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# Agenda

## Council Meeting

Date: Wednesday, 22 July 2026
Time 7.00 pm
Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT

Quorum = 12

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**Pages**

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2. Apologies for Absence

3. Declarations of Interest

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

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

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

4. Mayor's Announcements

5. Questions submitted by the Public

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

6. Questions submitted by Members

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

7. Leader's Statement


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**Issued on Tuesday 14 July 2026**

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

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**Motion: Future Secondary School Provision on the Isle of Sheppey**

This Council Notes:

- That Kent County Council has advised that there is a forecast shortfall of secondary school places in Swale from 2026 onwards, with a deficit of up to five forms of entry (approximately 150 places).
- That some children are already travelling significant distances to access education.
- That children from the east of Sheppey are often required to travel past several schools before reaching their allocated school.
- That Kent County Council's Commissioning Plan identifies continuing pressure on secondary school places in Swale and states that expansion of secondary school education will be required to meet future demand.

This Council Believes:

- Every child should have access to a suitable local school place.
- Long-distance travel places unnecessary burdens on pupils and families.
- Education infrastructure must keep pace with population growth and future demand.

This Council Resolves:

1. To express its concern regarding the projected shortage of secondary school places.
2. To request that Kent County Council provides a clear plan and timetable for delivering the additional secondary school capacity required on the Island.
3. To ask the Leader of Swale Borough Council to convene an urgent meeting involving Kent County Council, local Members of Parliament, Swale Borough Council representatives, academy trusts and secondary school leaders to discuss current pressures and agree a long-term strategy to ensure sufficient secondary school places for children of Swale.
4. To ask Kent County Council and local MPs for their support in securing the necessary investment and educational provision for Swale.

Proposer: Cllr Moore
Second: Cllr Bowen

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| Full Council | |
|---|---|
| **Meeting Date** | 22 July 2026 |
| **Report Title** | PlanX Software - Approach to Service Charge |
| **EMT Lead** | Emma Wiggins<br>Director of Regeneration and Neighbourhoods |
| **Head of Service** | Joanne Johnson<br>Head of Place |
| **Lead Officer** | Carly Stoddart<br>Digital and Improvement Manager (Planning) |
| **Classification** | **Open** |
| **Recommendations** | 1. That members agree that the service charge for PlanX is applied in accordance with paragraph 2.9 of this report. |

## 1 Purpose of Report and Executive Summary

1.1 On 17 June 2026, Policy and Resources Committee agreed to recommend to Full Council that Swale Borough Council opt in to applying a service charge to all fee paying planning services to be delivered through a new digital platform called PlanX.

1.2 This followed the award of £23,500 of funding from the Ministry of Housing, Communities and Local Government (MHCLG) to purchase a subscription to PlanX. PlanX provides Local Planning Authorities with the ability to offer digital services to customers giving more accurate and quicker responses to customer queries.

1.3 The platform includes a service charge paid for by the customer which contributes to the maintenance of the platform and to discounts on the annual subscription going forward. The Council can choose to opt in or opt out of this service charge.

1.4 The application of the service charge would make a significant contribution to the annual subscription cost, enabling continued provision of digitally supported services for our customers in accordance with our commitment to improving digital service delivery.

## 2 Background

2.1 As part of their commitment to delivering the ambitions of the Digital Declaration, MHCLG works with Councils and industry experts as partners through the Open Digital Planning (ODP) community to develop products that are designed to improve the delivery of planning services through digital transformation. PlanX has been developed through ODP by Local Planning Authorities along with the product development company, Open Systems Lab (OSL) as a platform to deliver a wide range of services using open data provided by the relevant Council to a set standard that is consistent with other Local Authorities.

2.2 MHCLG is supporting the implementation of PlanX to assist Councils with the delivery of multiple digital services in a transparent, efficient and effective way for customers. The services created within the platform utilise spatial data provided by the Council to the required standard that is consistent with other Councils, allowing planning constraints relevant to a specific property to be checked. This improves the current situation for the customer as it provides for a more accurate, location specific response to enquiries in one place, as well as allowing connections and links through to other follow up services that the customer may like to follow.

2.3 Having received the grant funding from MHCLG, the Council is currently in the onboarding process for the implementation of PlanX. As part of that process, the Council needs to decide whether it opts in or opts out of applying the service charge. Following a discussion of the advantages and disadvantages of both approaches, and alternative options, Policy and Resources Committee recommended that the Council opt-in.

2.4 By opting into the service fee, the subscription fee for subsequent years is substantially lower than when opting out given that the service charge contributes to a discount. The Council is to use £15,000 of the £23,500 MHCLG grant to pay for the first year subscription and would then be able to use the remaining £8,500 grant money towards all or a substantial part of the second year subscription fee.

2.5 For the purposes of moving towards obtaining funds to maintain the annual subscription after the first year, officers are seeking to transfer the Council's existing fee charging pre-application advice service as one of the initial services to be delivered through the PlanX platform, with other fee paying services to follow. This is to be provided alongside guidance services, such as 'find out if you need planning permission' which are free of charge to the customer. By introducing a fee charging service early on and opting into the service charge, it allows for funds to be built up contributing to a larger discount towards the subscription fee the following year. Whilst it is acknowledged by officers that the pre-application advice fee paying service alone will not generate enough of a discount to cover the entire cost of the subscription next year, this will be supplemented as stated above using the remaining £8,500 from the MHCLG grant.

2.6 The result of opting in to the service charge would mean there would be an additional £40+VAT (£48) added to the existing fee for any fee charging service. This service charge is a fixed charge applicable to any fee that the Council has set at £100 or more. The service charge does not adjust relative to the overall fee for the applicable Council service.

2.7 Whilst this will be an increase in cost for customers, it will make a significant contribution to improved self-service for all planning customers but particularly when used in conjunction with guidance services such as, 'find out if you need planning permission'. Guidance services such as this enables a more comprehensive check of individual sites in one place on the Council's website

compared to the service the Council currently provides. Through the PlanX platform, relevant checks for the type of development proposed are made of constraints such as whether the site sits within a conservation area, is a listed building, if there is a TPO and if an Article 4 Direction is in place. Currently, customers would need to know to check these constraints and would have to make those checks in multiple places.

2.8 Should they wish to progress and continue the journey following use of a guidance service such as the 'find out if you need planning permission', the customer is easily directed to relevant onward services, some of which will be fee paying services, such as 'apply for pre-application advice' where the service charge would apply. Linking services in this way makes it easier for the customer to navigate through what can often be confusing and/or complex planning rules in one place within the Council's website. The linking of services provides a more convenient and easier way of making requests and may also increase uptake of fee paying services such as seeking pre-application advice.

2.9 It is anticipated that in addition to requests for pre-application advice, all other fee paying planning services be delivered through PlanX where possible. These services would also be subject to the service charge as described above. It is recommended the Council's website be updated to clearly state the service charge will be applied as an addition to the stated fee. This would need to be clearly stated in relation to each fee paying service as and when they are delivered through PlanX.

## 3 Proposals

3.1 That members agree that the service charge for PlanX is applied in accordance with paragraph 2.9 of this report.

## 4 Alternative Options Considered and Rejected

4.1 To opt in and apply the service charge but adjust the existing pre-application advice fees and other non-statutory services with fees, such as the submission of amendments and further information, down by £48 for the current set fees. This This was rejected by Policy and Resources Committee for the reasons set out in the officer report.

4.2 To opt in and apply the service charge but adjust the existing pre-application advice fees and other non-statutory services with fees such as the submission of amendments and further information, down by £48 for the current set fees for pre-app advice requests related to householder development only and for the submission of amendments and further information related to applications where the fee is currently under £299 only. The £48 that would be lost on these fees could

be absorbed elsewhere by adjusting other fees. This was rejected by Policy and Resources Committee for the reasons set out in the officer report.

4.3 To opt out of the service charge. This was rejected by Policy and Resources Committee for the reasons set out in the officer report.

4.4 To apply the service charge proportionately and relative to the different levels of fee within each fee paying services. This is not possible under the PlanX payment structure.

## 5 Consultation Undertaken or Proposed

5.1 The proposal to opt in to the service charge has been discussed informally with senior officers.

5.2 Policy and Resources Committee reviewed the recommendation on 17th June 2026 and supported its progression to Full Council.

