

<b>Local Development Framework Panel Meeting</b>	<b>Agenda Item: 7</b>
<b>Meeting Date</b>	19 May 2016
<b>Report Title</b>	Bearing Fruits 2031: The Swale Borough Local Plan Proposed Main Modifications
<b>Cabinet Member</b>	Cllr Gerry Lewin, Cabinet Member for Planning
<b>SMT Lead</b>	Kathryn Carr
<b>Head of Service</b>	James Freeman
<b>Lead Officer</b>	Gill Harris
<b>Key Decision</b>	Yes
<b>Classification</b>	Open
<b>Forward Plan</b>	Reference number:
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. That Members consider and agree, as appropriate, the 'boxed' recommendations as set out in the report;</li> <li>2. That Members agree, subject to any further amendments, the publication and consultation of the proposed Local Plan modifications, as set out in Appendix 1, and that it, together with the representations received, be forwarded to the Inspector as speedily as possible after the close of consultation;</li> <li>3. That Members agree that delegation be given to the Head of Planning, in consultation with the Chair in respect of: <ol style="list-style-type: none"> <li>i. any further drafting of the modifications consultation document undertaken prior to its publication;</li> <li>ii. finalising the Sustainability Appraisal and Habitats Regulations Assessment (Appendix 4 and 5) and published for consultation;</li> <li>iii. revisions to Technical Paper No.2 on Local Green Spaces and the subsequent main</li> </ol> </li> </ol>

	<p>modifications required; and</p> <p>iv. the publication for consultation of the Implementation and Delivery Schedule.</p>
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## 1 Purpose of Report and Executive Summary

- 1.1 Members will recall that the Local Plan Inspector’s interim finding and recommendations in respect of increasing the housing land supply in the Plan were reported to the 25 February 2016 meeting of the Panel, together with an indication of the necessary actions and indicative programme for the way forward. The Inspector has now issued the final tranche of interim findings and recommendations for modifying the plan.
- 1.2 The purpose of this report is for Members to agree the main modifications which are necessary to make the plan sound and thereby adoptable.
- 1.3 The report and appendices outline the modifications proposed to the Plan for Members comment and agreement. In particular, the report deals with the additional allocations necessary to meet a housing target of 13,192 dwellings to 2031 (776 dwellings per annum) and a 5-year supply of housing land as required by the NPPF. The report takes Members through the context and rationale for the proposed approach toward allocating sites and the alternatives open to them which examines:
- the provision of sites and the proportionate boost for Faversham;
  - the balance of emphasis between Sittingbourne and the Isle of Sheppey;
  - locations for growth on the Isle of Sheppey;
  - locations for growth at Sittingbourne;
  - locations for growth at Rural Local Service Centres; and
  - locations at other villages.
- 1.4 Drawing upon a draft sustainability appraisal and Habitats Regulations Assessment, the report makes recommendations for sufficient additional sites to exceed the dwelling target to help support the 5-year housing land supply and provide for contingencies. The report sets out the implications arising for various parts of the Borough, but the outcomes include a proportionate boost in provision to Faversham and the rural areas in line with the Inspector’s findings.
- 1.5 The main focuses for the recommended additional allocated housing sites are at Sittingbourne, Faversham, Minster and Halfway, Iwade and Newington. The allocations themselves are shown in the table below (see also maps in Appendix 2).

Recommended allocation	SHLAA ref.	Dwellings proposed
SW Sittingbourne	SW/703	564
Land at The Bell Centre, Bell Road, Sittingbourne	SW/343	120
Belgrave Road, Halfway	SW/165	140

Recommended allocation	SHLAA ref.	Dwellings proposed
Barton Hill Drive, Minster	SW/194	620
Land Inc. of Scocles Road and Elm Lane, Minster	SW/705	50
Land at Chequers Road, Minster	SW/457	10
Land at Graveney Road, Faversham	SW/334	90
Perry Court Farm, Faversham	SW/413	370
Phase II Lady Dane Farm, Faversham	SW/096	60
West Brogdale Road, Faversham	SW/441	66
Preston Fields, Salters Lane, Faversham	SW/233	217
The Tracies, Calloways Lane, Newington	SW/010	5
Land north of High Street, Newington	SW/407	115
Iwade expansion	SW/183, 123 and 117	572
<b>TOTAL</b>		<b>2,999</b>

- 1.6 The report also highlights the other main modifications being proposed to the Plan, whilst officers will report at the meeting on the findings and way forward following the recent call for proposed Local Green Spaces from the local community.
- 1.7 All the modifications will be subject to formal six-week public consultation at the end of June, alongside Sustainability Appraisal and HRA findings. Any representations will be forwarded to the Inspector who is likely to re-convene the Examination at a later point this year, before making a Final Report on the plan for its, hopeful, adoption early in 2017.
- 1.8 Further work on a Transport Strategy, Implementation and Delivery Schedule and a Local Green Spaces Technical Paper will also be required.
- 1.9 Members are asked to agree the recommendations, in effect endorsing the modifications and supporting documentation for consultation.

## 2 Background

### Purpose of and structure of this report

- 2.1 The Local Plan Examination hearing ended on 16 December 2015, although the process is not yet complete. The Inspector's interim findings were received in late January (Parts 1 and 2) and March (Part 3).
- 2.2 These interim findings indicate the scope of the 'main modifications' needing to be made to make the plan sound, but also that the detailed modifications proposed by the Council during the Examination should go forward to consultation.
- 2.3 A large number of additional (minor) modifications were also presented to the Examination, such as updating, corrections etc. and this minor editing has and will continue up to the point of consultation. These minor changes are not the subject of further consultation. A draft consultation document has been prepared that includes all the modifications made, with the main modifications highlighted as tracked changes. This is provided at Appendix 1. The document contains a significantly greater number of main modifications than were proposed at the Examination. This is because of the additional changes arising mainly from the Inspector's recommended increase in housing target and the need to include the relevant evidence associated with it.
- 2.4 Although the consultation document in Appendix 1 is at a reasonably advanced stage, Members should view it as work in progress as there remains highlighted text needing further work to be completed before the consultation commences. The main areas of work concern Chapter 8 (The Implementation and Delivery Plan), together with any site specific infrastructure needs needing to be reflected in Chapter 6 (Site Allocations) and, the open space and sport requirements arising from new developments. Any changes agreed by Members will also need to be incorporated.
- 2.5 This report considers the most significant of the main modifications that will be required to make the plan sound and is structured under the following sections:
  - 1) Background to the evidence in respect of additional housing allocations.
  - 2) The scope of Members considerations.
  - 3) The housing land supply and the scale of the task.
  - 4) Overview of the main considerations for site selection.
  - 5) The 'discounting' of site options contrary to the Local Plan strategy or with 'showstopper' constraints.
  - 6) Considering the remaining sites with potential for allocation.
  - 7) Conclusions and overall picture of land supply.
  - 8) Considering other main modifications and next steps with specific reference to:
    - a. The approach to Gypsies and Travellers;
    - b. Affordable housing;
    - c. New regeneration policies for the Port of Sheerness and Kent Science Park;

- d. Local Green Spaces; and
  - e. Infrastructure provision.
- 2.6 Boxed recommendations are made at key stages in the report, with an overall recommendation for Members to approve the modifications document (Appendix 1) and its associated evidence for consultation and re-submission to the Inspector.
- 2.7 The following appendices are provided with this report:
- 1) Appendix 1: The draft 'tracked-change' version of the modified Local Plan which includes the Main Modifications. This is, in effect, the consultation document.
  - 2) Appendix 2: Maps showing the existing allocated and proposed to be allocated sites (also to be displayed at the meeting).
  - 3) Appendix 3: Maps indicating the locations of all sites considered via the SHLAA and **not** recommended for allocation (also to be displayed at the meeting).
  - 4) Appendix 4: Draft Sustainability Appraisal (SA) Report Addendum. This is referred to as appropriate in the main report.
  - 5) Appendix 5: Draft Habitats Regulations Assessment. This is referred to as appropriate in the main report.

**Section 1: Background to the evidence in respect of considering additional housing allocations**

**1) The Inspector's interim findings**

- 2.8 The Inspector's interim findings most relevant to this report were that:
- The objectively assessed housing need (OAN) was 776 dwellings per annum and that this should be adopted as the dwelling target for the Borough, with the Council being required to allocate additional sites to meet it.
  - The Local Plan period was revised to 2014-31, making a total housing target of 13,192 dwellings over 17 years.
  - The evidence base to support the plan, particularly the Strategic Housing Market Assessment and Strategic Housing Land Availability Assessment were found to be NPPF compliant and sound.
  - The Plan's settlement strategy of two panning areas was confirmed with the focus of development on the Kent Thames Gateway part of the Borough. A 'proportional boost' to allocations in Faversham and rural areas and within the context of the settlement strategy was recommended.
  - There appeared to be no barriers to delivering 776 dwellings per annum, based on international, national or local environmental designations, flood risk or heritage assets, but the impact upon local countryside gaps would need to be considered.
  - The Duty to Co-operate during plan preparation and on the additional work to inform proposed modifications was found to have been met.
  - There was no need to rely upon an early Local Plan Review and the Plan should plan positively for the full period to 2031.

- Use of a windfall allowance of 110 dwellings per annum in the post 5-year period was confirmed.
- It could be appropriate to use the ‘Liverpool’ method (see explanation later) to deal with housing land supply shortfalls.
- Unless the Government issues further guidance, the requirement for Gypsies and Traveller pitches on housing allocations should be removed with no need to prepare a Part 2 Local Plan. The Inspector concluded that the outstanding portion of the re-calculated need could be met from windfall planning applications.
- The area-based variable requirements for affordable housing was endorsed;
- Further transport modelling may be required to test the impact of meeting higher housing numbers.
- Subject to modifications the plan can mitigate impacts upon European designated sites.
- Policies relating to landscape designations and countryside gaps are robust.

## **2) Existing and new evidence being prepared by the Council**

- 2.9 Para. 47 of the NPPF requires Local Plans to meet the full, objectively assessed needs (OAN) for market and affordable housing in the housing market area, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 2.10 Work undertaken in 2013 (SHMA Update and Development Needs) had already indicated an OAN of 740 dwellings per annum (dpa) for Swale and had also concluded that there was no high level (‘showstopper’) environmental constraints acting as a bar to meeting it. At that time, Members considered that there were delivery and infrastructure constraints impacting upon the achievement of higher housing numbers and that a lower housing target should be pursued (540 dpa), with an early review of the plan advocated. This was the basis of the submission plan.
- 2.11 Before the Examination, the Inspector indicated serious concerns in respect of the Council’s position on housing numbers, viability, infrastructure and its reliance upon an early local plan review. It was agreed that the Council should prepare additional pieces of evidence to support the Examination process, including:
1. [Strategic Housing Market Assessment September 2015](#): This updated work determined that the objectively assessed need (OAN) for housing in Swale was 776 dpa (13,192 dwellings for the plan period) and that this included 190 dpa for [affordable housing](#). [Employment forecasting](#) also indicated as necessary some supporting 10,900 jobs or 130,000 sq. m (60 ha) of employment floorspace (‘B’ class). The SHMA led to the publication of a [Council position statement](#) (PS) via which the findings of the SHMA were accepted. It indicated that should further sites be required, this would be achieved in accordance with the strategy of the plan, whilst addressing environmental constraints (inc. best and most versatile agricultural land) in accordance with paras. 110/112 and 113 of the NPPF.
  2. [Strategic Housing Land Availability Assessment 2014/15](#): SHLAA are prepared to demonstrate a deliverable and developable supply of land for at least the next five years. This updated work examined the deliverability of sites necessary to meet the potential OAN and concluded that to do so would require several re-assessments

against environmental criteria; namely that harm to some local environmental criteria would need to be accepted in the interest of boosting housing supply. This harm would principally involve further encroachment into locally important countryside gaps and harm to non-designated landscapes.

3. The [Sustainability Appraisal Parts 1 and 2](#) (SA): SA is a mechanism for considering and communicating the likely effects of a draft plan, and alternatives, with a view to avoiding and mitigating adverse effects and maximising positives. An SA is legally required and undertaken in-line with the Environmental Assessment of Plans and Programmes Regulations 2004. In recognition of the likelihood of potential modifications, the first step involved preparation of two 'interim' reports, to inform discussion at Examination Hearings. The Post Submission Interim SA Report 1 presented information on 'Broad strategy alternatives', whilst Post Submission Interim SA Report 2 - presented information on 'Site options'. The appraisal concluded that whilst an increased housing target would have some adverse environmental consequences, some significant, there would also be likely significant adverse effects socially and economically if the target were not increased.
4. [Habitats Regulations Assessment](#) (HRA): The objective of this assessment was to test the implications on the integrity of European designated wildlife sites arising from potentially increased development targets. The HRA concluded that provided mitigation measures were in place (as already proposed by the Local Plan), such likely significant effects could be avoided.
5. [Ranking Assessment of sites](#): Taking the Council's position statement as its starting point, this provided a ranked list of some 112 sites across a series of descending tiers (A-G) using primarily environmental criteria.
6. Having regard to the above evidence, the [Council's Examination statement \(Matter 4.10\)](#) engaged in an open discussion over the appropriateness of certain locations and sites.

2.12 The Inspector found the above evidence to be robust and drew upon both the Council's position statement and its Examination statements in the interim findings. Whilst no single piece of evidence represents the sole basis upon which to allocate additional sites, Members should view the evidence as a whole as relevant to the decisions needing to be made. This evidence is drawn upon, as appropriate, by this report.

2.13 Members should now also note the preparation of the following new evidence:

1. [New sites](#): During the Examination a number of additional prospective sites were submitted to the Council by landowners and developers. This led to a formal 'call for sites' in January – February 2016 (supported by the Inspector) to ensure that all possible sites were considered and a consistent approach taken. This process yielded an additional 86 sites.

[Sustainability Appraisal \(SA\) Report Addendum](#): It was recognised that further SA work was required to support the modifications process. Subsequent to the hearings, the task was to develop and appraise 'reasonable alternatives' (to inform preparation of draft modifications) and then prepare an SA Report Addendum for publication alongside draft modifications. The draft SA Report Addendum has now been drafted (albeit it requires some further work ahead of publication) and is

included as Appendix 4 to this item. The SA Report Addendum is structured in three parts:

- Part 1 - Explains the process of developing reasonable alternatives presents the appraisal of reasonable alternatives and explains how this fed-into modification-making. The 'spatial strategy alternatives' consider the implications of three different broad approaches (extra growth at Iwade, West Sheppey and Sittingbourne) that might be taken to the allocation of additional sites for circa 3,000 homes.
- Part 2 - Presents an appraisal of the draft modifications document (Appendix 1 to the Panel report). This is still under preparation at the time of writing. Any issues arising will be reported at the Panel meeting.
- Part 3 - Explains 'what happens next'.

There are also a number of appendices linked to 'Part 1', with several presenting information on site options (both recommended and non-recommended). Notably, Appendix IV ranks the site options in order of preference (by applying a particular methodology). All the sites have now been ranked in Appendix IV of the SA, with the results of the [Ranking Assessment of sites](#) exercise undertaken to inform the Examination carried across and updated, together with the additional 'call for sites'. This is work in progress and subject to further change before the consultation. This review does not attempt to align with the SHLAA, although account is taken of its analysis. It represents a rapid and high level review and is relatively simplistic and mechanistic in its approach. An important consideration is that it does not generally take into account mitigation that might be possible.

The assessment takes the sites and places them within seven 'tiers' (where Tier A is best performing) as follows:

- *Tier A:* Sites that may be unconstrained and broadly suitable for allocation.
- *Tiers B-F:* Those sites judged as having no significant environmental constraints, but with landscape issues, with varying weight added between the Tiers.
- *Tier G:* Sites associated with 'significant' environmental constraints.

Within the tiers, sites are ranked according to: 1) landscape sensitivity, followed by 2) the location of the site in terms of the settlement strategy; followed by 3) the size of the site, with larger sites ranking higher.

2. The Habitats Regulations Assessment (HRA): HRA are required for the plan to be in accordance with the Conservation of Habitats and Species Regulations 2010. Its objective is to: identify any aspects of the Local Plan that would cause an adverse effect on the integrity of European sites; and to advice on appropriate policy mechanisms for delivering mitigation where such effects are identified. If a Local Plan cannot be screened out as being unlikely to lead to significant effects, then an Appropriate Assessment (AA) is required in order to devise measures that can be incorporated into the Local Plan to ensure that no adverse effect on the integrity of internationally important wildlife sites would result. The latest draft HRA has



concluded that the plan, as proposed to be modified, can be screened out because of the considerable mitigation proposals already built in. The draft HRA can be found at Appendix 5.

3. Addendum to Strategic Housing Land Availability Assessment 2014/15: This updates the earlier work to deal with the new sites submitted during the Examination and the most recent call for sites, together with other changes arising since the Examination. This will be finalised and published for the consultation and has been referred to, as appropriate, in this report. A 'work in progress' draft has been provided in the Member's Room. As with the main SHLAA, all the sites are categorised against a number of 'sweeps' that illustrate the implications of sites:
- *Sites failing the SHLAA methodology*: Such sites are considered as significantly failing one or more of the steps used to assess suitability, availability and achievability, or failing to fall at one of the settlements identified by the scope of the original assessment. For purposes of this Panel report only (i.e. not used by the SHLAA addendum itself), these sites are referred to as 'Sweep 0'. Such sites present strong reasons for their non-allocation.
  - *Sweep 1*: Comprises sites which have met the criteria for suitability, availability and overall achievability as set out by the original SHLAA methodology. Such sites would be very strong contenders for allocation, unless other issues not considered by the SHLAA dictate otherwise.
  - *Sweep 2*: Comprises sites that could come forward if methodology criteria is adjusted to allow sites with minor/moderate failings/impacts in terms of access to services or landscape/visual issues. Are likely to require serious consideration for allocation when need is balanced with their adverse impacts, unless other issues not considered by the SHLAA dictate otherwise.
  - *Sweep 3*: Comprises sites that could come forward if the methodology criteria is adjusted more significantly to include sites with moderate/major failings/impacts in terms of e.g. access to services and landscape/visual issues. These sites require more careful consideration of the balance between benefits and adverse impacts. Many are unsuitable for allocation, but the more suitable could be required to meet the development target and/or 5-year supply.

## **Section 2: The scope of Members considerations**

- 2.14 Clearly the Council is not starting this stage of plan-making with a blank canvass. The Inspector's interim findings have resolved a number of matters that strongly dictate the modifications needing to be agreed. This section considers the main areas.

### **1) Settlement strategy and development distribution**

- 2.15 In setting the development targets for the plan, the Inspector (para. 28 of the Part 2 interim findings) endorsed the settlement strategy, as set out by Policy ST3:

*"The work that the Council has done places it in an informed position to sensitively nudge the housing target upwards across the Borough so that growth continues to be focused on the Thames Gateway area, but with a proportional boost to allocations in*

*Faversham and the rural areas. This is consistent with the approach suggested by the Council in paragraph 38 of its PS and the evidence is now available to enable those difficult decisions to be made in a logical and consistent way.”*

- 2.16 The Inspector’s Part 3 findings (para. 5) also further endorses the strategy:
- “However the Plan’s approach is informed by robust evidence, it aligns with the Plan’s vision and it is supported by sustainability appraisal. The settlement strategy successfully addresses the core principles set out in paragraph 17 of the NPPF, particularly with regard to driving and supporting economic development and conserving the natural environment and heritage assets, whilst taking account of the different roles and character of different areas.”*
- 2.17 This led to the conclusion: *“The settlement strategy is soundly based and consistent with national policy subject to allocating additional sites to meet OAN whilst maintaining the broad proportional balance of growth between the two planning areas”*
- 2.18 This means that the Panel should consider any modifications on the basis set by the current settlement strategy and the comments made by the Inspector. The terms ‘proportional boost’ and ‘proportional balance’ may provide the Council with some limited flexibility as to how allocations should be approached at Faversham and the rural areas. As a minimum, Members should ensure that the percentage split of development at Faversham and the rural areas does not fall from the submission plan level. However, proportionately boosting growth at Faversham and the rural areas could raise the possibility of considering an appropriate further increase in the percentage split; a possibility mooted by the Council’s examination statement ([Matter 4.6](#)) which referred to (para. 14) a ‘nudge in the emphasis of growth at Faversham’.
- 2.19 Any such ‘nudge’ should remain firmly within the context of the overwhelming majority of growth being focused on the Thames Gateway Planning Area. Members can note that much of the Council’s earlier sustainability appraisal material referred to the Faversham and rest of Swale Planning area as receiving around 13.5% share of the total growth<sup>1</sup>, although this can now be calculated as 12.1% because of the changed plan base-date, numerical and other changes since the plan was submitted.
- 2.20 Caution needs to ensure that debates do not become ‘locked in’ to such percentages or perceptions of ‘fairness’ in distribution, when the primary objective must be to meet needs in accordance with the approved strategy. However, when considering any further development allocations in the Faversham planning area and the appropriate scale of any ‘nudge’, it should be borne in mind that relatively modest percentage point changes at Faversham require large absolute numbers of additional dwellings relative to a small town with constraints acknowledged by the Inspector. Ultimately, the Council must avoid any justified charge of producing modifications that do not accord with the settlement strategy and the Inspector’s findings. The overall risk to the soundness of the plan is that the Council could create a different plan that would no longer accord with its own strategy and/or Local Plan Vision.

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<sup>1</sup> Includes allocations, completions, extant planning permission and windfalls.

## 2) Environmental constraints

2.21 Whilst the strategy is a fixed and sound feature of the plan, there still remains some scope to consider both distributional and site based capacity issues arising from environmental constraints. That said, by endorsing parts of the Council's own position statement, the Inspector has put down markers for considering such constraints. In para. 17-18 of the Part 2 findings, it is noted that:

*"The Council has revisited these constraints as part of the evidence update and summarises its approach to the environmental and infrastructure constraints in its PS. This concludes that subject to confirmation by SA and HRA work and based on the Plan's settlement strategy, no barriers to delivering the revised OAN delivery of 776 dwellings per annum appear to be presented by international, national or local environmental designations, flood risk or heritage assets.*

*The PS notes that the impact of any further site allocations should be considered individually against these considerations. Additionally, the individual and cumulative impact of any new allocations on important local countryside gaps and locally sensitive landscapes should be assessed, whilst any loss of the best and most versatile (BMV) agricultural land will need to be taken into account as proposed by the Council in paragraph 42 of the PS. On this basis I endorse the conclusion in the PS that in principle environmental capacity does not prevent the Plan meeting the OAN"*

2.22 In terms of considering additional sites, in accordance with para. 110 of the NPPF, allocations should prefer land of lesser environmental value, where consistent with other policies in the Framework. The Inspector's findings that designations represent 'no barriers' to achieving the OAN needs to be read in conjunction with the Council's position statement (PS) (referenced by the Inspector). Here, in para. 21, the Council states designations should 'not be impacted upon', whilst para. 40 goes indicates that the Council will work to the 'premise that sites involving international, national or local landscape and biodiversity designations should (and can) be avoided'.

2.23 Whilst the issue of international and national designations presents no particular issues<sup>2</sup>, impacts upon local landscape designations are likely to be most relevant when considering sites at Sittingbourne and, to a lesser extent, at Boughton and Dunkirk.

2.24 In the case of agricultural land, para. 112 of the NPPF indicates that where significant development of agricultural land is demonstrated to be necessary, Councils should seek to use areas of poorer quality land in preference to that of a higher quality – known as Best and Most Versatile (BMV). Use of BMV agricultural land will be necessary, due to insufficient levels of available and suitable brownfield sites and locations with lower quality agricultural land. Read in conjunction with para. 110 of the NPPF, this means the approach should be that use of BMV (Grades 1,2 and 3a) should be avoided as far as possible by use of lower quality land (i.e. grades 3b and above) until the consistency with other policy objectives becomes unsustainable.

2.25 Para. 112 of the NPPF also require the economic and other benefits of BMV land to be taken into account. Members should note the evidence presented to the Local Plan

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<sup>2</sup> Impacts upon international designations do require assessment under the Habitats Regulations.

Examination in SBC/PS/088 [Agricultural Land Value in Swale](#) (26 October 2015) which stated that losses of BMV are likely to be irreversible, with the estimation that for every 100 ha of BMV land lost, £0.7 million - £1.7 million of output and between 5 and 13 jobs in agriculture could be lost.

2.26 In terms of the spatial implications of this issue, the impact will be felt most strongly on Sheppey and to a more limited extent at Iwade where the resources of lower quality land are located. Where pursuit of the BMV objective begins to conflict with issues such as local landscape impact or accessibility, then the balance to be made between these objectives becomes a key judgement.

2.27 The Inspector also indicates, in para. 26 of Part 2 of the interim findings, the implications for non-designated areas, including local countryside gaps:

*“However the ranked assessment in particular, whilst noting the presence of locally defined Important Countryside Gaps, makes it clear that this definition does not necessarily preclude the allocation of sites within the gaps. This is consistent with the wording of DM Policy 25, which recognises that allocated sites may lie within the defined Countryside Gaps.”*

2.28 In this instance, use of the approved strategy will mean that to increase the housing target, it will be those gaps on Sheppey and at Sittingbourne that will be most impacted upon.

### **3) Submitted Local Plan allocations**

2.29 The existing Local Plan submitted allocations have been found to be ‘soundly based’ by the Inspector and the Council does not need to revisit the principle of them. Some existing allocations have been the subject of modification as a result of updating or discussion at the Examination with developers and where these have impacted upon housing numbers, they are considered in section 3.

## **3 Proposals**

### **Section 3: The housing land supply and the scale of the task**

3.1 To judge the extent of the new housing allocations required, it is important to agree the Council’s housing target and to set out the current position of the Borough’s housing land supply, explaining how it is calculated.

#### **1) The Housing target**

3.2 At the Panel meeting on 25 February, Members noted the Inspector’s interim findings on the new housing target and endorsed officers’ actions taken to act upon the Inspector’s recommendations. Before proceeding to consider the proposed main modifications that lead on from this, Members should determine whether they wish to modify the plan’s housing target on the basis of the OAN as indicated by the Inspector in the Part 2 interim report.

- 3.3 The Local Plan was submitted on the basis that community views had been reflected, having regard to viability issues and the delivery of essential infrastructure. The Council's position has not ultimately prevailed and the Inspector has confirmed that the OAN should be met in full with a housing target to reflect it.
- 3.4 Notwithstanding whether the risks of not achieving the plan's new higher housing target remain, the balance of risks has now shifted to a clear and urgent need to secure a sound and adopted Local Plan. The Inspector is aware that this presents the Council with difficult choices and Members will know that a likely result will be greater participation from concerned residents, Parish Councils and community groups. Additionally, a large number of likely omitted sites (some completely new at this late stage of the process) before the Inspector will remain, with some developers no doubt undeterred from challenging the plan, despite the clear steer given by the Inspector which should have otherwise represented a 'reality-check' for them. It is hoped that some will apply such a check in recognition of both the approved strategy of the Plan and the limits on the amount of extra land needing to be allocated.
- 3.5 The need to secure an adopted Local Plan and the lack of a basis upon which to pursue the Council's previous position means that the Panel are recommended to adopt a housing target of 776 dpa (13,192 for the revised plan period 2014-2031). This will also require the adoption of an associated employment floorspace target of 130,000 sq. m (60 ha) of land, this having already been secured through current plan allocations.

