was a legal requirement to publish S106 Agreements ahead of Planning Committee meetings.	No change agreed. This matter has been discussed with the DM manager who advised this was a procedural matter and not a matter for the SCI.
17	Planning (Application) reports should include whether or not applicants had engaged with the local community prior to submitting their application.	No change agreed. This matter has been discussed with the DM manager who advised this was a procedural matter and not a matter for the SCI.
18	Three minutes to speak at planning committee was not sufficient if you were speaking on a major application.	No change agreed. This is not a matter for the SCI. (At the meeting on 16/9/25 the Chair of PTPWG advised this was a matter for the Constitution Working Group and he would contact the Chair of that group.)

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Appendix III - Table of comments from P&R, 5 th November 2025, with responses from Planning Policy Team		
	Comments from P&R Committee, 5 th November 2025	Response from Planning Policy team
1	Add word 'currently' before the word embedded to paragraph 3.16	Footnote added to 1.1. The reference to 'current' NPPF/legislation has been added here and not to paragraph 3.16 so that it applies to references throughout the document and not just to paragraph 3.16.
2		As a consequence of the requested change to paragraph 7.23 (below), paragraph 1.5 of chapter 1 no longer applies and has been removed.
3	Amend paragraph 7.23 to read: 'The Council <u>will</u> '	To accommodate this change most neatly paragraph 7.23 has been combined with paragraph 7.22 under the title 'The Council <u>will</u> .' Furthermore, to reflect the change to 7.25iii (below), some textual amendments have also been made to 7.22 iv which now includes the text 'and notify any other Town and Parish Councils which may be affected by a proposed development'
4	Paragraph 7.25iii be amended to read: 'Town and Parish Council representatives of the parish in which the application is situated and who are affected by the application'	Paragraph 7.25 iii has been amended to reflect the Constitution, as follows: If the application is considered at Planning Committee, provide: applicants/~~agents~~; Town/Parish Council representatives <u>of the town/parish in which the application is situated; Town/Parish Council representatives of any other towns/parishes affected by the proposed development; and those who have commented on a planning application, an opportunity to register to speak at Planning Committee, noting that: one Town/Parish Council representative of the town/parish in which the application is situated; one Town/Parish Council representative of any other towns/parishes affected by the proposed development; one supporter; one objector; and the applicant or their agent can speak, each for no longer than three minutes.</u> See also change to paragraph 7.22 iv which has been amended to reflect this additional text.

	Para no.	Typographical corrections and clarifications
5	3.1 and 3.5	Capitalise 'Town and Parish Councils' and ensure this order - to be consistent with rest of document
6	3.4 and 3.6	Tidying up weblinks and footnotes – to be consistent with draft Regulation 18 document
7	3.11	Typo correction – the LDS does include reference to other plans and policy document, so correction has been made. Wording 'where that applies' with reference to CIL is included as clarification as CIL is not used by SBC.
8	3.15	Tidying up weblink and footnote – to be consistent with draft Regulation 18 document
9	3.20	Authority Monitoring Report now published and available on Council website – link and footnote added.
10	4.3	Reference to 'consultation' added as clarification of meaning of Regulations
11	4.5	Correction – reference to glossary has been amended to reference Appendix I
12	4.8 iv	Wording 'excluding bank holidays' has been added to be consistent with rest of document
13	4.12 and 4.13	To be consistent with changes requested in Chapter 7 (see reference to paragraph 7.23 above), these paragraphs have been merged.
14	4.14	Typo – 'identify' instead of identifies'
15	5.11	Removed reference to 'other Council offices' here as 5.10 above already includes reference to 'Council offices' meaning 'all Council offices'.
16	6.1 and 6.10	Capitalise 'Town and Parish Councils' and ensure this order – to be consistent with rest of document
17	6.5	Links included as footnotes – to be consistent with draft Regulation 18 Local Plan
18	7.2	To be consistent with 3.1 and for clarity 'transport and' has been added to this paragraph.
19	7.7	Footnote reference to NPPF added, to be consistent with draft Regulation 18 Local Plan
20	7.9	Typo: 'the' replaced by 'they'
21	7.11	For consistency with 7.32 'reference to Secretary of State' has been replaced with 'Planning Inspectorate'
22	7.12/7.13	Sentence 'The Council encourages site promoters to be open about their proposals and to engage with the local community, <u>including Ward Councillors where relevant</u> ' moved from para 7.12 to para 7.13 as it relates better to this paragraph.
23	7.14	Phrase 'as set out in' removed as repetitive.
24	7.15 and footnote 12	Word 'scale' removed to make wording consistent with Council website (ie 'large scale major' is now 'large major') https://swale.gov.uk/planning-and-regeneration/planning-permission/pre-application-advice/pre-app-advice-fees#h2
25	7.20	Footnote reference to SBC and KCC Council websites added, to be consistent with draft Regulation 18 Local Plan
	7.21	Factual additional sentence added at request of DM Manager at the end of 7.21, as follows: ' <u>There are, however, some types of other applications where consultation is not required and/or cannot be undertaken due to the short determination time period that is defined by legislation</u> ', with footnote as follows: ' <u>Some applications do not require statutory</u>

		<u>consultation or publicity and therefore, whilst these may be visible on the public register online, they will not be open to formal consultation. This applies to the following application types: Lawful Development Certificates (proposed); Some applications for whether the prior approval of the Local Planning Authority will be required; Prior notifications; Statutory notifications from utility companies – e.g. overhead lines, Network Rail; Discharge of conditions; Non-material amendments; Scoping and screening opinions. More information about statutory consultation on planning applications can be found on the GOV.UK website: https://www.gov.uk/guidance/consultation-and-pre-decision-matters#statutory-publicity-requirements</u>
26	7.22	Footnote references to law and guidance added, to be consistent with draft Regulation 18 Local Plan
	7.24	Clarification added at request of DM Manager (new text underlined) : 'The decision on which properties, and which Town/Parish Councils, 'may be affected by the proposed development' <u>(see points iv and vi in 7.22)</u> is made by the Council. This is based on professional assessment of the proposal and its likely impacts on the area surrounding the site, and planning law and guidance.
27	8.2, 8.3, 8.4	Footnote references to Council and Gov.uk website added, to be consistent with draft Regulation 18 Local Plan

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Draft Statement of Community Involvement

December 2025



Draft Statement of Community Involvement November 2025

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1 Introduction

What is a Statement of Community Involvement?

1.1 A Statement of Community Involvement (SCI) is a statutory planning document ⁽¹⁾ which sets out how the community, including residents, business and other stakeholders can get involved in local planning matters. It explains how the Council enables people ~~can~~ to play a part in the preparation of Local Plans, Neighbourhood Plans and Supplementary Planning Documents, as well as the consideration of planning applications and dealing with unauthorised development. It also sets out what is expected from those proposing developments.

Why is the Statement of Community Involvement relevant?

1.2 Land use planning can affect everyone's daily lives, as the decisions that are made shape the places people live and work in, visit or pass through. The Council wants to encourage people to participate early and throughout the preparation of the documents which will allocate land for development and in the processing of planning applications. This will help strengthen evidence and encourage a sense of local ownership and commitment. The aim of this approach is to reduce, if not resolve conflicts, and reach a consensus on essential issues in the early stages of the process.

1.3 There are many benefits of involving communities in planning matters, these include:

- i. A greater focus on local needs and priorities;
- ii. Decisions being informed by local knowledge;
- iii. Increased community understanding of how planning policies are developed and how they are linked to other Council documents;
- iv. Increased community understanding of how decisions on planning applications are made;
- v. A sense of ownership of key planning policy documents;
- vi. Removing barriers (physical, language or social) and giving communities access to information and opportunities to voice their needs and opinions;
- vii. Creating accountability by generating a wider interest in monitoring outcomes.

1.4 The Council aims to make consultation and involvement in the planning process transparent, accessible, collaborative, inclusive and consistent. This will be done through the methods set out in this SCI.

1.5 ~~In the sections that follow, we set out what the law says we must do, and these are listed as points that the Council "will" do. Any other options the Council may choose to do over and above what the law says are listed as points the Council "may" do. The Council will use these other options where practicable or appropriate.~~

1 ~~The Planning and Compulsory Purchase Act 2004 requires Councils to produce Statements of Community Involvement. This SCI and its contents reflects current legislation, policy (eg the National Planning Policy Framework) and guidance (eg Planning Practice Guidance). If legislation or national policy and guidance changes with regard to SCIs or other references in this document, the most up to date legislation/national policy/national guidance would take precedence over current references in this SCI.~~

2 Principles of Community Involvement

2 Principles of Community Involvement

2.1 The planning process is more effective when the people that might be affected by change are an integral part of the engagement process. Greater involvement can help shape planning solutions that maximise the positive outcomes and minimise any negatives.

