

## Carly Stoddart

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**From:** Anna Wicken <anna.wicken@fernham-homes.co.uk> on behalf of Chris Loughead <Chris.Loughead@fernham-homes.co.uk>  
**Sent:** 16 June 2023 17:00  
**To:** Mike Baldock (Cllr); Simon Clark (Cllr); Kieran Golding (Cllr); James Hall (Cllr); Mike Henderson (Cllr); James Hunt (Cllr); Elliott Jayes (Cllr); Peter Marchington (Cllr); Claire Martin (Cllr); Charlie Miller (Cllr); Julien Speed (Cllr); Paul Stephen (Cllr); TerryThompson@swale.gov  
**Cc:** Ceri Williams; William Allwood; Danielle Lawrence; Matthew Woodhead; Matt Dennis; Steve Baughen; Carly Stoddart; paul.lulham@dhatransport.co.uk  
**Subject:** FW: Planning Committee Meeting 22nd June 2023 - Planning Application 22/505618/FULL - Land At School Lane Newington  
**Attachments:** 030\_230306\_Members Briefing.pdf; Wire Lines.pdf; Response to NPC highways comments.pdf; Response to NPC air quality comments.pdf

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Dear Members

I am writing to you ahead of the Planning Committee this coming Thursday (22<sup>nd</sup> June) when you will be considering Fernham Homes' deferred planning application for a school drop off and parking area for Newington CE Primary School and 25 new homes including 40% Affordable Housing. The application was deferred from the 9<sup>th</sup> March 2023 Planning Committee for a Members Site Visit, which took place on 13<sup>th</sup> June 2023.

As a number of Members have joined the Planning Committee since the election in May, I have attached a briefing document and relevant details (below) on the proposal which were circulated before the March Committee, for your information.

I understand that Officers will be issuing a tabled update which will provide further information, including on the overall planning balance. Since the application was deferred, Fernham Homes have committed to providing Air Source Heat Pumps to each home on the development, which can be secured by way of planning condition.

### **Queries raised at the March 2023 Planning Committee and by Newington Parish Council**

#### Impact on the landscape:

- The application is supported by a comprehensive Landscape and Visual Impact Assessment
- Accurate visual representations of years 1 and 15 after the completion of the development are attached. These are prepared in accordance with established and accepted best practice methodology. These demonstrate how the setting of the development in the floor and lower slopes of the valley, together with the maturation of the extensive landscaping provided around the application site (up to 17m in depth), will screen the development from the Public Right of Way to the east of the site, essentially reflecting the existing situation with the trees to the east of the school

#### Need for the car park:

- The existing temporary car park is on a short term lease and is well used – up to 33 vehicles at school pick up time. Kent County Council (KCC) has confirmed that since it was brought into use there “...has been a significant improvement in traffic flow outside the school in peak hours...”
- Without the car park there would be increased parking in surrounding residential areas, increasing congestion at peak times
- The proposed permanent car park and drop off/pick up area has been designed to allow the easy circulation of school traffic. It is to be provided to KCC or the school for £1 with a requirement that it must only be used for school car parking and drop off/pick up in perpetuity

Comments from Newington Parish Council:

Full detailed responses have been provided to the Council which respond to the comments received. In summary of the key points:

- KCC Highways do not object to the proposal, and agrees that the scheme will only result in negligible/very low percentage increases vehicular traffic in the AM and PM peaks on the A2 (c.1%), Church Lane (6-8%) and the junction of Church Lane and the A2 (c.1%)
- Up-to-date data on vehicle crashes over the previous 5 years that caused injury has been provided: all were caused by individual error rather than the highway network itself, and that the vast majority resulted in slight injuries. KCC Highways have confirmed the proposal will not harm highway safety
- There is an existing agricultural access to the east of the site (along the lane referred to as Bricklands) which has become overgrown. This will be reopened with a gate (set back from the road) installed.
- The Air Quality Assessment and recommended mitigation is robust and has been reviewed by Mid Kent Environmental Services who confirm no objection to the proposals.

Should Members resolve to grant planning permission, a Section 106 agreement securing nearly c.£490,000 in contributions can be signed imminently.