### **DEVELOPMENT TARGETS**

#### **Recommendation 1:**

**That the Panel agree to increase the housing target of the Local Plan to 776 dpa (13,192 dwellings for the revised plan period), with a 'B' class employment target of 130,000 sq. m (60 ha).**

## **2) Housing land supply**

- 3.6 It is necessary to understand some of the detail of housing land supply. The total housing land supply is made up from the following components:
- a. completions since the start of the plan period;
  - b. planning permissions yet to commence or be completed;
  - c. any allowance made for future windfall completions; and
  - d. sites to be allocated by the Local Plan.
- 3.7 Since the local plan was submitted there have been changes to the supply of housing in the Borough that should be taken into account:
1. The Local Plan base date and shortfalls: An important factor impacting upon the land supply is the Inspector's recommendation for a change in the Plan period from 2010/11-2031 to 2013/14-2031, with year one of the 17-year plan period being the

1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2015<sup>3</sup>. This enables the 2010/11-13/14 period of poorer housing performance to be absorbed into the new population projections that have determined the new housing target – in other words these past backlogs no longer affect the 5-year supply going forward to the same extent.

This is positive, but there remain challenges because the first year of the plan's completions performance for 2014/15 has already been 158 dwellings less than the target of 776 dpa. The NPPF requires this shortfall to be 'made up' with the addition of a 5% 'buffer'. This means that within the 5-year supply, the annualised rate of 776 dpa has already increased in just one year to either 825 or 848 dpa (depending on how the five-year housing land supply is calculated – see discussion at paras. 3.11-17). This results in an upward pressure on the amount of additional sites needing to be allocated to achieve a 5-year supply. With the next three monitoring years of completions also forecast at less than 776 dpa, these shortfalls, if they materialise, will also feed into future increases in the annualised rate that will also have to be 'made up'. It should also be noted that such shortfalls are also impacted upon by changes in the levels of planning permissions granted each year and this cannot easily be predicted. Although the Council is not currently at the point of persistent under delivery against the 5-year supply emerge, there is the risk of a future imposition of a 20% 'buffer' as per NPPF policy should this occur.

2. Monitoring updates: Several monitoring years have passed since the housing information within the submission Local Plan was published. Housing delivery information for the modified plan will use the position as at 1<sup>st</sup> April 2015. This not only means that the 'year 1' completions and extant planning permissions can be deducted from that needing to be allocated, but also that some submission plan allocations that received planning permission before that date will no longer be included, although their policies may remain in the plan because they will be relevant for the purposes of reserved matters or new applications. A 2015/16 update will be provided to the Inspector and participants at a later date when available.
3. Windfall allowance: A windfall allowance of 1,210 dwellings (110 per annum) is made for the final 11 years of the plan period outside of the immediate 5-year period. Windfalls are non-allocated sites which are not known to the Council, but which come forward on a regular basis. Analysis of past and future trends is used to predict an annual allowance that can be deducted from the amount of dwellings needing to be allocated. A windfall allowance is not included within the first 5 years of the plan period because there is a risk of double counting with sites that have planning permission, but which are yet to be completed. The Inspector has endorsed this approach and this significantly reduces the amount of land needing to be allocated.
4. Development capacity: Members have previously indicated their wish to ensure that maximum capacity is made of currently allocated sites to minimise the need to release further land. Discussions at the Examination, work for the Council by

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<sup>3</sup> In other words, the plan has 16 years to run.

landscape consultants, alongside further submissions from developers, have revealed some scope/need to change the yields of the following sites:

- a. SW/326 Thistle Hill, Minster (Policy A7): - An additional 47 units to more accurately reflect the likely outcome of build out on the final phases of the site (now 473 in total);
- b. SW/330 Stones Farm, Sittingbourne (Policy A8): - A reduction of 50 dwellings to reflect the likely outcome of the detailed development of the site (now 550 in total);
- c. SW/337 Crown Quay Lane, Sittingbourne (Policy A9): - This allocation made generous assumptions about the amount of land needed to be retained in open uses due to flood risk. Further discussions between the lead landowner and the Environment Agency indicate that land-raising could be undertaken to potentially considerably increase the number of dwellings that could come forward. It is thought that an additional 176 dwellings can be provided bringing the total to 650. A modified policy is proposed on page 148 of Appendix 1<sup>4</sup>;
- d. SW/111 Milton Pipes, Sittingbourne (Policy A10): - An additional 5 dwellings to reflect the current planning application (now 240 in total);
- e. SW/325 Plover Road, Minster (Policy A11): - The loss of 9 dwellings to reflect that part of the site is likely to be used for retail (now 97 in total);
- f. SW/091 Western Link, Faversham (Policy A12): - An additional 10 dwellings can be allowed for to reflect the current resolution to grant planning permission on the site (now 250 in total);
- g. SW/009 Manor Farm, Sittingbourne (Policy A14): - Landscaping close to the site and the clearance of existing orchard trees indicates scope for an additional 10 dwellings (now 30 in total), although the landowner believes that more is possible;
- h. SW/144 Land east of Station Road, Teynham (Policy A14): - The loss of 13 dwellings to allow for off street parking spaces and the retention of an old orchard (107 in total). A policy for this site is now proposed as a modification (page 181 of Appendix 1);
- i. SW/040/73/ Land to the north of Quinton Road and Bramblefield Lane (Policy MU1): Further discussions with the developers have indicated that a development brief for the site should be prepared and that this should enable an additional 120 dwellings to be provided (now 1,330, plus 50 dwellings expected to fall outside of the plan period);
- j. SW/104 Land at Great Grovehurst Farm (Policy MU1). Further discussions with the developers have indicated a reduction in 10 dwellings (now 120 in total);
- k. SW/997 Oare Gravel Workings (Policy MU4): An additional 30 dwellings can be allowed for to reflect the current resolution to grant planning permission on the site (now 330 in total);
- l. Various sites within Faversham Creek Neighbourhood Plan (Policy NP1): The draft Local Plan made an allowance of 103 dwellings arising from the NP area. The Examiners report into the NP has required a review of the contributions from SW/353 Standard Quay/Fentimans Yard (a gain of 5 dwellings), SW/424 Swan

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<sup>4</sup> Note that page number references are from the consultation document not the Panel papers.

Quay/Frank and Whittome (a loss of 14 dwellings in total). In total, these losses and gains lead to a reduction from 103 to 94 dwellings (a net loss of 9 dwellings).

- 3.8 In total these changes amount to an additional 325 dwellings to be found from existing allocations.

### CHANGES TO LOCAL PLAN ALLOCATIONS

#### Recommendation 2:

**That the Panel agree the reported changes to the land supply of existing Local Plan allocations amounting to an additional 325 dwellings.**

### 3) The scale of the task

- 3.9 Due to changes in housing monitoring since the Local Plan was submitted, setting out the scale of the task is unfortunately not straight forward. The following is therefore a guide only.
- 3.10 A starting point is a comparison of housing numbers in the submitted Local Plan with the new housing target of 13,192 dwellings. Evidence to the Examination (SBC/PS/014) provided a position concerning the submitted plan updated to 1<sup>st</sup> April 2015 monitoring. However, this needs to be re-calculated to match the new base date of the plan of 1 April 2014 and to reflect one year of completions of 618 units, 2,198 dwellings with planning permission yet to be completed and 1,210 windfalls. Applying these changes, against the submitted plan allocations, sites were provided sufficient for 10,661 dwellings (or 666 dwellings per annum for the remaining 16 years). On this basis, to meet a revised dwelling target of 13,192, the Panel indicatively need to identify additional sites for some 2,531 extra dwellings (13,192 minus 10,661). However, with the additional 325 dwellings as a result of the above changes to submission plan allocations, the total indicative number of additional sites needing to be allocated reduces to **2,224 dwellings**. This figure can only be a general guide as the actual final number of dwellings required depends upon the number of actual completions that can be expected within the plan period and this is likely to vary from that shown in the submission plan.

### 4) Achieving a 5-year supply of housing

- 3.11 The 5-year supply is likely to be one of the principal areas of debate when the Examination reconvenes. Members therefore need to ensure that there are sufficient sites to provide it in accordance with the NPPF and to deal with contingencies. This potentially means allocating a level of sites over and above that necessary to meet the actual target (i.e. above the 2,224 dwellings indicated above). This is because not all of these dwellings will be able to contribute the necessary numbers able to achieve the 5-year supply on a rolling basis or be able to potentially contribute all their completions within the Local Plan period.



- 3.12 In theory (according to the NPPF), allocating additional sites to achieve a continuous 5-year supply should not be necessary because it should simply be a case of bringing forward allocated sites from later phases. However, this is difficult for Swale because of: (a) the longer forecast lead in time for some sites; (b) the poorer viability of some locations; and (c) the immediate forecasts for completions in the next three years being low. Therefore, suitable sites that are able to contribute to the supply with little lead in time in locations that are viable are the best means to supplement the 5-year supply.
- 3.13 The Inspector has been mindful of the difficulties for the Council in the indication that use of the so-called 'Liverpool' method of land supply calculation could be considered. This method allows shortfalls in the 5-year supply to be made up in the total remaining years of the plan. This is in contrast to the 'Sedgefield' approach (currently used by most local authorities) which requires shortfalls to be remedied during the immediate 5-year period. For plans with a greater number of years still to run like Swale, the Liverpool approach presents the more favourable option to use. The two methods make the current difference between 825 (Liverpool) or 848 dpa (Sedgefield) in the immediate 5-year period, but, in the shorter-term, the advantages are likely to be greater for Swale if shortfalls increase because they can be spread out over a longer period.
- 3.14 However, whilst the Liverpool method helps the Council, the Inspector appears to only see its use as temporary (although the Council could and should argue an extension of its use when the Examination reconvenes). Furthermore, to make a smooth transition from low levels of completions in the early years to an expected peak period for the middle years of the plan (as highlighted by the Inspector) provides a major challenge that could well still require a considerable market step change in completions from year three onwards, despite any supporting actions that may be put in place by the Council. Some may regard such a step change as debatable, but it is nevertheless necessary if a 5-year supply is to be achieved against the new housing target.
- 3.15 Relying upon this step change is a particular risk given the immediate low forecast levels of completions, reliance upon urban regeneration sites for a part of the expected 5-year supply and other as yet unknown elements of the supply (see section 7). Apart from the risks to the soundness of the plan, risks will come from unallocated sites coming forward and being able to advance arguments as to shortfalls in the 5-year supply. However, acting as a positive counter is the likelihood of increased forecast completions entering the latter end of the 5-year period. Whilst this approach may provide some additional comfort to the land supply figures that will eventually be provided to the Examination, an appropriate allocation of additional sites over and above the 13,192 total is strongly advocated to underpin the achievement of a 5-year supply, to allow for contingencies and minimise further risks.
- 3.16 The extent to which additional sites should be allocated is a judgement for Members, especially as they will be perceived by many communities as unnecessary. Improving the land supply by this means without significantly inflating the bottom line total number of dwellings for the plan period is difficult. Each additional site will not usually contribute all of its dwelling numbers within the 5-year supply, so quite modest gains for the 5-year supply normally result in greater increases to the overall number supplied in the plan period as a whole e.g. a 500 dwelling allocation, after lead in times are taken into account, may only contribute 80-100 of those dwellings in the 5-year supply.

3.17 Despite these difficulties and potential outcomes, to reduce the risks overall to the soundness of the Local Plan, additional sites, over and above that necessary to meet the plan target, have been built into the report recommendations. Members will be able to see the outcomes of this approach, and a potential means to address any concerns, at Section 7.

#### **Section 4: Overview of the main considerations for site selection**

3.18 Before considering the pool of prospective sites for allocation, this section reviews the main overarching matters needing to be considered.

##### **1) Differences between plan-making and decision-making**

3.19 There are differences between the approaches taken toward a planning application for housing and that for allocating sites in the Local Plan. Planning applications could be permitted on sites that do not accord with the settlement strategy because there is a lack of a 5-year supply and because the harm is not significant enough relative to other benefits. For the Local Plan though, the approach is more akin to ensuring that the best and most suitable sites with the closest fit to the settlement strategy are allocated. Therefore, permissions granted on non-allocated sites in the recent past should not be necessarily taken as indicating that other sites in the same location should be now allocated. Once the Plan has secured a 5-year land supply, there should be much less need to permit sites which do not accord with the settlement strategy on grounds of inadequate land supply.

##### **2) The NPPF**

- 3.20 The outcome of the modifications should ensure that the plan continues to accord with the NPPF. Plans should look to achieve sustainable development and pursue gains across its economic, social and environmental dimensions (para. 8). Para. 14 of the NPPF provides for the presumption in favour of sustainable development, which for plan-making, means that local planning authorities/local plans should:
- positively seek opportunities to meet the development needs of their area;
  - meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
    - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
    - specific policies in this Framework indicate development should be restricted.
- 3.21 The NPPF contains a series of core planning principles (para. 17). Table 1 highlights the most relevant of these for the current stage of plan-making, alongside some of the 'on the ground' implications for Swale. Other elements of the NPPF are highlighted elsewhere as appropriate.

Table 1 NPPF Core Planning principles with commentary for Swale context

NPPF Principle	Commentary
<p>Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts<sup>5</sup> around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p>	<p>The overwhelming number of additional allocations will be greenfield sites and the modified plan will have its greatest impact on the countryside surrounding towns and villages, notably the separation between them and on undesignated landscapes. The harm associated with these impacts (after mitigation) must be so significant as to outweigh the need for development and its benefits.</p>
<p>Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework.</p>	<p>This echoes the Inspector’s conclusions and the Council’s position statement. Biodiversity and landscape designations should be avoided, or if this is not possible, mitigation should be achieved and significant harm should only remain where benefits outweigh that harm. Lower quality agricultural land should be used until such times as the consistency with other policy objectives becomes unsustainable. Loss of high quality land is inevitable.</p>
<p>Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.</p>	<p>Despite the recommended increases in development yields on existing brownfield allocations and on other recommended sites, there are insufficient brownfield sites available to meet the increased housing number.</p>
<p>Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.</p>	<p>Will normally be a site based issue, but may also need to be considered for sites within the setting of certain settlements. Where substantial harm would occur, this should normally point to the need for an alternative to be considered. Less than substantial harm should be weighed against benefits.</p>
<p>Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.</p>	<p>Close adherence to the settlement strategy of the plan should normally ensure that this principle is followed. The increase in housing target deepens the search into rural areas, notably the Rural Local Service Centres, with more variable ranges of public transport choices and access to facilities than the main urban locations.</p>

### 3) The Council’s Examination Position Statement

3.22 With much of the Council’s Examination Position Statement (PS) (SBC/PS/031) acknowledged by the Inspector, attention is drawn to the approach toward additional allocations outlined in paras. 37-44 summarised as follows:

<sup>5</sup> Swale has no Green Belt, but the rest of the principle applies.

- Site selection should be via the continuance of the Local Plan settlement strategy (Policy ST3) with the appropriate emphasis given by its two planning areas.
- The need to consider site-based contributions toward the three dimensions of sustainable development, as set out by paras. 6-10 of the NPPF.
- Allocations will prefer sites of the lowest environmental value, namely outside international, national or local landscape and biodiversity designations, alongside the avoidance of sites within Flood Zone 3A and those substantially affecting heritage assets and Air Quality Management Plan Areas.
- Significant harm to non-designated environmental assets/constraints and matters affecting the transport network should continue to strongly influence the distribution and location of development.
- The avoidance of best and most versatile agricultural land (BMV), outside of environmentally designated sites, will be pursued until such times as significant conflict with other sustainability objectives arises, e.g. poorer access to jobs and services.
- Viability issues will be taken into account, but within the context of the overall plan strategy.

#### **4) Policy ST3 The Settlement Strategy**

3.23 Policy ST3 represents the agreed settlement strategy of the submission plan. It provides Members with the ability to narrow down the scope of sites needing to be considered. It is important that the settlement tiers within the Policy should be maintained and recommendations for new allocations have been made on the basis of preserving the relative weight of development at each settlement tier. The net result of Members considerations should therefore be that:

1. Sittingbourne continues provides the main focus of development; followed by a lesser scale of growth at
2. Faversham and Sheerness urban centres, the latter supported by the urban local centres of Queenborough/Rushenden and Minster and Halfway, having strong regard to the relative weighting provided by the Thames Gateway as appropriate; followed by a lesser scale of growth at
3. the Rural Local Service Centres, as the main growth points for the rural areas, but representing the third tier of growth overall. Provision in these locations will be variable and relative to whether or not they are in a Thames Gateway location, allied to general considerations of environmental constraints and general accessibility; and, if necessary, followed by a lesser scale of growth at
4. the other villages identified by Policy ST3.

3.24 Where Members may be minded not to support a recommended allocation at a given settlement, they should consider two matters: (1) that the removal of a site(s) could require a new replacement site(s) to be proposed; and (2) that if a replacement site(s) is at a lower order settlement, whether the benefits of such a site(s) at a 'lesser' location would clearly outweigh the position of the 'disputed' recommended site(s) at the higher

order settlement. To support these judgements, 'sense-check' options are provided at key points in the report and again at Part 4.

## 5) Judgements affecting environmental issues

3.25 The following is a summary of how environmental matters should be considered:

- Landscape and visual impacts: Harm may be overall or in combination minor, moderate or major. The NPPF refers to significant harm in the context of an assessment of all harm (not just landscape) relative to benefits. Major adverse landscape impacts are likely to indicate harm at greater levels greater than significant. Both the terms 'major' and 'significant' are however used, with 'significant' used in situations where harm may be less than 'major', but still significant in terms of the NPPF. Harm that is significant or worse (after mitigation) may be a strong reason to discount a site, although balancing this against benefits still needs to be undertaken. Harm to designated sites should be considered relative to the status of the designation as provided by para. 113 of the NPPF. Whilst local landscape designations are the lowest tier recognised by the NPPF, their status should be taken into account relative to a non-designated area.
- Locally Important Countryside Gaps: Although endorsed as a policy by the Inspector for DM purposes, unless there is a significant harm upon the gap in question, they should not be viewed as being overriding of development needs (although, the impacts can be considered alongside other impacts and benefits). This view is endorsed by the Inspector. Once the land supply is confirmed, its validity as a DM policy is supported.
- Biodiversity impacts (locally designated and undesignated sites): The approach is for the avoidance of harm in the first instance and then mitigation and, if necessary, compensation. Any remaining harm needs to be weighed against overall benefits and the significance of any formal designation. Some sites may be undesignated, e.g. traditional orchards, but contain national or local priority habitats and/or species. These may be so significant as to prevent allocation, or indicate a need for the allocation to retain and promote their enhancement. Protected species may also be an issue which will need to be assessed in accordance with statutory and other guidance. Issues potentially affecting European designated sites are considered by the HRA and a plan will be found unsound if it results in likely significant effects that cannot be mitigated. Addressing this issue might require an allocation to include a suitable accessible natural green space (SANG) on site, alongside a tariff payment to address off-site recreational impacts. However, an HRA would need to conclude that the approach would be sufficient.
- Agricultural land: See paras 2.24-25.
- Flood risk impacts: The Council should follow a sequential test by which sites outside areas of risk should take preference. Where a site needs/should be allocated within an area at flood risk, the Council should follow the exceptions tests and ensure appropriate mitigation is undertaken to make the site safe.

- Heritage assets impacts: Allocations should not lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it can be demonstrated that this is necessary to achieve substantial public benefits that outweigh that harm or loss. The specific circumstances that might allow this, listed by para. 133 of the NPPF, will rarely be an issue for allocations. Whilst new housing is a public benefit, it is unlikely to be unique to a particular site and could be provided elsewhere without the harm. Where there is less than substantial harm, this can be weighed against public benefits. Regard should also be given to the Historic England Good Practice Advice Notes - Note 1 Historic Environment in Local Plans. Cumulative impacts from incremental changes on the significance of a heritage asset, most likely to the setting, will also need to be considered.
- Local Green Spaces (LGS): These are further considered by Section 8. However, any prospective development allocation should be considered in the context of meeting the plans development needs in a sustainable way rather than using a proposed LGS to block a development site. In other words, it is important to meet the development needs of the Borough before confirming the Local Green Spaces in accordance with national planning policy/practice.
- Transport impacts: Allocations should only be prevented on transport grounds where the residual cumulative impacts of development are severe.
- Pollution impacts: New development should prevent unacceptable risks from pollution. In the case of air quality, para. 124 of the NPPF states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Account should also be given of the potential for developments outside an AQMA to worsen the situation. Decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan. No objections in principle to the recommended sites in the report have been identified; however, relevant policies for sites should contain requirements for air quality assessments and mitigation.

## **6) The benefits of development**

- 3.26 Allied to the consideration of environmental and other adverse impacts, Members should balance these against the benefits of the site in question (para. 14 NPPF). Common to all sites of course will be the provision of housing, but it will also be other potential benefits which Members will need to particularly weigh up. These may include new community provision, transport improvements, employment or open space. The weight to be given to such issues is a matter of judgement.

## **Section 5: The ‘discounting’ of site options contrary to the Local Plan strategy or with ‘showstopper’ constraints**

- 3.27 Given the interim conclusions reached by the Inspector, together with other evidence already available, Members do not need to consider in detail all the sites submitted to

the Local Plan Examination, SHLAA and subsequent call for sites. Via a sifting process, it is possible to confidently discount a relatively large number of sites from the process which will enable Members to focus on the remainder.

3.28 Table 2 provides a list of those site options which are considered to clearly lie outside of the settlements listed by Policy ST3 and which can be immediately discounted. The location of sites can be referenced from the maps in Appendix 3.

Table 2 Site submissions outside the scope of Policy ST3

Location	SHLAA ref.	Commentary if appropriate
Land at Norton Ash Garden Centre	SW/452	In the countryside at no settlement identified as suitable for allocations. Isolated in terms of para. 55 of the NPPF (currently subject of planning appeal).
Graveney sites	SW/730 and 731	A settlement not identified by Policy ST3 and which has no defined built up area boundary.
Radfield Farm, nr. Teynham	SW/719	In the countryside away from identified settlement and not identified as suitable for allocations.
Sites close to Eastchurch prisons	SW/752 and 788	In the countryside away from identified settlement and not identified as suitable for allocations.
Land at Shurland Farm, Eastchurch	SW/711	In the countryside away from identified settlement and not identified as suitable for allocations. The site is additionally considered to have significant to major adverse visual impact not capable of mitigation to acceptable levels.
Land at Kent Science Park	SW/777	In the countryside away from identified settlement and not identified as suitable for allocations. Site specific policy proposed for this location against which planning applications can be considered.
Sites in the Bobbing Corridor and at Keycol Hill	SW/168* <sup>6</sup> , 451*, 708, 709 <sup>7</sup> , 710, 720, 725, 735, 755, 756, 792	In the countryside away from identified settlement and not identified as suitable for allocations. Also included in Table 3. SW/792, 735, 755 and 756 are additionally considered to have significant to major adverse visual impact not capable of mitigation to levels where their benefits outweigh such impacts.  Sites located to the west of the A249 will significantly impact upon the settlement separation of Sittingbourne with Bobbing Hill, Bobbing, Howt Green and Iwade.

<sup>6</sup> \* Sites subject to planning application with reference to para. 49 of the NPPF.

<sup>7</sup> Also considered within Sittingbourne section of the report.

Location	SHLAA ref.	Commentary if appropriate
Cambray Farm, Stickfast Lane, Bobbing	SW/088	In the countryside away from identified settlement and not identified as suitable for allocations. Isolated in terms of para. 55 of the NPPF.
Site at North Street, Sheldwich	SW/754	In the countryside away from identified settlement and not identified as suitable for allocations. Isolated in terms of para. 55 of the NPPF.
Milstead Manor Farm, Manor Road, Milstead	SW/737	In the countryside away from identified settlement and not identified as suitable for allocations. Isolated in terms of para. 55 of the NPPF.
Land at Funton Brickworks, nr. Lower Halstow	SW/371	In the countryside away from identified settlement and not identified as suitable for allocations. Isolated in terms of para. 55 of the NPPF.
Land at Tonge Church	SW/716	In the countryside away from identified settlement and not identified as suitable for allocations. It would also substantially harm a designated heritage asset.
Land south of Tonge Mill Country park	SW/776	In the countryside away from identified settlement and not identified as suitable for allocations. It would also substantially harm a designated heritage asset and result in significant harm to a proposed Local Green Space designation.
Sites at Hartlip	SW/782, 791	In the countryside away from identified settlement and not identified as suitable for allocations.

3.29 In Table 3 below, there are some sites, which whilst located at settlements within Policy ST3, are judged as falling outside of the settlement or planning area strategy. At this stage, the list of sites is short, but once the task of allocating sites is complete, this category would potentially be expanded as other sites acting cumulatively could also be regarded as contrary to the strategy and discounted for that reason. At the present, Table 3 includes only those sites that are so significant in their scale as to place them beyond both the scope of what is expected from the Council by way of modifications and beyond the overall strategy of the Plan. They can be discounted at this stage. The location of sites can be referenced from the maps in Appendix 3.

Table 3 Sites contrary to the endorsed strategy

Location	SHLAA ref.	Commentary if appropriate
Land at Selling Road,	SW/778	A scale of development which in its own right would account for nearly all of the land required to meet development needs



Location	SHLAA ref.	Commentary if appropriate
Faversham		<p>which, in turn is in a location which is only required to proportionately boost its supply. The scale of development would represent a new option not tested at a much earlier stage of the process. The site, alongside others, is noted by the SA (footnote to page 23) as a potential option for consideration as part of a Local Plan review.</p> <p>Development would lead to transport impacts upon J7 of the M2. These would not be capable of mitigation without major and currently unplanned for improvements.</p>
Sites to the west of the A249 in the Bobbing Corridor	SW/168* <sup>8</sup> , 451*, 708, 709 <sup>9</sup> , 710, 720, 725, 735, 755, 756, 792	<p>Also included in Table 2. Cumulatively and, in some cases, singly, to accommodate such a scale of growth would require a change to the settlement strategy not tested by the Local Plan process. The sites, alongside others, are noted by the SA (footnote to page 23) as a potential option for consideration as part of a Local Plan review.</p> <p>Note that SW/725 was assessed as part of the SHLAA and did not progress beyond sweep 0, having failed at step 2 of the process.</p>

3.30 There are also a small number of sites which either before or after mitigation are too small to allocate, i.e. they would produce less than 5 dwellings. These are shown in Table 4.

Table 4 Site too small for allocation

Location	SHLAA ref.	Commentary if appropriate
Adjacent Eastchurch village hall, Warden Road	SW/713	For SW/713 although having no clear constraint, it should not be considered ahead of other sites. It is also too small for allocation in the Local Plan.
Land at 179-183 Borden Lane, Sittingbourne	SW/796	The site is too small for allocation. In any event, as the site would potentially represent 'town-cramming' due to loss of urban greening, a planning application may be the most appropriate way to determine both the principle and detail of development.
Land between Park Drive and Hales Road, Tunstall/Sittingbourne	SW/712	The site is likely to be too small to allocate once site constraints are considered (trees, garden land). In any event, development would result in some harm to setting of

<sup>8</sup> \* Sites subject to planning application with reference to para. 49 of the NPPF.

<sup>9</sup> Also considered within Sittingbourne section of the report.