## 6 Implications

| Issue | Implications |
|---|---|
| Corporate Plan | The proposals would align with the Corporate Plan as it would enable the Planning Service to better operate within its resources whilst delivering the service in a transparent and efficient way. |
| Financial, Resource and Property | The proposal to opt in to the service charge means a lower subscription charge within the first year that is well below the £23,500 grant funding. Applying the service charge results in a discount to the following year's subscription which combined with the remaining £8,500 of grant funding means the subscription for year two will be either substantially or fully covered. It is anticipated that further fee paying planning services are introduced at the earliest opportunity during the first two years to ensure the use of PlanX becomes self funded.<br><br>The improvements for customers in terms of access to more accurate information and for them to self serve leads to efficiencies in the use of officer time. |
| Legal, Statutory and Procurement | The provision of a planning function and processing applications made to the Planning Service is a statutory requirement. However, other services such as the provision of pre-application and post-decision advice, are discretionary elements of the planning function that already occurs within Swale. In accordance with Section 93 of the Local Government Act 2003 and Section 3 of the |

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| | Localism Act 2011, the suggested approach to opt in to the service charge to recover costs associated with this work is lawful and has no other legal implications.<br><br>The contract will be procured via the GCloud framework which is compliant with Contract Standing Orders.<br><br>The contract will be drawn up using terms and conditions which have been approved by Mid Kent Legal Services and Finance.<br><br>The benefit of applying the service charge for use of PlanX will result in the annual subscription ultimately being paid for in future years, therefore not drawing on the Council's budget. The service charge is considered reasonable and proportionate.<br><br>The use of PlanX and its use of open-source data contributes to the provision of digital services and improving accessibility. The PlanX product has been innovatively developed between the product developer and Local Planning Authorities to achieve faster, more efficient services.<br><br>Improved and more accessible data provided in a format consistent across many Local Planning Authorities results in greater opportunities for customers to access a more cost-effective, inclusive and transparent Planning Service.<br><br>The use of digital workflows supports NPPS objectives around public sector innovation and modernisation and resilience in digital infrastructure. |
| Crime and Disorder | There are no implications for crime and disorder. |
| Environment and Climate/Ecological Emergency | Opting in to the service charge for PlanX would not result in any direct implications in respect of the environment and the climate/ecological emergency. |
| Health and Wellbeing | There are no implications for health and wellbeing. |
| Safeguarding of Children, Young People and Vulnerable Adults | There are no implications for the safeguarding of children, young people and vulnerable adults. |
| Risk Management and Health and Safety | There is a risk to the image of the Council arising from the introduction of a service fee that is adding more cost for applicants. However, the introduction of a fee for this service is comparable to the Planning Portal in terms of there being a service fee, difference being, the fee for the PlanX platform is that it is cheaper. It is |

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| | considered that the benefits of opting into the service fee will outweigh the limited additional costs. The benefits of improved access to data and services may have positive reputational benefits.<br><br>No Health and Safety issues are anticipated. |
| Equality and Diversity | None at this stage. |
| Privacy and Data Protection | None at this stage. |
| Local Government Reorganisation | The recommendation has little impact on Local Government Reorganisation other than the use of PlanX itself will better align us with neighbouring authorities who are already using the platform and those that are also engaged in the onboarding process. |

## 7 Appendices

7.1 None

## 8 Background Documents

8.1 Item 8 Policy and Resources Committee 17 June 2026 – PlanX Software – Approach to Service Charge.

(Public Pack)Agenda Document for Policy and Resources Committee, 17/06/2026 19:00

| Council Meeting | |
|---|---|
| **Meeting Date** | 22 July 2026 |
| **Report Title** | Recruitment of Independent Persons |
| **EMT Lead** | Robin Harris, Monitoring Officer |
| **Head of Service** | |
| **Lead Officer** | Jo Millard, Democratic and Electoral Services Manager |
| **Classification** | **Open** |
| **Recommendations** | 1. That Full Council appoints the existing Independent Persons, Mr Christopher Webb and Mrs Patricia Richards, together with Mr Alan Harrison as Independent Persons for a period of three years from September 2026, or until the cessation of Swale Borough Council, whichever is earlier. |

## 1 Purpose of Report and Executive Summary

1.1 In accordance with the provisions of the Localism Act 2011 (the Act), the Council on 16 May 2012 agreed the adoption of a new Code of Conduct for members and co-opted members. In September 2017, Council formally approved the appointment of Patricia Richards and Christopher Webb to the positions of Independent Persons for a four-year period. These appointments were extended in 2021 for a further four years to September 2025 and for a further year to September 2026.

1.2 The purpose of this report is to seek Council approval to extend the period of appointment of Patricia Richards and Christopher Webb and to appoint Alan Harrison as Independent Persons for a period of three years from September 2026, or until the cessation of Swale Borough Council, whichever is earlier.

## 2 Background, Context and Proposals

2.1 The Act requires the Council have in place arrangements under which, firstly, standards complaints can be investigated, and secondly decisions on complaints can be made. As part of that process, the Act envisaged a role for an ‘Independent Person.’

2.2 The Council is required to appoint at least one Independent Person. Although not members of the Standards Committee, the Independent Persons’ views are to be sought and taken into account by the Committee when considering complaints about the conduct of a member or co-opted member of the authority.

2.3 Since the current Code of Conduct was adopted there have been ten complaints about Members which have reached the stage of formal consideration by the Standards Committee, thereby requiring the Independent Persons' involvement.

2.4 The appointment of Independent Persons was made after the positions had been advertised to the general public and Patricia and Christopher were appointed following the submission of expressions of interest and a formal interview process. Moving forward, Patricia and Christopher have indicated their willingness to continue in their roles.

2.5 At a previous Council meeting held in July 2025, Members resolved that the period of appointment of Patricia Richards and Christopher Webb as Independent Persons be extended to September 2026, and that the Standards Committee review the mechanism of recruitment in order to broaden the scope to appoint future independent persons.

2.6 At the Standards Committee meeting on 24 March 2026, the Monitoring Officer advised that he had approached Maidstone Borough Council's Independent Person, Mr Alan Harrison. Mr Harrison has extensive experience as a Head of Legal and Monitoring Officer at other authorities and currently serves as the Independent Person for another local authority outside the area.

2.7 The Standards Committee supported the reappointment of the existing Independent Persons, Mr Webb and Mrs Richards, together with the appointment of Mr Harrison, subject to Council approval. Members noted that, given the complexities associated with Local Government Reorganisation (LGR), it would be prudent to retain three Independent Persons. This would provide greater flexibility in allocating matters according to each individual's experience and expertise.

## 3 Recommendations

3.1 Council is asked to agree the extension to the existing Independent Persons Mrs Richards and Mr Webb, together with the appointment of Mr Harrison.

## 4 Alternative Options Considered and Rejected

4.1 The Council could re-advertise again and interview for positions, but this would incur additional time and expense.

4.2 The Council could appoint only one Independent Person to satisfy the requirements of the Localism Act. This is not recommended as previous experience has shown that failure to build in resilience can cause delay in dealing with complaints due to non-availability and can leave the Council vulnerable should the Independent Person choose to step down from the position.

## 5 Consultation Undertaken or Proposed

5.1 Consultation and discussion has taken place with the Standards Committee who all agreed the proposal.

## 6 Implications

| Issue | Implications |
|---|---|
| Corporate Plan | The appointment and extension of the Independent Persons enables the Council to demonstrate good governance and discharge its duty to promote and maintain high standards of conduct. |
| Financial, Resource and Property | The remuneration for the post is included in the budget for statutory committees. |
| Legal, Statutory and Procurement | Section 28 of The Localism Act 2011 prescribes the procedure that a local authority must follow if it wishes to appoint one or more Independent Persons. There is nothing in the Act which prohibits the extension of appointments of Independent Persons. |
| Crime and Disorder | None identified at this stage. |
| Environment and Climate/Ecological Emergency | None identified at this stage |
| Health and Wellbeing | None identified at this stage. |
| Safeguarding of Children, Young People and Vulnerable Adults | None identified at this stage. |
| Risk Management and Health and Safety | Risks of non-compliance with legal requirements will be mitigated by the actions suggested in the recommendations to the report. |
| Equality and Diversity | No adverse equality or diversity implications, procedures apply equally to everyone. |
| Privacy and Data Protection | None identified at this stage. |
| Local Government Reorganisation | The Local Government Reorganisation does not currently affect the proposal as governance arrangements will be reviewed once a new authority is established. |

## 7 Appendices

7.1 None

## 8 Background Papers

Link to Standards Committee meeting: Agenda for Standards Committee on Tuesday, 24 March 2026, 7.00 pm

Link to Council meeting Agenda for Council on Wednesday, 30 July 2025, 7.00 pm

| FULL COUNCIL | |
|---|---|
| **Meeting Date** | Wednesday 22 July 2026 |
| **Report Title** | Swale Community Governance Review – Final Recommendations |
| **EMT Lead** | Larissa Reed – Chief Executive |
| **Head of Service** | Stephanie Curtis, Head of Policy and Transformation |
| **Lead Officer** | Sarah Porter, Project and Transformation Manager |
| **Classification** | **Open** |
| **Recommendations** | That Full Council adopts the Community Governance Review final recommendations, as set out in this report, following consideration by Policy and Resources Committee on 13 July 2026. |

## 1 Purpose of Report and Executive Summary

1.1 This report summarises the results of the Stage 2 consultation results for the Swale Community Governance Review (CGR) and asks Full Council to consider the final recommendations considered by the Policy and Resources Committee.

## 2 Background

2.1 The Local Government and Public Involvement in Health Act 2007 (Chapter 3 of Part 4 of the 2007 Act) devolves the power to local authorities to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England. Before a Parish or Town Council can be created the Council is required to undertake Community Governance Review (CGR)

2.2 Community governance reviews provide the opportunity for principal councils (SBC is the principal council) to review and make changes to community governance within their areas. This may include creating, merging, altering or abolishing parishes/town councils; their naming; their electoral arrangements; or grouping.