I hope that you are able to support your Officer's recommendation to grant planning permission and enable the delivery of much needed social infrastructure and Affordable Housing, and to boost the Council's overall housing supply. The current appeal against the previous decision would accordingly be withdrawn immediately, well ahead of the Hearing scheduled for 11<sup>th</sup> July.

If you have any questions or clarifications relating to the scheme in advance of Planning Committee, please do not hesitate to let me know.

Kind regards

Chris

**CHRIS LOUGHEAD**

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**From:** Anna Wicken <[anna.wicken@fernham-homes.co.uk](mailto:anna.wicken@fernham-homes.co.uk)> **On Behalf Of** Chris Loughead

**Sent:** Monday, March 6, 2023 4:59 PM

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**Subject:** Planning Committee Meeting 9th March 2023 - Planning Application 22/505618/FULL - Land At School Lane Newington

Dear Members

I am writing to you ahead of the Planning Committee this coming Thursday (9<sup>th</sup> March) where you will be considering Fernham Homes' new planning application for a school drop off and parking area for Newington CE Primary School, and 25 high quality homes, under application 22/505618 at Item 2.1 of the Agenda.

### **Material differences between current and previous application**

- On 13<sup>th</sup> October 2022 the Planning Committee considered application 21/504028 for development at this site.
- I previously wrote to you ahead of the October 2022 Planning Committee. That email is provided below.
- The Planning Committee narrowly resolved to refuse planning permission.
- Since then SBC has made a formal decision to suspend work on its Local Plan. This means that the planning policy context in which decisions are being made is now significantly and materially different to that at the October 2022 Planning Committee, and this must be taken into account in determining current applications.
- Application 22/505618 – the current application at the site - proposes largely the same development as that under application 21/504028, but with photovoltaic panels proposed on all homes (rather than 50% as in the original application).
- In Fernham Homes' view the change in policy context, together with the additional photovoltaic provision and information provided below, weighs substantially towards SBC granting planning permission.
- Your Officers' recommendation to Planning Committee, and particularly paragraphs 2.1 – 2.11 and 11.1 – 11.11, fully support the conclusions that SBC can – and should – reach a different conclusion to that on the previous application.

### **Appeal against refusal of previous planning application 21/504028**

- An appeal has been lodged for the above planning application.
- The Planning Inspectorate has confirmed that it will be heard by way of a Hearing.
- Substantial detailed evidence has been provided in the appeal documentation. This is summarised in the attached letter – submitted as part of the current application.
- This includes evidence from Matthew Spry (Senior Director at Lichfields - advises the government on national planning policy), who has undertaken a forensic examination of the SBC housing land supply. SBC considers that it is 4.83 years. Matthew Spry's conclusion is that it is 3.28 years supply.
- In terms of affordable housing: the most recent publicly available information is that there are 1,213 households on SBC's housing register, of which 96% have high priority and urgent needs for housing. Affordable housing delivery over the last five years in Swale has been poor: only 48% of the total number of affordable homes needed each year have been built.
- A local grant of planning permission for the current application will provide a substantial boost to both overall housing (25 homes) and affordable housing (10 homes) supply.
- Substantial further detail has been provided on landscape impact as part of the appeal. Your Officers' report on the current application at paragraphs 9.48 and 9.49 is clear that this information has led to the conclusions that – contrary to the reason for refusal of the earlier decision – the development would not cause substantial harm to landscape, its character, etc.
- Planning Inspectors are increasingly “striking through” contributions in Section 106 agreements, where they feel that they don't meet the relevant national legislative and policy requirements, even if they have been agreed between a council and the appellants. Kings Counsel has advised that there are approximately £60,000 worth of contributions that the Inspector is likely to have concerns about, and are at risk of being struck through if the appeal progresses to a Hearing.

For the avoidance of doubt, Fernham Homes would withdraw the current appeal if Members support the Officers' conclusions that planning permission should be granted, and the Section 106 agreement is signed swiftly: the draft S.106 is well advanced. This would secure the contributions which have been highlighted as being at risk of being struck through by the Inspector.

If you have any questions or clarifications relating to the scheme in advance of Planning Committee, please do not hesitate to let me know.