Location	SHLAA ref.	Commentary if appropriate
		<p>conservation area. As a potential 'garden-grabbing' site, this may be more appropriately examined in context of detailed planning application.</p> <p>The site may also contribute part of the separation between Tunstall and Sittingbourne; however, this too would require detailed examination at the planning application stage.</p>
111 The Street Boughton	SW/434	Relates to land to the rear of at the rear of the car park to the Queens Head public house. The site is on steep topography and is densely vegetated, whilst the relationship with the pub car park would be an awkward one. Once these matters are considered, the site is likely to be too small to allocate.
Site at Doddington	SW/789	<p>Technically outside of settlement, but included here for avoidance of doubt. The location offers a lesser contribution to the Local Plan settlement strategy than other locations. It should only be considered if 'higher order' locations are not suitable.</p> <p>In any event, due to its limited frontage, the site is likely to be too small for allocation.</p>

3.31 The [ranking exercise](#) undertaken for the 2015 Examination, now updated for the SA, included sites within its lowest 'Tiers' F and G. These were sites with 'showstopper' constraints or sites that were unavailable or unsuitable for housing due to other uses. These can also be discounted from further consideration. The location of sites can be referenced from maps in Appendix 3.

Table 5 Sites discounted as a result of 'showstopper' or other constraints

Location	SHLAA ref.	Commentary if appropriate
Doubleday Lodge, Sittingbourne	SW/454	Withdrawn
Land fronting Milton Creek, Gas Road, Sittingbourne	SW/062	Flood risk, unsuitable environment
45 Key Street, Sittingbourne	SW/067	Not available
189 Park Road, Sittingbourne	SW/307	Not available
Rear of Middletune Avenue, Sittingbourne	SW/309	Not available
Rear of 40 Tonge Road, Sittingbourne	SW/311	Not available

Location	SHLAA ref.	Commentary if appropriate
Car Park, Shortlands Road, Sittingbourne	SW/322	Not available
Milton Pipes, Church Marshes	SW/092	Not available
Eurolink Way, Sittingbourne	SW/338	Not available
Gas Road, Sittingbourne	SW/351	Not available. Unsuitable environment for housing site.
Sittingbourne Community College	SW/214	Loss of open space/playing field
Borden Grammar School, Sittingbourne	SW/402	Loss of open space/playing field
Sittingbourne Community College	SW/429	Loss of open space/playing field
Great Grovehurst Farm, Sittingbourne	SW/075	Not available
Land at North East Sittingbourne	SW/068	With planning permission
KCC Highways Depot, Faversham	SW/210	Not available, but see Table 5
Joyce Field, Water Lane, Ospringe	SW/455	Substantial harm to designated heritage asset, loss of allotments
Reedland Crescent, Faversham	SW/305	Not available
Flood Lane, Faversham	SW/357	Flood risk, loss of open space
Brents Industrial Estate, Faversham	SW/355	Not available. Unsuitable environment for housing site.
Abbey School, Faversham	SW/403	Loss of open space/playing field
Woottons Farm, Minster	SW/234	Withdrawn
Adj. Park Lodge, The Broadway, Minster	SW/189	Flood risk
Park Lodge, The Broadway, Minster	SW/189	Flood risk
Land at Rushenden	SW/456	Flood risk, AHLV, SPA, SSSI

Location	SHLAA ref.	Commentary if appropriate
Brielle Way, Queenborough	SW/042	Flood risk
Land adj. Queenborough Rd and Sunnyfields Drive, Halfway	SW/421	Flood risk, AHLV, countryside gap
Land at Queenborough Rd	SW/404	Flood risk, AHLV, countryside gap
Whiteway Road, Queenborough	SW/207	Flood risk
Stoneyard Depot, Sheerness	SW/205	Not available
Sites at Checkmate Ltd., New Road, Sheerness	SW/728, 729	The sites would result in the unjustified loss of employment land, the development of land at risk of flooding in a location unlikely to satisfy the sequential and exceptions test in the NPPF. The sites would also represent poorer quality living environments than alternatives.
Sheerness Golf Club	SW/736	Flood risk, significant landscape, settlement separation and visual harm.
Park Lodge, The Broadway, Minster	SW/186	Flood Risk
Danley Middle School, Halfway	SW/115	Loss of open space/playing field
HBC Engineering Solutions, Power Station Road, Halfway	SW/169	With planning permission
Lands at Harts Park, Leysdown	SW/232	Not available.
Land at the East of Woodside, Boughton	SW/003	Woodland loss and potential subsidence
Land East of Woodside, Boughton	SW/015	Woodland loss and potential subsidence
Newington Manor, Bull Lane, Newington	SW/097	Substantial harm to designated heritage asset
Cellar Hill, Teynham	SW/142	Substantial harm to designated heritage asset, loss of orchard and

Location	SHLAA ref.	Commentary if appropriate
		rural amenity, significant harm to landscape of valley to the east which outweighs any benefits of development.
Oak Lane, Upchurch	SW/045	Impact on proposed Local Green Space Designation, loss of allotments.
Four Gun Field, Upchurch	SW/094	With planning permission.

**Recommendation 3:**

**That the Panel agree that the sites in Tables 2-5 be discounted from further consideration.**

**Section 6: Considering the remaining sites with potential for allocation**

3.32 This section considers the main site options that could potentially contribute to meeting the additional housing numbers. Where appropriate a short summary of the site’s SHLAA position and ‘ranking’ is also provided. These, together with the SA and other considerations enable Members to further narrow down the decision making needing to be made. At the end of each site option, there are concluding remarks which are intended to act as ‘sense-checks’ for and challenges to the recommendations made.

**1) The provision of sites and the ‘proportionate boost’ for Faversham**

3.33 Following Policy ST3 would require the issues at Sittingbourne, the main Borough urban centre, to be examined first. However, it is appropriate to consider options at Faversham first, as this has a bearing on the remainder of development requirements elsewhere. Provided that the tiers of settlement are not altered as a result, there is no fundamental difficulty with this and the most appropriate starting point to determine the degree of boost is to consider the contending sites themselves.

3.34 An increased provision for Faversham town will have already been partly provided by commitments made in 2015/16 via the 66 dwellings granted on appeal at Brogdale Road<sup>10</sup> (SW/441 and rank Tier B, SHLAA sweep 2). The site (Figure 1) can also be allocated because of its suitability and compliance with the settlement strategy and because any harm associated has been determined as acceptable – in other words it would have been allocated regardless.

3.35 In the case of Perry Court Farm (SW/413 370 dwellings and 18,525 sq. m of employment uses and ranked Tier B, SHLAA sweep 3), as shown in Figure 2, a

<sup>10</sup> Permission granted after the monitoring year of 2014/15.

resolution to grant outline planning permission was agreed on 31 March 2016. Given this, the site should be considered in its own right for allocation. The site has been controversial, but its allocation would not substantially harm designated heritage assets with the site also visually well contained by land-form and man-made features. Where there is harm, there are prospects for mitigation which would reduce it to levels less than significant. The site offers the additional benefits of employment, open space and transport enhancements (junction improvements) and is in a viable location capable of contributing to the 5-year supply. The site is recommended for allocation, in short because of its suitability and compliance with the settlement strategy, its sustainable location and because allocation of the site is not so significantly harmful as to outweigh its benefits.

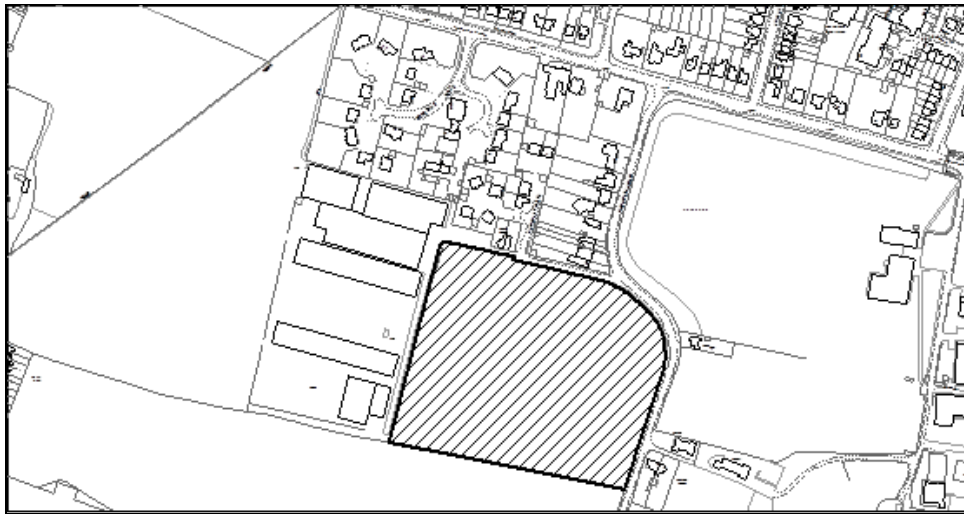


Figure 1 SW/441 Land at Brogdale Road, Faversham

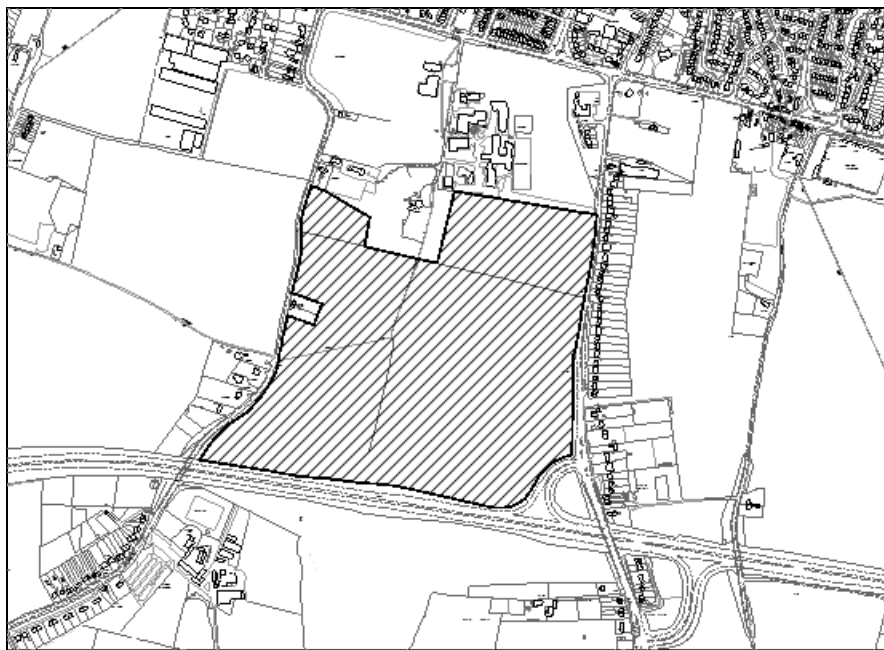


Figure 2 SW/413 Land at Perry Court Farm, Faversham

- 3.36 Allocation of both these sites is important in terms of ensuring an adequate supply of sites and that the appropriate levels of allocations are made at Faversham having had regard to the Inspector’s interim findings. The allocations and their policies are shown on pages 187 and 222 of the consultation document in Appendix 1.
- 3.37 Even including the above allocations, the Panel should consider whether a further ‘nudge in emphasis’ toward the town is appropriate without harm to the plan’s Vision and strategy.
- 3.38 To focus on those sites most appropriate to consider, Table 6 discounts a number for the reasons stated. Their location can be referenced from the maps in Appendix 3.

Table 6 Sites discounted as not suitable at Faversham

Location	SHLAA ref.	Dwellings	SHLAA ‘sweep’	Ranking ‘Tier’	Commentary if appropriate
Land east of Faversham	SW/080	350	0	D	<p>Would, when considered cumulatively with other preferred committed sites be contrary to the planning area strategy by virtue of disproportionately boosting the land supply.</p> <p>Development would also extend the town beyond the capacity of the local landscape to accommodate change and lead to significant to major harm not outweighed by any benefits.</p> <p>Development would lead to transport impacts upon J7 of the M2. These would not be capable of mitigation without major and currently unplanned for improvements.</p>
Sites to the north-east of Faversham (Abbey Farm and Abbey Fields)	SW/430, 431, 795	106, 525, 6	0	G, G, G	<p>Would, when considered cumulatively with other preferred committed sites be contrary to the planning area strategy by virtue of disproportionately boosting the land supply.</p> <p>Although variable in scale, all the sites are demonstrated to be substantially harmful to the heritage and landscape setting</p>

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking 'Tier'	Commentary if appropriate
					<p>of the town and to designated heritage assets and lead to significant to major harm not outweighed by any benefits.</p> <p>Some further consideration would need to be given to SPA issues which may require significant on-site mitigation.</p>
KCC Highways Depot, Preston	SW/210	28	2	B	<p>Although claimed as 'available' by the landowners, the site is reliant upon the relocation of current activities to an, as yet, unidentified location.</p> <p>In any event, once available, the site falls within the settlement boundary and can be considered for development via a planning application as a windfall site.</p>
Land adjacent Mindon, 9 Ashford Road and Orchard cottages	SW/081, 751	70, 30	0	G, G	The sites are demonstrated to be substantially harmful to designated heritage assets.
Perry Court Farmhouse, London Road	SW/794	60	0	G	The site is demonstrated to be substantially harmful to the setting of an undesignated heritage asset.
Sites to the south west of Faversham and at Ospringe	SW/046, 047, 433, 435, 440, 701, 797	42, 308, 136, 64, 227, 300, 51	0	G, G, G, G, G, G, G	<p>Would, when considered cumulatively with other preferred committed sites be contrary to the planning area strategy by virtue of disproportionately boosting the land supply.</p> <p>Although variable in scale, the sites are demonstrated to be substantially harmful to the heritage and landscape setting</p>



Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking 'Tier'	Commentary if appropriate
					<p>of the town and to designated heritage assets and lead to significant harm not outweighed by any benefits.</p> <p>Individually the sites are considered to result in significant to major visual and landscape harm. (Not SW/046/047) Sites also fail to conserve and enhance the AONB by virtue of impacts upon its setting.</p> <p>Cumulatively, the sites would impact upon the AQMA at Ospringe and whilst individually sites may be able to address this issue, these sites should not be preferable to others at the town.</p>
Land at Bysing Wood Road, Faversham	SW/733	25	0	G	<p>Considered in Faversham context for the avoidance of doubt. However, the site does not adjoin the built up area boundary to the town and can be regarded as being in the countryside away from identified settlement and not identified as suitable for allocations. Additionally, development would be significantly harmful to a local landscape designation and local wildlife site leading to harm that substantially outweighs any benefits.</p> <p>Development would be viewed as an illogical cluster of housing unrelated to the urban area.</p>

3.39 The above discounting leaves a number of remaining options to further boost growth at Faversham:

- a. Policy MU5 Land at Lady Dane Farm;

- b. SW/334 Former Nova Garden Furniture premises, Graveney Road; and
- c. Policy A6: Land east of Faversham.

- 3.40 The first opportunity is at the existing allocation at Lady Dane Farm, east of Love Lane. Policy MU5 references the potential for a second phase of development, including housing. Taking into account the land required for a second phase of employment, the need for further open space and the possibility of a new primary school, there is potential for a minimum additional 60 dwellings. This increase is recommended. The allocation and its policy are shown on page 217 of the consultation document in Appendix 1.
- 3.41 A second opportunity is at the former Nova Garden Furniture site at Graveney Road (SW/334 and ranked Tier A, SHLAA sweep 2). The site, shown in Figure 3, is currently allocated for mixed uses (housing unspecified) with the objective of retaining land in employment use. However, despite its good location, adverse development costs indicate that its future as an employment site may be in some doubt, whilst its redevelopment wholly for housing could provide some 90 dwellings on a brownfield site with little wider impact. Therefore, this site is now recommended as an allocation wholly for housing. The allocation and its policy are shown on page 163 of the consultation document in Appendix 1.
- 3.42 Adjoining the Nova site, shown in Figure 4, is a 2.0 ha existing draft employment allocation (Policy A6) which requires access from the Nova site (a separate access being unacceptable in highway terms). This could lead to employment traffic passing through the recommended housing site at SW/334 which may be considered undesirable. Members have the option to consider the 'conversion' of the Policy A6 employment allocation to housing, but the principle of the employment allocation has already been considered by the Inspector and found to present no soundness issues. Its 'conversion' to housing would be a loss of potential employment provision at the town and it should therefore only be revisited if there are strong reasons to do so.
- 3.43 The landowner of Policy A6 is willing to see the site developed for housing instead of employment (SW/783 rank Tier A, SHLAA sweep 0). This could provide about 60 dwellings, although its topography and location next to existing commercial uses may reduce this significantly and may not overall make this a particularly desirable or suitable housing allocation. A shared access between housing and employment does present certain design and layout challenges for the Nova site, but they do not appear insurmountable, even though some reduction in overall yield on the Nova site may be needed to achieve it. However, Member's views in respect of the shared access and the change in policy toward the A6 (SW/783) employment allocation are requested.

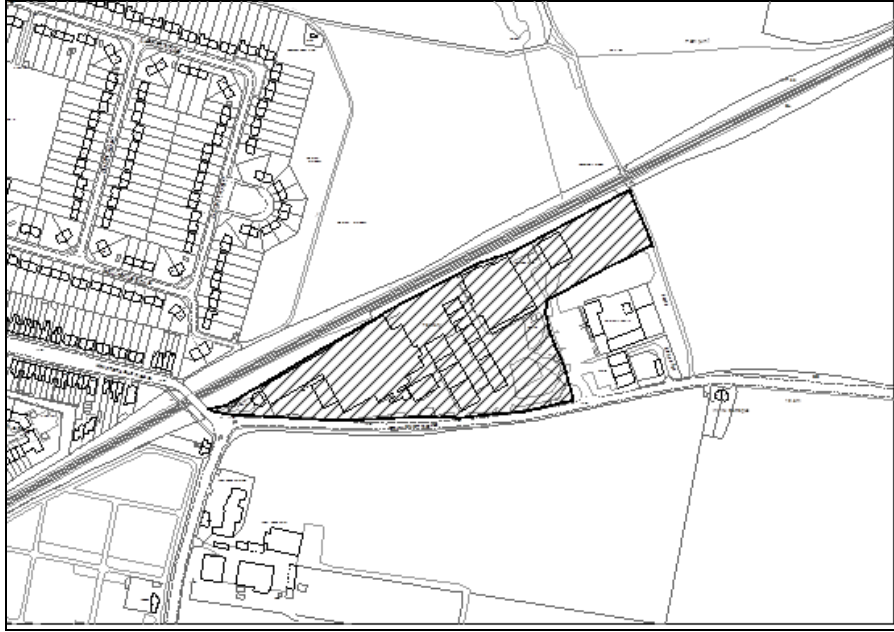


Figure 3 SW/334 Former Nova site, Graveney Road, Faversham

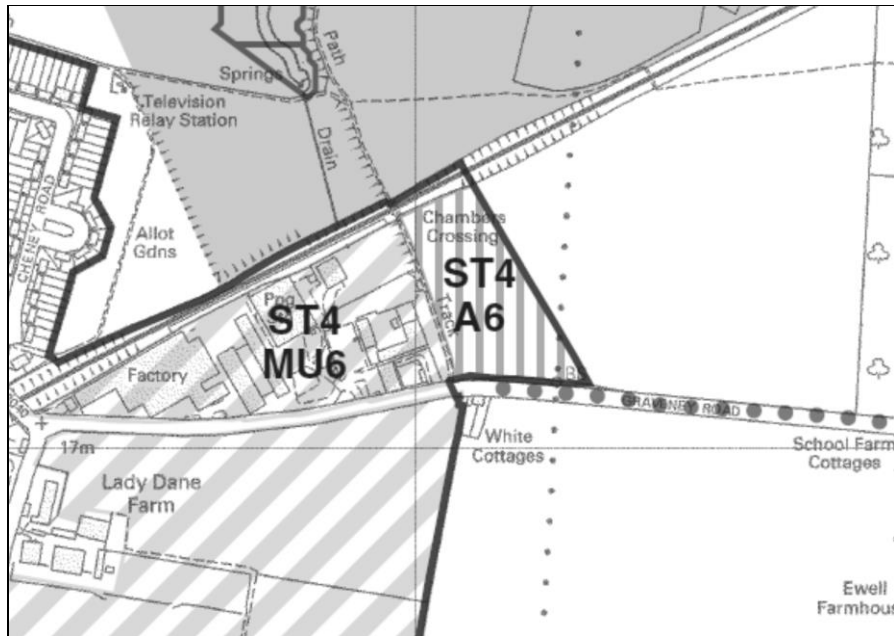


Figure 4 Land east of Faversham, marked as Policy ST4 and A6 (SW/783).

- 3.44 The above changes (excluding the Policy A6 issue) would give an extra 150 dwellings at Faversham. Given the need to achieve a 5-year supply, Members could consider whether the emphasis upon Faversham should be extended still further. It is on this basis that the following potential site options are put forward:
- a. Land at Preston Fields (SW/233 and ranked Tier C, SHLAA sweep 3) – 217 dwellings; and
  - b. Land east of Ham Road (SW/700 and ranked Tier G, SHLAA sweep 3) – 156 dwellings.



Figure 5 SW/233 Land at Preston Fields, Faversham

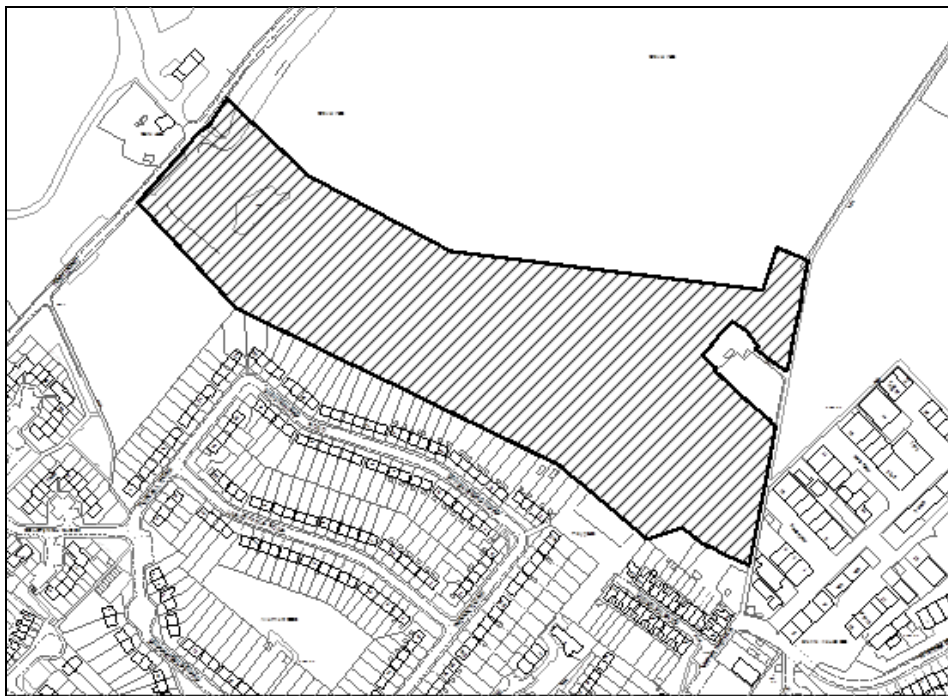


Figure 6 SW/700 Land east of Ham Road, Faversham

- 3.45 Heritage evidence before the Examination ([SBC/PS/010 Faversham Town Heritage and Landscape Study](#)) indicated that both sites fell within areas that were of 'high' contribution to heritage and landscape setting. In the light of this, discussions with both developers have led to amended proposals in response to potential adverse impacts.
- 3.46 SW/700 at Ham Farm site has been reduced in size from 8.5 ha to the 3.5 ha in Figure 6. Despite this, it is considered to have greater and significant visual impacts than SW/233 due to its position within an exposed landscape. There would also remain

some adverse impact upon the heritage setting of the town. Although mitigation could further reduce these impacts, they will remain more significant to those at Preston Fields which is better contained by landform and existing development. Close to the SPA, the Ham Farm site would also need considerable on and off site mitigation to overcome potential concerns as to a likely significant impact on the SPA. This may well require a larger prospective allocation beyond the current site boundaries (perhaps up to the original 8.5 ha) in the form of suitable assessable natural green space (SANG). This has not been advanced by the site promotor and would need to be canvassed with them if Members wished it.

- 3.47 The SW/233 Preston Field site, shown at Figure 5, is not without adverse impact as there would be the loss of attractive rural views to and from the A2 along this shallow valley. There would also be some impacts on heritage assets associated with the adjacent conservation area, although design evidence indicates that this can be mitigated to less than substantial harm. Likewise, landscape impacts could be much reduced by the retention of the southern third of the site as open space. This mitigation would require some reduction in the yield sought by the developer (250 dwellings to 217). Impacts to residents from the adjacent Highways Depot and tip sites are judged as capable of mitigation. The site is also preferable to Ham Farm from an SA and HRA point of view because of its further distance from the SPA/Ramsar.
- 3.48 Both sites involve the use of best and most versatile agricultural land.
- 3.49 In terms of accessibility, the Ham Farm site is in a fairly sustainable location, relatively close to a primary school and supermarket and less than 1 km from the town centre. The Preston Fields site is similarly located, but has better secondary school access and public transport choices. Whilst the A2 itself is a barrier to some degree to pedestrians accessing the town centre, it is not a serious impediment. A clear advantage of the Preston Fields site is its close motorway access whereas the Ham Road site is more distant, either via the Western Link and the A2 at Ospringe (including the AQMA) or via narrow roads to and in the town centre.
- 3.50 With two points of highway access to the Preston Fields site potentially available (A2 and Ashford Road), Kent Highways advise that whilst there may be no objection in principle to development of the site, a transport assessment would be required to determine the most appropriate primary access point. Likewise, a decision will be needed as to whether these points should be essentially linked to bypass the A2/A251 junction. These would be matters to resolve for the Examination.
- 3.51 Although there are merits associated with both locations, it is **not** recommended that both sites should be allocated as this would lead to an over-emphasis of allocations at the town and an exacerbation of an over-supply of allocated sites. It is also **not** recommended that either of these sites be considered as 'replacements' for other allocations recommended by this report. This is because neither site is a better fit relative to other objectives, notably the use of lower quality agricultural land.
- 3.52 So by comparison of the two competing sites, on balance, the Preston Fields site is judged to perform better overall and therefore the Ham Farm site is not recommended for allocation. This is supported by the SA which shows 'clear water' between the two sites.

3.53 Given the levels of concern over the recent Perry Court Farm application, Members will have understandable reservations over a further allocation in a similar location. However, like the Perry Court site, Preston Fields is relatively well contained visually and whilst there are landscape and heritage sensitivities, these can be reduced as described above. However, in the case of landscape impacts, these are judged to be moderate overall, but moderate/significant in localised views. It is therefore acknowledged that the decision here is less clear cut than others in the report, but the need to secure a 5-year supply, whilst addressing arguments as to whether Faversham has received its 'proportionate boost', leads to a recommendation that this additional site also be allocated. The allocation for Preston Fields and its policy are shown on page 166 of the consultation document in Appendix 1.

#### Conclusions in respect of Faversham

- 3.54 The recommended allocations will achieve the proportionate boost necessary for Faversham and reduce that necessary elsewhere, whilst giving good prospects for improving the land supply. By reference to Table 13 in Section 7, Members will see that the Faversham planning area will have received a boost of 2.9% in allocations, although it is higher than this at the town itself.
- 3.55 With the Brogdale Road and Perry Court Farm sites viewed as, in effect, committed, the Preston Fields site is indicated as the most preferred by the SA. Members could consider further sites without necessarily altering Faversham's position within Policy ST3, but this is likely to stretch too far the notion of a 'proportionate boost'. The contending sites for such a further boost are all problematic. The issues of landscape, heritage and biodiversity concerning SW/700, east of Ham Road are highlighted by the SA. Elsewhere, allocations would need to be considered to the north or south-west, where heritage assets and landscape character/quality would be substantially or significantly/majorly harmed and, again, highlighted by the SA. Alternatively, it would require allocations to the east and west (SW/080, SW783) which would significantly or majorly harm landscape character and quality. All these sites would largely involve BMV land, potentially undermining attempts to utilise lower quality agricultural land elsewhere.
- 3.56 It is also important to highlight the potential for in-combination effects, i.e. many developments cumulatively impacting upon the heritage setting of Faversham. It may also be that higher growth at Faversham, or at certain locations around the town, could result in traffic impacts on the historic centre.
- 3.57 In conclusion, it is considered that provision at Faversham beyond that indicated is not supported by the evidence and that to do so would extend the boost potentially beyond a point which undermines both the strategy for the town and the Local Plan Vision. The recommendation below is therefore commended to Members.