2.3 Section 93 of the Local Government and Public Involvement in Health Act 2007 sets out key criteria that must be considered by the principal council to ensure that the CGR is reflective of the identities and interests of the community in that area; and is effective and convenient. The principal council must also take into account a number of influential factors including: the impact of community governance arrangements on community cohesion and the size, population and boundaries of a local community or parish. Ultimately, the recommendations made in a community governance review ought to bring about improved

community engagement, better local democracy and result in more effective and convenient delivery of local services.

2.4 Council agreed on the 30 July 2025 to undertake a CGR and to establish a cross-party Member Steering Group to lead this piece of work. Council agreed the Terms of Reference for the Swale CGR on the 19 November 2025.

2.5 A CGR must follow a two-stage consultation process. The first stage included a series of informal options to gauge the feelings of local residents. The second stage consultation asked for views on a series of refined, formal options. It is from this second stage consultation that the Principal Council can then formulate its final recommendations as the conclusion of the CGR.

2.6 Council agreed the below proposals to be considered as part of the second stage consultation on 1 April 2026.

2.7 The proposals agreed to be considered as part of the first stage consultation were (with all maps shown in appendix 4):

**Isle of Sheppey**

1. To change the name of Warden Parish Council to Warden Bay Parish Council
2. To create a Halfway Parish Council for the currently unparished area of Halfway with transfer of identified land with Minster-On Sea Parish Council, Queenborough Town Council and Sheerness Town Council
3. To expand the boundary of Queenborough Town Council to include the currently unparished area of Halfway with transfer of identified land with Minster on Sea Parish Council and Sheerness Town Council.
4. To move Lucas Close from Sheerness Town Council area to Queenborough Town Council

**Faversham**

5. To increase the number of councillors representing Watling Ward (Faversham Town Council Ward) from 4 to 6 (3 per ward if split occurs)
6. To increase the number of councillors representing Priory Ward (Faversham Town Council ward) from 2 to 3.
7. To split the existing Watling Ward (Faversham Town Council ward) into two
8. To extend the Watling Ward (Faversham Town Council ward) to encompass Perry Court (Faversham Town Council owned land) from Ospringe parish council
9. To extend Watling Ward (Faversham Town Council ward) to cover area currently within Ospringe Parish area.
10. To extend the boundary of Watling Ward (Faversham Town Council ward) to cover land within Boughton Under Blean Parish Council and Selling Parish Council
11. To transfer land from Faversham Town Council to Sheldwich Parish Council

12. To extend Watling Ward (Faversham Town Council ward) to transfer School Farm along Graveney Road, Graveney Road from Graveney with Goodnestone Parish Council

**Sittingbourne**

13. To amend the Iwade Parish Boundary, including that with Bobbing Parish Council
14. To create a Murston Parish Council
15. To create a Great Easthall Parish Council moving land from Tonge Parish Council.
16. To merge the currently unparished area of Great Easthall with Tonge parish council
17. To create a Kemsley Parish Council
18. To create a Milton Regis Parish Council
19. To create a Meads Parish Council moving land from Bobbing Parish Council
20. To extend Bobbing Parish Council to encompass all of the unparished area of the Meads
21. To extend Bobbing Parish Council to encompass all of Grove Park
22. To create an Urban Sittingbourne Town Council taking merging some land from Tunstall and the remainder of unparished areas.
23. To create an Urban Sittingbourne Town Council including Grove Park/or separate Grove Park Parish Council.

2.8 The second stage consultation ran from 7 April 2026 to 2 June 2026. A total of 1692 responses were received which included the completion of the online/paper questionnaire and a number of written responses from existing town/parish councils. The full details of these responses were shared with the Member Steering Group. This is considered a high response rate for similar exercises conducted around the county.

2.9 Appendix 1 details the consultation activities that took place and the engagement rate. Appendix 2 provides a summary of the results from the consultation survey. Appendix 3 provides a sample of Heap Maps produced using Power BI that show the spread of responses. These interactive maps were shared with the Member Steering Group as part of their analysis of the overall responses.

2.10 The Member Steering Group met on the 4 and 10 June 2026 to review the results of the second stage consultation and to agree which proposals should progress to final recommendations. This included detailed review of all consultation responses alongside internal legal advice. They were also provided with access to anonymised raw data from the consultation responses.

2.11 The Member Steering Group agreed the principle that the greatest weight should be provided to those respondents that live in the affected areas for each proposal, with consideration also given to consequential matters such as future development and local knowledge. All responses have been reviewed (using road name and postcode data) to determine whether they live in the affected area for that proposal.

2.12 Other residents may have responded to questions due to another interest in that area (such as business owner, parents living in that area), however this reason is not known. Heat Maps of the responses per question have also been reviewed, with more weighting given, where appropriate, to those that do live nearer to the affected area. Consideration was also given to the response rate versus the number of electorates living in that area affected by the proposal.

2.13 Where the proposals were also asked at Stage 1, consideration has been given to these responses, however not all questions were asked in an identical manner, and it is not possible to determine whether stage 1 and 2 responses were from the same respondents. A number of the Stage 2 questions were amended to become clearer with more direct proposals, where at stage 1 were scoping a number of ideas. Appendix 6 details the full reasoning of the proposals by the Member Steering Group and acknowledges the Stage 1 questions and their relatability to the Stage 2 decision.

## 3.0 Proposals considered by Policy and Resources Committee

3.1 The proposals set out below are presented to Full council for final adoption, following review by the Member Steering Group. As this report is being published before Policy and Resources Committee has met this section records the recommendations due to be considered by that committee. The outcomes of Policy and Resources Committee will be reported to Full Council before the meeting. The Maps showing each proposal are shown at Appendix 4.

3.2 It is important to note, that were new parish/town/community councils are agreed to be established, that there will be a financial impact for residents by way of a new precept charge. Although it will be for the new councils to set and agree this, with a likely small charge of at least £10 for the initial year, the average precept across Swale parishes is £59.80.

3.3 Consideration has also been given to the number of parish council seats for those new ones proposed and for any existing with boundary amendments. The reasoning for the recommendations is outlined in Appendix 5.

3.4 Appendix 6 provides a detailed review of all of the Stage 2 proposals for this Community Governance Review, along with the recommendation and reasoning for this by the cross party CGR Member Steering Group. These are summarised within the following section of this report.

3.5 The table below summarises the proposals considered as part of the Swale Community Governance Review, along with the recommendations to be considered by the Policy and Resources Committee before they are presented to Full Council. An updated version of the table, including any amendments made by Policy and Resources Committee, will be circulated ahead of the Full Council meeting. A fuller explanation of the considerations behind each recommendation for each proposal is provided after the table and in Appendix 6.

Table 1

| Proposal | Area | Summary | Recommendation |
|---|---|---|---|
| **1** | Isle of Sheppey | Change the name of Warden Parish Council to Warden Bay Parish Council. | Proceed with the name change. |
| **2** | Isle of Sheppey | Create a Halfway Parish Council for the currently unparished area of Halfway. | Create Halfway Parish Council with 7 seats. |
| **3** | Isle of Sheppey | Amend boundaries between the new Halfway Parish Council and Minster-on-Sea Parish Council. | Proceed with the boundary amendments for Appleford Drive, Baird Way, Ovinia Chase and Minster Road. |
| **4** | Isle of Sheppey | Amend the boundary between Queenborough Town Council and the new Halfway Parish Council. | Transfer the land shown in Map 6 from Halfway Parish Council to Queenborough Town Council. |
| **5** | Isle of Sheppey | Amend the boundary between Sheerness Town Council and the new Halfway Parish Council. | Do not proceed with this proposal. |
| **6** | Isle of Sheppey | Transfer Lucas Close from Sheerness Town Council to Queenborough Town Council. | Proceed with the transfer shown in Map 8. |
| **7** | Faversham | Increase councillor numbers for Watling Ward from 4 to 6. | Increase to 6 councillors, with 3 per ward if the ward is split. |
| **8** | Faversham | Split the existing Watling Ward into two. | Proceed with splitting Watling Ward into two. |
| **9** | Faversham | Increase councillor numbers for Priory Ward from 2 to 3. | Increase to 3 councillors. |
| **10** | Faversham | Extend Watling Ward to include Perry Court from Ospringe Parish Council. | Proceed with the boundary change shown in Map 9. |
| **11** | Faversham | Extend Watling Ward to cover an area currently within Ospringe Parish Council. | Do not proceed with this proposal. |