Kind regards

Chris

**CHRIS LOUGHEAD**

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**From:** Chris Loughead <[Chris.Loughead@fernham-homes.co.uk](mailto:Chris.Loughead@fernham-homes.co.uk)>

**Sent:** Sunday, October 9, 2022 9:35 AM

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**Cc:** Emma Gore <[EmmaGore@Swale.gov.uk](mailto:EmmaGore@Swale.gov.uk)>

**Subject:** Planning Committee Meeting - Planning Application 21/504028/FULL - Land At School Lane Newington

Dear Members,

I write in advance of Planning Committee next Thursday evening where Fernham Homes' planning application for a new school drop off and parking area for Newington CE Primary School and 25 high quality bespoke designed homes is reported for your consideration.

Fernham Homes are an SME Housebuilder located in West Malling, not only delivering homes that create and complement communities but providing employment and community infrastructure as part of our legacy too. Our vision is to become Kent's housebuilder of choice and we are undertaking a period of significant growth investing in sites throughout Kent. Swale is high on Fernham's growth agenda, as we recognise the unique opportunity that the Borough has for high quality development. Fernham have a consistent track record for winning multiple independent industry awards; from recognising our market leading build quality through NHBC Pride in the Job, to endorsing our commitment to high quality design in the Evening Standard's best family home and finally recognising the business as a whole; through WhatHouse's best small housebuilder. As an SME we provide excellent training and opportunities for our locally based employees and subcontractors, across a range of professions.

Fernham have worked closely with your Officers throughout pre-application and submission stages, revising the application on multiple occasions to ensure that the best possible scheme can be achieved for this site. It is pleasing to see that this approach has led to the Officer endorsing the application in recommending the scheme to you for approval.

I attach a summary document that provides a snapshot overview of the scheme, its specific component parts and visual imagery of the actual scheme to bring the proposals to life. The key points I would highlight are:

1. Delivery of tangible social infrastructure through the permanent car park and drop off area – with the land gifted at nil cost to secure its proposed use in perpetuity. This will allow Newington CE Primary School to operate at full capacity and reduce idling traffic/parking on School Lane
2. Highway improvements on School Lane to ensure a dedicated footpath connection and traffic control measures to prevent on street parking at school drop off hours
3. Approximately £440k of Section 106 contributions to support improvement to local infrastructure such as schools, Doctors' surgery and highways
4. Alongside on site mitigation that shall see the scheme have a neutral impact, a specific Section 106 contribution towards Air Quality improvements in excess of policy requirements is proposed to support sustainable travel methods and the provision of an e-bike scheme, or a similar scheme as directed by the Council
5. On site delivery of 40% Affordable Housing with an identified Affordable Housing delivery partner
6. Significant bio-diversity net gain improvements resulting in a 69% gain in on site habitat and 50% gain of linear hedgerows
7. A renewable technology scheme that will see 10 homes have photovoltaic panels

Your Officers' report sets out that the Council considers that it has 4.8 years housing supply. However, 0.34 years of this supply comprises sites identified in the emerging Local Plan Review and the Council will soon be making a decision whether to pause work on the Local Plan Review. Accordingly, the figure of 4.8 years would be reduced to at least 4.46 years. The 25 homes proposed through this application would make a valuable contribution towards the five year supply position, and would help to reduce the impact of the reduction in supply through discounting those sites in the emerging Local Plan.

I further attach a summary of the positive economic impacts that will be delivered should Planning Permission be granted; namely:

1. The creation of 21 local full time jobs and £2.4m spent in the local economy during the construction period
2. Once the development is completed, £484k per annum spent on local retail and services and £1.2m per annum spent in the local economy by the new residents

I trust that this summary demonstrates that the scheme proposed has been very carefully designed, is reflective of the local area and will deliver a wider package of benefits alongside much needed affordable and market homes. The drop-off and parking area will make a tangible positive difference to Newington CE Primary School, the families of those who attend the school and those who use School Lane daily.

Fernham Homes are committed to delivery in your Borough, sharing your aspirations as a Council to build homes in the right places with improved physical, environmental, social and health infrastructure.

If you have any questions or clarifications relating to the scheme in advance of Planning Committee, please do not hesitate to let me know.

Yours sincerely,

Chris Loughead

**CHRIS LOUGHEAD**

Development Director

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We are excited to announce that Fernham Homes has relocated to

**Brook House, 43 Swan Street, West Malling, ME19 6HF**

Please direct any written correspondence or invoices to our new home!



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