2.2 The Council does not pretend that planning decisions are free of difficult choices. Decisions need to be made within legal requirements, to have regard to national planning policy and guidance, and to consider technical evidence and local opinion. Planning judgement and decisions aim to balance both the positive and negative effects. There may well be differences in opinion, however, through positive engagement it is hoped that interested parties become engaged so that the quality of decisions is improved by taking account of local knowledge and opinion, and that the outcomes are understood.

Our principles for involving communities

2.3 As a minimum, the Council will comply with any legislation that is currently in force, or comes into force in the future. This will include any national legislation in an emergency, such as was the case with the coronavirus pandemic.

2.4 Where necessary, the Council will tailor the approach for specific issues, audiences and the scale of proposals, so that it is fit for purpose for the subject being consulted on, making it easier for people to take part. For example, where proposals have a local or limited impact, then the Council will seek to more closely involve those most affected. When the Council is planning for a large area, or considering choices which might affect much of the Borough, then engagement will be carried out more widely.

2.5 The Council's main principles of involving the various communities in the planning process are set out below:

- i. Encouraging communities to contribute by providing opportunities to put their ideas forward where there is scope to influence the Council's decisions;
- ii. Being transparent and clear about the planning process, what is being proposed and the scope to influence;
- iii. Using a variety of methods to make it easier for people to take part in the planning process, with the method used being appropriate to the subject being consulted upon;
- iv. Designing engagement exercises to be accessible;
- v. Encouraging better inclusion of everyone affected by a planning matter, making the effort to include potentially hard to reach and 'disengaged groups' such as young people, ethnic minorities, disabled people and the travelling community;
- vi. Encouraging early engagement by landowners and developers, before planning applications are made;
- vii. Making information available that is appropriate and understandable, raising awareness of planning matters and ensuring people are kept up to date. All data stored and published will be compliant with the Council's data protection policy;
- viii. Analysing carefully, and where appropriate, providing clear feedback for participants after an engagement exercise. This may include explaining changes we have made as a result of comments;
- ix. Protecting residents by redacting sensitive information before it is made public, such as personal addresses, phone numbers, email addresses, and dates of birth;
- x. Encouraging appropriate representations (comments) by only accepting comments that are relevant to the subject being consulted on. No profanities, or statements considered derogatory or offensive to any persons, in particular to those sharing a protected characteristic (such as disability, race, religion and others), will be accepted. If any representation is rejected for such reasons, the person making the representation will be notified of the reason for this once it has been processed.

Pre-application engagement by landowners and developers

2.6 The Council looks for its commitment to engagement to be matched by landowners and developers who are considering bringing forward development proposals. Landowners and developers should engage early so that the views of neighbours, residents, businesses and other stakeholders can be established and be taken into account when deciding whether or not to proceed with a proposal, and in the detail of the proposal itself. The purpose of the engagement should be made clear and it should be highlighted that this is prior to any planning application being submitted to the Council.

Digital and online technology

2.7 Greater use of digital technology is likely to continue to play an important role in the planning process in the future. Online events can allow the Council to provide information more easily, and in a way which can be less intimidating and more convenient, as people do not have to travel or make their voice heard in the crowd. It can also lead to greater engagement from young people who do not typically get involved with planning matters.

2.8 The Council recognises that relying entirely on digital technology potentially excludes those who do not have access to it, so the Council will continue to engage with people via other methods as well.

Equalities

2.9 As required by law, the SCI has been drafted to have regard to the need to eliminate unlawful discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between different groups.

3 Planning for the future of Swale Borough Council

3 Planning for the future of Swale Borough Council

3.1 Swale Borough Council is responsible for most planning matters within Swale, other than transport and minerals and waste planning, which are carried out by Kent County Council and major infrastructure, which are determined by the Secretary of State, though the Planning Inspectorate. Where they exist, **T**own and **P**arish Councils play an important role in planning issues, including in the preparation of neighbourhood plans.

3.2 The Secretary of State for Housing, Communities and Local Government oversees the planning system as a whole and has a more direct role in a small number of decisions through the appeals system, the call-in process and decisions on nationally significant infrastructure projects. The Planning Inspectorate is an executive agency, sponsored by the Ministry of Housing, Communities and Local Government. It deals with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related casework in England.

3.3 The National Planning Policy Framework (NPPF) is produced by the Ministry of Housing, Communities and Local Government. It sets out the Government's planning policies for England and how these should be applied through plan preparation and decision making. It is supported by the Planning Practice Guidance (PPG), which adds further context to the NPPF. The NPPF and PPG are both material considerations in planning decisions.

3.4 Councillors have a role to play in representing the views of their constituents in plan-making and planning applications. Some sit on the planning committee and have a direct role in decision making, whilst some sit on committees which oversee the preparation of the Local Plan. Details of councillors and their specific roles in the committee structure can be found on the [Council's website](#).⁽²⁾

3.5 The planning system in England is plan-led. Local Plans are produced by local authorities, Minerals and Waste Plans by county councils, unitary authorities or national park authorities and Neighbourhood Plans by **T**own and **P**arish Councils neighbourhood forums or community organisations.

3.6 The following section provides more detail about the main types of policy plans and documents that local authorities are currently expected to produce. Planning documents produced by Swale Borough Council are published on the [Planning and Regeneration pages of our website](#).⁽³⁾

Documents we produce

a) Statement of Community Involvement (SCI)

3.7 The Statement of Community Involvement (SCI) sets out the consultation requirements that will need to be followed when preparing policy documents and when consulting on planning applications. SCIs should be kept up to date and reviewed at least every 5 years from adoption.

3.8 The preparation of a new SCI is itself subject to consultation, but reviews to an existing SCI do not require consultation.

b) Local Development Scheme

3.9 The Local Development Scheme (LDS) sets out the Council's work programme for preparing development plan documents that the Council aims to prepare over the next three years or so. The Local Plan forms part of the development plan for the Borough and is the starting point for determining planning applications.

² <https://services.swale.gov.uk/meetings/mgMemberIndex.aspx?bcr=1>

³ <https://swale.gov.uk/planning-and-regeneration>

3.10 The LDS explains:

- i. What development plan documents the Council will prepare;
- ii. What will be in those plans and where they will apply;
- iii. How long it will take to prepare the plans;
- iv. What kind of plans they will be.

3.11 An LDS ~~does not include details of~~ **includes reference to** other plans and policy documents such as Neighbourhood Plans, Supplementary Planning Documents and other guidance documents, or the Community Infrastructure Levy charging schedule, **where that applies.**

c) Local Plans

3.12 Local Plans describe the places where development is intended to be directed, and where it needs to be carefully controlled. Policies within Local Plans set out how development is to be managed over a minimum period of 15 years from adoption.

3.13 Local Plans must include both strategic policies to address the development and land use priorities, and non-strategic policies which will include things like sustainable design and construction. Local Plans will allocate land to help deliver strategic requirements, including land for housing and employment.

3.14 Local Plans are a key consideration when determining planning applications, with decisions expected to be in accordance with Local Plans, and 'made' Neighbourhood Plans, unless other material planning considerations indicate otherwise. Other material planning considerations are matters that should be considered in making a planning decision.

d) Evidence base, including Sustainability Appraisal and Habitats Regulation Assessment

3.15 As part of plan preparation, the Council will prepare an evidence base to inform the Local Plan and the policies within it. This can include research on housing, employment, infrastructure, and environmental issues and will also include a Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA). A Sustainability Appraisal (SA) SA is a process through which the effects of a Local Plan on economic, social, and environmental objectives are considered. An SA also incorporates a further assessment process known as Strategic Environmental Assessment (SEA) which focuses on environmental impacts. SAs are iterative (i.e. subject to change and adjustment over time), with the appraisal updated alongside each consultation stage of a Local Plan. A Habitats Regulation Assessment (HRA) An HRA is used to identify any aspects of the Local Plan that would cause an adverse effect on the integrity of Natura 2000 sites, also known as European sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and, as a matter of Government policy, Ramsar sites), and to advise on appropriate mitigation. Evidence such as this is published on the [Local Plan pages of the Swale Borough Council website.](#)⁽⁴⁾

e) Duty to Cooperate Statement

3.16 The duty to cooperate was introduced by the Localism Act 2011 and is embedded in the NPPF. The duty places a legal duty on local planning authorities and other bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of plan preparation in the context of strategic cross boundary matters. The Duty to Cooperate Statement sets out how that has been done and is an important element in determining whether an emerging local plan can be found sound by a Planning Inspector.