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| **12** | Faversham | Extend Watling Ward to include land within Boughton under Blean Parish Council and Selling Parish Council. | Proceed with the transfer to Faversham Town Council Watling Ward shown in Map 11. |
| **13** | Faversham | Transfer land from Faversham Town Council to Sheldwich Parish Council. | Proceed with the boundary amendment shown in Map 12. |
| **14** | Faversham | Extend Watling Ward to transfer School Farm, Graveney Road, from Graveney with Goodnestone Parish Council. | Proceed with the boundary change shown in Map 13. |
| **15** | Sittingbourne | Amend the Iwade Parish boundary, moving previously unparished land into Iwade Parish Council. | Proceed with the transfer shown in Map 14. |
| **16** | Sittingbourne | Amend the Bobbing Parish boundary, moving land from Bobbing Parish Council into Iwade Parish Council. | Proceed with the transfer shown in Map 14. |
| **17** | Sittingbourne | Create a Murston Parish Council. | Create Murston Parish Council with 9 seats, including Vincent Park as shown in Map 15. |
| **18** | Sittingbourne | Address parish arrangements for Great Easthall and Tonge. | Extend Tonge Parish Council to cover the whole estate as shown in Map 16 and increase seats from 5 to 7. |
| **19** | Sittingbourne | Create a Kemsley Parish Council. | Create Kemsley Parish Council with 9 seats as shown in Map 17. |
| **20** | Sittingbourne | Create a Milton Regis Parish Council. | Create Milton Regis Town Council with 9 seats as shown in Map 18. |
| **21** | Sittingbourne | Create a Meads Parish Council or extend Bobbing Parish Council to include The Meads. | Extend Bobbing Parish Council to include the currently unparished area of The Meads, as shown in Map 19. |
| **22** | Sittingbourne | Create a Grove Park Parish Council or extend Bobbing Parish Council to include Grove Park. | Create Grove Park Community Council with 7 seats, including the area previously within Bobbing Parish Council, as shown in Map 20. |

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| **23** | Sittingbourne | Create a Sittingbourne Town Council, merging some land from Tunstall and the remaining unparished areas. | Do not proceed with this proposal. |

3.6 **Isle of Sheppey**

**Proposal 1: To change the name of Warden Parish Council to Warden Bay Parish Council.**

Reasoning and Recommendation: Given the clear indication of preference from the survey responses from both stage 1 and stage 2 consultations, it is recommended by Policy and Resources Committee that this name change takes place.

**Proposal 2: To create a Halfway Parish Council for the currently unparished area of halfway.**

Reasoning and Recommendation: From the stage 2 responses, the greatest number of those living in the affected area responded that they would like a Halfway Parish Council. Although the overall response rate is low compared with the population of this area, this is in part felt by the Steering Group to be due to consultation fatigue. A petition to create a Halfway Parish Council was collated earlier in 2025 with 426 signatures; and the stage 1 consultation had 38 responses in favour of a parish of some kind. Although the previous consultation/petition cannot be completely factored in due to the slight differences in questions asked, these combined with the stage 2 consultation responses do show a clear desire for a new parish council. It is recommended by Policy and Resources Committee that a Halfway Parish Council (as shown in Map 1) is created, with 7 seats.

**Proposal 3: To amend a number of boundaries between the new Halfway Parish Council Minster-on-Sea Parish Council.**

Reasoning and Recommendation:

- Appleford Drive area (Map 2): Although the majority of respondents within the affected area did respond to request no change, the overall number of those living in the affected area is very low. The natural boundary around this half of this estate means that these residents cannot easily access Halfway Parish Council services. It is also felt that some may have responded with no change as wish to remain unparished, however leaving this small area unparished when the remainder of their estate is parished doesn't not seem sensible and these residents likely already benefit from Minster-on-Sea parish council services. It is therefore recommended by Policy and Resources Committee to amend the Minster-on-Sea Parish Council boundary to include these properties.

- Baird Way area (Map 3): The greatest majority of respondents that lived in the affected area wish for this boundary change to take place. It is therefore recommended by Policy and Resources Committee to amend the Minster-on-Sea Parish Council boundary to move these properties into the new Halfway Parish Council area.
- Ovinia Chase area (Map 4): The greatest majority of respondents that lived in the affected area wish for this boundary change to take place; and the wider majority of respondents do not live as locally to the affected area. Access to this new estate will all be through Minster-on-Sea parish land, with a natural boundary to the left preventing easy access to Halfway Parish land. It is recommended by Policy and Resources Committee to amend the Minster-On-Sea Parish Council boundary to incorporate this area, from Halfway Parish Council.
- Minster Road (Map 5): This proposal only affects a very small number of properties, with natural road boundaries around it. Only 1 response was received from residents living in the affected area, with other respondents as shown on heat maps provided to the steering group living in a greater area. It is therefore recommended by Policy and Resources Committee to amend the Minster-on-Sea Parish boundary to incorporate these properties from Halfway Parish Council.

**Proposal 4: To amend the boundary between Queenborough Town Council and the new Halfway Parish Council**

Reasoning and Recommendation: This proposal affects land only and is tidying an existing boundary line. The greatest majority of respondents replied to agree with the proposal. It is therefore recommended by Policy and Resources Committee to transfer the land shown within Map 6 from the new Halfway Parish Council, to Queenborough Town Council.

**Proposal 5: To amend the boundary between Sheerness Town Council and new Halfway Parish Council.**

Reasoning and Recommendation: This proposal affects land only and is tidying an existing boundary line but did not previously factor in that this piece of land is marshland shown within map 7. No local residents were in favour of this proposal, although there was only a very small response rate for this option. It is therefore recommended by Policy and Resources Committee that this proposal doesn't go ahead.

**Proposal 6: To Transfer Lucas Close from Sheerness Town Council to Queenborough Town Council.**

Reasoning and Recommendation: This proposal was added to the stage 2 consultation process following identification of an issue with a previous CGR for this area in 2022. The legislation was never laid before Government to complete the transition of these properties from Sheerness Town Council to Queenborough Town Council. At the time of the original consultation, respondents were not in favour, but it was agreed by Council due to the responses from parish/existing

ward councillors to go ahead. Of those residents living in the affected area that responded to this stage 2 consultation, they were in favour of the transfer. Therefore it is recommended by Policy and Resources Committee that this area (Map 8) is transferred from Sheerness Town Council to Queenborough Town Council.

**Faversham**

**Proposal 7: To increase the number of councillors representing Watling Ward (Faversham Town Council Ward) from 4 to 6 (3 per ward if split occurs)**

Reasoning and Recommendation: Total number of responses favoured increasing the councillor numbers for this ward at both total response level and for those that live in the affected area. Therefore, the Policy and Resources Committee recommends to increase the number of councillors representing Watling Ward (Faversham Town Council Ward) from 4 to 6 (3 per ward).

**Proposal 8: To split the existing Watling Ward (Faversham Town Council ward) into two.**

Reasoning and Recommendation: Total number of responses favoured splitting the ward at both total response level and for those that live in the affected area. Therefore, the Policy and Resources Committee recommends to split the existing Watling Ward (Faversham Town Council ward) into two.

**Proposal 9: To increase the number of councillors representing Priory Ward (Faversham Town Council ward) from 2 to 3**

Reasoning and Recommendation: Although the total number of responses favoured no change in stage 2, upon reviewing those that live in the affected area, the majority wished for the number to increase. Therefore, the Policy and Resources Committee recommends to increase the number of councillors representing Priory Ward (Faversham Town Council ward) from 2 to 3.

**Proposal 10: To extend the Watling Ward (Faversham Town Council ward) to encompass Perry Court (Faversham Town Council owned land) from Ospringe parish council**

Reasoning and Recommendation: This proposal was put forward by Faversham Town Council as they are now the landowner of this piece of land, but it remains within Ospringe Parish Council area. The proposal would enable tidying of boundaries and would use a natural landmark as the boundary. There are currently no residents living within the affected area. The Heat Map provided of responses, showed that these were spread across a wider area of Faversham but those living nearest indicated a preference for the change to take place. Although the greater number of responses indicated residents preference to not make this change, as these are not residents living in the affected area and given the land ownership, it is recommended by Policy and Resources Committee to extend

Watling Ward to encompass Perry Court from Ospringe parish council, as per Map 9.

**Proposal 11: To extend Watling Ward (Faversham Town Council ward) to cover area currently within Ospringe Parish area**

Reasoning and Recommendation: Given the clear indication to the survey responses in stage 2 and the consultation comments from Ospringe Parish Council, it is not recommended by Policy and Resources Committee that the proposal to transfer land from Ospringe to Faversham Town Council takes place (Map 10).

**Proposal 12: To extend the boundary of Watling Ward (Faversham Town Council ward) to cover land within Boughton Under Blean Parish Council and Selling Parish Council**

Reasoning and Recommendation: Although the overall response rate showed a preference for no change at Stage 1 and Stage 2, when reviewing responses for those directly living in the affected area, the preference was to extend the boundary for Faversham Town Council. There are a very small number of properties within the affected area. This proposal was put forward by Faversham Town Council to tidy boundaries ahead of further housing development in the future. The Heat Map reviewed by the Member Steering Group of responses, showed the distribution of wider responses were not adjacent to the affected area. It is not possible to determine from the stage 1 consultation responses whether these were the same residents responding and due to the split nature of the responses at Stage 1, this is why it was agreed to consult as part of stage 2 to seek clearer indication. It is therefore recommended by Policy and Resources Committee to transfer land from Boughton Parish Council and Selling Parish Council (Map 11) to Faversham Town Council Watling ward.

**Proposal 13: To transfer land from Faversham Town Council to Sheldwich Parish Council**

Reasoning and Recommendation**:** Respondents are relatively split on this proposal, however there are no affected residents living directly in the affected area. This proposal was put forward by Faversham Town Council to transfer this boundary as it would ensure the entirety of the National Landscape is within the boundary of Sheldwich, and it is therefore recommended by Policy and Resources Committee that this boundary amendment takes place (Map 12).