## FAVERSHAM SITES

### Recommendation 4:

#### That the Panel:

- a) agree that the sites within Table 6 be discounted from further consideration;
- b) agree the allocation of an additional 60 dwellings at Lady Dane Farm;
- c) agree the allocation of SW/441 and SW/413 at Brogdale Road and Perry Court Farm for 66 and 370 dwellings respectively, together with 18,525 sq. m of employment floorspace at Perry Court Farm;
- d) agree the allocation of SW/334 at the former Nova premises for 90 dwellings
- e) consider whether land to the east of Faversham at Graveney Road (SW/783) should be re-allocated from employment to housing for 40 dwellings; and
- f) agree the allocation of SW/233 at Preston Fields for 217 dwellings and not agree the allocation of SW/700 at Ham Farm.

## 2) The balance of additional allocations between Sittingbourne and the Isle of Sheppey within the Thames Gateway Planning Area

- 3.58 This decision is required to guide site choices between the two locations. The existing settlement strategy places the main emphasis of growth upon the Thames Gateway (Sittingbourne and Isle of Sheppey). It is acknowledged that to follow the settlement strategy, set out in Policy ST3, further Sittingbourne should have the greatest emphasis. However, it is important to first resolve the balance of growth between Sittingbourne and Sheppey, but strictly within the context of maintaining an overall outcome where the total of all allocations continue to reflect Sittingbourne's primacy.
- 3.59 There are a number of matters arising from the Examination indicating that the Council needs to re-visit the balance between Sittingbourne and the Isle of Sheppey with a view to exploring an appropriate increase at the latter location:
- (1) Current allocations on Sheppey are considerably lower relative to its population and employment share;
  - (2) Over 600 allocated dwellings were removed from the Local Plan prior to its submission; and
  - (3) The Island has significant resources of lower quality agricultural land.
- 3.60 With levels of growth above that recommended at Sittingbourne considered undesirable (see discussion from para 3.100 onwards), a degree of additional emphasis is appropriate for Sheppey. However, the SA examination of spatial strategy alternatives (Appendix V, page 76) indicates its poorer performance in terms of housing and transport and negative landscape impacts.
- 3.61 Whilst use of best and most versatile agricultural land (BMV grades 1, 2 and 3a) on the mainland is likely to be unavoidable to meet the total additional housing numbers, the failure to maximise the use of suitable sites on lower quality land on Sheppey (and

elsewhere) would raise questions as to whether the plan had complied with para. 112 of the NPPF. Avoiding this issue, or a failure to maximise the potential it offers, would increase the land take of better quality land within the A2 corridor. It would also lessen the Island's contribution in terms of the strategic emphasis of the Thames Gateway relative to locations outside of it.

- 3.62 If the protection of high quality agricultural land on the mainland is pursued to its ultimate conclusion, the entire additional housing land provision for the Gateway area of the Borough could be made on Sheppey. However, this would give rise to the following potential adverse consequences, a number of which are supported by the SA:
- a. Sheppey's position within the settlement strategy in Policy ST3 could usurp that of Sittingbourne;
  - b. Sites more distant from the A249 would be required, which perform less well in terms of accessibility to services and public transport;
  - c. More prominent sites on higher ground would be required. These are visually harmful, in most cases significantly or even majorly so;
  - d. Levels of employment provision on the Island may not be adequate;
  - e. Current viability issues for Sheppey are likely to mean a 'zero' CIL charge for a significant proportion of the Borough's development. An excessive emphasis in this location would impact upon the ability to deliver the supporting infrastructure the plan needs (accepting that some sites may facilitate the delivery of some infrastructure) until such times as viability improved. However, S106 would still be able to be spent, whilst CIL monies collected elsewhere could be spent on Sheppey.
- 3.63 Given the above, it is commended that further additional allocations on Sheppey should be made, but that this should be limited in terms of the conflict with other objectives as highlighted by para. 3.62 a.-e. above. Recommendations later in the report seek to determine the appropriate levels and location for this emphasis.

### **3) The focus of growth on the Isle of Sheppey**

- 3.64 To accord with the settlement strategy, Policy ST3 directs the majority of Sheppey growth at what is referred to as the 'West Sheppey Triangle' (Sheerness, Queenborough-Rushenden, Minster and Halfway) – these being the best connected settlements to employment, facilities and transport opportunities. More specifically, due to flooding risks in this location (see Table 4), attention on site allocations focuses attention on those sites on the higher ground around Minster and Halfway.
- 3.65 To confirm and reinforce this approach, it is though necessary to give some consideration to locations at the eastern end of the Island and whether it is appropriate for contributions to be made there to meeting the land supply.
- 3.66 This issue was noted by the SA (but not as part of the assessment), as part of establishing reasonable alternatives to be tested (para. 5.3.24). As a result, it has been concluded that an East Sheppey alternative is not reasonable:

*“Recognising the need to plan in-line with the established settlement hierarchy, there is not necessarily a need to allocate additional sites at East Sheppey (where there are two Rural Local Service Centres); and from a strategic perspective there is a strong*



*argument for restricting growth here given its isolation/poor transport connections. Whilst in theory it can be argued that growth could address the problem of isolation (and associated relative deprivation), in practice it is not clear that opportunities exist at the current time. Another factor in support of growth here is the resource of lower quality agricultural land, but this is not an overriding factor.”*

- 3.67 It is agreed that development on eastern Sheppey could benefit certain remoter communities with new services and infrastructure. It could also enable the Council to pursue further the objective to reduce reliance on BMV land elsewhere (although it seems likely that there is some BMV in parts of eastern Sheppey). However, the sites before the Council (some of which have already been discounted in Tables 2 and 4), do not bring with them compelling cases to demonstrate that the sustainability and isolation of these communities would be significantly enhanced. It would also take disproportionately large numbers of houses with no ultimate guarantee that viability would be able to deliver necessary infrastructure.
- 3.68 The only benefit of extending the search for growth eastward is the use of lower quality agricultural land. Whilst the land quality status would need to be confirmed, the pursuit of such an objective so far east on the Island would be at the expense of other considerations, such as the need to locate development close to services and better transport choices. With Eastchurch and Leysdown some 6 and 10 km respectively from the strategic road network, it seems reasonable to reach a conclusion that beyond Minster the limits of using lower quality land on Sheppey is reached. Furthermore, due to topography and exposure, a number of the sites beyond Minster have significant or even major adverse impacts on the local landscape. Any significant emphasis on east Sheppey would also require further assessment within the HRA given its location close to the SPA/Ramsar.
- 3.69 In conclusion, the pursuit of an eastward approach ahead of that to the west, or indeed elsewhere, is not commended. Whilst all sites in this eastern location are recommended to be discounted in terms of their lesser contribution to sustainable development, Table 7 also includes (acknowledging the SA) other grounds for discounting sites as less favourable than sites to the west. The location of sites can be referenced from maps in Appendix 3.

Table 7 Sites discounted as not required and/or suitable on east Sheppey

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
Land at Leysdown and Warden	SW/758, 781	184, 112	0	B, G	Although Leysdown is a Rural Local Service Centre, the site here (and at Warden) offers few specific benefits that would lead them to being allocated ahead of alternatives (notwithstanding concerns over the settlements accessibility to

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
					higher order services).
Sites at Eastchurch	SW/155, 196	16, 515, 2	0	C, D	<p>In the case of SW/155, the landscape impacts are considerably less, although are judged to be moderately harmful in views from the south/south-west. The site is though not well-related to the existing built form and would create development pressures in an undeveloped and largely rural landscape. It should only be considered in the absence of other more suitable locations.</p> <p>In the case of SW/196, the prominent and exposed topography on these higher slopes would make development significantly (major in the case of SW/196) harmful in the landscape significantly outweighing any benefits.</p>
Sites at Plough Road, Eastchurch	SW/001, 159	57, 8	0, 3	D, B	<p>In the case of SW/001, the site is peripheral to local services and located on a pleasant rural lane. Development would not strongly relate to any existing settlement and urbanise the rural landscape. Development would also be significantly harmful in views from the north, east and west, significantly outweighing any benefits.</p> <p>In the case of SW/159 (Land at The Dantlings), the site has been found as suitable by the SHLAA. Whilst the site is relatively accessible and development might be</p>

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
					accommodated without significant harm, its choice as a housing allocation is less favourable than alternatives elsewhere.

3.70 Comments are also required in respect of two other sites. The first at SW/129, shown at Figure 7 (ranked Tier D, SHLAA sweep 0), is at The Bunnybank Eastchurch and could provide 40 dwellings. It forms an accessibly located site close to the centre of the village and well contained in the wider landscape. However, it forms a very pleasant undeveloped setting to the western approaches to the village and development would be moderately to significantly harmful. It also should be noted that the site has been put forward for consideration as a Local Green Space. Ahead of considering that issue, whilst the above harm may not be sufficient to outweigh an overriding need to develop at Eastchurch, there are preferable locations available and therefore the site is not recommended.

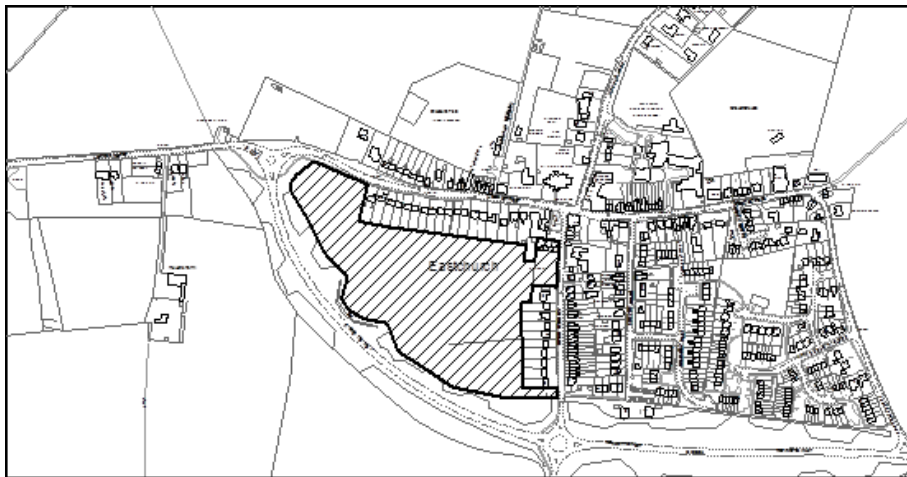


Figure 7 SW/129 Land at The Bunnybank, Eastchurch

3.71 The second site, shown in Figure 8, is to the north/north-east of Eastchurch. Following discussions with the landowner, SW/197 (ranked Tier NA, SHLAA sweep 3) was significantly reduced from its earlier submission, both to limit harm to heritage assets and to reduce adverse landscape impacts due to the position of the village on elevated and exposed land with views from land to the north and west.

3.72 Despite the amendments from the landowner, significant to major adverse impacts are judged as remaining. Should Members believe that the advantages of the site significantly outweigh these impacts, it is recommended that the scale of the site should be further reduced with the levels of landscape and heritage setting mitigation increased. Even with further site reductions, the remaining landscape harm would be

significant and its advantages would need to be judged as outweighing this harm. However, given that Members do not need to consider this site further for the reasons set out in paras. 3.67-68, its allocation is not recommended.

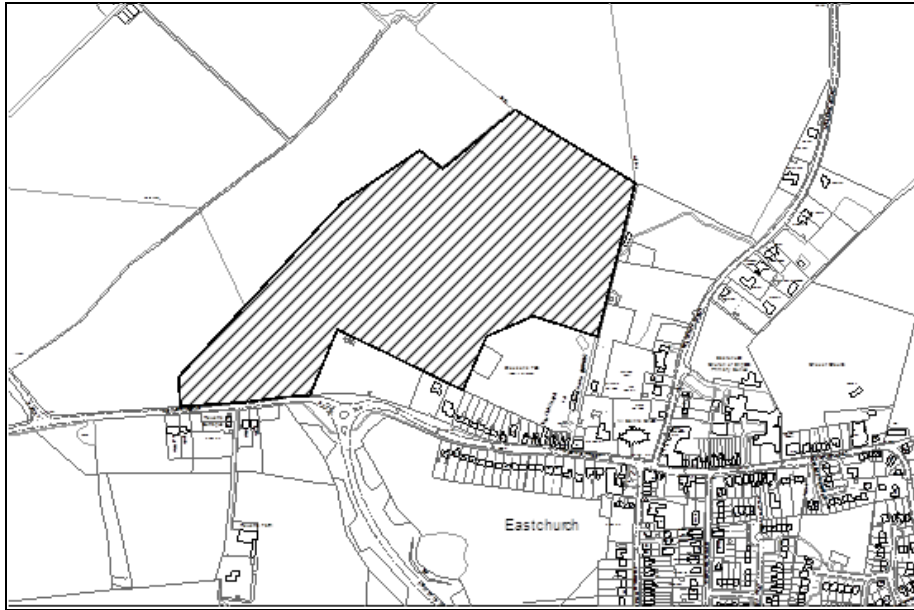


Figure 8 SW/197 Land north of Eastchurch

#### **4) The site options at the western settlements of the Isle of Sheppey**

- 3.73 With a focus appropriately established at the 'West Sheppey Triangle', suitable sites there need to be identified. Due to low lying sites already having been discounted, the only site options around Minster and Halfway are considered. In this respect, there are site options to the east and west of Minster.
- 3.74 Analysis within the current SA report - see the table within Appendix III that deals with West Sheppey - indicates, in broad terms, that sites to the west of Minster and southwards at Halfway are more favourable, both in terms of better connections to existing services and a reduced landscape impact.
- 3.75 That said, development would not be without adverse visual and landscape impacts due to the open landscape and higher topography, although the extent of these impacts can be reduced by mitigation. This is in contrast to sites to the east, north and north east of Minster where there are greater scales of visual and landscape impact that remain significant or even major after mitigation. In some instances, there is also substantial harm to a designated heritage asset (Minster Abbey).
- 3.76 These conclusions enable a number of sites to be recommended for discounting. These are shown in Table 8. The location of sites can be referenced from maps in Appendix 3.

Table 8 Sites discounted as not suitable at Minster and Halfway

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
Land rear of Chequers Road/Scocles Road, Minster	SW/459, 706	9, 61	3, 0	G, G	<p>Due to the steep topography and relationship with Minster, there would be significant to major landscape and visual harm arising from these sites which could not be mitigated to acceptable levels where benefits would outweigh the harm. The sites would also give rise to substantial harm to a designated heritage asset in terms of impacts upon views to of Minster Abbey and its hill-top setting. The setting of Minster would be likewise harmed.</p> <p>Development would also significantly harm the extensive and long distance views of the Swale marshes to the south and be detrimental to the amenities and functioning of the footpath across the site.</p> <p>There would also be detrimental erosion of a green wedge between developments.</p>
Land rear of Nelson Road/Scocles Road, Minster	SW793	120	0	G	<p>Due to the steep topography and relationship with Minster, there would be significant and major landscape and visual harm arising from this site which could not be mitigated to acceptable levels where benefits would outweigh the harm. The site would also give</p>

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
					<p>rise to substantial harm to a designated heritage asset in terms of impacts upon views to of Minster Abbey and its hill-top setting. The setting of Minster would be likewise harmed.</p> <p>There would also be detrimental erosion of a green wedge between developments.</p>
Land south of Elm Lane, Minster	SW/799	10	0	D	<p>An incongruous site in terms of its relationship with the existing settlement form. Development would appear highly prominent in views from the north and south and would overall be significantly harmful in terms of landscape/visual impact.</p> <p>There would also be detrimental erosion of a green wedge between developments.</p>
Land at Gilbert Hall Farm, Minster	SW/779	574	0	G	<p>Due to the steep topography and relationship with Minster, there would be significant and major landscape and visual harm and loss of a green wedge between developments, all arising from this site which could not be mitigated to acceptable levels where benefits would outweigh the harm. The site would also give rise to substantial harm to a designated heritage asset in terms of impacts upon views to of</p>

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
					<p>Minster Abbey and its hill-top setting. The setting of Minster would be likewise harmed.</p> <p>Development would also significantly harm the extensive and long distance views of the Swale marshes to the south and be detrimental to the amenities and functioning of the footpath across the site.</p> <p>There would also be detrimental erosion of a green wedge between developments.</p> <p>The site also represents grade 3a agricultural land, which is a rare resource on Sheppey.</p> <p>Site considered and rejected for allocation by a Local Plan Inspector in 1998.</p>
Land at Windy Gap, Chequers Road, Minster	SW/044, 780	106, 70	0, 0	D, G	<p>Development would significantly and majorly harm the landscape of the locality including the extensive sea views afforded. SW/0780 also potentially impacts upon an SSSI, whilst SW/044 may have some localised interest.</p> <p>Development would also significantly harm a proposed Local Green Space designation (if agreed). In any event, there would also be detrimental erosion of a</p>

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
					green wedge between developments.  These impacts outweigh any benefits of the development of these sites.
Land r/o 33 Highfield Road, Minster	SW/019, 158	70, 21	0, 0	D, C	SW/019 has the greater impact, but development of either site would significantly harm the landscape by virtue of its exposed and elevated position where benefits would outweigh the harm.  Local biodiversity issues would need to be confirmed.
Land to the east of Parsonage Farm, Minster	SW/184	29	0	G	The site would be substantially harmful to the setting of a designated heritage asset. The land also comprises former orchard (a UK BAP priority habitat).
Danley Farm, Minster Road, Halfway	SW/021, 038	224, 22	0, 0	G, G	These sites would be substantially harmful to a designated heritage asset and the separation of Minster with Halfway. Sites are also at high flood risk.

- 3.77 Whilst sites to the east of Minster have been discounted, there are three sites in this general location which merit further discussion:
- SW/457 Land at Chequers Road – 10 dwellings (ranked Tier B, SHLAA sweep 2);
  - SW/705 Land at Scocles Road/Elm Lane Minster – 50 dwellings (ranked Tier B, SHLAA sweep 2); and
  - SW/133 Land to the east of Scocles Road – 575 dwellings (ranked Tier G, SHLAA sweep 0).



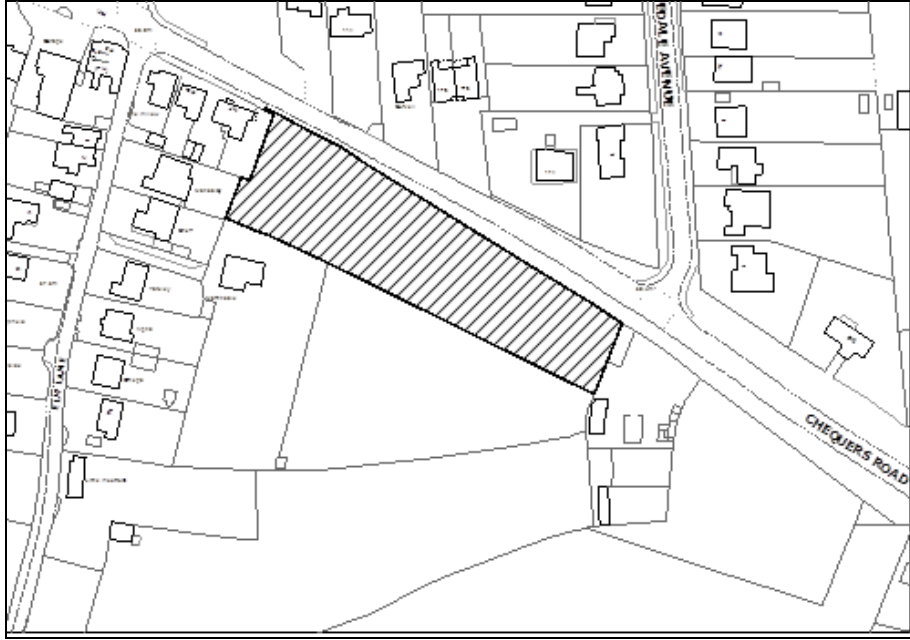


Figure 9 SW/457 Land at Chequers Road, Minster

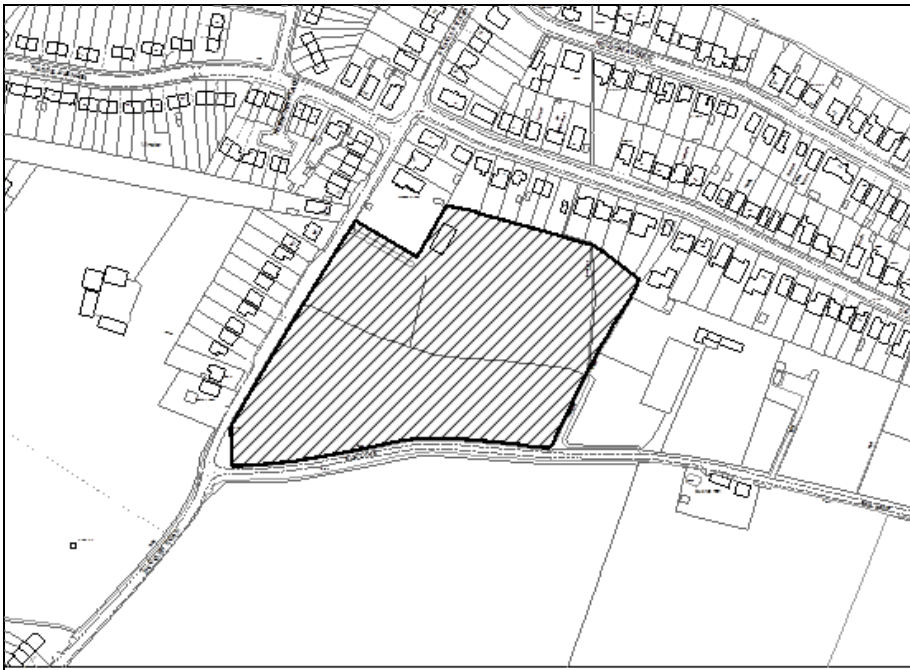


Figure 10 SW/705 Land at Scocles Road/Elm Lane, Minster

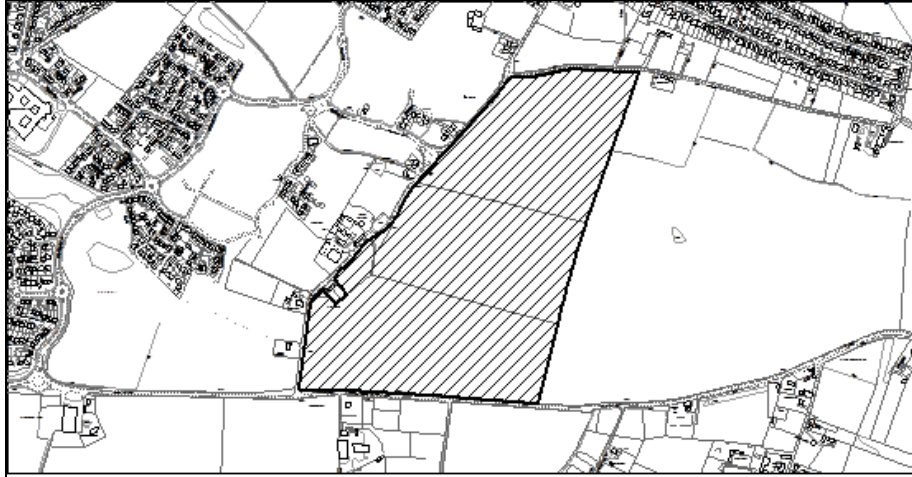


Figure 11 SW/133 Land to the east of Scocles Road, Minster

- 3.78 In the case of SW/457, shown as Figure 9, these dwellings can be accommodated on a frontage site with minimal harm to the surrounding landscape and without precedence for further ribbon development on sites which would be more visually exposed. Likewise, SW/705, shown as Figure 10, has merit. Unlike sites to the south and north, its containment by vegetation and the higher ground lying immediately to the south, leads to only moderate visual impact, although it will give rise to pressures to develop adjacent land. Both sites are amongst the more preferable highlighted by the SA (page 49). They are recommended to Members and will increase the use of lower quality agricultural land. The allocations and their policies are shown on pages 155 & 158 of the consultation document in Appendix 1.
- 3.79 In the case of SW/133, shown as Figure 11, this is a major potential land release to the east of Thistle Hill, where there would be significant to major landscape and visual harm which cannot be easily mitigated. This is because of views of the site from the south and from the higher ground to the north looking southwards toward the Swale. There would also be additional adverse and cumulative impacts on the setting of the listed building at Scocles Court. Should Members consider allocating the site, a reduction in the landscape and heritage impacts could be achieved by a significant reduction in dwelling numbers from the 575 promoted by the developer to circa 370 dwellings. This would involve limiting development to the northern half of the site with the southern half provided as landscape mitigation/open space. This in turn would enable some localised landscape benefits to be taken into account. However, this approach has not been tested with the developer and even if it were to be agreed, it is likely that significant visual harm would remain, particularly within the southward views from the higher ground to the north.
- 3.80 Analysis within the current SA report - see the table within Appendix III that deals with West Sheppey - notes the site as one of the lesser preferable options, highlighting landscape, heritage and traffic constraints and its poorer relationship with Minster.
- 3.81 The benefits of the site can be acknowledged in terms of providing a potential 'bypass' for the narrow Scocles Road routed through the site, together with the financial contributions that could be made to highway improvements on the Lower Road further

to the west. The site is also of a scale that could provide local facilities, although none have been specifically identified.

- 3.82 To allocate the site would require the Panel to conclude that the balance of these benefits (including the ability to considerably increase the use of lower quality agricultural land) were sufficient to outweigh any impacts. The evidence and SA do not point the Panel in this direction. There are other sites with lesser impacts, including those further to the west. Overall the site's advantages are not judged to outweigh its impacts and SW/133 is not recommended as suitable for allocation ahead of other recommended sites.
- 3.83 To arrive at the final point to determine the extent of the emphasis of growth on Sheppey, attention needs to be focused at the more generally suitable west of Minster location where there are considered to be two sites that should be further examined:
- a. SW/194 (also incorporating SW/184) Land at Barton Hill Drive – 620 dwellings (ranked Tier C, SHLAA sweep 2); and
  - b. SW/165 Land at Belgrave Road – 140 dwellings (ranked Tier B, SHLAA sweep 2).