3 Planning for the future of Swale Borough Council

f) Supplementary Planning Documents

3.17 Supplementary Planning Documents (SPDs) set out more detailed guidance to further explain the policies and proposals in Local Plans. SPDs cannot change policies contained within Local Plans but can give detail on how those policies are implemented. SPDs are a material consideration when assessing a planning application.

g) Non-statutory guidance

3.18 The Council may publish other development briefs and guidance which are not formal SPDs, and consultation may be carried out on these documents. Like SPDs, non-statutory guidance cannot change policies contained within Local Plans but can give detail on how those policies are implemented. Such documents and policies are also a material consideration when assessing a planning application.

h) Community Infrastructure Levy

3.19 The Community Infrastructure Levy (CIL) is a charge per square metre which can be levied by local authorities on new development to help deliver the infrastructure needed to support growth. CIL only applies in areas where a local authority has consulted on, and adopted a charging schedule which sets out its levy rates. At the time of publishing this SCI, Swale Borough Council has yet to implement CIL, and given viability pressures it is unlikely that it will be implemented in Swale in the near future.

i) Authority Monitoring Report (AMR)

3.20 Authority Monitoring Reports are updates on the progress of a local plan's preparation, progress on the Duty to Cooperate, information in relation to indicators in the plan and any policies which are not being implemented and other updates. The AMR is available on the Council's website.⁽⁵⁾

j) Equalities Impact Assessment (EIA)

3.21 An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making. An EIA for the Local Plan will be published at the Regulation 19 Stage of the Local Plan.

4 Engagement process for Local Plans

4.1 In this section more detail is provided on how the Council will engage in the preparation of Local Plans.

4.2 Local Plans are prepared in accordance with a regulatory process. The process includes consultation with the community and stakeholders. Following its preparation, a Local Plan is subject to examination by an independent Planning Inspector.

4.3 The process of preparing a Local Plan involves five broad stages:

1. Plan preparation (Regulation 18);
2. Proposed Submission Plan publication and **consultation (representations)** (Regulation 19 & 20) and submission for examination (Regulation 22);
3. Plan examination (Regulation 24);
4. Publication of recommendations - Inspector's report stage (Regulation 25);
5. Plan adoption (Regulation 26).

4.4 Once a Local Plan is adopted, it becomes part of the development plan alongside other development plan documents and made Neighbourhood Plans. Together these are the starting point for deciding planning applications.

How we will involve people in the preparation of Local Plans

4.5 The Council is required by law to engage on the preparation of a Local Plan. This includes engaging with a range of specific consultees, some of which are listed below:

- i. Statutory consultees (e.g. Environment Agency, National Highways, Natural England, Historic England etc - **see Appendix I**);
- ii. Other local authorities, including neighbouring authorities, Kent County Council, the Greater London Authority, and any others which may be considered appropriate;
- iii. Town and Parish Councils;
- iv. Service providers of all kinds, including the emergency services, utility companies, including water companies, and health providers;
- v. Local organisations and societies such as civic or amenity groups;
- vi. Businesses and economic groups including the Kent Medway Economic Partnership;
- vii. Environmental stakeholders e.g. Kent Downs National Landscape (formerly AONB), wildlife trusts;
- viii. Groups who are less likely to be heard (hard to reach groups), and groups with a specific role in equalities;
- ix. Individuals (who have asked to be notified);
- x. House builders / developers / agents / landowners / registered providers of affordable housing.

4.6 If you wish to be added to the Local Plan's consultation database, please contact the Planning Policy team: in writing to lpcomments@swale.gov.uk / Swale Borough Council, Swale House, East St, Sittingbourne, ME10 3HT (with your name, email/postal address); by telephone on 01795 417850.

Plan preparation

4.7 The plan preparation stage typically includes: evidence gathering on key issues, the development of options and a sequence of engagement exercises. Engagement may include both informal methods as well as formal methods such as consulting on a draft Local Plan. It is also incumbent on the Council's Ward Members to ~~ensure~~ raise residents' ~~are aware~~ ness of proposals in the Local Plan that may affect their area.

4 Engagement process for Local Plans

4.8 The Council will:

- i. Write to consultees to say it intends to produce a Local Plan and invite them to say what issues they think the plan should cover;
- ii. Advertise the Council's intention to produce a Local Plan, including a notification on the Council website, so that the public and organisations may register their interest;
- iii. Engage with statutory consultees on the evidence base and the consideration of potential policy direction;
- iv. Consult on draft policies **for a minimum of six weeks (excluding bank holidays);**
- v. Hold engagement events to support consultations in person and/or online;
- vi. Engage with Town and Parish Councils and other stakeholders, for example, through meetings, workshops and forums;
- vii. Issue information through press releases, newsletters, and social media;
- viii. **Report all comments received though the consultation to the relevant committees along with a summary of key issues highlighted and the Council's response to these issues.**

4.9 The Council may:

- i. Prepare summaries of technical reports;
- ii. Create online surveys;
- iii. Produce further publicity such as posters, leaflets or postcards.

4.10 After consultations have closed the Council will consider representations received and set out the main issues raised in a report of the consultation.

Proposed Submission Plan publication and submission for examination

4.11 At this stage the Council will publish the Proposed Submission Plan and invite representations on its legal compliance and soundness as defined in the National Planning Policy Framework. The Council will pass all representations to the [Planning Inspectorate](#) who will arrange for their consideration by an Inspector through an examination ⁽⁶⁾.

4.12 The Council will:

- i. Publish a notification on the Council website indicating that the Proposed Submission Plan (the version that we consider ready for examination) is being consulted on and invite comments for a minimum of six weeks (excluding bank holidays);
- ii. Get in touch directly with consultees to let them know of the publication of the Proposed Submission Plan;
- iii. Clearly set out how people and organisations can make valid representations (comments);
- iv. Make all statutory publication documents, including the consultation statement, available for inspection electronically and/or in paper form (with fully legible maps), at the Council's offices;
- v. Issue a press release and email people on the Council's consultation database to inform people that consultation is taking place
- vi. **Make paper copies of the Proposed Submission Plan available at main libraries;**
- vii. **Produce further publicity such as posters, leaflets or postcards;**
- viii. **Publish a press notice in the local newspaper;**
- ix. **Undertake briefings with Town and Parish Councils and other stakeholders either online or in person;**
- x. **Report all comments received though the consultation to the relevant committees along with a summary of key issues highlighted and the Council's response to these issues.**

4.13 The Council will also:-

- i. Make paper copies of the Proposed Submission Plan available at main libraries;
- ii. Produce further publicity such as posters, leaflets or postcards;
- iii. Publish a press notice in a local newspaper;
- iv. Undertake briefings with Town and Parish Councils and other stakeholders either online or in person;
- v. Report all comments received through the consultation to the relevant committees along with a summary of key issues highlighted and the Council's response to these issues.

Plan examination stage

4.14 The examination stage is run by the appointed Inspector, supported by an independent Programme Officer. The Inspector will consider all representations and evidence and then identify areas to be investigated further. The Inspector will set specific questions and a programme to do this, typically involving hearing sessions.

4.15 The Council will:

- i. Get in touch directly with all those who have made representations at the Proposed Submission Plan publication stage to give details of the date, time and place of the hearings, and the name of the person appointed to hold the examination;
- ii. At least six weeks before the first hearing, give details on the Council website and at the Council offices of the date, time and place of the hearings and the name of the person appointed to hold the examination;
- iii. Make examination documents available on the Council website.

4.16 The Council may:

- i. Use press releases to inform people;
- ii. Use digital platforms to allow online viewing of hearing sessions.

Publication of recommendations - Inspector's report stage

4.17 Based on their examination, the appointed Inspector will form a view on whether the Local Plan is legally compliant and is sound. Where necessary to make the Local Plan sound, the Inspector will recommend amendments to proposed policies and supporting text. This will be recorded through a formal report.

4.18 The Council will:

- i. Make the Inspector's report available for inspection at the Council offices and on the Council website;
- ii. Issue a press release;
- iii. Notify all those who requested to be informed of the publication of the Inspector's report, including emailing people on the Council's consultation database.

4.19 The Council may:

- i. Make paper copies of the Inspector's report available at the main libraries;
- ii. Use social media to inform people.

4 Engagement process for Local Plans

Plan adoption stage

4.20 At all stages of the local plan preparation, the local plan will need to be agreed by the relevant committees and ratified by Council. Adoption is when the Council confirms that the Local Plan has statutory status and full weight can be given to it in the determination of planning applications and appeals.

4.21 The Council will:

- i. Make available the Local Plan, Adoption Statement, Sustainability Appraisal and Habitat Regulations Assessment reports at the Council offices and on the Council website;
- ii. Send a copy of the adoption statement directly to those who asked to be notified;
- iii. Issue a press release to inform people.

4.22 The Council may:

- i. Make paper copies of the Local Plan available at main libraries;
- ii. Use social media to inform people.

Engagement process for supplementary planning documents

5

5 Engagement process for supplementary planning documents

5.1 In this section more detail is provided on how the Council will engage in the preparation of Supplementary Planning Documents (SPDs).