**Proposal 14: To extend Watling Ward (Faversham Town Council ward) to transfer School Farm along Graveney Road, Graveney Road from Graveney with Goodnestone Parish Council**

Reasoning and Recommendation**:** There are only 4 affected properties within this area (School Farm) and the majority of respondents do not live adjacent to the affected area. This proposal was put forward as a result of the stage 1 consultation where residents within this affected area requested this boundary

tidy. Therefore, it is recommended by Policy and Resources Committee that this boundary change takes place (Map 13).

**Sittingbourne**

**Proposal 15: To amend the Iwade Parish Boundary, moving previously unparished land into Iwade Parish Council**

Reasoning and Recommendation: This proposal was developed by the Member Steering Group to tidy this boundary line. There are only a small number of residents living within the affected area, but of those that responded, the greater number were in favour, at both stage 1 and 2. The Policy and Resources Committee therefore recommends that this land (Map 14) is transferred to Iwade Parish Council.

**Proposal 16: To amend the Bobbing Parish Boundary, moving land from Bobbing Parish Council into Iwade Parish Council**

Reasoning and Recommendation: This proposal was developed by the Member Steering Group to tidy this boundary line. There are no affected residents living within the affected area and although the majority of residents that responded were not in favour of this change, there are no houses in the affected area and is a boundary tidy. It is therefore recommended by Policy and Resources Committee to amend this boundary, moving this land (Map 14) from Bobbing Parish Council to Iwade Parish Council.

**Proposal 17: To create a Murston Parish Council.**

Reasoning and Recommendation: The majority of respondents have said that they would like a Murston Parish Council, with this number increasing when including the Vincent Park area. It is therefore recommended by Policy and Resources Committee to create a Murston Parish Council, with 9 seats, as per Map 15 (which has been amended from the Stage 2 proposal to incorporate the Vincent Park estate).

**Proposal 18: To create a Great Easthall Parish Council moving land from Tonge Parish Council/ to merge the currently unparished area of Great Easthall with Tonge parish council**

Reasoning and Recommendation: The majority of respondents have said that they would like a parish council of some kind. Of comments made, there were concerns regarding payment to management companies with additional payments to a new parish council for those currently unparished – however a new parish council could take on functions of the management company. It is felt by the steering group that Great Easthall needs to be treated as one area, not spilt in two as it currently is with regard to parish coverage. Although there is a mixture of parish council options preferred by respondents, with concerns raised by Tonge Parish Council of their financial viability if they lost a large proportion of housing, the member steering group therefore felt that the whole of this estate should be

covered by Tonge Parish Council, extending their boundary as per Map 16. It is also therefore recommended by Policy and Resources Committee to increase the number of seats on Tonge Parish Council from 5 to 7. This would support the increase in electorate whilst also reducing the likelihood of inquorate meetings.

**Proposal 19: To create a Kemsley Parish Council.**

Reasoning and Recommendation: The majority of respondents have said that they would like a Kemsley Parish Council, therefore the Policy and Resources Committee has recommended that a parish council for this area is created as per Map 17, with 9 parish council seats.

**Proposal 20: To create a Milton Regis Parish Council**

Reasoning and Recommendation: The majority of respondents have said that they would like a Milton Regis Parish/Town Council and therefore the Policy and Resources Committee recommends that this new Town Council is created as per Map 18, with 9 parish council seats. It is felt that using the naming convention of a Town Council better reflects the identify of this area.

**Proposal 21: To create a Meads Parish Council moving land from Bobbing Parish Council/ To extend Bobbing Parish Council to encompass all of the unparished area of the Meads**

Reasoning and Recommendation: The majority of respondents have said that they would like a parish/town council with the majority having indicated they would prefer to join/remain part of Bobbing Parish Council. Part of The Meads is already part of Bobbing Parish area. Therefore the Policy and Resources Committee recommends that the Bobbing Parish boundary is extended to include the currently unparished area of The Meads, as per Map 19.

**Proposal 22: To create a Grove Park Parish Council/extend Bobbing Parish Council to encompass all of Grove Park**

Reasoning and Recommendation: The greatest number of respondents have said that they would like some kind of parish/town council, with a new Grove Park Council being the highest response within those. Although concerns were raised by Bobbing Parish Council as to the loss of any properties within this area in their boundary, as per another proposal, they would gain a number of properties within the Meads area. The Policy and Resources Committee has recommended that a Grove Park Community Council be created, including the area of Grove Park previously included within the boundary for Bobbing Parish Council, with 7 seats, as per Map 20. It is felt that using the naming convention of a Community Council better reflects the identify of this area. Both this proposal and proposal 21, see amendments made to the boundary of Bobbing Parish Council.

**Proposal 23: To create a Sittingbourne Town Council merging some land from Tunstall and the remainder of unparished areas.**

Reasoning and Recommendation: Following the review of the responses from all of the wider Sittingbourne area, the greatest number of respondents were not in favour of a town council being established, therefore the Policy and Resources Committee recommends that a Sittingbourne Town Council for the currently unparished area show in Map 21, is not taken forward.

3.7 Recommendation 1: That Full Council adopts the Community Governance Review recommendations, following consideration by Policy and Resources Committee and circulated to Members.

## 4.0 Alternative Options Considered and Rejected

4.1 To reduce the number of final recommendations: It would be possible to reduce/amend the number of final recommendations. However, those that have been recommended have been developed by the cross-party Member steering group and considered by Policy and Resources Committee before being presented to Full Council. There are also interdependencies between the proposals put forward which will need to be considered for any amendments to what may be taken forward.

4.2 To not take forward any of the recommendations: An alternative option would be to not go ahead with any of the proposals put forward within this report; and to halt the Community Governance Review in totality. This is not recommended as there was a good level of engagement with residents throughout the consultation process, with clear intent shown for proposals put forward.

## 5.0 Consultation Undertaken or Proposed

5.1 Section 93 of the 2007 Act allows principal councils to decide how to undertake a community governance review, provided that they comply with the duties in that Act which apply to councils undertaking reviews. Swale Borough Council as the principal council had to consult local people and take account of any representations received in connection with the review. When undertaking the review we must have had regard to the need to secure that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient.

5.2 Under the 2007 Act the council is required to consult local government electors in any area under review, and others who may have an interest in the review. Other bodies might include local businesses, local public and voluntary organisations - such as schools or health bodies. There is legal requirement on what constitutes a stage 2 consultation, but the consultation must be fair, proportionate and transparent.

5.3 Full details of the Stage 2 consultation are shown in appendix 1 and the full consultation plan that was developed and signed off by the Member Steering Group.

5.4 Residents were given clear information regarding any precept implications of any options chosen; and were also given the option for no change. This will made clear in the question wording so that residents no not feel that are being made to make a choice that would see a new parish/town council put into place. The consultation questions also included clear maps and reasoning for each proposal being put forward.

## 6.0 Implications

| Issue | Implications |
|---|---|
| Corporate Plan | The work required to carry out Corporate Governance Reviews is in the Corporate Plan |
| Financial, Resource and Property | The cost of undertaking the CGR has been met through existing officer resources – the officer working on Local Government Reorganisation has led this piece of work.<br>It is important to note that where proposals relate to establishing new parish/town/community councils, there will be a cost to local residents through the form of a precept. It will down to each new council to establish this precept. For its first year, the Borough Council will need to set the precept for each new parish/town/community council at a value that enables it to function. The average precept for the existing parish councils is £59.80 per year.<br>In terms of implementation of these proposals moving forward, there will be a requirement for existing Swale BC officers to provide support (governance, elections, legal, HR). There will also be requirements to recruit clerks and possibly source office space. These and any additional costs or guidance required can be recharged to the new councils once formed. There is a risk that the new councils will not agree to cover these costs, however it is felt that the risk is minimal and that the costs are considered required to establish these councils on a strong as position as possible. |
| Legal, Statutory and Procurement | The Local Government and Public Involvement in Health Act 2007 (Chapter 3 of Part 4 of the 2007 Act) devolves the power to local authorities to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England<br>It was also confirmed that there is no prohibition on relying on stage 1 responses in addition to those received from stage 2 if they are asking identical questions with no material change. This has been the case for some of the proposals having been considered and where this has been the case, reference has been made within this report.<br>There were also two petitions completed in the last 12 months in relation to requests for new parish councils. Again, as these did not |