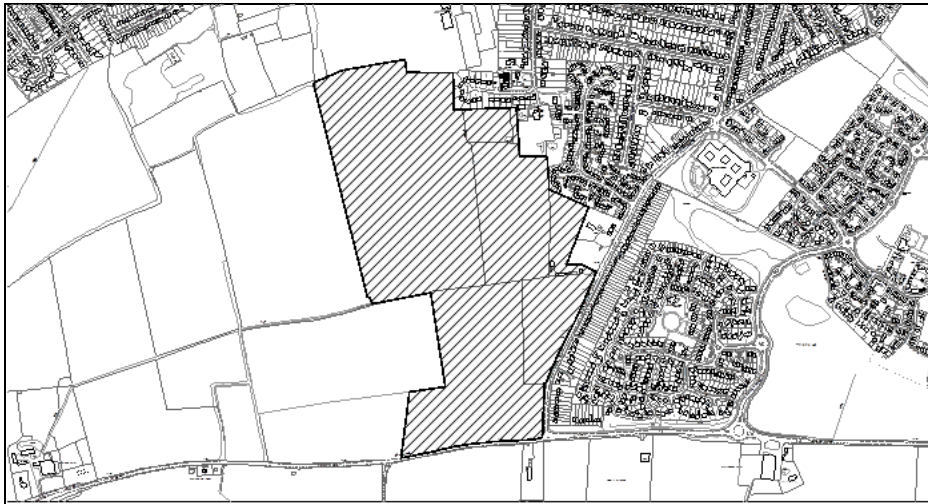


Figure 12 SW/194 Land at Barton Hill Drive, Minster

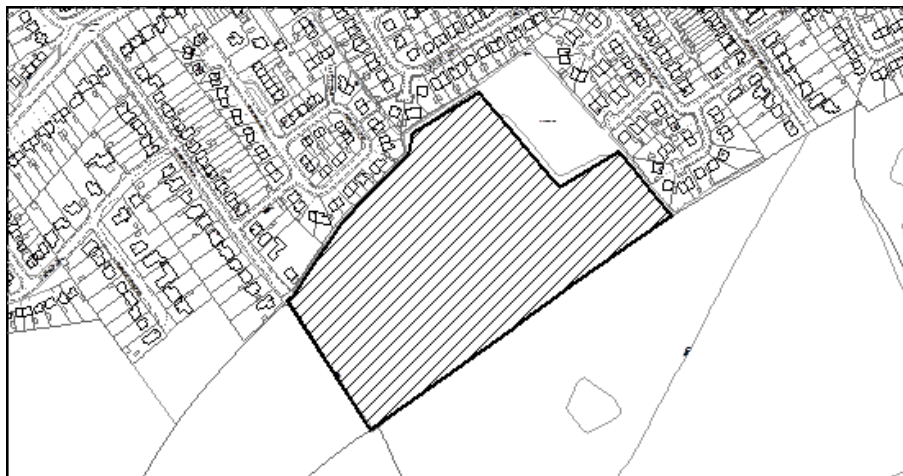


Figure 13 SW/165 Land at Belgrave Road, Halfway

- 3.84 Members are asked to re-consider their previous decision to remove these sites as allocations after they were included in the 2013 draft Local Plan because of residents' concerns. In the case of SW/194 at Barton Hill Drive, Figure 12 shows the boundaries to the site to have been modified from that in the 2013 Local Plan to now better reflect the undulating landform and provide for substantial landscaping/open space for mitigation. This involves a reduced land-take closer to the Lower Road with an increased area to the north, whilst a variable level of density suggests that its yield could be increased from the 550 units proposed by the 2013 draft Local Plan, to 620 dwellings. This will still only be at a density a little over 35 dpa, but is in recognition of the landscape mitigation required. Of these sites, the SA (page 49) notes both sites amongst the better performing of those considered.
- 3.85 Whilst there is some visual and landscape harm, mitigation is likely to lead both to some landscape benefits with any overall remaining harm judged as moderate. Overall, this is a lesser scale of landscape and visual harm than previously allocated and from what would result on land to the east of Minster at, for example, SW/133.
- 3.86 Substantial harm (having regard to cumulative impacts) to the heritage setting of Parsonage Farm can be avoided by mitigation using open space and the retention and management of the former orchard which could also provide a pedestrian link through to Parsonage Chase (subject to third party agreement). This old orchard is subject to SW/184, which is not recommended for allocation in its own right, due to the loss of habitat and impact upon heritage setting.
- 3.87 Overall, the adverse impacts need to be balanced with the increased overall numbers of housing that can be provided on lower quality agricultural land, together with the open space and landscape enhancements that would be achieved. Importantly, the site is able to facilitate the much needed junction improvement and road widening to the A2500 Lower Road.
- 3.88 It should be noted that the landowner has also promoted a much larger site at SW/721 (ranked Tier F, sweep 0, see Figure 14), capable of accommodating over 2,100 dwellings on land both further to the west and north of the Barton Hill Drive site. Notwithstanding the benefits that this scale of development could potentially provide, development would result in significant to major visual impacts and a major and detrimental reduction in the separation of Minster and Halfway with Queenborough. It is not recommended.



Figure 14 SW/721 Land north of Lower Road, Minster

- 3.89 In the case of SW/165 at Belgrave Road, shown as Figure 13, the site is visually almost completely contained in wider views by the higher ground of Furze Hill to the south and is considered to be a logical rounding off of existing built development. There are some local access, open space and possible drainage concerns, but these are not considered severe.
- 3.90 For both SW/194 and SW/165, although of concern to Members in 2013-14, a decision not to allocate these sites now would seriously undermine the Council's overall approach, as set out in this report. Whilst there is some harm associated with them, they are not judged as significant enough to outweigh the overall benefits, including the need for housing. Both sites are therefore strongly recommended for allocation.

#### Other Sheppey matters

- 3.91 One site, SW/321 (ranked Tier G, SHLAA sweep 0) on land at Southsea Avenue, Minster, shown as Figure 15, has previously been reported as unavailable for development because of difficulties in securing the agreement between the landowners that include the Borough Council. It is understood that this position has now changed and that the land is to be transferred to a single landowner/developer.

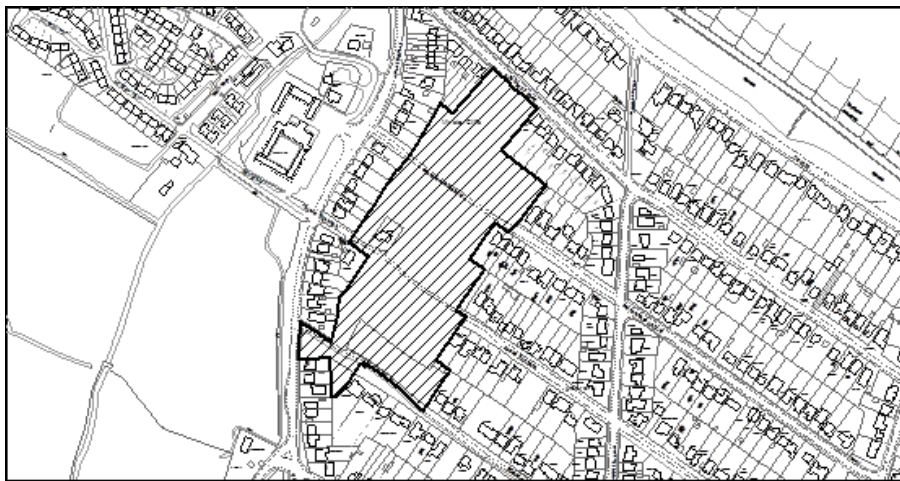


Figure 15 SW/321 Land at Southsea Avenue, Minster

- 3.92 However, in the years that the site has been vacant, it has become thickly vegetated and the likelihood of ecological interests having established themselves is high. These would need to be assessed before the site could be soundly allocated. This assessment has not been undertaken. Whilst as an urban site, its development may be judged as preferable to an urban greenfield extension, it is not previously developed land and therefore comprises a greenfield urban site. In any event, the absence of ecological information means that its allocation cannot be safely recommended. In addition, much of the site is also subject to flood risk (Zone 2 and 3) and a site flood risk assessment would be required, although this is only likely to constrain development of part of the site.
- 3.93 Members should also note that the area is to be considered for Local Green Space designation (to be reported at the meeting). Putting the green space designation to one side (which would prevent development of the site in its own right), the above constraints could potentially be considered at the planning application stage once the necessary surveys had been undertaken. The site is not recommended for allocation.

Concluding remarks in respect of the Isle of Sheppey

- 3.94 The recommendations are intended to increase provision at Sheppey's western settlements commensurate with their position in Policy ST3 and in recognition of the lower quality of agricultural land there and the lesser landscape impacts (compared with further east). Whilst there are adverse impacts for Sheppey associated with further growth there, the change in development target from that in 2013-14 has shifted the balance of decision making to require the reconsideration of sites.
- 3.95 The recommendations strike a balance between increasing the use of non-BMV land and other objectives. In particular, the inclusion of sites with greater visual and transport impacts, together with poorer accessibility, to the east of Minster has been avoided. Increasing provision at Sheppey over and above that recommended would bring the conflict with these other objectives sharply into focus. In particular, the in-combination adverse landscape impacts of allocating sites both to the east and west of Minster would be very significant indeed.
- 3.96 The above conclusions are supported by the SA examination of spatial strategy alternatives (Appendix V, page 76), where additional provision over and above that recommended is examined. The option has poor performance in terms of transport and housing, with negative landscape impacts identified. This is largely due to the need to develop sites to the east of Minster in such a scenario.
- 3.97 It is reasonable to consider whether increased provision at Sittingbourne could reduce that required on Sheppey. This is clearly true, but (see SA and the Sittingbourne discussion) clearly indicates that provision cannot be increased there without breaching constraints (local landscape designation, heritage assets and BMV) of more significance than the sites recommended for allocation at Sheppey. Increasing allocations at Sittingbourne would therefore lead to difficulties in the compliance with paras. 110, 112 and 113 of the NPPF and the Council's Position Statement. It would also neglect Sheppey's position within the Thames Gateway and, in the absence of sites at

Sittingbourne, increase pressures on the Rural Local Service Centres at levels which would be difficult to justify.

- 3.98 Alternatively, if further allocations were to have been made at Sittingbourne, it may still have been necessary to allocate the recommended sites on Sheppey because of the objective of using lower quality agricultural land. Such a scenario would eliminate the need for allocations at the Rural Local Service Centres which would not address boosting provision in the rural areas as per the Inspector's interim findings.
- 3.99 Overall, it is considered that the right balance has been reached between the issues present on Sheppey and the relationships with issues affecting the mainland. The recommendations below are therefore commended to Members.

### ISLE OF SHEPPEY SITES

#### Recommendation 5:

#### That the Panel agree that:

- a) sites in Table 7 on eastern Sheppey and in Table 8 at Minster and Halfway be discounted from further consideration;
- b) SW/128 at The Bunnybank and SW/197 to the north of Eastchurch not be allocated for housing;
- c) SW/133 to the east of Scocles Road, Minster not be allocated;
- d) SW/184 at Parsonage Chase, Minster, not be allocated, but incorporated within the allocation at SW/194;
- e) SW/721 (extended site) at Barton Hill Drive, Minster not be allocated;
- f) SW/321 at Southsea Avenue, Minster not be allocated SW/457 and SW/705 to the north-east and east of Minster be allocated for housing for 10 and 50 dwellings respectively; and
- g) SW/165 at Belgrave Road, Halfway and SW/194 at Barton Hill Drive, Minster be allocated for 620 and 140 dwellings respectively.

#### 5) Considering the site options at Sittingbourne

- 3.100 As already outlined, it is necessary to ensure that Sittingbourne's position within the settlement strategy in Policy ST3 remains and as such the scale of growth there for the plan as a whole should be the greatest. Whilst this could be maintained without any further allocations being made, its position would be eroded and pressures placed on locations elsewhere. This is judged to be a reasonable alternative, as noted by the SA (but not part of the assessment), para. 5.3.4:

*"There is a need to focus additional allocations at Sittingbourne, recognising the need to plan in-line with the established broad settlement strategy. However, at the same time there is a need to recognise certain strategic constraints, notably in relation to*

*landscape/ settlement-separation/ heritage sensitivities to the south (which is where site options are concentrated).”*

- 3.101 Although there are constraints at the town that will limit directions of growth, these are not of sufficient scale and weight overall to preclude further development at the town altogether. That is not to say however that the allocation of sites will not be without environmental harm. As to the scale of any further growth, to avoid erosion of the town’s position within Policy ST3, the additional level of provision will involve a site or sites of some significance. However, with reference to the SA, the purpose of this section is to resolve whether there is an appropriate limit to the overall level of additional growth that can be considered.
- 3.102 Before considering the main site options, using the SA, SHLAA and ranking list, Table 9 provides a number of sites that can be discounted due to significant constraints. The location of the sites can be referenced from maps in Appendix 3.

Table 9 Sites discounted as not suitable at Sittingbourne

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
Land at Borden Lane	SW/028	85	0	G	The site would result in actual coalescence between settlements and would be significantly harmful and not outweighed by any benefits.
Land at Cryalls Lane	SW/126	70	1	B	The site would have only minor to moderate impact on the landscape and would represent a relatively modest incursion into the settlement separation between Sittingbourne and Borden.  The site is though subject to an application to KCC for Village Green status. Until this issue is resolved the site cannot be regarded as available.  The site also proposed for consideration as a Local Green Space (see later in report).  Should both proposals fail,



Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
					the site would be included within the current settlement boundary of Sittingbourne by virtue of nearby proposed allocations. If these are accepted for allocation, then other uses could be considered against the policies of the plan.
Sittingbourne Adult Education College, College Road	SW/213	26	0	G	Heritage asset. It is unclear as to whether the conversion of this building for housing would be suitable. Located inside the settlement boundary, these issues are more appropriately addressed via a planning application which would be considered as a windfall site. Land adjacent the site is proposed for consideration as a Local Green Space.
Land at East Hall Farm, Sittingbourne	SW531	41	3	A	Land was previously identified as local centre for wider development. The lack of need for this centre has not been demonstrated. However, the site is located within the urban area and as such any potential for development here can be pursued outside of the Local Plan as a windfall site.
Land east of Bobbing Hill	SW/709	32	0	NA	Although considered as outside of the approved settlement strategy and already discounted in Table 2, the site is also considered here, for the avoidance of doubt. This is

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
					<p>because of its location on the Sittingbourne side of the A249 (although the site does not fully adjoin it's built up area boundary).</p> <p>Although having some self-containment, the site is not viewed as forming part of Sittingbourne; the town being largely hidden by woodland around Gore Court Park at this point (proposed for consideration as a Local Green Space). The site, despite the presence of the A249, appears as part of the open settlement gap with Bobbing and is viewed as relating to that settlement rather than as an extension to Sittingbourne.</p> <p>Despite its relative containment, the site would significantly erode the countryside gap and undermine its purpose at this point. This harm would outweigh any benefits of development.</p>

3.103 One site, SW/343 Land at the former Bell Centre, Bell Road (ranked Tier A, SHLAA sweep 1) has become available and could accommodate a considerable number of new apartments (up to 150), together with a possible medical centre (which will be required to meet local plan growth).

3.104 The site, shown as Figure 16, has been subject to past viability difficulties, but with some of the adverse development costs (i.e. demolition) potentially addressed by the previous owners; it is assumed that the prospects for a scheme being developable by the new owners have considerably improved. There remain a number of design challenges needing to be addressed and these will have a bearing on the final number of dwellings that could be realised. As a result, a more cautious estimate of dwelling numbers (120 units) is assumed for purposes of housing land supply.

3.105 As one of the few brownfield sites within a central location available to allocate, the Panel should view this site as a priority. The site has the added advantage that once commenced it will deliver significant numbers of dwellings over a short period, boosting the 5-year supply. It would also support some of the health needs arising from Local Plan growth. If allocated, the site would form part of the numbers assumed for the Sittingbourne town centre regeneration area (Policy Regen 1).



Figure 16 SW/343 Land at the former Bell Centre, Bell Road, Sittingbourne

3.106 Outside the urban area, three main locations for more major further growth at Sittingbourne can be considered:

- 1) South-west Sittingbourne: SW/703, 564 dwellings (ranked Tier G, SHLAA sweep 3);
- 2) South Sittingbourne: Comprising:
  - a. SW/422 Land at Ufton Court Farm, up to 761 dwellings (ranked Tier G, SHLAA sweep 0);
  - b. SW/135 Land at Grove End Farm, Tunstall, up to 541 dwellings (ranked Tier G, SHLAA sweep 0);
  - c. SW/211, 179 and 418 Land at Ruins Barn Road, Tunstall, up to 116 dwellings (ranked Tier D, F, B, SHLAA sweep 0).
- 3) South-east Sittingbourne: Comprising:
  - a. SW/050 Land at Chilton Manor Farm, Swanstree Avenue, up to 540 dwellings (ranked Tier F, SHLAA sweep 0);
  - b. SW/107 Land at Highsted Road, up to 218 dwellings (ranked Tier F, SHLAA sweep 0);
  - c. SW/204 Land at Muddy Lane, up to 123 dwellings (ranked Tier G, SHLAA sweep 0).

3.107 In the case of the second and third options, it should be noted that within each there could be various configurations, i.e. not necessarily the case that all sites referenced would be brought forward.

3.108 The first option (SW/703), shown as Figure 17, is located to the south-west of the town and lies between it and Borden village stretching east and west of Wises Lane as far as Borden Lane in the east. Here the main issues are landscape sensitivities, the impacts on the settlement gap between Sittingbourne and Borden, archaeology and heritage, contamination and transportation. Members should note that the area of land in Cryalls Lane (SW/126) (formally allocated by the 2013 draft Local Plan), now currently subject to an application for 'village green' status, is not included within the site. SW/126 is considered suitable for development by the SHLAA, but not recommended for allocation in Table 8. This is because until the status of the land is resolved, it cannot be said to be available for development.

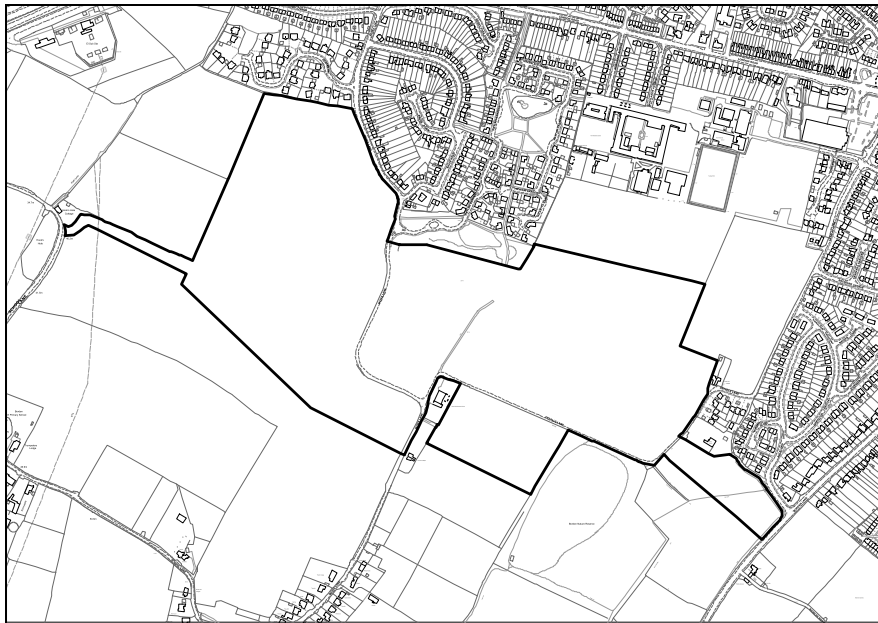


Figure 17 Option 1: SW/703 Land in south-west Sittingbourne

3.109 The second option, shown as Figure 18, comprises a series of sites in southern Sittingbourne, notably, large sites to the south of Riddles Road and to the west of Ruins Barn Road. Here the main issues are the landscape impacts and the reduction in settlement gaps between Sittingbourne and Borden and Tunstall, highway access and the setting of the historic settlement and conservation area at Tunstall and Borden. Sites to the east of Ruins Barn fall within the North Downs locally designated Area of High Landscape Value (Policy DM24).

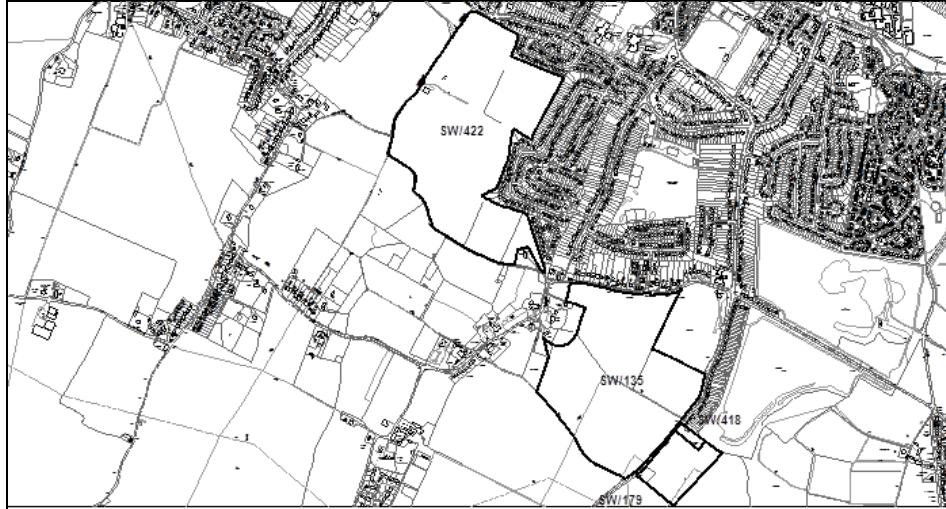


Figure 18 Option 2: SW/135, 179, 211, 418 and 422 Land in south Sittingbourne

3.110 The third option, to the south-east of the town and shown as Figure 19 comprises three sites located to the south of Swanstree Avenue and to the east of Highsted Road and Muddy Lane - all within the North Downs locally designated Area of High Landscape Value (Policy DM24). The largest of these sites (SW/050) has been subject to a refusal of planning permission, principally on the grounds of significant visual and landscape harm. It is currently subject to an amended application. The key issue affecting all three sites are landscape impacts and, to a lesser extent, the impacts on settlement separation.

3.111 All three options involve significant use of BMV agricultural land, although the south-east location has some Grade 3b.

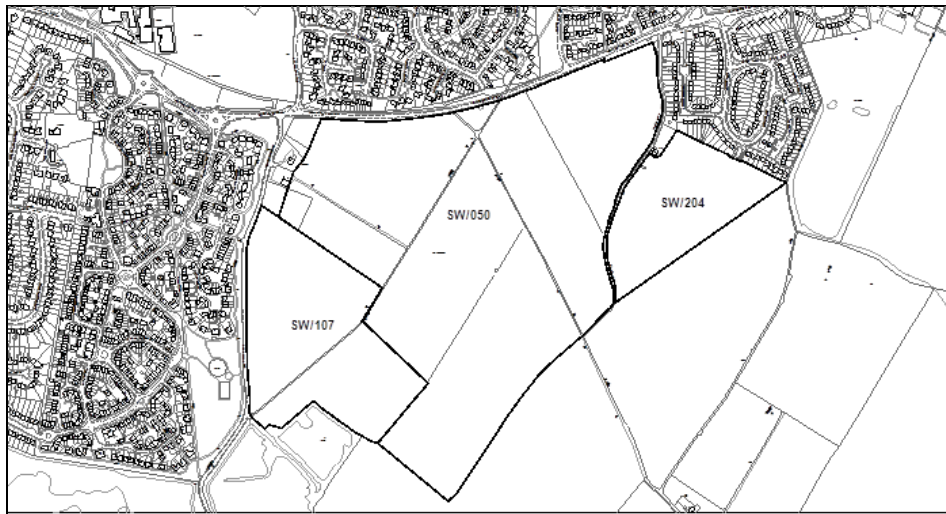


Figure 19 Option 3: SW/050, 107 and 204 Land at south-east Sittingbourne

3.112 Para. 2.22 and Table 1 of this report refers to the approach that should be taken to allocations and, in particular, para. 110 of the NPPF – namely those allocations should prefer land of lower environmental quality and amenity value where consistent with other policies in the Framework. Whilst this principle affects all three options, the south-

east option involves a significant area of designated land requiring weight to be considered in accordance with para.113 of the NPPF. This option is therefore taken as the starting point for considering further urban extensions at Sittingbourne. The key question here is whether the avoidance of development within the designation would be consistent with the framework (i.e. lead to a significantly poorer sustainable outcome).

- 3.113 It can be acknowledged, to some degree, that directing growth away from the south-east of the town would result in sites that perform more variably in terms of their access to services such as schools and the town centre. However, in terms of this and other matters needing to be considered, it is necessary to consider whether the performances of other site options are significantly poorer or more harmful as to be in conflict with the Framework and thus should lead to their discounting.
- 3.114 In the case of the southern sites, at Figure 18, there is significant landscape and visual harm associated within the largest sites which would be difficult to mitigate, although this harm does not involve a designated landscape. The largest site at SW/135 also involves major harm to the settlement separation of Sittingbourne with Borden and Tunstall at a scale which should be a strong influence on whether the sites should be allocated. There is also judged to be substantial harm to the setting of the Tunstall conservation area which cannot be mitigated to acceptable levels. In the case of SW/422 there would also be additional harm to the setting of the conservation area at Harman's Corner in Borden.
- 3.115 SW/179 and SW/418 are smaller, with SW/179 located in a local landscape designation. SW/179 is judged to have significant adverse landscape impacts and SW/418 is considered too small to allocate. SW/211, without development of SW/135 is an illogical and incongruous intrusion into the open countryside.
- 3.116 All the sites are relatively peripheral to services, although not fundamentally so if there were no other better choices (which there are). In the case of SW/422, highway access, whether from Riddles Road and/or Tunstall Road, would, on the face of it, be extremely restricted and problematic to the point of potentially producing severe outcomes.
- 3.117 Analysis within the current SA report - see the table within Appendix III that deals with Sittingbourne – states in relation to the sites forming the south Sittingbourne option:  
*“Sites to the south of Sittingbourne - SW/028, 422, 712, 135, 211, 179, 418 - stand-out as particularly constrained, with issues relating to heritage and/or landscape and/or remoteness from the town centre.*  
*This leaves in contention the options of extending Sittingbourne to the southwest or southeast.”*
- 3.118 Cumulatively, any other advantages of locating growth in this southern area are judged to be outweighed by environmental and transport impacts and as such it should not be seen as a viable alternative to those in the south-east and south-west. In conclusion, the southern sites should be rejected with the remainder of the discussion focusing on a comparison of the south-west and south east options.
- 3.119 Turning to the option of extension in the south-west of the town (Figure 17), its allocation would result in a not insignificant erosion of the openness and separation between Borden and Sittingbourne, whilst a new access from Borden Lane would also

impact negatively upon the sense of separation. This would necessitate the need for a main modification to reduce the size of the currently proposed area of Local Green Space at the junction of Auckland Drive with Borden Lane. Some landscape harm will also result because of the current exposed nature of the site in views, particularly from higher ground to the south at Borden village.