5.2 There are three types of SPD that might be prepared:

1. Site or area specific guidance e.g. development briefs;
2. Design codes or guidance;
3. Topic based policy guidance e.g. affordable housing.

5.3 The process of preparing SPDs is simpler than that of Local Plans because they are not subject to examination. The process involves three broad stages:

1. Early engagement and preparation of a draft SPD;
2. Consultation on the draft SPD;
3. Adoption.

5.4 As with Local Plans, the law governs how SPDs are prepared, including minimum requirements for engagement.

Early engagement and preparation of a draft SPD

5.5 The Council will:

- i. Identify specific groups and individuals who are likely to have an interest in what the SPD will say;
- ii. Undertake a targeted engagement process with those groups and individuals to explore issues and options;
- iii. Produce a draft statement of consultation setting out who we have engaged with in preparing the draft SPD, issues raised and how we have addressed those issues.

5.6 The Council may:

- i. Invite views from the public through surveys or by notifications on our website inviting comments or through social media channels.

Consultation on the draft of the SPD

5.7 The Council will:

- i. Publish the draft SPD for consultation on the Council's website for a minimum of four weeks (excluding bank holidays), together with the required supporting documentation and make paper copies available to view at the Council offices;
- ii. Issue a press release and email people on the consultation database telling them about the consultation.

5.8 The Council may:

- i. Make paper copies of the draft consultation SPD and supporting documentation available at main libraries, as appropriate;
- ii. Produce further publicity such as posters, leaflets or postcards;
- iii. Hold exhibitions, workshops or forums, face-to-face or online;
- iv. Use social media to inform people that the consultation is taking place.

5.9 After the consultation the Council will:

5 Engagement process for supplementary planning documents

- i. Consider the representations received;
- ii. Update the statement of consultation document, setting out the main issues raised and how it has addressed those;
- iii. Amend the SPD, where considered appropriate to do so, to reflect the points raised in the representations.

SPD adoption

5.10 The Council will:

- i. Publish the adopted SPD, the amended consultation statement and adoption statement by making them available to view at the Council offices and on the Council website;
- ii. Send a copy of the adoption statement directly to those who asked to be notified.

5.11 The Council may:

- i. Make paper copies of the adopted document available at other Council offices and appropriate libraries;
- ii. Issue a press release and newsletter to inform people;
- iii. Use social media to inform people.

Non-statutory guidance

5.12 Engagement relating to the preparation of non-statutory guidance will follow that set out for SPDs as set out above, where appropriate.

6 Engagement process for neighbourhood development plans

6.1 Neighbourhood Development Plans, also known as Neighbourhood Plans, give communities the ability to further shape their local area by setting out planning policies to help guide decisions on planning applications. Where a community wants to take up the opportunities offered by neighbourhood planning, this can be led by **T**own or **P**arish **C**ouncils, neighbourhood forums or community organisations.

6.2 Neighbourhood Plans must be in general conformity with the strategic policies within Local Plans and cannot promote less development.

6.3 Once a Neighbourhood plan is 'made' (adopted), it becomes part of the development plan alongside Local Plans and other made Neighbourhood Plans, which together are the starting point for determining planning applications.

If you want to make a neighbourhood development plan

6.4 There are formal stages required by law when developing a Neighbourhood Plan. These stages are:

1. Designating the Neighbourhood Area;
2. First draft of the Neighbourhood Plan (Pre-Submission version);
3. Final draft of the Neighbourhood Plan (Submission version);
4. Examination;
5. Referendum;
6. Making (adoption).

6.5 More information on how to prepare a Neighbourhood Plan can be found in the [Locality Neighbourhood Plan](#) ⁽⁷⁾ toolkit and [Planning Practice Guidance](#). ⁽⁸⁾

Our legal duties to groups making a neighbourhood development plan

6.6 The Council is required by law to offer help and advice to groups producing Neighbourhood Plans. This includes:

- i. Advising on what is involved in making a Neighbourhood Plan and potential scope, and sharing learning and best practice;
- ii. Advising on policy development, including the sharing of data and technical reports, creating maps (costs of printing will not be covered by the Council and will need to be paid for by the group preparing the Neighbourhood Plan), and attending appropriate meetings;
- iii. Advice on methods of public consultation and engagement;
- iv. Advice on how to publicise the proposed plan to the community;
- v. Making venues available for public engagement (costs may apply);
- vi. Advising on the availability of grant funding for neighbourhood planning groups.

6.7 The above points are in addition to the Council's commitments during the individual plan stages, which are set out below.

Designating the neighbourhood area

6.8 The Council will:

7 <https://neighbourhoodplanning.org/>

8 <https://www.gov.uk/guidance/neighbourhood-planning>

6 Engagement process for neighbourhood development plans

- i. Where an application for area designation differs from Parish or Town Council boundaries, consult on the application for the Neighbourhood Area designation for a minimum of 6 weeks (excluding bank holidays) and publicise the application on the Council website.
- ii. Provide a paper copy of the application at the Council's offices for inspection.

6.9 The Council may:

- i. Issue a press release and email people on the Council's consultation database to inform people that the consultation is taking place;
- ii. Use social media to inform people that the consultation is taking place;
- iii. Provide a paper copy of the application at the main library nearest to the proposed neighbourhood area;
- iv. In discussion with the neighbourhood body, amend the boundary of the neighbourhood area if it is inappropriate (for example, if it includes parts of other parishes that have not consented to their inclusion).

Initial draft(s) of the neighbourhood development plan (Pre-submission version)

6.10 The Council will:

- i. Support the preparation of a Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) screening reports of the emerging Neighbourhood Plan;
- ii. Assist the **T**own or **P**arish **C**ouncil with undertaking an SEA and Habitats Regulations Report where found necessary;
- iii. Advise on the consultation process and who to consult;
- iv. Comment on the draft Neighbourhood Plan.

6.11 The Council may:

- i. Publicise the consultation on the Council website;
- ii. Issue a press release and email people on the consultation database to inform people that the consultation is taking place;
- iii. Provide a paper copy of the Pre-Submission Plan at the Council offices for inspection.

Final draft of the neighbourhood development plan (Publication version)

6.12 The Council will:

- i. Consult on the Publication version (the Submission Plan) for a minimum of 6 weeks (excluding bank holidays);
- ii. Publish the plan on the Council website;
- iii. Provide a hard copy of the plan and supporting documents at the Council offices for inspection;
- iv. Collate all responses and prepare them for submission to the examiner.
- v. Submit the draft neighbourhood plan to the examiner.

6.13 The Council may:

- i. Issue a press release and email people on the Council's consultation database to inform people that the consultation is taking place;
- ii. Use social media to inform people that the consultation is taking place;
- iii. Summarise the comments received for the examiner.

Engagement process for neighbourhood development plans

6

Examination

6.14 The Council will:

- i. Liaise with the neighbourhood planning group to appoint an examiner;
- ii. Publish details of the examination on the Council website;
- iii. Pass any representations made at the Publication stage to the examiner;
- iv. Manage and fund the process of the examination;
- v. Act as a key contact for the examiner;
- vi. Answer any questions raised by the examiner;
- vii. Publicise the examiner's report on the Council website.

6.15 The Council may:

- i. Notify consultees that the examination is taking place;
- ii. Provide the examiner with a summary of the main issues raised in the representations.

6.16 There may be instances where the Council disagrees with the appointed examiner's findings. If this is the case, clear reasons would need to be given for rejecting the examiner's recommendations, and the Council would discuss any modifications with the neighbourhood planning body. Additional engagement with the neighbourhood plan group would also need to take place.

Referendum

6.17 People who live in the referendum area, and meet the criteria to vote, can vote in the neighbourhood plan referendum. If the majority of those who vote are in favour of the draft neighbourhood plan, then that plan must be 'made' by the local planning authority within 8 weeks of the referendum.

6.18 The Council will:

- i. Arrange and fund the referendum;
- ii. Publish information about the Neighbourhood Plan;
- iii. Give notice that a referendum is taking place;
- iv. Publish the results of the referendum.

Making (adoption)

6.19 The Council will:

- i. 'Make' (adopt) the plan, subject to the outcome of the referendum;
- ii. Publish the decision to 'make' a Neighbourhood Plan on the Council website;
- iii. Notify all individuals and organisations who asked to be notified.

6.20 The Council may:

- i. Issue a press release and email people on the Council's consultation database that the Neighbourhood Plan has been made (adopted).

7 Engagement process for planning applications

7 Engagement process for planning applications

7.1 As the Local Planning Authority, the Council is responsible for determining planning applications. This includes applications such as those for:

- i. Certain extensions and home alterations;
- ii. New houses and businesses;
- iii. Changing a building from one use to another;
- iv. Some forms of infrastructure eg solar farms below 50 megawatts (MW).