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| | ask the same direct questions, they cannot formally be considered, but they do provide an indication of desire from local communities and are referenced in the final recommendation reasoning.<br><br>A number of the proposals relate to the creation of new town/parish/community councils – with different naming conventions having been suggested which are felt to best reflect those local areas. The Local Government and Public Involvement in Health Act 2007 advises that there is no formal differences between these types of local councils – but allows for flexibility in the 'styling/naming'. There is no difference between their powers or legal status.<br><br>The recommendations also include a number of boundary changes for existing parish/town councils. Formal processes will need to be followed for these to be implemented, if adopted. These may have an implication on future elections and how parish elections may need to be managed.<br><br>Where the proposals suggested a boundary change to an existing parish/town council, the member steering group did feel that there was an argument to change the name of existing parish/town councils. However, following legal advice, as such a name change was not formally consulted upon as part of this CGR process, this is not something that could be taken forward at this stage. A change of name directly reflects the identity and interests of the community and would go beyond a consequential recommendation.<br><br>The recommendations include a number of new town/parish/community councils being established. If adopted, their establishment will need to follow formal guidance set-out in the Local Government and Public Involvement in Health Act 2007.<br><br>Advice will be sought from the Society of Local Council Clerks (SLCC) and Kent Association of Local Councils (KALC) in the establishing of proposed new councils and in recruitment of required clerks.<br><br>The final recommendations presented to Full Council include additional recommendations arising directly from issues highlighted during stage 2 consultation. This is the case in relation to the recommendations to increase the size of both Bobbing Parish Council and Tonge Parish Council. When implementing the CGR and reviewing the consultation responses, Council must take into account influential factors including the size, population and boundaries of a local community or parish. With this in mind, it has been recommended to increase the number of seats on Tonge Parish Council to reflect the impact of the boundary changes. |
| Crime and Disorder | There are no direct crime and disorder implications for these proposals. |

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| Environment and Climate/Ecological Emergency | There are no direct Environmental Emergency implications for these proposals. |
| Health and Wellbeing | Although there is not direct Health and Wellbeing impact for these proposals, Town and Parish Councils are able to undertake work to improve Health and Wellbeing |
| Safeguarding of Children, Young People and Vulnerable Adults | There are no direct safeguarding implications for these proposals |
| Risk Management and Health and Safety | There are no direct health and safety implications for these proposals.<br>As outlined within the proposals, each new parish/town/community council must have a certain number of seats. The expectation is that local residents are elected to these seats, however, there is a risk that not enough are filled for these councils to be quorate. If this was the case, there would be an expectation that Swale Borough Council officers (or a new unitary council) fill these seats. This is not a long-term viable solution and may result in future Community Governance Reviews to disband any parish/town/community council. In the 2023 Parish Elections for Swale there were only 6 contested parish areas/parish wards, with 3 parish areas/parish wards that were inquorate. For these, two were able to repeat the nomination process and filled the vacancies without the need to hold by-elections, as they were untested. For re the remaining one, there was an borough council appointment to the vacancy to ensure that council was quorate.<br>Currently, Swale parish elections are scheduled for 2027. It is anticipated that elections to these proposed new town/parish/community councils aligns with this date. However, as part of the LGR process, MHCLG are considering whether parish elections should be aligned with those for the new shadow authorities, which could see a delay in parish elections. |
| Equality and Diversity | An equality impact assessment has been completed following the second stage consultation to accompany the final recommendations and is shown in appendix 6.<br>Key findings are that overall, while no clear direct discrimination has been identified, there are potential indirect impacts, particularly relating to financial burden. Consideration needs to be given as to whether information on council tax support scheme is included in all council tax bills being issued to areas that are newly parished as per the proposals. |
| Privacy and Data Protection | There are no direct privacy or data protection implications for these proposals |

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| Local Government Reorganisation (LGR) | The undertaking of a CGR ensures that all levels of governance within the borough have been reviewed ahead of LGR. This ensures that local government best meets the needs of local communities.<br>It is also important to note that if adopted by Council, this CGR can take place irrespective of LGR and its timescales.<br>There is a need to review warding as part of the implementation of LGR. At this stage, we do not know which geographical model will be implemented and therefore impact on warding. |

## 7 Appendices

Appendix 1: Swale Stage 2 CGR Consultation and Engagement Summary

Appendix 2: Summary of Stage 2 High Level Consultation Figures

Appendix 3: Sample Heat Maps of Stage 2 Consultation Responses

Appendix 4: Maps of Proposals

Appendix 5: Parish Seat Number Analysis

Appendix 6: Detailed review of Stage 2 proposals and recommendations by Member Steering Group

Appendix 7: Equality Impact Assessment for CGR Final Recommendations

## 8 Background Papers

CGR Full Council Decision 30 July 2025 – Agreement for Review - https://services.swale.gov.uk/meetings/documents/g4329/Printed%20minutes%20Wednesday%2030-Jul-2025%2019.00%20Council.pdf?T=1

CGR Full Council Decision 19 November 2025 – Terms of Reference Agreement https://services.swale.gov.uk/meetings/documents/g4331/Printed%20minutes%20Wednesday%2019-Nov-2025%2019.00%20Council.pdf?T=1

Lucas Close CGR Full Council Decision 2022 - (Public Pack)Agenda Document for Council, 27/07/2022 19:00

CGR Full Council Decision 1 April 2026 https://democracy.swale.gov.uk/documents/g4336/Printed%20minutes%20Wednesday%2001-Apr-2026%2019.00%20Council.pdf?T=1

Ordnance Survey Election Maps – Election Maps

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**Appendix 1: Consultation activities and Engagement Rate**

The overall Stage 2 consultation results are shown within this appendix. These figures were reached through completion of both online and paper forms. A series of posters, leaflets and social media were also used to promote the consultation, along with public meetings.

A series of consultation activities were used throughout the stage 2 consultation process. The below details activities completed and engagement rates where possible. Electorate numbers for those living in the areas affected by the proposals are also included as these show the scope of residents that could be impacted.

The overall consultation response rate is considered to be very high compared with similar exercises conducted elsewhere within the County.

**Stage 2 consultation results:**

Overall number of individual responses: 1676

- Sittingbourne: 1271
- Faversham: 305
- Sheppey: 100

Overall number of responses indicating they would like some kind of parish council:

| **Category** | **Count** |
|---|---|
| Do not want parish/town council | 337 |
| No change | 453 |
| Unclear | 234 |
| Want parish/town council | 834 |

Please note: respondents could answer more than one question, so the category totals do not directly align with the overall number of individual responses received.

**Public Engagement Events**

| Meeting | Number attended | Summary of event and feedback |
|---|---|---|
| Lakeview | 16 | Informal conversation with residents on CGR |
| Sittingbourne Library | 5 | 5 residents engaged in conversation on CGR and completed the consultation form. Residents commented on importance of local connection and knowledge for any incoming Councillors. Residents queried role and function of parish council. |
| Swale House hybrid meeting | 2 | Residents primary concern was on estate charges and if a parish council could support the scrutiny of charges and |

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|---|---|---|
| | | possible removal of management company. Question on precept charges and what they could possibly be in the future. |
| The Meads | 6 | Informal conversation with residents on CGR, residents welcomed the opportunity to discuss CGR with members |
| Milton Church Hall | 15 | Longer engagement session, with questions on the roles and powers of a PC. Precept charges and the administration of that and what residents get from that charge in terms of services delivered. LGR questions of what unitarisation means and residents raised this is an important factor in the decision making, but difficult without knowing the models. |
| Island Forum | 30 | Resident question on LGR models and without knowing this it's hard to respond to CGR. Interest in response rate and supporting the promotion of the consultation. |
| Faversham Library | 8 | No specific concerns raised other than possible impact on Boughton and Dunkirk Neighbourhood plan. |

**Social Media Comms**

- CGR Videos x3 – 27,000 views that led to 239 interactions (likes/shares/comments and saves)
- Social media posts x3 – 19,600 views that led to 52 interactions (likes/shares/comments and saves)

**Direct letter deliveries**

It was agreed to complete direct letter deliveries to those areas where the proposals included the creation of new parish/town councils. These letters were tailored to those residents living in each area and allowed for paper responses to be free-post returned; and signposted for online form completion.

| Area | Letters delivered |
|---|---|
| Kemsley | 1000 |
| Murston | 1400 |
| The Meads | 1000 |
| Great Easthall | 750 |
| Milton Regis | 1550 |
| Grove Park | 1100 |
| Roman | 700 |
| Woodstock | 1500 |
| Chalkwell | 2200 |
| Minster Road | 50 |
| Appleford Road estate | 181 |
| Baird Road area | 157 |

| | |
|---|---|
| Ovinia Chase | 140 |
| TOTAL | 13225 |

The consultation link was also shared via:

- VCSE network
- Local business networks
- Key stakeholders
- Parish/Town Councils
- KCC and SBC members
- All staff email
- Resident email bulletin

· Consultation promoted via:

- Social media
- Press
- Swale CVS
- SBC members and parish councils
- Community groups

**Electorate Numbers in areas affected by proposals**

| **Electorate figures - area** | **Electorate Number** |
|---|---|
| Sittingbourne TC (C,R, W and H wards) | 17164 |
| Bobbing and The Meads | 3731 |
| Grove Park | 735 |
| Milton Regis | 4825 |
| Kemsley | 4654 |
| Murston | 4586 |
| Great Easthall - Tonge | 631 |
| Halfway | 3571 |

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# Final consultation results

## Isle of Sheppey

1. Renaming Warden Parish Council

| Response | Count |
|---|---|
| Yes - change the name | 11 |

2. To create a Halfway Parish Council for the currently unparished area of Halfway with transfer of identified land with Minster-On Sea Parish Council, Queenborough Town Council and Sheerness Town Council

| Response | Count |
|---|---|
| I want the area to remain unparished | 29 |
| I want to be part of a Halfway Parish Council | 31 |
| I want to be part of Queenborough Town Council | 9 |
| I am not a resident of this area | 10 |

3. To expand the boundary of Queenborough Town Council to include the currently unparished area of Halfway with transfer of identified land with Minster on Sea Parish Council and Sheerness Town Council.