- 3.120 In terms of landscape quality, this is a less remarkable area of landscape when compared with the other locations, partly due to existing land management, topography and existing built development. To offset adverse impacts, landscape and open space benefits can be secured and the design of development used to create a more sensitive transition between town and country. Detailed site design could also effectively limit development pressures on land further to the south. Whilst the settlement gap will be eroded, a significant area of separating countryside to Borden will remain, whilst the safeguarding/management of some of the land, including a key area in Borden Lane (a proposed designated Local Green Space) could be secured. Mitigation of the impacts of the access road from Borden Lane should also limit the erosion of settlement separation there.
- 3.121 Also part of this mitigation would be a need to reduce the number of dwellings proposed from 650 dwellings to 564. This should also enable the potential outcomes of investigations into contamination and archaeology to be reflected. In total, the above mitigation measures are considered to reduce overall visual impacts to moderate levels.
- 3.122 There would also be adverse impacts on the setting of the listed Cryalls Farmhouse. This is caused by the proposed new access road and, potentially, the development area itself. However, subject to existing greenspace around the new road being retained and enhanced with new landscaping, alongside the provision of further open space to the west, this harm could be reduced to levels less than substantial.
- 3.123 The site is well located to the A249 and bus links and close to schools, although it is more peripheral to the town centre and would benefit from some localised shops being provided. The site is though no poorer located than other allocations already accepted.
- 3.124 There are some intricate transport issues needing to be addressed, such as the main accesses required and level of vehicles in surrounding rural lanes and residential streets. However, at this stage, the overall impacts are not considered severe as to represent a constraint in principle. These issues and the related opportunities for transport enhancement and management will still need to be further examined (see below). Some of these issues could translate into eventual benefits.
- 3.125 Of this option, the SA comments (page 40) that it:  
*“...is constrained in landscape and heritage terms in a similar way to sites to the south, but not to the same extent, and there is known to be good potential for mitigation. Traffic impacts may also be more manageable, given its relative proximity to M2 J5.”*
- 3.126 In the south-east location, these sites are, overall, the best located of the three options in terms of access to services in the town centre, although their position on the transport network and relative to the AQMA at East Street is less favourable, whilst some rural lane usage could also arise. It is also possible that the site could deliver dwellings

quicker, although this would depend upon the phasing of the other south-west option relative to planned transport improvements.

3.127 Of this option, the SA comments (page 40) that it:

*“... are notably constrained in landscape terms, given impacts to a landscape identified as being important at the Kent-scale, and this may be an over-riding consideration. It is relatively close to the town centre, but distant from M2 J5.”*

3.128 However, notwithstanding their benefits, these sites are judged to be significantly and demonstrably outweighed by the significant harm to the local landscape designation (allied with some erosion of the settlement gap with Rodmersham Green) which cannot be mitigated. Additional weight to the landscape impact, in accordance with para. 113 of the NPPF, is also provided by its designated status.

3.129 With the southern option removed from consideration, conclusions can also be reached in respect of a comparison between the south-east and south-west options. The south-east option has merit in terms of access to services and impacts on heritage, whilst also being a less complex site to deliver. However, the south-west site also performs acceptably well in terms of accessibility, but is additionally more advantageous as far its position on the road network is concerned, whilst its heritage impacts only impact upon a relatively small part of the site and can be mitigated<sup>11</sup>. The south-eastern area is however located within a locally designated landscape where significant landscape and visual harm can be demonstrated and cannot be mitigated, in contrast to the non-designated south-west where landscape and other environmental harm can be mitigated to less than significant, or in the case of heritage assets, less than substantial. There are also some clear benefits of developing in south-west Sittingbourne not present within the south-east option. These include its modest additional employment provision, proposed near the junction of Wises and Cryalls Lane, and delivery (if required) of a new primary school and other facilities.

3.130 Were both the southern and south-west options to have performed significantly worse than the south-eastern option, this might have presented sufficient grounds to consider the south-east location; however, for the reasons explained above, this is not the case. The south-west option is not without harm, but the evidence clearly indicates that the site should be allocated in the face of the housing target needing to be met. This conclusion is considered to be consistent with para. 110 and other policies of the NPPF, as well as strongly reflecting the findings of the SA.

3.131 Therefore, the south-eastern option is not recommended, leaving the south-west option recommended for allocation.

3.132 There are though matters needing further consideration in the run up to the Examination and at the planning application stage. Given the likely timing of improvements to J5 of the M2 with the A249, an assessment of the level of development able to come forward before completion of the improvement will need to be undertaken, although the assumption is made at this stage that the levels of development prior to 2024 will need to be limited. Allied to this, improvements to the A2 at Key Street with the A249 may

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<sup>11</sup> Heritage impacts are the primary reason that the site is ranked lower than the SE alternative in the SA. This assessment does not consider the mitigation that is possible to reduce impacts to less than substantial.



also be necessary, whilst some of the roads serving the area are likely to require some localised improvements/traffic management or even closure. Subject to further assessment, these could include the junctions of Wises Lane with the A2, Adelaide Drive with the A2, Adelaide Drive with Borden Lane, Borden Lane with the A2 and Borden Lane with Homewood Avenue.

- 3.133 The primary accesses to the site are likely to be from Borden Lane and from the A2 at Wises Lane. This could take the form of a new road linking these two locations which might provide some benefit to the A2 between these points, as well as facilitating public transport access to the area. It would be important though to ensure that this does not increase the attractiveness of residential areas across southern and rural Sittingbourne as an alternative route to the A2 or A249. It would though enable consideration to be given other traffic management measures (including possible localised closures) on roads such as Cryalls Lane, Wises Lane and Riddles Road, especially where such a measure could limit the use of rural lanes and roads through existing residential areas such as Borden Lane, Homewood Avenue and beyond.
- 3.134 Whilst the constraints on the highway network are not considered to represent a critical barrier to the principle of an allocation here or the levels of development proposed, it is not yet possible to determine to what degree and extent of improvements and traffic management may be necessary at the detailed level. These will be matters to be determined more appropriately as the allocation and any development brief/planning application stage are progressed.
- 3.135 In conclusion, there are a number of unknowns at present – transport, contamination and archaeology, which present some risk to the allocation until such times as they are addressed by the site promoter ahead of the re-convened Examination. However, at this stage, they are not thought to represent insurmountable barriers.
- 3.136 The allocation and policy is shown on page 203 of the consultation document in Appendix 1.

#### Concluding remarks in respect of Sittingbourne

- 3.137 The additional recommended provision at Sittingbourne provides a balance that overwhelmingly maintains its role as the principle town, whilst recognising its constraints.
- 3.138 It is reasonable to challenge the report's assumption by questioning whether the sites in southern and south-eastern Sittingbourne should have both been allocated to reduce or remove site allocations on Sheppey. The SA considered whether higher provision should be made at Sittingbourne to include a second urban extension to the south-east of the town. It concluded (page 76) that the additional provision would be best in terms of biodiversity and housing (in common with all options) and worst in terms of air, landscape, soil and transport. Significant effects were noted in respect of landscape and soil.
- 3.139 As stated in the concluding remarks for Sheppey (paras. 3.94-99), allocation of these sites at Sittingbourne would have led to the allocation of sites with greater

environmental impact than those on Sheppey and as a result, a failure to follow para. 110 and 112 of the NPPF.

- 3.140 It is also reasonable to ask whether increased provision on Sheppey could have also potentially avoided the release of any further allocations at Sittingbourne. Whilst Sittingbourne's primary role could have theoretically been maintained and the release of further BMV land avoided, the role of the town in Policy ST3 would have been diminished, whilst, as already reported, less assessable and visually more harmful sites would have been allocated on Sheppey than that recommended at south-west Sittingbourne.
- 3.141 The following recommendation is therefore commended to Members.

#### **SITTINGBOURNE SITES**

##### **Recommendation 6:**

**That the Panel agree that:**

- a) the sites in Table 9 be discounted from further consideration;**
- b) SW/343 Land at the former Bell Centre, Bell Road be allocated within Policy Regen 1 for mixed use with a minimum of 120 dwellings;**
- c) SW/126 at Cryall's Lane not be allocated; and**
- d) SW/703 at SW Sittingbourne is allocated as an additional mixed use allocation including 564 dwellings.**

#### **6) The site options at The Rural Local Service Centres**

- 3.142 The draft Local Plan identifies Rural Local Service Centres (RLSC) as the tertiary focus for growth in the Borough after the urban centres. They represent the principle rural locations for growth: Boughton in the Faversham planning area; and Teynham, Iwade, Newington, Eastchurch and Leysdown in the Thames Gateway planning area.
- 3.143 As with Faversham, the Inspector's interim findings are relevant here in so far as that a proportionate boost within rural areas needs to be considered. Against the submission plan, 8.0% of the dwellings allocated were made at the RLSC. In considering such a boost, Members again should be mindful of the planning area dimension, with the emphasis needing to be on the Thames Gateway.
- 3.144 Assuming that the other recommendations in this report have been endorsed, the Rural Local Service Centres (RLSC) will need to be additionally considered, not primarily to achieve the overall dwelling target, but to address the Inspector's findings, whilst additionally supporting the five-year supply and other objectives.
- 3.145 It is reasonable to consider whether any single or combination of RLSC should be considered for further growth. Earlier in the report, the role of settlements at the eastern end of Sheppey was considered. It was recommended that no allocations should be

made, ruling out further consideration of Eastchurch and Leysdown. The remaining RLSC are therefore examined in turn:

**6a) Boughton**

3.146 Although Boughton are proposing a Neighbourhood Plan with nearby Dunkirk, for purposes of planning policy, Dunkirk is not a RLSC and is therefore considered later in the report.

3.147 Members may feel that the Council should not ‘interfere’ in sites within the proposed Neighbourhood Plan area. However, given the very early stage that the plan has reached, and the little weight that can be afforded to it at this point in time, the Council needs to ensure that it has considered all reasonable site options to meet the Borough’s overall housing needs. It should be noted that both the sites below and those in Table 12 at Dunkirk are not recommended for allocation. Whilst this would preclude their allocation in the Local Plan, it would not necessarily prevent the Neighbourhood Planning Group from considering the sites in more detail having regard to the conclusions reached by this report. However, any Neighbourhood Plan will need to be in conformity with the Local Plan and this will be particularly relevant to the landscape, heritage and biodiversity issues highlighted.

3.148 One site, SW/714 (ranked Tier E, SHLAA sweep 0) to the north of The Street at Boughton has been submitted for some 148 dwellings. The site is shown at Figure 20.

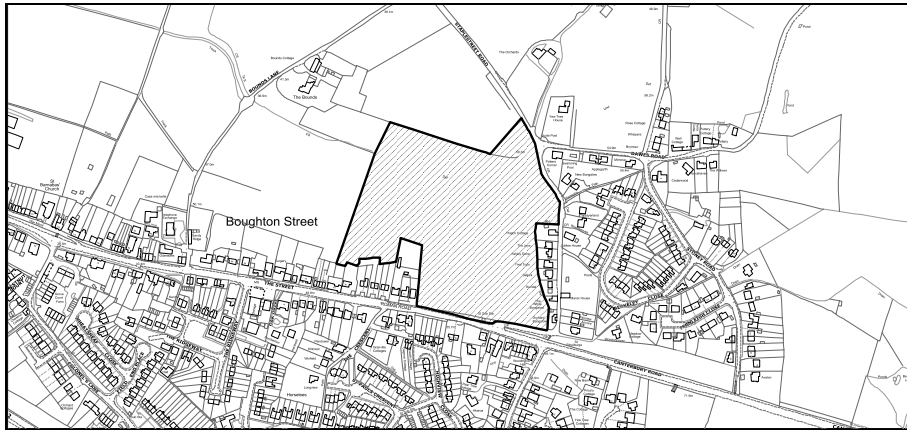


Figure 20 SW/714 Land to the north of The Street, Boughton.

3.149 The site falls within the locally designated Blean Area of High Landscape Value and its contribution to the overall setting of the village and its pleasing appearance within the wider designation would be significantly and majorly harmed by development at this scale, even allowing for potential mitigation. Notwithstanding this, at a more strategic level, in the absence of any specific local need for development at this particular location, there are other RLSC (and quite possibly other sites being considered by the Neighbourhood Plan) which should be considered first that would not require the use of a local landscape designation. Growth at this scale would also need to consider the potential for significant effects on the Blean SAC. The site is not recommended.

## 6b) Teynham

- 3.150 Within the Thames Gateway, this village has already been subject to allocations amounting to some 423 dwellings. The settlement has been the focus of a number of submissions for allocation.
- 3.151 Teynham has a good level of services and is one of only two RLSC (the other being Newington) with a range of public transport choices. However, with the range of suitable sites well related to the existing form of the settlement exhausted, further sites need to be very carefully considered.
- 3.152 However, Members may wish to consider Teynham’s additional contributions more strategically, given the level of development already proposed at the village. Despite its Thames Gateway location, the village’s overall relationship within the wider road network and role within the settlement strategy should be reflected upon to determine its continuing suitability as priority for further growth over and above other RLSC. The SA provides the following commentary (not part of the appraisal) in respect of considering reasonable alternatives (para. 5.3.22):
- “Recognising the need to plan in-line with the established settlement hierarchy, there is not necessarily a need to allocate additional sites at Teynham (a Rural Local Service Centre); and from a strategic perspective, it is difficult to draw strong conclusions in relation to Teynham. The situation at Teynham is similar to that at Newington (see discussion above), although Teynham is more constrained from a transport/AQMA perspective.”*
- 3.153 The village is between 6-8km in either direction of the strategic road network and whilst the physical transport capacity to accommodate development within the A2 corridor may not result in ‘severe’ impacts, the reduced prospects for the early delivery of the SNRR and the presence of 3 AQMAs, including one recently declared for Teynham itself, suggest that in the interests of environmental quality, Teynham should only be further considered if sites at other RLSC cannot play a sufficient role. Similar issues are noted by the SA (pages 55-57).
- 3.154 In taking this strategic view of the settlement, then at this point no further sites at Teynham are recommended for allocation. In the event that Members do resolve to consider sites there for other justifiable reasons, Table 10 considers the submitted sites and their appropriateness. The site locations can be referenced from the maps in Appendix 3.

Table 10 Sites discounted as not required at Teynham

Location	SHLAA ref.	Dwellings	SHLAA ‘sweep’	Ranking Tier	Commentary if appropriate
Land at Claxfield Farm	SW/143	226	0	G	Mitigation of landscape impacts could potentially be secured to acceptable levels.

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
					However, there is substantial harm to designated heritage assets arising from the western access and its allocation is not recommended.
Lynsted Lane	SW/704	120	2	D	<p>Mitigation of landscape impacts could potentially be achieved to acceptable levels. There would be localised traffic impacts at the A2 junction, but these may not be regarded as severe. AQMA impacts would also require mitigation.</p> <p>The village is characterised at this point by its 'one-dwelling deep' form and as such an allocation would not respond especially well to this character; likewise, there would be some harm to designated heritage assets, but this may be less than substantial.</p> <p>Its allocation could be considered in the event of an overriding need.</p>
Barrow Green Farm	SW/722	383	0	D	<p>Significant extension to draft allocation. Significant to major adverse landscape</p>

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
					impacts with no regard to the valley and open character of the countryside. Impacts not capable of mitigation and harm would be far greater than any benefits. Its allocation is not recommended.
Land at Barrow Green Farm II	SW/373	67	0	D	Extends current draft allocation further eastward. Significant landscape impacts with no regard to the valley and open character of the countryside. Impacts not capable of mitigation and harm would be greater than any benefits. Its allocation is not recommended
Land at Barrow Green Farm III	SW/996	44	3	C	Adjoining the current submission plan allocation of the same name, the site would have moderate landscape and visual impacts. However, the conflicting aspirations of the landowner make it less clear as to the availability of this site.  An allocation could be considered in the event of an overriding need.

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
Land at London Road/Cellar Hill	SW/723	42	0	G	The village is characterised at this point by its 'one-dwelling deep' form and as such an allocation would not respond especially well to this character. More so, there would be substantial harm to designated heritage assets, due to the presence of an old orchard (a UK BAP priority habitat) which also positively contributes to the setting of the village and conservation area at this point. The site should not be allocated.
Land at Lynsted Lane	SW/727	56	2	D	Mitigation of landscape impacts could potentially be achieved to acceptable levels. There would be localised traffic impacts at the A2 junction, but these may not be regarded as severe. Mitigation of impacts on the AQMA would be required.  The village is characterised at this point by its 'one-dwelling deep' form and as such an allocation would not

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Ranking Tier	Commentary if appropriate
					<p>respond especially well to this character; likewise, there would be some harm to designated heritage assets, but this may be less than substantial.</p> <p>Its allocation could be considered in the event of an overriding need.</p>

3.155 Land subject to Policy MU3 (rank Tier A, SHLAA 'sweep' 0) is allocated at Frogmal Lane for mixed uses, including some 26,000 sq. m of employment. The Inspector has already considered the employment allocation here and found no issues. However, the landowner has offered to bring the employment land area forward as housing if this would be of benefit to the Council in terms of meeting its housing numbers. Whilst this could be achieved without harm to the wider locality, it is not recommended as the loss of the employment allocation would greatly diminish the Local Plan's overall approach toward employment and dilute Teynham's potential employment role as a RLSC.

**6c) Iwade**

3.156 Iwade has expanded considerably since it was first identified as a growth point in the 1990s. Its expansion aided by its A249 bypass in 1996 has led, as at 2014/15, to some 1,161 dwellings completed or under construction, bringing with them benefits in terms of new facilities, open space and traffic management. The adopted Local Plan referred to its latest phases as being the final period of development at the village, however, it remains a focus of attention for developers. It is acknowledged therefore that if further growth were to be located at the village, it would result in still further change and disruption for villagers.

3.157 It is reasonable to question why above all the other RLSCs, Iwade should be singled out for further significant levels of growth. The SA provides the following commentary (not part of the appraisal) in respect of considering reasonable alternatives (para. 5.3.16):

*“Recognising the need to plan in-line with the established settlement hierarchy, there is not necessarily a need to allocate additional sites at Iwade (a Rural Local Service Centre). There are some strategic opportunities - e.g. related to its position on the strategic road network and proximity to employment opportunities at Sittingbourne, Ridham and Neatscourt - however, there are also constraints (e.g. landscape), and it is the case that Iwade has seen considerable growth over recent years.”*



3.158 Taking the above matters into account, the following reasons lead to the conclusion that of all the RLSCs, Iwade would be well placed to consider greater levels of growth:

- The strong links with the strategic road network and the highway improvements needed at Grovehurst, as opposed to the other RLSC which are less well connected;
- The stronger relationship to jobs and services at Sittingbourne, Ridham and Neatscourt compared to other RLSC;
- The likelihood of further benefits accruing to the village in terms of new facilities and environmental enhancement;
- Some limited levels of lower quality agricultural land available; and
- The proven track record of attractiveness to the market.

3.159 Despite these advantages, it is the capacity of the village to accommodate growth, via assessment of individual sites that should be the primary driver as to the levels of growth that could be proposed. In this respect, there are a number of issues for Iwade needing to be addressed:

- a. The settlement gap with Sittingbourne: This is most felt on its southern and eastern sides, especially given the planned and completed growth at Sittingbourne.
- b. The exposed character of much of the surrounding landscape: Although affecting growth in all directions, this is a particular issue at the northern, western and south-western sides of the village.
- c. Its relationship with adjacent environmental designations: The North Kent Marshes Area of High Landscape Value and the Swale and Medway SPAs/Ramsar are close to the northern edge of the village. The Council's draft Habitats Regulations Assessment recommends that development would be required both to create natural green space on site and contribute with a tariff to off-site mitigation for recreational pressures on the SPA in accordance with the strategy for North Kent, agreed by Councils and included within the Local Plan. This presents both challenges and opportunities.
- d. The use of non-BMV land: Iwade is generally a mix of Grades 3a and 3b, with some Grade 2 to the south. Built development could use some Grade 3b land and whilst the built development of Grade 3a could largely be avoided through the use of open spaces, its loss could still be regarded as permanent as it would be unlikely to ever return to agricultural use. The land quality to the south-west of the village is unknown, but may be of higher quality.
- e. Its overall level of sustainability to accommodate additional growth: Development has brought new facilities for the village and whilst further growth would be required to meet the needs arising, these are unlikely to be of an order that will move Iwade to a greater level of self-reliance. In other words, the relationship with Sittingbourne for village residents for services and employment is likely to remain. Choices for public transport at the village, although available, are not as well developed as other centres, although it is reasonably close to Sittingbourne, local rail facilities and the

new primary and secondary school provision being planned at NW Sittingbourne. Steps to improve public transport provision are required.

- f. Flood risk issues: These are associated with the Iwade stream that runs through the centre of the village and impacts upon development options to the west of the village.
- g. The relationship with the transport network: The capacity of the Grovehurst Interchange and, further afield, J5 of the M2 will be impacted by growth at this location, although in the case of Grovehurst Interchange, the Council and Highway Authorities will be reliant upon the financial contributions toward the improvement that development will bring. The timing of the J5 improvements may also limit the amount of development able to come forward in advance of its completion and may need to be subject to further testing.

3.160 However, having regard to these issues and the SA (page 53), a number of sites promoted at Iwade can be discounted from further consideration. These are set out in Table 11, the locations for which can be referenced at Appendix 3.

Table 11 Sites discounted as not suitable at Iwade

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Rank 'Tier'	Commentary
Coleshall Farm	SW/199	6	0	G	The farm provides the bridging point where the village ends and the countryside begins.  Development would be substantially harmful to a designated heritage asset. It may be possible to consider some development here, but it could well be at too small a scale and would more appropriately be considered as part of a detailed planning application.
Halfway Egg Farm, Featherbed Lane	SW/450	80	0	C	The submission was for just 3 dwellings, but showed the whole site as potentially available. Part of the site is affected by the presence of high voltage power lines; however, development would be moderately harmful to the countryside

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Rank 'Tier'	Commentary
					<p>gap with Sittingbourne by virtue of its more elevated position.</p> <p>Although part of the site may be brownfield land, its allocation would perform poorly as land adjoining it to the village edge would be maintained as open space (if accepted by Members).</p>
Land south-west of Iwade	SW/216	700	0	G	<p>The site could potentially address flood risk issues in the village (or not exacerbate them). It also would not impact upon settlement separation.</p> <p>However, due to the exposed and open landscape, the site would have significant to major adverse visual and landscape impacts which could not be mitigated. There would also be substantial harm to a designated heritage asset at Coleshall Farm, although this concern could be reduced if the developer were prepared to consider significant areas of green space buffering around the farmstead complex.</p> <p>Transport access would also be less desirable than alternatives; it needing to be via School Lane and/or via the old Sheppey Way. This would increase vehicle movements on rural roads and/or through the village to get to the A249. Whilst these impacts may not necessarily be described as</p>

Location	SHLAA ref.	Dwellings	SHLAA 'sweep'	Rank 'Tier'	Commentary
					<p>'severe', there are alternatives at the village with lesser transport implications.</p> <p>Agricultural land quality is unclear and would need to be established. In general terms land quality improves as sites move toward the A2. It cannot at this stage be relied upon as a source of lower quality land.</p>
Land at School Lane Farm	SW/717	330	0	D	<p>Due to the exposed and open landscape, the site would have significant adverse visual and landscape impacts which could not be mitigated.</p> <p>Transport access would also be less desirable than alternatives; it needing to be via School Lane and/or via the old Sheppey Way (if a road link were provided across an adjacent site). This would increase vehicle movements on rural roads and/or through the village to get to the A249. Whilst these impacts may not necessarily be described as 'severe', there are alternatives at the village with lesser transport implications.</p>

3.161 This leaves the consideration of three sites, the locations for which can be referenced at Appendix 3:

- 1) SW/117 Land north of Iwade village 62 dwellings (ranked Tier C, SHLAA sweep 2);
- 2) SW/183 Land at Pond Farm, south east of Iwade 70 dwellings (ranked Tier B, SHLAA sweep 1);

- 3) SW/123 (incorporating SW/116) Land to the east of Iwade 440 dwellings (ranked Tier G, SHLAA sweep 1);
- 3.162 SW/117, despite appearing awkward 'on the map' in terms of its relationship with the current built form of the village, the site provides an opportunity to improve the less than successful finished edge of the current village and whilst vehicle access to the A249 would be through the village, development numbers are small with an alternative route available to the north. In particular, construction traffic could use this route. It would appear to involve use of Grade 3b agricultural land.
- 3.163 SW/183, although eroding the settlement gap, does not do so to the point where there is substantial harm; indeed there is the likelihood of a proportion of the site being available to mitigate such impacts (see below). Some BMV land would be required to release this site.
- 3.164 SW/123, comprises two sites, the largest directly to the east of Cormorant and Widgeon Roads and Redwing Avenue, with its primary access from the Grovehurst Road. The second is a smaller site to the north-east of the village (incorporating SW/116) on sloping ground reasonably well contained by vegetation. Although currently visually prominent and reducing the settlement gap with Sittingbourne toward the south, there are opportunities to propose a major landscape and open space enhancements.
- 3.165 Before mitigation, the landscape impacts of SW/116, 117 and SW/123 are judged to be moderate to significant.
- 3.166 As already indicated, development at Iwade raises significant issues in terms of the Habitats Regulations Assessment (HRA) which highlights (Appendix 5) a need for mitigation/precautionary measures which would need to be enshrined in any Local Plan policy or development brief for the area.
- 3.167 These sites (or any mitigation arising) lie close to or adjacent the Medway/Swale SPA/Ramsar sites. Therefore, similar precautions will be required as for other existing allocated sites located this close to the SPA (e.g. the Oare gravel workings). The site and the adjacent land that may also be required consist of a network of fields which could constitute supporting habitat to the SPA. Any allocations here will need to include a site-specific mitigation scheme to address recreational pressure impacts over and above that which other allocations would need to provide in line with the Local Plan's strategic mitigation strategy, as provided by Policy CP7 and endorsed as necessary by the Local Plan Inspector.
- 3.168 There are linkages between the HRA issue and the mitigation necessary to address landscape and visual impacts. Work has been undertaken to consider how the mitigation of visual impacts of the three sites might be combined to form a single local plan allocation to additionally propose a major new green space, in excess of 35 ha, for the village and wider area. This should be sufficient to provide major landscape and biodiversity enhancements which can also be tailored to address the concerns raised by the HRA. This open space, in the form of a country park, would probably not be able to be used for formal sports as it would need to be managed primarily for biodiversity and landscape improvement. Although there would need to be public access, some

limitations would be necessary in sensitive locations. These would all be matters for an eventual Masterplan/development brief and detailed management plan to resolve.