7.2 The Council is not responsible for County Matters such as **transport and** minerals and waste developments which are the responsibility of Kent County Council, nor is the Council responsible for Nationally Significant Infrastructure Projects (NSIPs), such as changes to a motorway, which are determined by the Secretary of State through the Planning Inspectorate.

7.3 Not all types of development require applications to be made to the Council, as they are permitted automatically under national legislation. This includes some types of house extensions and changes in the use of land or buildings. These are generally referred to as 'permitted development'.

7.4 In addition, some types of development only require the Council's approval on limited aspects of a proposal, such as: design and external appearance, transport impacts and flooding information. These are generally referred to as 'prior approval' developments. This includes certain changes of use, and certain telecoms apparatus.

7.5 Information on permitted development rights and prior approval can be found in [legislation](#)⁽⁹⁾ and on the [Planning Portal website](#)⁽¹⁰⁾.

How we make decisions on planning applications

a) What we must consider

7.6 Decisions on planning applications must be made in accordance with the development plan (adopted Local Plans and made Neighbourhood Plans), unless there are 'material considerations' that indicate otherwise.

7.7 A material consideration is a matter that should be taken into account when deciding a planning application. The National Planning Policy Framework and Planning Practice Guidance are material considerations. Other Material considerations can include, but are not limited to:

- i. Overlooking/ loss of privacy;
- ii. Loss of light or overshadowing;
- iii. Parking;
- iv. Highway safety;
- v. Traffic;
- vi. Noise/odour/air quality;
- vii. Flood risk, water quality and water resources **(including sustainable drainage)**;
- viii. Layout and density of building;
- ix. Design, appearance and materials;
- x. Access arrangements;
- xi. Effects on public rights of way;

⁹ <https://www.legislation.gov.uk/ukxi/2015/596/contents>

¹⁰ <https://www.planningportal.co.uk/>

Engagement process for planning applications

7

- xii. Effects on trees and hedgerows;
- xiii. Government policies, e.g. those set out in the [National Planning Policy Framework](#); ⁽¹¹⁾
- xiv. Human rights (including best interests of children);
- xv. Sustainability;
- xvi. Impact on character and appearance of an area;
- xvii. Impact on heritage assets.

7.8 Anything relevant to making the decision can be a material consideration. However, in general it relates to matters in the public interest rather than private matters. Examples of private matters are: property values, obstruction of private rights of way or the loss of view, none of which are material planning considerations.

b) How long we have to decide

7.9 The time periods for determination are set out in law. They ~~time-limits~~ are usually:

- i. 8 weeks for most planning applications;
- ii. 13 weeks for 'major' (larger) developments;
- iii. 16 weeks for applications that need an Environmental Impact Assessment.

7.10 If more time is needed to determine an application, an 'extension of time' can be agreed between the Council and the applicant.

7.11 If the Council fails to determine the application in time, the applicant can appeal to the [Secretary of State Planning Inspectorate](#) against 'non-determination'.

c) How and when we will involve you in the planning application process

Before the application is submitted

7.12 To assist people considering developing land or buildings, the Council offers a paid-for discretionary planning advice service/ pre-application advice service, to help people understand whether a proposal is likely to be acceptable, and what information they need to provide should they proceed to submit an application. ~~The Council encourages site promoters to be open about their proposals and to engage with the local community, including Ward Councillors where relevant.~~ The Council also suggests that developers seek advice from other statutory consultees such as the Environment Agency.

7.13 The Council encourages those preparing applications to positively engage with local people to help prepare and refine their proposals. For household extensions this may simply mean speaking to neighbours. For larger proposals, engagement should involve the wider area and should start at an early stage with engagement forming an integral part of the initial design process. ~~The Council encourages site promoters to be open about their proposals and to engage with the local community, including Ward Councillors where relevant.~~

7.14 The Council encourages anyone proposing development to actively engage the community when preparing their proposals. ~~as set out in~~ Table 1 below ~~sets out~~ indicative methods of engagement that applicants can carry out for a range of application types. The suggested methods vary depending on the scale and type of proposal, with larger proposals expected to use methods that would engage with more people.

7 Engagement process for planning applications

7.15 Table 1: Indicative methods of engagement for proposed planning applications by application type ⁽¹²⁾

Method of Engagement	Householder applications	Minor applications	Major applications	Large scale major applications	Other applications
Letters, email or postcards	✓	✓	✓	✓	✓
One-to-one meetings*	✓				
Website			✓	✓	
Advert in local press				✓	
Public meetings/ forums			✓	✓	
Public exhibitions			✓	✓	
Social media			✓	✓	
Workshops				✓	
Leaflets			✓	✓	

Table 7.2.1

7.16 *People considering the extension of their home are encouraged to meet with their neighbours to discuss their ideas.

7.17 In all instances, the comments and concerns raised through engagement should be considered, and if necessary, changes made to the proposed development before an application is submitted. Information on how engagement has been undertaken, the issues raised and how these have been responded to should be submitted as part of any application.

7.18 The Council will:

- i. Encourage applicants to consult the community, including the Town and Parish Council, where relevant.

¹² Minor development: includes between 1 and 9 dwellings/ covers up to and including 0.5 hectares/ commercial development less than 1,000 square metres. Major development: includes 10-49 dwellings/ from 0.51 hectares up to and including 2 hectares/ commercial development between, 1000 and 4,999 square metres. Large **scale** major development: includes 50-249 dwellings/ from 2.1 hectares up to and including 5 hectares/ commercial development between 5,000 to 9,999 square metres. For information, Strategic major development: includes 250+ dwellings/ covers more than 5 hectares and/or major development of 10,000 square metres or more

Engagement process for planning applications

7

7.19 The Council may:

- i. Liaise with Town and Parish Councils, where relevant.

Once the application is submitted

7.20 Details of all submitted planning applications can be viewed on the [Council website](#)⁽¹³⁾ by entering the site address, the reference number or via an interactive map. Those interested in seeing what planning applications have been received in Swale each week can visit the [Weekly List page](#)⁽¹⁴⁾ of our website. Details of how to contact the Development Management team are set out on our [website](#)⁽¹⁵⁾ or can be obtained by calling Customer Services on 01795 417850. Details of applications made to Kent County Council can be found on the following website: [Planning applications - Kent County Council](#).⁽¹⁶⁾ Please note this Statement of Community Involvement only relates to the procedures of Swale Borough Council

7.21 The law requires that for most types of planning application, the Council consult for a 21 day period (unless a longer period applies) before a decision can be made. For applications requiring Environmental Impact Assessment (EIA), a longer period of 28 days applies. There are, however, some types of other applications where consultation is not required and/or cannot be undertaken due to the short determination time period that is defined by legislation.⁽¹⁷⁾

7.22 The Council will:

- i. Make planning applications and the supporting documentation available to view on the Council website;
- ii. Publicise a [weekly list](#)⁽¹⁸⁾ of planning applications on the Council's website
- iii. Consult upon applications for a 21 day period as set out in law (excluding bank holidays), or in the case of EIA applications extend this to a 28 day period (excluding bank holidays);
- iv. Notify Town or Parish Councils of relevant planning applications in their area and notify any other Town and Parish Councils which may be affected by a proposed development, inviting comments;
- v. Where required by law⁽¹⁹⁾ and set out in [guidance](#)⁽²⁰⁾ either: display a planning notice on or near the application site; publish a newspaper advertisement/press notice; and/or post letters to neighbours adjoining the application site;
- vi. Depending on the nature and scale of the proposed development, post letters to properties beyond those adjoining the application site which may be affected by the proposed development;
- vii. Consult with statutory consultees (see [glossary Appendix I](#) for details) and other organisations such as the Environment Agency, Natural England, Historic England etc. where applicable.

7.23 The Council may:

- i. Depending on the nature and scale of the proposed development, post letters to properties beyond those adjoining the application site which may be affected by the proposed development;

13 <https://swale.gov.uk/planning-and-regeneration/find-a-planning-application>

14 <https://pa.midkent.gov.uk/online-applications/search.do?action=weeklyList>

15 <https://swale.gov.uk/your-council/contact-us/contact-a-council-service/planning>

16 <https://www.kent.gov.uk/environment-waste-and-planning/planning-and-land/planning-applications>

17 Some applications do not require statutory consultation or publicity and therefore, whilst these may be visible on the public register online, they will not be open to formal consultation. This applies to the following application types: Lawful Development Certificates (proposed); Some applications for whether the prior approval of the Local Planning Authority will be required; Prior notifications; Statutory notifications from utility companies – e.g. overhead lines, Network Rail; Discharge of conditions; Non-material amendments; Scoping and screening opinions. More information about statutory consultation on planning applications can be found on the GOV.UK website: <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#statutory-publicity-requirements>

18 <https://pa.midkent.gov.uk/online-applications/search.do?action=weeklyList>

19 <https://www.legislation.gov.uk/uksi/2015/595/article/15>

20 <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#statutory-publicity-requirements>

7 Engagement process for planning applications

- ii. ~~Notify nearby Town or Parish Councils of relevant planning applications in proximity to their area, inviting comments;~~
- iii. ~~Publish a press notice;~~
- iv. ~~Consult with other organisations such as the Environment Agency, Natural England, Historic England etc. where applicable;~~
- v. Publicise a [weekly list](#) of planning applications on the Council's website.