**Appleford/Mills Boundary**

| Response | Count |
|---|---|
| No change - keep the existing boundary | 23 |
| Yes - amend the boundary | 14 |

**Baird/Faraday Boundary**

| Response | Count |
|---|---|
| No change - keep the existing boundary | 11 |
| Yes - move to Halfway | 15 |

**Ovinia Chase Parish**

| Response | Count |
|---|---|
| No - remain within Halfway | 8 |
| Yes - move to Minster-on-Sea Parish | 7 |

**Minster Road Boundary**

| Response | Count |
|---|---|
| No - remain in Minster-On-Sea Parish | 5 |
| Yes - move to Halfway | 8 |

4. To amend the Queenborough Town Council boundary and Halfway boundaries with transfers of land shown in Map 6

**Halfway/Queenborough Boundary**

| Response | Count |
|---|---|
| I am not a resident of this area | 39 |
| No change - keep the existing boundary | 23 |
| Yes - amend the boundary | 26 |

5. To not amend the boundary between Sheerness Town Council and the new Halfway Parish Council, as shown in Map 7

**Halfway/Sheerness Boundary**

| Response | Count |
|---|---|
| No change - keep the existing boundary | 6 |

6. To amend the boundary between Sheerness Town Council and Queenborough Town Council to move Lucas Close (Map 8) from Sheerness to Queenborough.

**Lucas Close**

| Response | Count |
|---|---|
| No - I would to stay part of Sheerness Town Council | 6 |
| Yes - I would like to move to Queenborough Town Council | 1 |

## Faversham

7. To increase the number of councillors representing Watling Ward (Faversham Town Council Ward) from 4 to 6 (3 per ward if split occurs)

**Watling Ward Councillors to 6?**

| Response | Count |
|---|---|
| No change - keep the Councillor number as it is | 106 |
| Yes - increase the Councillor number | 145 |

8. To split the existing Watling Ward (Faversham Town Council ward) into two

**Split the Wards?**

| Response | Count |
|---|---|
| No change - keep the ward as one | 110 |
| Yes - split the wards | 14 |

9. To increase the number of councillors representing Priory Ward )Faversham Town Council Ward) from 2 to 3

**Priory Ward Councillors**

| Response | Count |
|---|---|
| No change - keep the Councillor number as it is | 96 |
| Yes - increase the Councillor number | 93 |

10. To extend the Watling Ward (Faversham Town Council ward) to encompass Perry Court (Faversham Town Council owned land) from Ospringe parish council

**Extend to Perry Court?**

| Response | Count |
|---|---|
| No change - keep Perry court within Ospringe Parish Council | 136 |
| Yes - extend Watling ward to include Perry Court | 117 |

11. To extend Watling Ward (Faversham Town Council ward) to cover area currently within Ospringe Parish area.

**Extend to Ospringe Properties?**

| Response | Count |
|---|---|
| I am not a resident of this area | 59 |
| No change - keep the boundaries as they are | 165 |
| Yes - extend Watling ward boundary | 81 |

12. To extend the boundary of Watling Ward (Faversham Town Council ward) to cover land within Boughton Under Blean Parish Council and Selling Parish Council

**Extend to Boughton/Selling?**

| Response | Count |
|---|---|
| I am not a resident of this area | 76 |
| No change - keep the boundaries as they are | 123 |
| Yes - extend the boundary | 106 |

13. To transfer land from Faversham Town Council to Sheldwich Parish Council

**Extend Sheldwich to Faversham?**

| Response | Count |
|---|---|
| No change - keep the arrangements as they are | 103 |
| Yes - transfer the land | 99 |

14. To extend Watling Ward (Faversham Town Council ward) to transfer School Farm along Graveney Road, Graveney Road from Graveney with Goodnestone Parish Council

**Extend to Goodnestone/Graveney?**

| Response | Count |
|---|---|
| I am not a resident of this area | 82 |
| No change - keep the boundaries as they are | 123 |
| Yes - extend the boundary of Watling ward | 100 |

## Sittingbourne

15. To amend the Iwade Parish Boundary, including that with Bobbing Parish Council

**Iwade Options**

| Response | Count |
|---|---|
| No change | 1 |
| Yes - extend the boundary | 2 |

16. To create a Murston Parish Council

**Murston Options**

| Response | Count |
|---|---|
| I want a Murston Parish Council | 44 |
| I want to be part of a Sittingbourne Town Council | 4 |
| No change | 12 |

17. To create a Great Easthall Parish Council moving land from Tonge Parish Council.

**Great Easthall Options**

| Response | Count |
|---|---|
| I want a Great Easthall Parish Council | 28 |
| I want a Murston Parish Council | 2 |
| I want to be part of Sittingbourne Town Council | 4 |
| I want to be part of Tonge Parish Council | 21 |
| No change | 28 |

18. To merge the currently unparished area of Great Easthall with Tonge parish council

**Great Easthall Options**

| Response | Count |
|---|---|
| I want a Great Easthall Parish Council | 28 |
| I want a Murston Parish Council | 2 |
| I want to be part of Sittingbourne Town Council | 4 |
| I want to be part of Tonge Parish Council | 21 |
| No change | 28 |

19. To create a Kemsley Parish Council

**Kemsley Options**

| Response | Count |
|---|---|
| I want a Kemsley Parish Council | 68 |
| I want to be part of Sittingbourne Town Council | 5 |
| No change | 38 |

20. To create a Milton Regis Parish Council

**Milton Regis Options**

| Response | Count |
|---|---|
| I want a Milton Regis Parish Council | 123 |
| I want to be part of Sittingbourne Town Council | 10 |
| No change | 73 |

21. To create a Meads Parish Council moving land from Bobbing Parish Council

**Meads Options**

| Response | Count |
|---|---|
| I want a Meads Parish Council | 10 |
| I want to be part of a Sittingbourne Town Council | 5 |
| I want to be part of/remain in Bobbing Parish Council | 23 |
| No change | 38 |

22. To extend Bobbing Parish Council to encompass all of the unparished area of the Meads

**Bobbing Options**

| Response | Count |
|---|---|
| No change | 5 |
| Yes - amend the boundary | 1 |

23. To extend Bobbing Parish Council to encompass all of Grove Park

**Grove Park Options**

| Response | Count |
|---|---|
| I would like a Grove Park Parish Council | 39 |
| I would like to be part of Sittingbourne Town Council | 23 |
| I would like to become part of/remain in Bobbing Parish Council | 28 |
| No change | 31 |

24. To create an Urban Sittingbourne Town Council taking merging some land from Tunstall and the remainder of unparished areas.

**Sittingbourne Town Council**

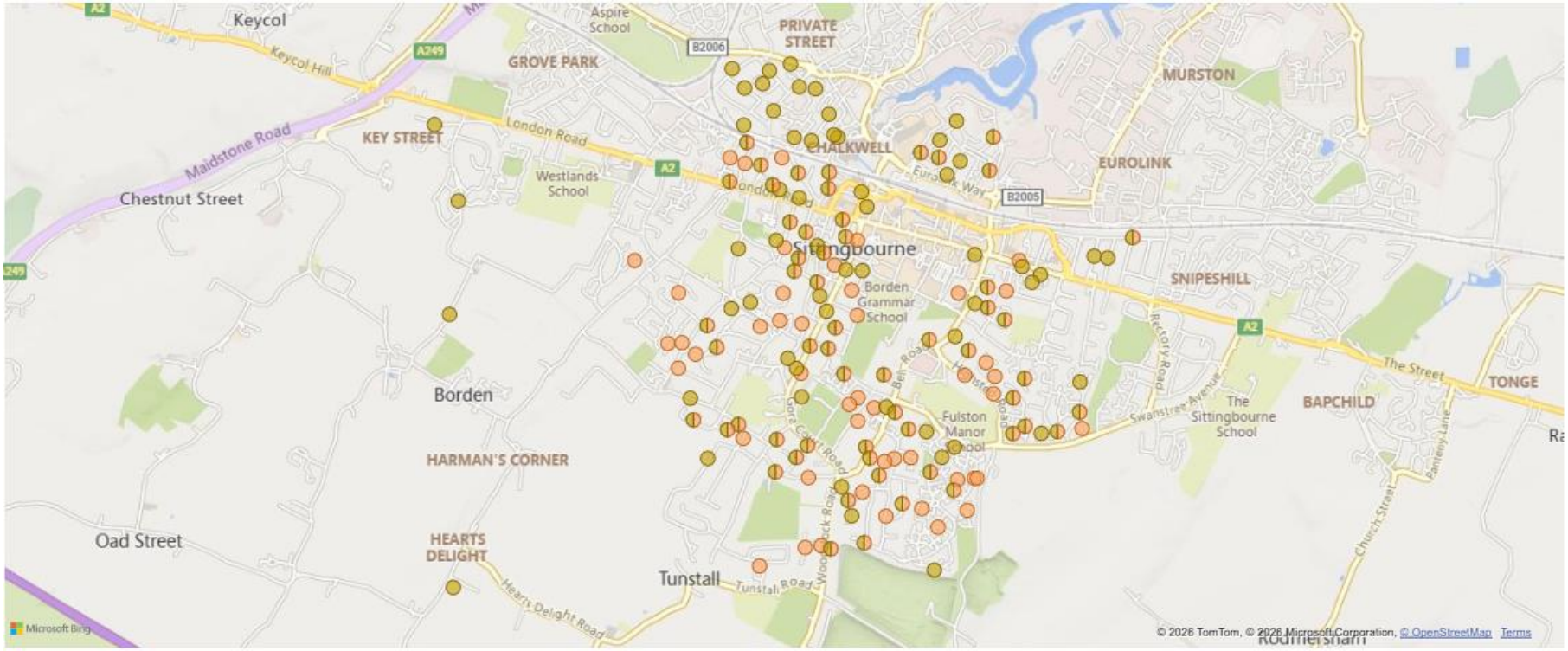
| Response | Count |
|---|---|
| No - keep the area unparished | 318 |
| Yes - I would like a town council | 256 |