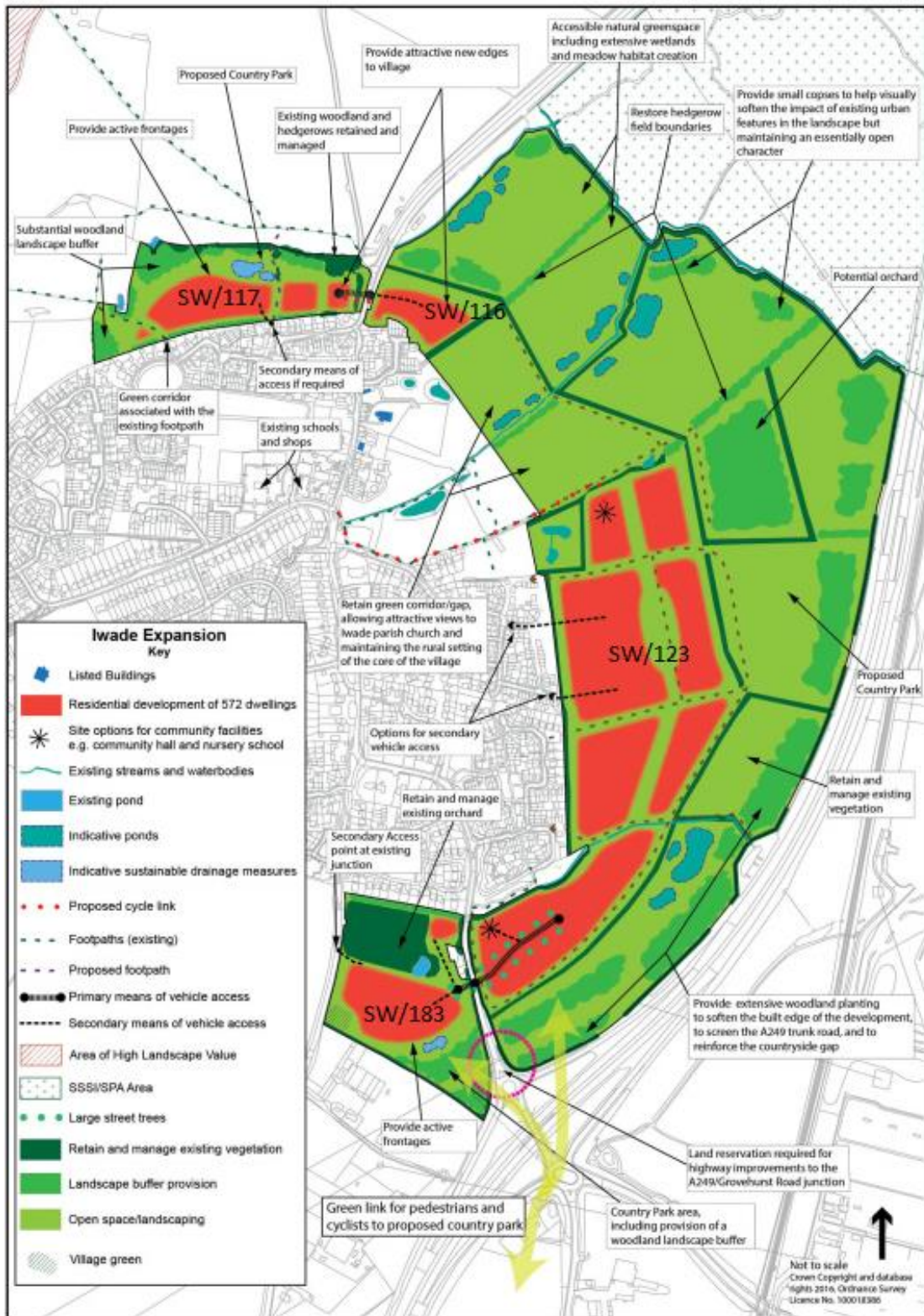


Figure 21 Draft concept diagram for sites at Iwade

- 3.169 Landscape architects have prepared a draft concept diagram for the three sites. This is shown conceptually at Figure 21 and illustrates the potential for a green 'half-ring' to the village with a link back into the village via the existing park. It also could provide the possibility for a larger and wider green infrastructure initiative to link with a further 22 ha of open space being provided as part of the NW Sittingbourne allocation. Together they could provide a major strategic open space corridor linking Quinton Road to the north of Iwade. The remainder of the Important Local Countryside Gap policy would then continue to be applied over most of the proposed open space area (shown as a Proposals Map change within Chapter 9 of Appendix 1). With this mitigation in place, the landscape and visual impacts of sites would be judged as minor to moderate.
- 3.170 The SA broadly recognises the preference for these sites, compared to other site options (page 53).
- 3.171 Whilst a total additional number of 572 dwellings would need to be allocated, it is considered that the community and other benefits offered by the proposals outweigh the visual and settlement separation impacts associated with development, enabling Iwade to make a major contribution both to green infrastructure in the Borough, as well as boosting provision in the rural area and reducing pressures on BMV land.
- 3.172 The HRA issues do need to be addressed and the draft policy wording on page 172 of Appendix 1 puts in place the necessary safeguards and the HRA has been able to screen out the site from likely significant effects as a result. Overall, it is considered that there are reasonable prospects for the issues being satisfactorily addressed.
- 3.173 The Panel is therefore recommended to proceed with an allocation for Iwade on the above basis.

### **6c) Newington**

- 3.174 Like Teynham, growth at Newington needs to be considered in the context of impacts within the A2 corridor, however, unlike Teynham, the distance to the SRN is considerably less (2 km to Key Street A249) and would not impact upon traffic conditions in Sittingbourne (although impacts within Rainham should be acknowledged). As a result, it is considered that Newington should be the subject of further consideration. The presence of the AQMA has been an issue for Newington. Whilst it seems likely that no single site recommended for allocation would trigger significant issues, Members do need to consider the cumulative impact of decisions, particularly if seeking to extend growth beyond that recommended.
- 3.175 The SA provides the following commentary (not part of the appraisal) in respect of considering reasonable alternatives (para. 5.3.19):

*“Recognising the need to plan in-line with the established settlement hierarchy, there is not necessarily a need to allocate additional sites at Newington (a Rural Local Service Centre); and from a strategic perspective, it is difficult to draw strong conclusions in relation to Newington. It is notable for having a train station, but equally there are transport constraints associated with Air Quality Management Areas (AQMA) on the A2, and the village is surrounded by attractive countryside.”*

3.176 Newington has been the focus of a large number of site submissions. However, a significant number can be discounted and these are set out in Table 12, the locations for which can be referenced at Appendix 3.

Table 12 Sites discounted as not suitable at Newington

Location	SHLAA ref.	Dwellings	SHLAA position	Ranking (where given)	Commentary if appropriate
Land north of London Road	SW/217	1,008	0	G	<p>The site would have significant to major adverse visual and landscape impacts which could not be mitigated.</p> <p>The site has restricted access to the local road network.</p> <p>It also forms part of the setting of heritage assets and would result in substantial harm.</p> <p>Benefits of the site would not outweigh adverse impacts.</p>
Land off Church Rd, adj St Marys View	SW/041	160	0	G	<p>The site would have significant to major adverse visual and landscape impacts which could not be mitigated.</p> <p>The site has restricted access to the local road network.</p> <p>The site is an old orchard (a UK BAP priority habitat) which would be significantly harmed by its allocation. It also</p>



Location	SHLAA ref.	Dwellings	SHLAA position	Ranking (where given)	Commentary if appropriate
					forms part of the setting of heritage assets, resulting in substantial harm.  Benefits of the site would not outweigh adverse impacts.
Land west of Church Lane	SW/124	123	0	G	The site would have significant adverse visual and landscape impacts which could not be mitigated.  The site has restricted access to the local road network.  It also forms part of the setting of heritage assets and would result in substantial harm.  Benefits of the site would not outweigh adverse impacts.

3.177 Discounting of these sites leaves five sites on the south side of the railway, the locations:

- 1) SW/010 The Tracies 5 dwellings (ranked Tier G, SHLAA sweep 3);
- 2) SW/407 Land to the north of the High Street 115 dwellings (ranked Tier C, SHLAA sweep 3);
- 3) SW/164 Pond Farm I 390 dwellings (ranked Tier G, SHLAA sweep 0);
- 4) SW/707 Pond Farm II 140 dwellings (ranked Tier G, SHLAA sweep 3); and
- 5) SW/732 Ellen's Place, High Street 65 dwellings (ranked Tier D, SHLAA sweep 0).

3.178 The development of SW/010 at The Tracies (Figure 22) would result in some harm from the loss of scrub and orchard trees on a site of pleasing appearance. Wider landscape impacts are minimal due to its containment from views in the wider landscape

(assuming the retention and reinforcement of boundary vegetation). However, there is no ecological assessment to determine the site's value, but it seems likely that some interest is present, which would have a bearing on what could be achieved. Likewise, the need to retain the public footpath, safeguard important trees, the setting of the conservation area and adjacent listed building all have a bearing on overall yields.

3.179 Although it is not considered at this stage that ecological and other issues impact this site to the same potential extent as that at SW/321 Southsea Avenue, Minster, Members clearly have the option to take a cautious approach because the site is not critical to overall housing numbers and housing land supply (although it obviously contributes). At this point, the site is recommended for allocation, although Members views would be welcomed on the above matters.

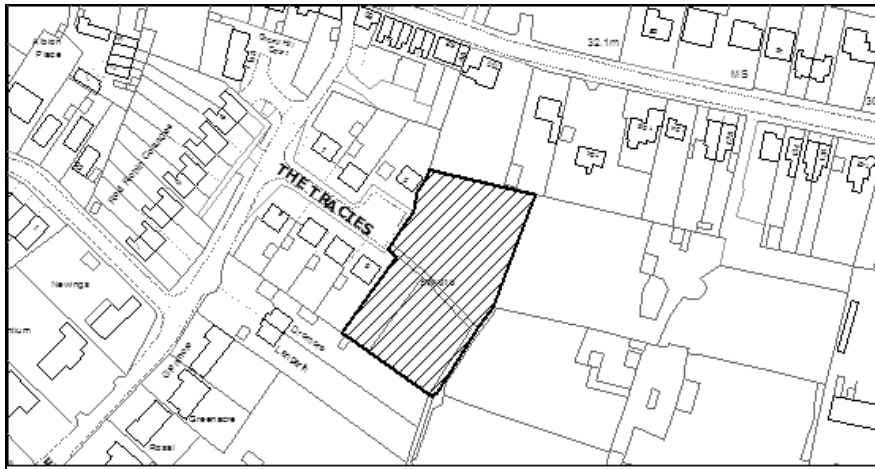


Figure 22 SW/010 Land at The Tracies, Newington

3.180 SW/732 at Ellen's Place (Figure 23), to the east of the village, is a pleasant area of pasture with attractive views southward to higher ground. This site could give rise to moderate to significantly adverse visual impacts, but it has fairly poor physical connectivity and accessibility to the village and relates less well to its form than other sites. An allocation here would read more as a consolidation of A2 ribbon development and the filling of a pleasant gap rather than as a logical extension to the village. It is not recommended as a priority for allocation at Newington.

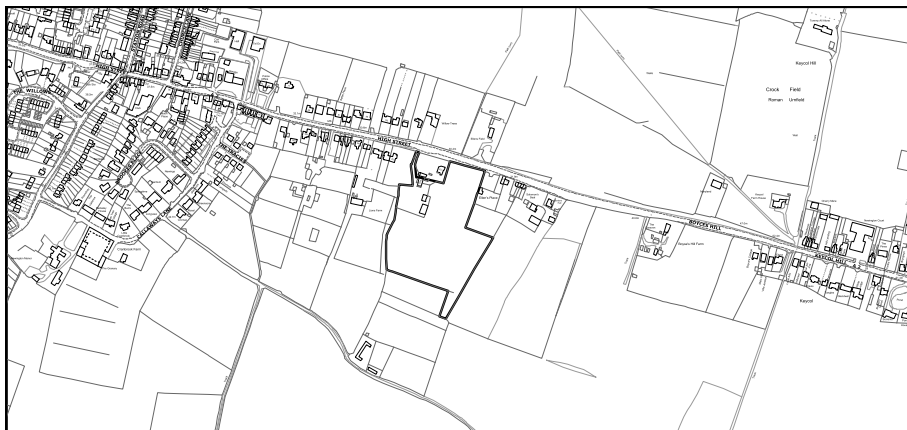


Figure 23 SW/732 Land at Ellen's Field, Newington

3.181 At Pond Farm to the west of the village, both sites are subject to current appeals. The larger site (SW/164) is considered to have the more significant visual, landscape and settlement form impacts and should only be further examined if other site alternatives are judged more harmful. In this eventuality, the position on air quality impacts would also need to be confirmed. The smaller site (SW/707), shown as Figure 23, raises lesser issues of impact, but is not considered to be as favourable as the other recommended sites at the village which are better connected with lesser visual impact. Members could consider the site for allocation if they wished to further enhance provision at the rural settlements and/or increase the level of over-provision to improve the land supply position. However, at this stage, there is not an overwhelming case to pursue this.

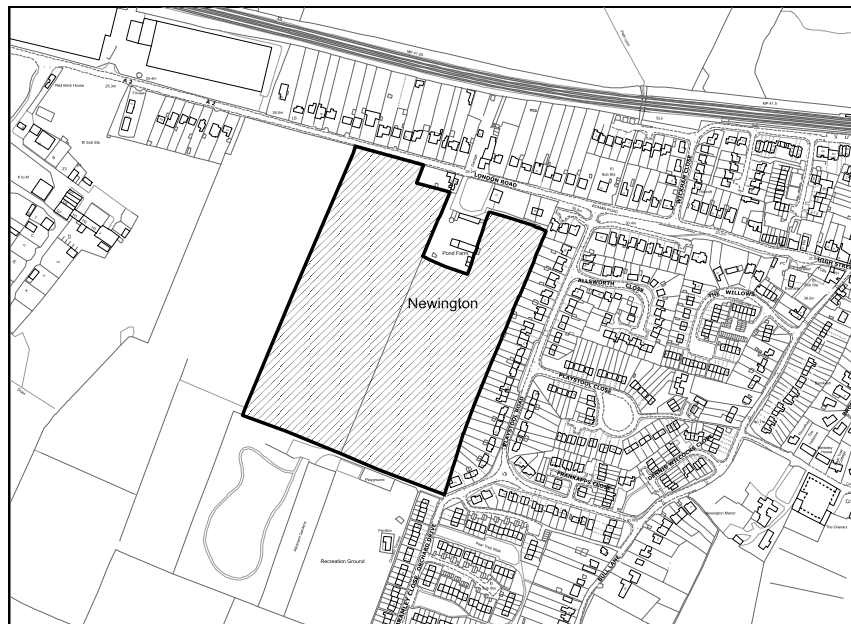


Figure 24 SW/707 Land at Pond Farm, Newington (the smaller site)

3.182 A site with less than substantial and significant impacts to those on the western side of the village is potentially available further to the east of the village at SW/407 (Figure 24).



3.187 The following recommendation is therefore commended to Members.

### SITES AT RURAL LOCAL SERVICE CENTRES

#### Recommendation 6:

That the Panel agree that:

- a) SW/435 and SW/714 at Boughton not be allocated;
- b) Teynham not be a focus for further allocations and that sites in Table 9 at Teynham be discounted from further consideration;
- c) land, subject to Policy MU3, at Frogmal Lane, Teynham, be retained for employment use and not allocated for housing;
- d) sites in Table 11 at Iwade not be allocated;
- e) SW/117, SW/183 and SW/123 at Iwade be allocated for a total of 572 dwellings;
- f) sites in Table 12 at Newington not be allocated;
- g) Subject to Member's views on the significance of site constraints, SW/010 at The Tracies be allocated for a total of 5 dwellings;
- h) Land north of High Street, Newington be allocated for a total of 115 dwellings;
- i) SW/164 at Pond Farm, Newington and at SW/732 Ellen's Field not be allocated; and
- j) SW/707 (140 dwellings), at Pond Farm, Newington, is subject to further discussion and a decision at the meeting.

#### 7) The site options at other villages within Policy ST3

3.188 Should Members accept the recommendations to date, there would be no real overriding need to consider allocations at villages or other locations below the level of Rural Local Service Centres in Policy ST3. The SA provides the following commentary (not part of the appraisal) in respect of considering reasonable alternatives (para. 5.3.26):

*"Recognising the need to plan in-line with the established settlement hierarchy, there is little in the way of strategic arguments for allocating additional sites at the villages."*

3.189 They only justifications for pursuing sites in these locations would be a wish to further over-allocate housing provision as a contingency and a means to enhance the 5-year supply, further boost provision in the rural areas or if replacement sites for recommended sites were required. However, such an approach would need to be handled with considerable care given the prioritised approach toward higher order settlements. Such sites would have to have such overwhelming merit as to 'top-trump' sites at the higher order locations. This is not considered to be the case.

3.190 In the case of improving the 5-year supply, it is acknowledged that the availability of a pool of small to medium sized sites could have the merit in improving the supply without

inflating the total number of dwellings allocated. However, in broad terms, these settlements have more variable and often poorer accessibility to services and transport choices. Whilst individual sites may have some merit at the local level, in terms of allocating the most suitable sites with the closest fit to Policy ST3, sites at these settlements should not be a priority for allocation, especially if adequate site provision has already been achieved.

3.191 In the case of boosting rural provision, this would be unnecessary given the sites recommended at the RLSCs.

3.192 Table 13 provides additional commentary in respect of sites at the ‘other villages’. The location of these sites can be referenced from the maps in Appendix 3.

Table 13 Sites at lower order settlements not required to meet development targets

Location	SHLAA ref.	Rank 'Tier'	Commentary if appropriate
Sites at Selling	SW/784, 785, 786, 787		The location offers a lesser contribution to the Local Plan settlement strategy than other locations.
Sites at Dunkirk	SW/757, 759, 790		<p>The location offers a lesser contribution to the Local Plan settlement strategy than other locations. SW/757 and 759 are significantly harmful to a local landscape designation, whilst raising uncertainties as to the relationship of sites to the Blean SAC.</p> <p>The sites may be more appropriately considered in the context of the proposed Neighbourhood Plan for Boughton and Dunkirk where such matters as the impact upon international, national and local environmental designations can be considered in more detail. An HRA will need to address the issues associated with European designated sites.</p>
Sites at Painter's Forstal	SW/702, 753		The location offers a lesser contribution to the Local Plan settlement strategy than other locations. It is additionally likely that these sites would fail to conserve and enhance the Kent Downs AONB and would not be in accordance with para. 110 of the NPPF. In particular, SW/753 is a very significant area of land likely to represent major harm to the AONB.
Sites at Lynsted	SW/458, 078	E, NA	The location offers a lesser contribution to the Local Plan settlement strategy than other locations. SW/078 is also likely to represent substantial harm to a designated heritage asset. SW/458 would require further assessment in respect of heritage issues as there is potential to both harm and enhance designated heritage

Location	SHLAA ref.	Rank 'Tier'	Commentary if appropriate
			assets.
Sites at Upchurch	SW/049, 085*, 086* <sup>12</sup> , 718,	C, C, B, NA	The location offers a lesser contribution to the Local Plan settlement strategy than other locations. In the case of SW/718, the site is significantly harmful to the landscape character and setting of the village. The site was considered by the SHLAA and did not meet sweep 0, it having failed at step 2 of the assessment process. The benefits of such sites are not considered to outweigh the harm.
Sites at Bredgar	SW/193, 715, 724, 726	NA,	The location offers a lesser contribution to the Local Plan settlement strategy than other locations. It is unclear whether the sites would conserve and enhance the Kent Downs AONB, but the AONB would generally be avoided in terms of para. 110 of the NPPF. SW/193 would also substantially harm a designated heritage asset.
Sites at Bapchild	SW/101, 408, 410, 411, 453	B, B, B, D, C, B	<p>The location offers a lesser contribution to the Local Plan settlement strategy than other locations. SW/408 is no longer available. SW/410-411 would have the potential to significantly impact on landscape character, settlement separation and substantially harm a designated heritage asset.</p> <p>SW/101 (Land at Hempstead Farm), although having some moderate landscape impact (after mitigation), the site could be considered in the event of an overriding need – such as a lack of suitable sites at other settlements. Involves BMV land. The site is assessed by the SHLAA and achieves sweep 3.</p> <p>SW/453 (Land at School Lane), would only have minor to moderate landscape impact (after mitigation). It could be considered in the event of an overriding need – such as a lack of suitable sites at other settlements. Involves BMV land. The site is assessed by the SHLAA and achieves sweep 3.</p>

<sup>12</sup> Subject to a planning application under para. 49 of the NPPF.

## SITES AT OTHER VILLAGES

### Recommendation 7:

**That the Panel agree that the sites in Table 13 be discounted from further consideration.**

## Section 7: Overall conclusions

### 1) Summary of preferred approach

- 3.193 Taking the totality of the above recommendations in this report and the findings of the SA and HRA, the preferred approach recommended to Members can be described broadly below (and referenced in the draft SA):

*“Within the context of an increased housing target, the preferred approach is aimed at maintaining the settlement strategy of the Local Plan, via its two planning areas, and via the settlement tiers within Policy ST3.*

*Sittingbourne is intended to remain the overall focus for growth in the Borough, in recognition that it is the largest settlement with strong opportunities for urban regeneration, employment and new services with overall good transport links. The town’s position within the Thames Gateway reinforces the need for growth here. However, there are limitations to its overall growth, not least the presence of best and most versatile agricultural land (BMV) and landscape and heritage constraints to the south of the town. Thus the preferred approach represents a balance between safeguarding the town’s position within Policy ST3 and safeguarding its important environmental resources. There will though be development needed in locations where the need for growth will override local constraints; notably through the erosion of important local countryside gaps.*

*To achieve such a balance requires growth at other locations, principally the Isle of Sheppey where sites can be provided on lesser constrained sites, whilst maximising the use of sustainably located BMV in a way that too reflects Sheppey’s overall position within the Thames Gateway. Here though, there too are limits to this emphasis, given that sites toward the centre and eastern end of Sheppey are less well located and are judged to have more significant environmental impact. The focus therefore is on the better connected and less harmful sites on the western side of the Island.*

*Also important to securing this balance for Sittingbourne and Sheppey is the need to secure a proportionate boost at Faversham and the rural areas. In the case of Faversham, this can be achieved without significant/substantial harm to the strategy and vision for the town. In the rural areas, this can also be achieved with further growth and, amongst the Rural Local Service Centres, Iwade is considered to be the most appropriate main focus for additional growth because of its strong location close to Sittingbourne and the strategic road network. Here, a limited amount of lower quality agricultural land is also available, whilst large areas of land are able to provide*



*potentially significant environmental and green infrastructure benefits for the village and for the Swale Thames Gateway as a whole.*

*Within the framework of this overall preferred approach, there are risks, not least the achievement of a 5-year supply against the now proposed increased housing target. This is addressed through the allocations of sites able to increase the potential provision, notably at Faversham, the rural areas and south-west Sittingbourne. Whilst this represents an over-provision of sites, no insurmountable adverse consequences have been identified via the SA, HRA or other modelling work, although some further examination of transport impacts is required.*

*In totality, the preferred approach is judged to achieve sustainable development, as required by para. 14 of the NPPF. Against its three strands, socially, the plan can achieve a significant boost in the supply of housing as required by the NPPF, alongside the provision of new jobs, as well as providing for the infrastructure needs arising. Although it will need to be kept under close review, economically, the plan comfortably provides for sufficient land for economic development to match the planned housing need and to meet the identified economic needs for the Borough. Lastly, environmentally, whilst the plan has some adverse consequences for BMV (including economic loss), settlement separation and landscape character, it also provides for significant levels of green infrastructure involving landscape and biodiversity enhancements and safeguards via the choice of sites and the mitigation proposed for international, national and local designated sites.”*

## **2) The Sustainability Appraisal**

- 3.194 The SA considered a number of spatial strategy alternatives (Table X, page 13), each of which would involve making provision for c3,000 additional homes:
- Option 1: the preferred option
  - Option 2: West Sheppey in place of Iwade
  - Option 3: Sittingbourne in place of Iwade
- 3.195 Option 1 was judged to stand-out as performing best against a number of objectives, although it was noted that it performed relatively poorly in terms of biodiversity (see HRA) and soil.
- 3.196 In the case of biodiversity, this relates to HRA issues at Iwade, which are considered capable of being addressed by the measures outlined by the report and proposed policy in Appendix 1. In the case of soils, whilst the option of directing growth to West Sheppey (Option 2) performed better, it is not thought that this is an overriding reason for favouring Option 2. This option can be discounted for the reasons set out in this report, and this decision is also supported by analysis in the SA (notably, Option 3 performs poorly from a housing perspective, given poor development viability).
- 3.197 With regards to a direct comparison between Option 1 and Option 3, the SA indicates that option 3 performs relatively poorly in terms of air, landscape and transport. It is only in terms of biodiversity that Option 3 outperforms Option 1 (see discussion above).

3.198 Whilst the purpose of the SA is not to recommend a preferred option to the Council, it is considered that there is 'clear water' between option 1 and the other two.

### **3) The headlines**

3.199 This section is drafted on the basis that Members are mindful to accept the recommended allocations in this report. If this has been the case, the additional allocations amount to 2,999 dwellings, which with the additional 325 dwellings secured from existing submission plan allocations, gives 3,324 overall as main modifications to the plan. The total land supply represents 10,104 dwellings allocated, 618 completions, 2,198 extant dwellings with planning permission and 1,210 expected windfall completions. This gives 14,130 dwellings against the 13,192 dwelling target, with 938 dwellings extra and an extra 3,469 dwellings from the submission Local Plan, as calculated in para. 3.10<sup>13</sup>. Deducting the number of completions already achieved (2014-15) would mean that this would assume an annualised rate of delivery of some 845 dwellings per annum over the 16 years to 2031. There are a number of reasons why a surplus of provision is recommended:

- 1) With forecast shortfalls in delivery in the next few years and the lead in time for sites to come forward, a surplus is necessary to achieve a 5-year supply;
- 2) It provides the Council will some contingencies during the plan period due to unforeseen circumstances which may mean delay or a site not proceeding; and
- 3) It makes it more difficult for promoters of unallocated sites to challenge the plan, or sustain appeals against refusal of planning permission.

3.200 The economic forecasts for the plan indicated that the number of forecast jobs could not be increased with dwelling numbers above the OAN. A theoretical consequence of over-allocation is that if this situation were to materialise unchecked, there could be an increase in unemployment and/or out-commuting. However, these forecasts change regularly and with the likelihood of a Local Plan review commencing shortly after its adoption, such surpluses need not necessarily be seen in this negative light. Any Local Plan review would commence with new housing and economic forecasts and a new, revised and extended plan period. Triggers in the plan will also ensure that the issue is monitored. During any Local Plan review, adopted sites would then be re-considered and any over-allocation could be viewed as either potentially contributing toward future housing targets or de-allocated if a new strategy was being proposed. In short, any concerns of a mismatch between jobs and homes would be a long term one which would be kept in check by the plan preparation, monitoring and review process. Perhaps a greater risk of further inflating the bottom line housing figures would be the triggering of new infrastructure needs that could not easily be provided.

### **4) The 5-year supply and overall supply**

3.201 Work on the achievement of a 5-year supply is on-going because once the allocations are agreed by the Panel, it will be necessary to discuss with key developers their

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<sup>13</sup> There is a mathematical discrepancy between this figure and the 'to find' figure in para. 3.10. This appears to be due to the increased number of dwellings expected to be provided during the plan period as compared to that in the submission plan.

intended rates of delivery, whilst taking into account the housing monitoring data for 2015/16, which will be available late summer. However, the recommended allocations suggest an initial estimated potential for 4,053 dwellings in the 5-year supply, which when divided by the annualised rate of 825 dpa (using the Liverpool method) provides a 4.9-year supply. Nevertheless, the contingency of extra sites that is recommended to Members, together with the work that will be put in motion, should assist in the achievement of a 5-year supply by the time the Examination re-convenes. A note of caution is that until the actual levels of completions and extant planning permissions for 2015/16 are known, there will remain uncertainties.

- 3.202 Members will understandably be nervous of the over-allocation of sites, but will realise that the draft Local Plan is still potentially vulnerable to challenge and subject to many variables completely outside of the Council's control. It would take the removal of only a relatively small number of dwellings (e.g. urban regeneration sites) from a land supply only marginally above the necessary 5 years for the Council to no longer be able to demonstrate the supply. Likewise, in the case of the total supply, an increase in the number of expected completions falling outside of the plan period could reduce any oversupply. Having got so far, the Council's Local Plan could still be found unsound on this issue, or the Council could be instructed to find more sites in a further round of modifications. In the meantime, the vulnerabilities to the Council arising from unallocated sites coming forward would continue.
- 3.203 To address any misgivings, once the 5-year land supply position has been established, if the over-supply has produced a comfortable and defensible position, the Panel could reconvene to consider whether the Inspector should be advised that certain sites should no longer be allocated or should act as 'reserves'. In such an eventuality, the allocations most likely to be involved would be those at the Rural Local Service Centres and at Preston Fields, Faversham. However, given the variables in the land supply, as outlined, Members are strongly recommended to retain the over-supply and that this may need to stay in place for the Examination unless there are strong reasons to be more optimistic later this year.