7.24 The decision on which properties, ~~and which Town/Parish Councils~~, 'may be affected by the proposed development' ([see points iv and vi in 7.22](#)) is made by the Council. This is based on professional assessment of the proposal and its likely impacts on the area surrounding the site, and planning law and guidance.

During the determination process

7.25 The Council will:

- i. Publish relevant documents on the Council website, including comments received in response to an application;
- ii. Consider the issues raised in response to an application;
- iii. If the application is considered at Planning Committee, provide: applicants/~~agents~~; Town/Parish Council representatives ~~of the town/parish in which the application is situated; Town/Parish Council representatives of any other towns/parishes affected by the proposed development; and~~ those who have commented on a planning application, an opportunity to register to speak at Planning Committee, ~~noting that: one Town/Parish Council representative of the town/parish in which the application is situated; one Town/Parish Council representative of any other towns/parishes affected by the proposed development; one supporter; one objector; and the applicant or their agent can speak, each for no longer than three minutes.~~

7.26 Due to the volume of representations received it is not possible to acknowledge or enter into correspondence regarding all representations submitted. However, all relevant matters raised, up to the point of determination, will be fully considered.

7.27 Representations from local people are very important in highlighting material planning considerations. Ultimately applications are determined in accordance with current legislation, development plan policy and all the material considerations identified.

7.28 The consideration of each application is led by a case officer. Their role is to assess the application against development plan policy and other material considerations. They will read all representations and summarise the key points raised when preparing their report which will consider and explain whether the application should be permitted or refused. In most cases a decision will then be made under delegated powers and a decision notice will be issued.

7.29 Some applications will be determined by the Planning Committee, rather than officers. The Planning Committee is made up of elected Councillors. For these applications, the case officer provides their report and recommendation to Planning Committee who decide whether the application is permitted or refused. The Planning Committee must also determine applications in accordance with the development plan unless material considerations indicate otherwise.

7.30 Where an application is to be considered by the Planning Committee, anybody that has submitted a representation will be notified of proceedings, and will have the opportunity to view the report prior to the committee meeting. Planning Committee meetings are open to the public.

After we have made the decision

7.31 The Council will:

- i. Publish the decision notice and officer report on the Council's website;
- ii. Inform the agent (or in the absence of an agent, the applicant) of the decision, usually by email.

Appealing a Planning Decision

7.32 If the applicant does not agree with the Council's decision to refuse an application, they have the right to appeal to the Planning Inspectorate. An appeal can also be made against the Council's failure to determine an application within the prescribed timetable, or against a planning condition imposed by the Council. In all these cases, the Council will write to everyone who has been consulted or has submitted representations on the planning application, letting them know about the appeal. At this stage further representations are sent directly to the Planning Inspectorate for consideration. The Council will publish any relevant appeal documents on the Council website.

7.33 Those opposed to a grant of planning approval by a public body such as the Council or the Planning Inspectorate have the right to apply for Judicial Review. There are strict criteria for this, and set timeframes. Legal advice should be sought.

8 Dealing with unauthorised development

8 Dealing with unauthorised development

8.1 Sometimes development occurs without the developer having first obtained the necessary ~~goes ahead without~~ planning permission or other such authorisation, or without meeting all the specified planning conditions of a planning permission or consent. This is known as 'unauthorised development' and can be unlawful. When this happens and where resources permit, the Council's Planning Investigations team will investigate. The next step could be to decide to take no further action, invite a retrospective application or, where appropriate, expedient, and in the public interest, the Council may take formal enforcement action. Planning enforcement action is taken at the Council's discretion.

How we make decisions on unauthorised development

8.2 The Council undertakes its enforcement duties as set out in the Council's [Planning Enforcement Strategy](#)⁽²¹⁾.

8.3 More information on the planning enforcement process and the types of actions available with unauthorised development can be viewed on the [Gov.uk](#) website⁽²²⁾.

How and when we will involve you in enforcement matters

8.4 If you suspect a breach of planning control, the best way to report concerns is via the Council's website ([Planning breaches & enforcement](#))⁽²³⁾. If you are unable to do this, please write to: Planning Investigations, Swale House, East Street, Sittingbourne, ME10 3HT.

8.5 An overview of the service and what you can expect from this process is set out in the Council's Local Planning Enforcement Strategy.

21 <https://swale.gov.uk/your-council/strategies-and-policies/planning-enforcement-strategy>

22 <https://www.gov.uk/guidance/ensuring-effective-enforcement>

23 <https://swale.gov.uk/planning-and-regeneration/planning-breaches-and-enforcement/report-a-breach-of-planning-consent#h2>

9 GLOSSARY

Adoption The final formal stage in the evolution of a statutory planning document. Once a plan is adopted it has full legal weight in the determination of planning applications.

Authority Monitoring Report (Previously called Annual Monitoring Report) a report produced each year by local authorities, which assesses progress with, and the effectiveness of, its plan-making documents.

Consultation Statement A summary of the main issues raised by a consultation.

Development Plan The suite of development plan documents that collectively provide the planning framework used to assess development proposals for a given local planning authority area.

Development Plan Document (DPD) Spatial planning documents that set out the local planning authority's policies and proposals for the development and use of land and buildings in the authority's area. In two-tier areas it may include adopted borough local plans, adopted county local plans for minerals & waste, development plan documents policies and site specific allocations. All DPDs are subject to independent examination. There is a right for those making representations seeking change to be heard at an independent examination

Duty to Co-operate The duty to co-operate is a legal test that requires cooperation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in Local Plans. It is separate from, but related to, the Local Plan test of soundness

Elected Councillors Locally elected community representatives that form part of the decision-making body in a local authority.

Environmental Impact Assessment An analytical process that systematically examines the possible environmental consequences of a development.

Equalities Impact Assessment is a tool used to ensure that decisions, policies, and practices within organizations are fair and do not discriminate against any protected groups.

Independent Examination The process by which a planning inspector may publicly examine a Development Plan Document.

Inspector's Report This will be produced by the Planning Inspector following the Independent Examination.

Kent County Council KCC are responsible for road and minerals and waste safeguarding elements of the planning system.

Localism Act The Localism Act 2011 devolves greater powers to local government and neighbourhoods and gives local communities more rights and powers over decisions about development. It also includes reforms to make the planning system more democratic and more effective.

Local Development Scheme (LDS) Sets out the programme for the preparation of the development plan documents.

Local Plan (LP) May consist of a single document or a set of documents such as site allocations, development management policies and core policies. These are formal plans for a geographical area which are key points of reference when deciding planning applications.

Minerals and Waste Local Plan Produced by Kent County Council, these documents set out plans relating to mineral and waste developments in Kent.

9 GLOSSARY

National Planning Policy Framework (NPPF) A document setting out the Government's national planning requirements, policies and objectives. It replaces much of the national advice previously contained within Planning Policy Statements, Planning Policy Guidance and Circulars. The NPPF is a material consideration in the preparation of planning documents and when considering planning applications.

Neighbourhood Plan Prepared by local communities, these set out policies and proposals for the future development of a neighbourhood, but they must conform to the strategic policies of the Local Plan.

Planning Inspectorate An organisation which processes planning appeals and holds examinations into development plan documents and planning application appeals.

Pre-application Advice The service provided by Swale is given to anyone who is considering building works and/or changes of use to properties in Swale. This advice will be provided, usually for a fee, and is the stage before making a planning application. It gives applicants an opportunity to understand how Swale's policies will be applied to their development, and it can identify potential problems and resolve them before an application is submitted.

Prior Approval Applications Prior approval means that a developer has to seek approval from the local planning authority (LPA) that specified elements of the development are acceptable before work can proceed. Although there is no need to apply to the LPA for permission to carry out development where permitted development rights are available, in a number of cases it is necessary to obtain prior approval from the LPA before the rights can be used. The process requires a developer to seek approval from the LPA that specified elements of the development are acceptable before the work can proceed. The matters for prior approval vary depending on the class of development in question.

Programme Officer Person appointed to assist with all administrative matters related to Examinations of Local Plan documents.

Public Consultation A process through which the public is informed about emerging plans or proposals put forward by a planning authority or by a development promoter and are invited to submit comments upon them.