## **5) The contributions made by specific locations**

- 3.204 Tables 14 and 15 show the percentage split or share of development arising from the recommendations made by this report with comparisons between the submission and proposed to be modified plan. Members are again advised not to become over-occupied with the concept of housing provision as 'fair-shares' or the percentages themselves. Their purpose is to simply act as indicators as to whether the findings of the Local Plan Inspector are being followed.
- 3.205 Making these comparisons is complicated by the fact that there are variances in how to calculate and/or interpret the figures (see para. 2.19). However, the closest direct comparison between the submission plan as at 2014/15 and the proposed to be modified plan 2014/15 is to use the phasing information at [SBC/PS/014a](#) with the new base date applied. Table 13 first illustrates the change by 'planning area'.

Table 14 Development split by planning area (all dwellings)

SUBMISSION LOCAL PLAN 2014/15		POST SUBMISSION MODIFICATIONS 2014/15	
Thames Gateway Planning Area	Faversham and rest of Swale Planning Area	Thames Gateway Planning Area	Faversham and rest of Swale Planning Area
87.9% (9,374 dwellings)	12.1% (1,287) dwellings)	85.0% (12,009 dwellings)	15.0% (2,121 dwellings)

3.206 Table 14 shows that there is a change in the emphasis toward the Faversham and rest of Swale planning area<sup>14</sup>. The degree to whether this represents a ‘proportionate boost/sensitive nudge’ is open to judgement. However, a shift from 12.1% to 15.0% is not insignificant, given that Faversham is a small town and that to achieve this 2.9% ‘swing’ against the total overall dwelling numbers for the Borough as a whole is notable. Of the total number of **additional** dwellings provided by the recommendations in the report, the Faversham planning area will have received 24.0% (834) of them.

3.207 Members can therefore move forward with confidence that they have met the Inspector’s interim views in respect of the planning areas, without diminishing the overwhelming role of the Gateway.

3.208 Table 15 provides a further breakdown of data, both against Policy ST3 and individual settlements, indicating additionally where the weight of additional allocations has fallen. These figures are based on allocations only as the inclusion of the other components of land supply is difficult to disaggregate at this level and would, in any event, add little to the overall findings.

Table 15 Percentage of recommended allocated dwellings by settlement tier and settlement (may not add to 100% due to rounding)

Settlement tier in Policy ST3	% of total allocated dwellings with % change from submission plan	Total dwellings allocated with additional provision since submission plan	Individual settlement	% of total allocated dwellings with % dwelling change from submission plan	Total dwellings allocated with additional provision since submission plan	% share of additional allocations
<b>Main Borough Urban Centre</b>	43.6% (+24.9%)	4,417 (1,098)	Sittingbourne	43.6% (+24.9%)	4,417 (1,098)	31.7%
<b>Other Borough</b>	45.9% (+37.8%)	4,478 (1,692)	Faversham	17.2% (+47.9%)	1,739 (834)	24.0%

<sup>14</sup> Table includes allocations, completions, extant planning permission and an approximate allowance made for windfalls.

Settlement tier in Policy ST3	% of total allocated dwellings with % change from submission plan	Total dwellings allocated with additional provision since submission plan	Individual settlement	% of total allocated dwellings with % dwelling change from submission plan	Total dwellings allocated with additional provision since submission plan	% share of additional allocations
<b>Urban Centres</b>			Sheerness	0% (-)	0 (0)	0%
			Queenborough-Rushenden	12.5% (-6.3%)	1,245 (0)	0%
			Minster and Halfway	15.0% (+57.4%)	1,494 (858)	24.7%
			<i>Total West Sheppey 'triangle'</i>	<i>27.4% (+33.6%)</i>	<i>2,739 (922)</i>	<i>24.7%</i>
<b>Rural Local Service Centres</b>	12.1% (+57.0%)	1,209 (689)	Boughton	0.4% (-0.19%)	37 (0)	0%
			Teynham	4.1% (-2.3%)	410 (-3)	0%
			Newington	1.3% (+1.1%)	134 (120)	3.5%
			Iwade	6.0% (+5.5%)	603 (572)	16.5%
			Eastchurch	0.2% (-0.08%)	15 (0)	0%
			Leysdown	0.1% (-0.05)	10 (0)	0%

3.209 Table 14 shows that:

- Sittingbourne overwhelmingly retains its position as the primary settlement for housing overall with the greatest percentage change from the submission plan.
- Minster and Halfway see the second highest percentage change in dwellings from the submission plan; this is largely due to the reinstatement of sites removed as allocations from the pre-submission stage.
- Faversham sees the second highest percentage change in dwellings from the submission plan and the highest number of dwellings of any settlement after Sittingbourne.

- The Rural Local Service Centres receive a boost in provision, higher in percentage terms than any other tier of settlement, but firmly remain the tertiary focus for growth in numerical terms. This would meet the Inspector’s expectations in so far as the rural areas are concerned.
- Iwade would receive both the highest percentage change and overall total number of dwellings of any RLSC, followed by, in percentage terms, Newington. The remaining RLSC all experience percentage falls on the submission plan as a result of their dwelling contributions remaining unchanged against the higher target.

## 6) Recommended and non-recommended allocations relative to the SHLAA and ranking assessment

3.210 Table 16 gives the Panel information on the relationship between the recommended allocations and other evidence; in particular, despite variances in their approaches, it seeks to show synergy of these recommendations with the findings of the SHLAA and ranking assessments. It also presents the opportunity to ‘explain’ the situations where sites are allocated with an apparent lower ranking of SHLAA sweep. The location of the sites is shown in Appendix 2.

Table 16 Recommended allocations with ranking Tier and SHLAA ‘sweep’

Recommended allocation	SHLAA ref.	Dwellings	Rank ‘Tier’	SHLAA ‘sweep’
SW Sittingbourne	SW/703	564	G	3
Land at The Bell Centre, Bell Road, Sittingbourne	SW/343	120	A	1
Belgrave Road, Halfway	SW/165	140	B	2
Barton Hill Drive, Minster	SW/194	620	C	2
Land Jnc. of Scocles Road and Elm Lane, Minster	SW/705	50	B	2
Land at Chequers Road, Minster	SW/457	10	B	2
Land at Graveney Road	SW/334	90	A	2
Perry Court Farm, Faversham	SW/413	370	B	3
Phase II Lady Dane Farm, Faversham	SW/096	60	NA	1
West Brogdale Road, Faversham	SW/441	66	B	2
Preston Fields, Salters Lane, Faversham	SW/233	217	C	3

Recommended allocation	SHLAA ref.	Dwellings	Rank 'Tier'	SHLAA 'sweep'
The Tracies, Calloways Lane, Newington	SW/010	5	G	3
Land north of High Street, Newington	SW/407	115	C	3
Land at Pond Farm, south east of Iwade	SW/183	70	B	1
Land east of Iwade	SW/123	440	G	1
North of Iwade village	SW/117	62	C	3
<b>TOTAL</b>				<b>2,999</b>

3.211 In broad terms, the table shows a close association between sites recommended for allocation and better performing SHLAA and ranked sites. However, some sites within sweep 3 of the SHLAA are required. These are largely as a product of pursuing the higher housing target and where the report has demonstrated that their impacts are acceptable in that context. Some sites are also required from ranked sites below Tier C. Part of the reason for this is the simplistic approach to this exercise, but in detail, the reasoning for the variances are as follows:

- SW/123/117 Sites at Iwade. This is due to biodiversity and heritage issues. In the case of heritage issues, this only affects a small part of the site and is capable of mitigation. In the case of biodiversity, the HRA is satisfied that with the appropriate mitigation and policy text, there would be no significant likely effects on the SPA/Ramsar.
- SW/703 SW Sittingbourne. The ranking leads to a lower Tier position than sites in the south-east option. This is due to heritage concerns affecting just one small part of the site which pulls the overall ranking of the site down. However, the ranking does not consider potential mitigation which is believed, in this case, to be achievable.
- SW/010 The Tracies. It is the potential heritage impacts that lead to the lower ranking. As with SW/703, this does not consider the likely mitigation.

3.212 By way of a further 'sense-check' in respect of the preferred option, Table 17 considers the sites not recommended for allocation where they fell either in Tiers A-C of the ranking assessment or sweep 1-3 of the SHLAA.

Table 17 Non recommended allocations within ranking Tiers A-C and/or SHLAA 'sweeps' 1-3

Site	SHLAA ref.	SHLAA sweep	Tier	Commentary on reasons for non-allocation
Land at Hempstead Lane, Bapchild	SW/101	3	NA	Some landscape impacts, but there is no strategic need to consider sites at this settlement.
Land at School Lane, Bapchild	SW453	3	NA	Some landscape impacts, but there is no strategic need to consider sites at this settlement.
Land north of Eastchurch	SW/197	3	D	Landscape impacts, but there is no need to consider sites at this settlement as there are generally better located sites further to the west.
Land east of Ham Road, Faversham	SW/700	3	G	Other sites preferable, but site is not allocated primarily because of landscape and biodiversity issues.
Pond Farm, Newington (smaller site)	SW/707	3	G	Other sites preferable at Newington and at higher order centres.
Land at East Hall Farm, Sittingbourne	SW/531	3	A	Site needs to be considered in context of detailed issues in terms of continuing need for local centre. This is best undertaken via a planning application.
Land at Frogmal Lane, Teynham (proposal to switch from MU to housing)	Policy MU3	0	A	Although well contained in landscape terms, the site results in the loss of an employment allocation.
179-183 Borden Lane, Sittingbourne	SW/796	0	B	Likely to be too small for allocation.
Ruins Barn Road, Tunstall, Sittingbourne	SW/418	0	B	Likely to be too small for allocation.
Land adj to Dantlings, Plough Road, Minster	SW/159	3	B	Whilst the site is relatively accessible and development might be accommodated without significant harm, its choice as a housing allocation is less favourable than alternatives elsewhere
Land R/O 111, The Street, Boughton	SW/434	0	B	Likely to be too small for allocation.



Site	SHLAA ref.	SHLAA sweep	Tier	Commentary on reasons for non-allocation
Land at Warden	SW/758	0	B	East Sheppey is not recommended as a focus for growth.
Land north of Graveney Road, East of Faversham	SW/783	0	C	The site results in the loss of an employment allocation. It is also likely to be a poor location for housing, with landscape impacts that would be difficult to mitigate.
Land rear of 33 Highfield Road, Minster	SW/158	0	C	Due to its visible location on a ridge, landscape impacts are judged as more significant than the ranking assessment has concluded.
Chequers Stables, Eastchurch Rd	SW/155		C	Sites to the east of Minster are concluded as of lesser preference to more accessible sites further to the west on Sheppey.
Barrow Green Farm, Barrow Green, Teynham	SW/996	0	C	Adjoining the current submission plan allocation of the same name, the site would have moderate landscape and visual impacts. However, the conflicting aspirations of the landowner make it less clear as to the availability of this site.
Ruins Barn Road, Tunstall	SW/211	0	D	The site could only be considered if developed as part of a much larger site already judged as inappropriate for allocation. Otherwise, it is an illogical and intrusive extension into open countryside.
Halfway Egg Farm, Featherbed Lane	SW/450	0	C	<p>The submission was for just 3 dwellings, but showed the whole site as potentially available. Part of the site is affected by the presence of high voltage power lines; however, development would be moderately harmful to the countryside gap with Sittingbourne by virtue of its more elevated position.</p> <p>Although part of the site may be brownfield land, its allocation would perform poorly as land adjoining it to the village edge would be maintained as open space (if accepted by Members).</p>

- 3.213 Some of the sites might be appropriately considered in the event of a need for alternatives to be considered (but see Part 4 of the report and conclusions of site options). However, Tables 16 and 17 provide strong reasons as to why sites have been allocated and other sites rejected. In overall terms, they provide a useful 'sense-check' as to the appropriateness of recommendations made, having regard to the various methodologies and approaches used by the SHLAA and ranking exercise.
- 3.214 Overall, it is considered that the recommended allocations are robust in terms of their consistency of approach and overall soundness.

### **Section 8: Other Main Modifications**

3.215 The Inspector has given the Council a very clear steer in respect of the other remaining issues. As necessary, the modifications have been incorporated into the consultation document at Appendix 1.

3.216 A number of matters should be specifically highlighted.

#### **a) The approach to Gypsy and Traveller provision**

- 3.217 At paras 11-14 of the Part 3 Overall Interim Findings, the Inspector acknowledges the late change to the national Planning Policy for Traveller Sites, published in August 2015 after the plan had been submitted. The Inspector notes that the Council's approach to addressing this through re-evaluating the raw data from its GTAA is robust and the conclusions reached in respect of a new pitch target are reasonable. Consequently, a new pitch target of 61 was agreed for the plan period, of which 51 have already been completed or have planning permission. The remaining requirement for 10 pitches can therefore be met through windfall planning applications. In the absence of any other government guidance advocating a different approach (ahead of Local Plan adoption), the Inspector endorses the Council's proposals to revise the local plan policies to remove the requirement for larger mainstream housing allocations to include provision for Gypsy and Traveller sites.
- 3.218 This recommendation also has the effect that there will no longer be a need for a Local Plan Part 2 to make additional site allocations to make good any shortfall. If further guidance were to be issued in the near future in respect of assessing need which indicated that a completely new GTAA needed to be undertaken, it would either slow down the Local Plan adoption to an unacceptable degree or it would have to be deferred to Local Plan review. Whilst there is potentially a degree of risk, the Inspector has endorsed proposals to revise Policies CP3, DM10, DM8 and DM9 and recommends revising the Local Development Scheme to delete Local Plan Part 2. The policy changes have been incorporated into the consultation document at Appendix 1 and the Local Development Scheme will be revised prior to the Examination recommencing.

## GYPSY AND TRAVELLERS

### Recommendation 8:

#### That the Panel:

- a) note the revisions made to the pitch need assessment for Gypsy and Travellers; and
- b) agree the modifications to Policies CP3, DM10, DM8 and DM9 to remove the requirement for larger housing allocations to include pitches for Gypsies and Travellers and to reflect up to date planning policy on Gypsy and Traveller sites.

#### b) Affordable housing

- 3.219 Modifications are proposed to Policy DM8 (Affordable Housing) following the updated viability testing presented to the Examination. The Inspector found this work to be robust and in keeping with the National Planning Practice Guidance, whilst the affordable housing rates to be sought reflect the balancing exercise which takes account of the need to deliver infrastructure, meet affordable housing need and maintain development viability. The following rates will be sought on all suitable sites as follows:
- 0% Sheppey
  - 10% Sittingbourne including urban extensions; also Iwade
  - 10% NW Sittingbourne (Policy MU1, subject to 0% CIL on this site)
  - 35% Faversham and urban extensions
  - 40% All rural areas
- 3.220 Where affordable housing is sought, the indicative tenure targets will be 90% affordable/social rented and 10% intermediate products, which best meets the profile of the local affordable need.
- 3.221 Members will no doubt be aware that the Housing and Finance Bill is currently proposing that a significant proportion (20%) of dwellings on sites of 10 or more dwellings be starter homes to be sold at a discount. It is unclear what the final details of this policy will be, but the indications are that this will be instead of a proportion of more 'traditional' affordable housing products. The Inspector, via the Programme Officer, has alerted the Council to the fact that if enacted in the near future, there may need to be further viability checks and modification to this policy. Officers' initial enquiries on viability issues suggest that as proposed, the new national policy would not have significant impact, but a likelihood of further modification to this policy to comply with national policy is nevertheless highlighted.

## GYPSY AND TRAVELLERS

### Recommendation 9:

#### That the Panel:

- a) note the modifications in respect of the percentage need and split of affordable housing products; and
- b) note that the on-going national debate on starter homes may require further modifications to policy before the Local Plan is adopted.

#### c) The approach to new area specific policies for Port of Sheerness and Kent Science Park

- 3.222 In the case of the Port of Sheerness, a new proposed policy (page 237 of Appendix 1) draws on and focuses on the Port's draft 20-year Port Masterplan. This recognises the regeneration potential for both Port uses and other uses. The policy also addresses the importance of heritage issues at the Port and biodiversity, coastal and infrastructure issues. An emphasis is made on increasing the potential for freight movement by rail. Potential longer term options, such as the potential for land reclamation, could be more far reaching and will still need to be considered in the context of Local Plan review.
- 3.223 In the case of the Kent Science Park, the new proposed policy (page 238 of Appendix 1) is intended to address the current and future needs of the site as a science park, both in terms of efficient use of existing land and buildings and any future expansion proposals. Environmental and transport constraints would nevertheless need to be satisfactorily addressed.

## NEW REGENERATION AREA POLICIES

### Recommendation 7:

That the Panel agree Policies New Regen 3 (Port of Sheerness) and New Regen 4 (Kent Science Park).

#### d) The approach to proposed Local Green Spaces designations

- 3.224 Paras. 76-77 of the NPPF states that local communities are able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities are able to rule out new development other than in very special circumstances. The protection given is consistent with that of Green Belts. They should though not be used to prevent the achievement of sustainable development and their designation should be capable of enduring beyond the end of the plan period. The designation should only be used<sup>15</sup>:
- where the green space is in reasonably close proximity to the community it serves;

<sup>15</sup> Further guidance on designating Local Green Spaces is also contained within the NPPG.

- where the green area is 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 its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

3.225 At para 26 of Part 3: Overall Interim Findings, the Inspector considers Local Green Spaces (LGS). No issue appears to have been taken with the criteria for designating the LGS themselves, or Policy DM18. However, as the Council proposed to include an additional site (at Minster) promoted through representations on the submission plan, this prompted a wider discussion at the Examination of the process that the Council had gone through to encourage sites to be submitted from the community. As a result, the Inspector recommends that the process for considering sites be reviewed to demonstrate that it has been consistent, transparent and inclusive, before this addition, or any other, is confirmed.

3.226 To this end an additional call for potential LGS site proposals has been undertaken and ran from 11 March to 22 April 2016. In excess of 100 sites have been received in addition to the 32 previously assessed. All the sites are being considered/re-assessed using consistent criteria as set out by the NPPF/NPPG and as set out in [CD/086 \(Technical Paper No 2: Local Green Spaces\)](#). This technical paper will be updated as a result of this assessment and any decisions reached by the Panel and will be published alongside the modifications to the Local Plan. A copy of the original technical paper has been placed in the Members' room.

3.227 This issue, coming so late in the process, has presented some difficulties in terms of timing for the Panel meeting and the assessment and mapping required. It is therefore intended to present the outcome of the assessment to Members at the meeting with the aid of maps to be displayed. However, it is likely that the Panel will be asked to agree that the final details of the modifications and technical paper should be delegated to the Head of Planning and the Chair and that these be incorporated into the consultation document at Appendix 1.

## LOCAL GREEN SPACES

### **Recommendation 8:**

**That the Panel consider the presentation on Local Green Spaces at the meeting and agree the way forward by way of main modifications to the Local Plan.**

### **e) The approach to strategic and other infrastructure requirements**

3.228 At paras 19–20 of Part 3: Overall Interim Findings, the Inspector notes that main modifications to the Plan will be needed to reflect Highway England Delivery Plan 2015 – 20 in respect of M2 Junction 5. This has been incorporated into the modified document at Appendix 1. Further discussions with HE have indicated that some further work will be required to test the implications of higher levels of growth on the three A249 junctions to the west of Sittingbourne. This will be undertaken before the Examination

re-convenes, but it is anticipated that this will be to confirm the scale of any improvements at these junctions rather than the possibility of it revealing a major constraint on the delivery of housing at any given location.

- 3.229 Kent Highways had already confirmed to the Examination that 776 dpa could be accommodated on the local highway network and have been provided with the allocations recommended by this report. To date no 'showstopper' issues have been identified.
- 3.230 A revised draft Local Transport Strategy will also need to be prepared to support the modified Local Plan. This will need to be agreed by both KCC in accordance with their protocol and by SBC with formal consultation prior to it being placed before the Examination.
- 3.231 In respect of other infrastructure requirements, these are currently being tested through KCC's model and the outcomes will need to be reflected in relevant allocations. Further drafting of Chapter 8 of the modification consultation document (Appendix 1) will be required post Panel and a revised Implementation and Delivery Schedule (IDS) will need to be completed for the consultation.
- 3.232 The water companies have confirmed no issues in respect of the higher dwelling numbers.
- 3.233 Finally, the NHS Clinical Commissioning Groups for Swale have confirmed their requirements for increased GP capacity, but they do not present difficulties for the Local Plan. These needs will also need to be reflected in Chapter 8 and a revised IDS.

## **4 Alternative Options**

- 4.1 As a general point, it has been necessary to draft the modifications document (Appendix 1) based upon the recommendations made in the report. This is because of the timing constraints on the Council in terms of returning the plan to the Inspector for Examination. Whilst Members are clearly able to propose and agree alternative approaches, it should be noted that even relatively modest changes could lead to delays to both the consultation and re-submission because of the knock-on effects to supporting evidence, such as facilities modelling.
- 4.2 To a large extent, alternative options have been canvassed throughout report, but mainly in terms of testing the validity of the recommendations made. These are not repeated here. A number of the more fundamental alternatives are however discussed below.

### **1) The recommended housing target**

- 4.3 The Panel have been recommended to accept the Inspector's interim findings in respect of the increased housing target. The Panel could reject the recommendation. However, this will lead to an unsound plan which cannot be adopted and leave the Council with no choice but to restart the process. This would take at least a further three years or so and would need to grapple with changes to national population projections, the review of the Greater London Plan and the local plans of neighbouring authorities, the effects of

Ebbsfleet, the Lower Thames Crossing and Paramount Park to name but a few. Fundamentally, the Council would find itself subject to special measures including the very real prospect that plan-making would be taken over by the Secretary of State. It would also reduce (possibly to zero) the amount of New Homes Bonus that can be received on new dwellings built locally. In the absence of an up-to-date Local Plan, the Council would, in effect, have no means of providing for the OAN in a planned way and unable to defend the refusal of many planning applications.

## **2) The recommended housing allocations**

- 4.4 The parameters for any alternatives have largely been set out in the main report and changes need to be approached with a considerable degree of caution to ensure overall consistency and compliance with the Inspector's findings. However, Members will have noted the bottom line over-supply against the plan target and the strong recommendation that this be retained with an option for review once the 5-year supply is firmed up later in the summer. Members may wish to consider an alternative that reduces the overall provision closer to the housing target now or increase it. They may also wish to propose alternative sites to those recommended.
- 4.5 In the case of the first possibility, this is not advocated. A reduction would prematurely reduce significantly the Council's room to maneuver in these matters and could significantly hamper the Council's ability to demonstrate a 5-year supply, making the plan very vulnerable to challenge at the Examination. If this were to materialise, then the decisions taken could not be easily reversed without further significant delay, whereas an indication to the Examination (if shown to be an option) that certain sites were perhaps unnecessary, because a comfortable 5-year supply had been achieved, could potentially be dealt with at the Examination itself without the same delay. Increasing the over-supply is also not recommended for the reasons set out in para.3.200 and because too great an increase is likely to require further SA and HRA work in order to justify it.
- 4.6 In the case of proposing alternative sites (or if Members do resolve to seek reductions in site allocations now), Members should approach this having regard to the following:
- In the case of reductions in site allocations, Members should consider the process advocated by the main report in reverse. In other words, examine sites at the Rural Local Service Centres first, followed by the other urban centres, bearing in mind the Inspector's wish to see proportionate boosts at both the rural areas and at Faversham and the need not to increase the use of BMV without good reason.
  - In addition to the above, in the case of alternative replacement sites for those deemed unacceptable or if additional sites are advocated to boost the 5-year supply, this is not encouraged because of the likely serious difficulties that would arise in maintaining consistency and adherence to the Inspector's findings. However, if Members resolved to go down either route, the options below could be considered. These options are not clear cut or free-standing and should be approached with very considerable caution:
    - At Sittingbourne, option 3 to the south and/or south-east of the town;

- At Faversham, SW/700 (Land east of Ham Road, Faversham) in the context of the Preston Fields site (217 dwellings) and the ‘proportionate boost’ for the town;
- On Sheppey, sites to the east of Minster, including at Eastchurch (SW/155, 159 and 197), giving careful consideration to landscape impacts and accessibility;
- Sites at Teynham, as highlighted by Table 10, but only in the context of considerations at Rural Local Service Centres should other locations not be considered appropriate; and
- At Newington, SW/707 at Pond Farm, but only in the context of sites at the Rural Local Service Centres; and
- Sites at the ‘other villages’, with particular consideration given to both Upchurch and Bapchild, given their more accessible locations, but only in the context of sites considered more harmful at the Rural Local Service Centres, or a wish to further boost provision in rural areas or enhancement to the 5-year supply.

## 5 Consultation Undertaken or Proposed

- 5.1 Public consultation will be undertaken on the Proposed Main Modifications to the Local Plan. Although the results of the consultation will be reported to Members for information, the Local Plan Examination in Public is still ‘live’ and the Local Plan Inspector will consider them, if necessary by reconvening the Examination hearings and reporting accordingly.
- 5.2 The main modifications will be subject to a 6-week formal consultation, anticipated late June/early August 2016. Any reconvened Examination is likely to be held toward the end of the year with the Plan hopefully adopted before spring of 2017.
- 5.3 It will be the Appendix 1 ‘tracked change’ version of the Local Plan which will form the consultation document. The proposed main modifications are highlighted and it is only these parts of the plan which are subject to the consultation and any reconvened examination hearing.
- 5.4 Given the likely extent of the proposed modifications, in particular, the additional housing sites, as well as the normal notification procedures, it is proposed that the centre part of the next edition of Inside Swale be devoted to the consultation which will ensure that as many residents in the Borough are informed as possible. A map will indicate the main locations for the additional development and direct people to where further information can be obtained and how to make representations.

## 6 Implications

Issue	Implications
Corporate Plan	Supports the Council’s corporate priorities for a borough and a community to be proud of.
Financial, Resource and	None anticipated at this time. Spreading the process over a longer time period has enabled the cost of additional work to be covered from the regular Local Plan budget and unspent reserves from



Property	previous years.
Legal and Statutory	None anticipated at this time. The Council has been assisted by a barrister throughout the Examination process.
Crime and Disorder	None anticipated at this time.
Sustainability	The proposed main Modifications to the Plan will be subject to Sustainability Appraisal, both in terms of their cumulative impact and in respect of any new site allocations. This is required to be published alongside the Modifications themselves, and will be a context for Members' consideration of the Modifications for consultation.
Health and Wellbeing	None anticipated at this time.
Risk Management and Health and Safety	None anticipated at this time.
Equality and Diversity	The submitted Local Plan was subject to a Community Impact Assessment, but it has been advised that no further review or update will be necessary at this stage of the process.

## 7 Appendices

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

- 1) Appendix 1: The draft 'tracked-change' version of the modified Local Plan which includes the Main Modifications.
- 2) Appendix 2: Maps showing the existing allocated and proposed to be allocated sites.
- 3) Appendix 3: Maps indicating the locations of all sites considered.
- 4) Appendix 4: Draft Sustainability Appraisal (SA) Report Addendum.
- 5) Appendix 5: Draft Habitats Regulations Assessment.

## 8 Background Papers

8.1 The following background papers are provided:

- The Inspector's interim findings January and March 2016 (Parts 1 and 2) and March (Part 3).
- The draft SHLAA 2014/15 Addendum. Available before the meeting as 'work in progress' in the Members Room.
- Maps indicating sites submitted for Local Green Space designation, together with their initial assessment.

- CD/086 [Technical Paper No. 2: Local Green Spaces](#) (SBC, 2014). To be reviewed, but available in the Members Room.