Representation A formal statement submitted by a consultee at the submission stage of a development plan document.

Supplementary Planning Document (SPD) These documents, including issue-based documents, design guidance and masterplans, provide more detail to how policies in the Local Plan should be used.

Sustainability Appraisal (including Strategic Environmental Assessment) A systematic and iterative appraisal process, incorporating the requirements of the Strategic Environmental Assessment Directive. Its purpose is to appraise the social, environmental and economic effects of the strategies and policies in a local development document from the outset of the preparation process. This will ensure that decisions are made that accord with sustainable development.

Statutory Consultees Specific bodies who local planning authorities are required to consult by planning law (see Appendix I)

10 Appendix 1 - Statutory Consultees

Statutory Consultees for Planning Applications – see PPG for the type of development where these consultees will be consulted:

[Consultation and pre-decision matters - GOV.UK](https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Statutory-consultees) ⁽²⁴⁾

Canal and River Trust
Coal Authority
Control of major-accident hazards competent authority (COMAH)
County Planning Authorities (Kent County Council)
Crown Estates Commissioners
Department for Business, Energy and Industrial Strategy
Designated Neighbourhood Forum
Environment Agency
Forestry Commission
The Gardens Trust/Garden History Society
Greater London Authority
Health & Safety Executive
Highway Authorities (Highways England and Kent Highways)
Historic England
Lead Local Flood Authority (for Swale, Kent County Council)
Local Planning Authorities
National Parks Authorities
Natural England
Office for Nuclear Regulation
Oil and Gas Authority
Parish Councils (includes Town Councils)
Rail Infrastructure Managers
Rail Network Operators
Sport England
Theatres Trust
Toll Road Concessionaries
Water and sewerage undertakers

Specific Consultation Bodies for Local Planning

[The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](https://www.legislation.gov.uk/uksi/2012/767/contents/made) ⁽²⁵⁾

Coal Authority
County Planning Authorities (Kent County Council for Swale)
Electronic communications and Gas licencees and companies
Environment Agency
Highway Authorities (Highways England and Kent Highways for Swale)/Secretary of State for Transport
Historic England
Homes and Communities Agency
Integrated Care Board

24 <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Statutory-consultees>

25 <https://www.legislation.gov.uk/uksi/2012/767/contents/made>

10 Appendix 1 - Statutory Consultees

Local Planning Authorities and adjacent LPAs
National Parks Authorities
Natural England
NHS England
Marine Management Organisation
Mayor of London
Parish Councils (includes Town Councils) and adjacent PCs
Network Rail Infrastructure Limited
Water and sewerage undertakers

Table 10.0.1

Council Meeting	
Meeting Date	10 December 2025
Report Title	Recalculation of Political Balance and Allocation of Committee seats
EMT Lead	Lisa Fillery – Director of Resources
Head of Service	
Lead Officer	Jo Millard – Democratic and Electoral Services Manager
Classification	Open
Recommendations	1. That Council is asked to agree the political balance calculation as set out in Appendix II. 2. That Council is asked to allocate seats to those Committees and to agree the appointment of Members to those Committees, in accordance with the wishes of Group Leaders, as set out in Appendix III.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out changes to the Political Balance and Committee Seat Allocations and memberships as a result of a recent changes to the membership of a political group.

2 Background

- 2.1 Section 15 of the Local Government and Housing Act 1989 requires Local Authorities to review the allocation of seats on Committees at the annual meeting, or as soon as possible after it. Once the Council has agreed the allocation of Committee places between the political groups the Council must then appoint the nominees of the political groups to the Committees. This was last agreed at Annual Council in May 2025 (Appendix I).
- 2.2 Where changes to the membership of political groups take place between elections, the Local Government (Committees and Political Groups) Regulations 1990 require the Council to recalculate the political balance and the allocation of committee seats ‘as soon as practicable’ after notice of changes to groups is delivered to the proper officer.
- 2.3 Due to changes to the Green Group, the political balance has been recalculated as set out in Appendix II.
- 2.4 The following principles apply to the allocation of seats:

- (a) That not all seats on the body to which appointments are being made are allocated to the same political group;
 - (b) That the majority of seats on each Committee is allocated to a particular group if the number of persons belong to that group is a majority of the authority's membership;
 - (c) Subject to (a) and (b), that, when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
 - (d) Subject to (a) and (c), that the number of seats on each Committee is as far as possible in proportion to the group's membership of the authority.
- 2.5 There are 119 seats to be allocated under the Committee System. The seat entitlement of each group, on each Committee is thus based on the group's percentage representation on the Council as detailed in Appendix II. Whilst an initial version of this can be calculated mathematically, this usually results in a discrepancy between the strict entitlement of each group and the overall number of Committee seats to be allocated, requiring 'manual' adjustment to ensure that the number seats allocated to each group is fair. This process is known as 'gifting'.
- 2.6 Following the application of the mathematical calculation for proportionality, four political groups were identified as having the same proportion of seats. However, when the allocation was rounded to whole numbers, this resulted in an over-allocation on five committees. Due to these discrepancies, it was not possible to achieve a fully mathematical allocation across all committees.
- 2.7 Additionally, the distribution of seats was subject to interdependencies, as the allocation of a single seat to one group affected the overall balance. This required repeated reviews to maintain proportionality. In light of these challenges, Group Leaders or their representatives were invited to meet and agree on a fair and proportionate approach to seat allocation.
- 2.8 To ensure overall balance, Appendix II sets out the updated political balance and proposed seats for each group as agreed during discussions held with Group Leaders or representatives. Appendix III details the appointments of Members to Committees (to follow).
- 2.9 Whilst sub-committees are also governed by the political balance rules, the overall requirement for total places to be balanced only applies to ordinary committees so sub-committee places do not need to be included in the overall calculation, but the membership of sub-committee places should be proportionate as far as is reasonably practical.
- 2.8 The Joint Transportation Board and the Planning and Transportation Policy Working Group are not committees covered by Section 101 of the Local Government Act 1972 and Section 15 of the Local Government Housing Act does not apply. The membership of the Planning and Transportation Policy Working Group was determined by the Policy and Resources Committee at its June 2025 meeting.

3 Proposals

- 3.1 That Council is asked to agree the political balance calculation as set out in Appendix II.
- 3.2 That Council is asked to allocate seats to those Committees and to agree to the appointment of Members to those Committees, in accordance with the wishes of Group Leaders, as set out in Appendix III (to follow).

4 Alternative Options

- 4.1 In view of changes to the membership of political groups, there is no lawful alternative to the recalculation of political balance and associated committee seat allocations.

5 Consultation Undertaken or Proposed

- 5.1 All Group Leaders were invited to discuss proposals and have been asked to advise Democratic Services of their nominations to seats on Committees for their respective Groups.

6 Implications

Issue	Implications
Corporate Plan	The recommendations in this report contribute to the council priority to renew local democracy and make the council fit for the future.
Financial, Resource and Property	The Council's Committee Structure includes Committee(s) with Financial, Resource and Property within their remits.
Legal, Statutory and Procurement	The Head of Legal has been consulted on this report. The relevant legal provisions are set out in the body of the report.
Crime and Disorder	The Council's Committee Structure includes Committee(s) with Crime and Disorder within their remits.
Environment and Climate/Ecological Emergency	The Council's Committee Structure includes Committee(s) with Environment and Climate/Ecological Emergency within their remits.
Health and Wellbeing	The Council's Committee Structure includes Committee(s) with Health and Wellbeing within their remits.

Safeguarding of Children, Young People and Vulnerable Adults	The Council's Committee Structure includes Committee(s) with Safeguarding of Children, Young People and Vulnerable Adults within their remits.
Risk Management and Health and Safety	The Council's Committee Structure includes Committee(s) with Risk Management and Health and Safety within their remits.
Equality and Diversity	The Council's Committee Structure includes Committee(s) with Equality and Diversity within their remits.
Privacy and Data Protection	The Council's Committee Structure includes Committee(s) with Privacy and Data Protection within their remits.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Political Balance Calculation agreed at Annual Council May 2025.
- Appendix II: Political Balance Calculation as a result of changes due to a political group
- Appendix III: Membership of Committees.

8 Background Papers

Link to Annual Council May 2025:

[Agenda for Annual Council on Wednesday, 14 May 2025, 7.00 pm](#)

Political Balance Calculations

Group	Labour	Conservative			SIA			Lib Dem			Reform			Green						Total	Ungrouped Member (Independent)	TOTAL Members							
Number of Members	15	10			8			5			5			3						46	1	47							
Overall proportionality	33%	22%			17%			11%			11%			7%						100%									
Total entitlement	38.8043	25.8696			20.6957			12.9348			12.9348			7.7609						119	0	0							
Total rounded entitlement	39	26			21			13			13			8						120	0	0							
Size	Strict Entitlement	Rounded Allocation	Rounding Adjustment	d allocation	Strict Entitlement	Rounded Allocation	Rounding Adjustment	proposed allocation	Strict Entitlement	Rounded Allocation	Rounding Adjustment	proposed allocation	Strict Entitlement	Rounded Allocation	Rounding Adjustment	proposed allocation	Strict Entitlement	Rounded Allocation	Rounding Adjustment	proposed allocation	Strict Entitlement	Rounded Total	Proposed allocation						
Service Committees																													
Policy and Resources	15	4.8913	5	5	3.2609	3	3	2.6087	3	-1	2	1.6304	2	2	1.6304	2	2	0.9783	1	1	15	16	15						
Economy and Property	15	4.8913	5	5	3.2609	3	3	2.6087	3		3	1.6304	2	-1	1	1.6304	2	2	0.9783	1	1	15	16	15					
Environment & Climate Change	15	4.8913	5	5	3.2609	3	3	2.6087	3		3	1.6304	2		2	1.6304	2	-1	1	0.9783	1	1	15	16	15				
Housing and Communities	15	4.8913	5	5	3.2609	3	3	2.6087	3	-1	2	1.6304	2		2	1.6304	2		2	0.9783	1	1	15	16	15				
Regulatory Committees																													
Licensing	15	4.8913	5	5	3.2609	3	1	4	2.6087	3		3	1.6304	2	-1	1	1.6304	2	-1	1	0.9783	1	1	15	16	15			
Planning	17	5.5435	6	-1	5	3.6957	4	4	2.9565	3		3	1.8478	2		2	1.8478	2		2	1.1087	1	1	17	18	17			
Other Committees																													
Audit	9	2.9348	3	3	1.9565	2	2	1.5652	2	-1	1	0.9783	1	1	0.9783	1	1	0.5870	1	1	9	10	9						
Standards	11	3.5870	4	4	2.3913	2	2	1.9130	2		2	1.1957	1	1	1.1957	1	1	0.7174	1	1	11	11	11						
Urgent Decisions	7	2.2826	2	2	1.5217	2	2	1.2174	1		1	0.7609	1	1	0.7609	1	1	0.4565	0	0	7	7	7						
Transfers required																													
Total Seats	119	38.8043	40	-1	39	25.8696	25	1	26	20.6957	23	-3	20	12.9348	15	-2	13	12.9348	15	-2	13	7.7609	8	0	8	119	126	119	
Overall rounded total		39.00			0	39	26.00		26	21.00		-1	20	13.00			13	13.00			13	8.00		0	8		119		
Rounding Adjustment required																													
Rounded overall																													

Groups will need to negotiate with each other on amending the allocation of seats.

Rounded allocation is the rounding per committee

Rounded adjustment is the rounding per committee and may not give the correct total entitlement for each party which is subject to negoatiation between groups as the rounded figure gives a total of 135 seats and there are only 134 seats available

Transfers required shows the adjustment required for Lib Dems and Reform to allocate 2 seats each to SIA across P&R/Community & Leisure/Economy & Property/Environment & Climate Change/Housing and Health/Licensing

Usually the party with the lowest proportion of a seat overall have to give up a seat (highlighted above in yellow) for each committee, however we have 2 parties with identical allocations with the lowest proportion and so they need to decide who will lose a seat. In the event that a decision is not achieved then lots will be drawn.

Lib Dems and Reform will need to allocate an additional seat (subject to lots being drawn) to the Conservative Group

Once all adjustments are included the proposed allocation should add up to 134 seats and will form the proposal to council

Please note:

†Individual Members may not sit on both the Investigation and Disciplinary Sub-Committee and Statutory Officers Disciplinary Appeals Sub-Committee.

Committees can establish Sub-Committees during the course of the year, with the number of members determined by the parent Committee.

As long as the membership of the Sub-Committees is broadly balanced, the total entitlement of seats will be unaffected. This will also apply to the Swale Rainbow Homes Shareholder Representation Sub-Committee, the membership of which is to be determined by the Housing and Health Committee.

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Political Balance Calculations

Group	Labour				Conservative				SIA				Lib Dem				Reform				Green				Strict Entitlement	Rounded Total			Shortfall	Total		
Number of Members	15				10				8				5				5				2									45		
Overall proportionality	33%				22%				18%				11%				11%				4%									100%		
Total entitlement	39.6667				26.4444				21.1556				13.2222				13.2222				5.2889									119		
Total rounded entitlement	40				26				21				13				13				5								1	118		
	Size	Strict Entitlement	Rounded Allocation	Rounding Adjustment	Strict Entitlement	Rounded Allocation	Rounding Adjustment	proposed allocation	Strict Entitlement	Rounded Allocation	Rounding Adjustment	proposed allocation	Strict Entitlement	Rounded Allocation	Rounding Adjustment	proposed allocation	Strict Entitlement	Rounded Allocation	Rounding Adjustment	proposed allocation	Strict Entitlement	Rounded Allocation	Rounding Adjustment	proposed allocation		Rounded Total	Proposed allocation	Transfers required	Variance			
Service Committees																																
Policy and Resources	15	5.0000	5		5	3.3333	3		3	2.6667	3	-1	2	1.6667	2		2	1.6667	2		2	0.6667	1		1	15	16	15	0	0	15	
Housing and Community	15	5.0000	5		5	3.3333	3		3	2.6667	3		3	1.6667	2		2	1.6667	2	-1	1	0.6667	1		1	15	16	15	0	0	15	
Economy and Property	15	5.0000	5		5	3.3333	3		3	2.6667	3		3	1.6667	2		2	1.6667	2		2	0.6667	1		1	15	16	15	0	0	15	
Environment & Climate Change	15	5.0000	5		5	3.3333	3		3	2.6667	3		3	1.6667	2		2	1.6667	2	-1	1	0.6667	1		1	15	16	15	0	0	15	
Regulatory Committees																																
Licensing	15	5.0000	5		5	3.3333	3	2	5	2.6667	3	-1	2	1.6667	2		2	1.6667	2		2	0.6667	1	-1	0	15	16	15	0	0	15	
Planning	17	5.6667	6	-1	5	3.7778	4		4	3.0222	3		3	1.8889	2		2	1.8889	2		2	0.7556	1		1	17	18	17	0	0	17	
Other Committees																																
Audit	9	3.0000	3		3	2.0000	2		2	1.6000	2		2	1.0000	1		1	1.0000	1		1	0.4000	0		0	9	9	9	0	0	9	
Standards	11	3.6667	4	1	5	2.4444	2		2	1.9556	2		2	1.2222	1		1	1.2222	1		1	0.4889	0		0	11	10	11	0	0	11	
Urgent Decisions	7	2.3333	2		2	1.5556	2		2	1.2444	1		1	0.7778	1		1	0.7778	1		1	0.3111	0		0	7	7	7	0	0	7	
Transfers required					0				0			0		0			0			0				0		0	0	0		0		
Total Seats		119	39.6667	40	0	40	26.4444	25	2	27	21.1556	23	-2	21	13.2222	15	-2	13	13.2222	15		13	5.2889	6	-1	5	119	124	119	0	0	119
Overall rounded total			40.0000		40	26.0000			26	21.0000			21	13.0000			13	13.0000			13	5.0000			5			118				
Rounding Adjustment required																														0		

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		Current position						
		Labour	Conserv atives	SIA	Lib Dems	Reform	Greens	Total
Service Committees	Seats							
Policy and Resources	15	5	3	2	2	2	1	15
Housing and Community	15	5	3	3	2	1	1	15
Economy and Property	15	5	3	3	1	2	1	15
Environment & Climate Change	15	5	3	3	2	1	1	15
Regulatory Committees								
Licensing	15	5	4	2	1	2	1	15
Planning	17	5	4	3	2	2	1	17
Other Committees								
Audit	9	3	2	1	1	1	1	9
Standards	11	4	2	2	1	1	1	11
Urgent Decisions	7	2	2	1	1	1	0	7
	119	39	26	20	13	13	8	119

		Proposed Seats						
		Labour	Conserv atives	SIA	Lib Dems	Reform	Greens	Total
Service Committees	Seats							
Policy and Resources	15	5	3	2	2	2	1	15
Housing and Community	15	5	3	3	2	1	1	15
Economy and Property	15	5	3	3	1	2	1	15
Environment & Climate Change	15	5	3	3	2	1	1	15
Regulatory Committees		0	0	0	0	0	0	0
Licensing	15	5	5	2	1	2	0	15
Planning	17	5	4	3	2	2	1	17
		0	0	0	0	0	0	0
Other Committees								
Audit	9	3	2	2	1	1	0	9
Standards	11	5	2	2	1	1	0	11
Urgent Decisions	7	2	2	1	1	1	0	7
	119	40	27	21	13	13	5	119