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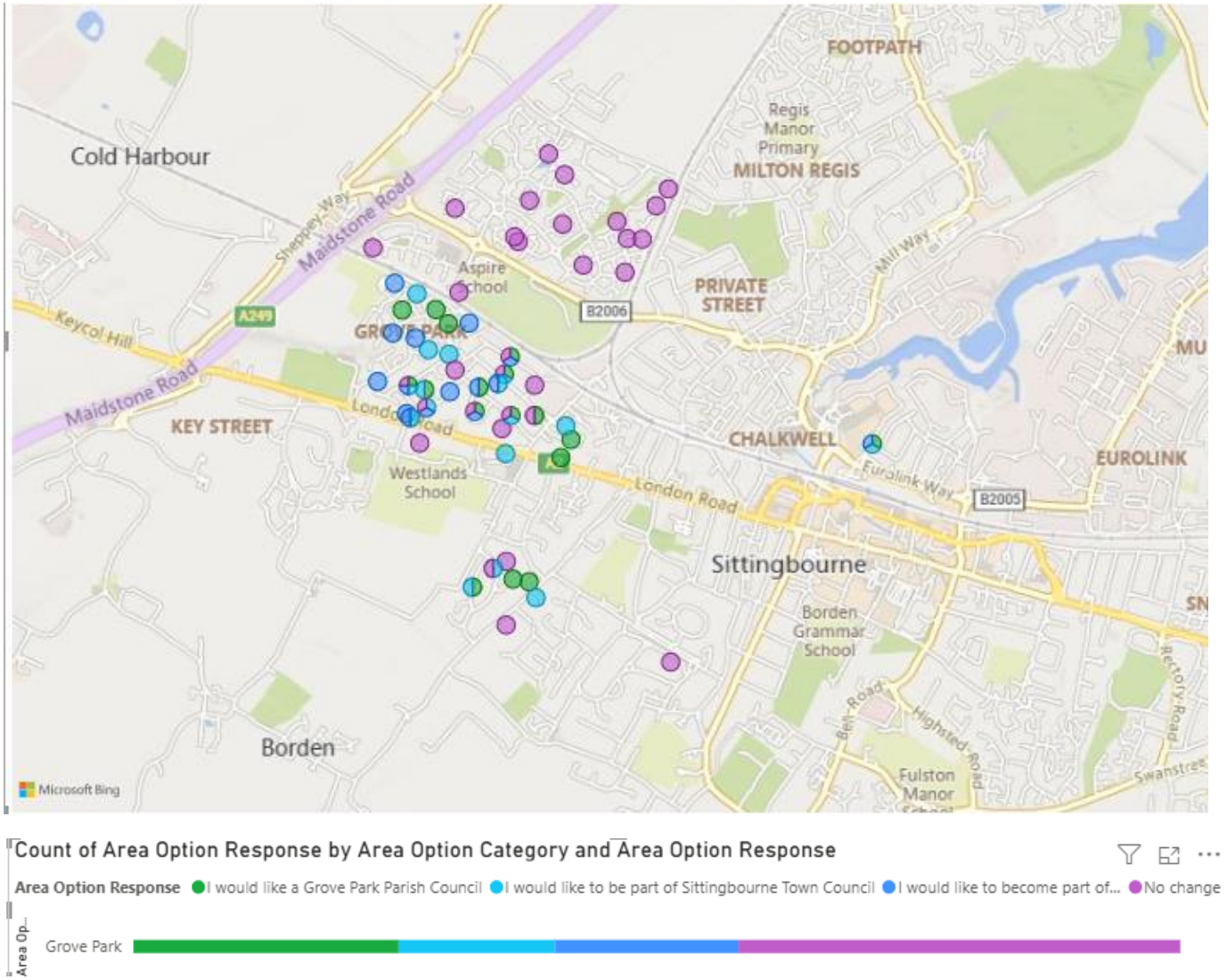
**Appendix 3: Sample Selection of Heats Maps**

Interactive Heat Maps were produced for the CGR Member Steering Group that visually displayed the responses to each questions. Screenshot examples are shown below as an indication of this information.

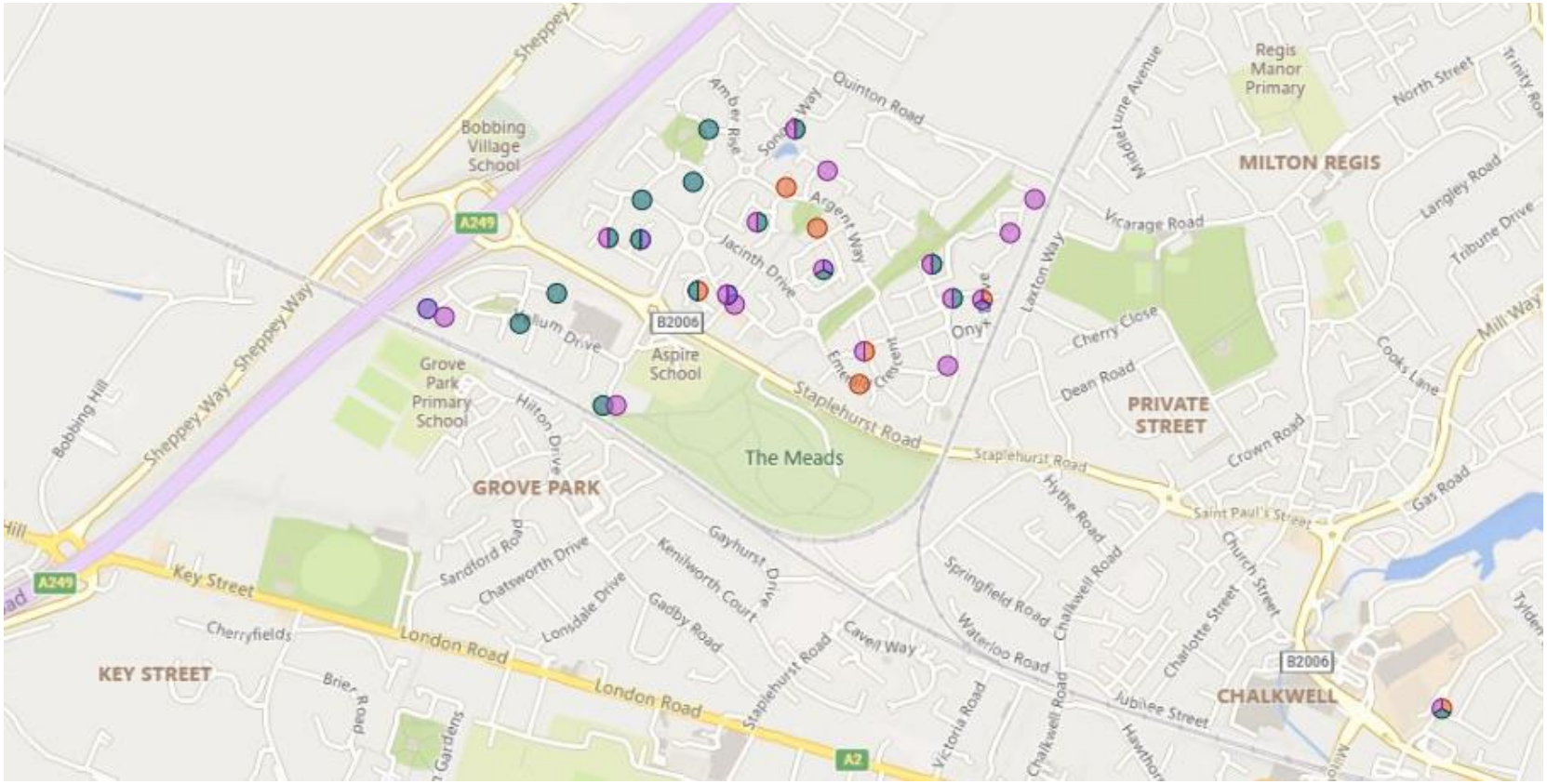
Map 1: Question section – 'A different part of Sittingbourne' range of responses.

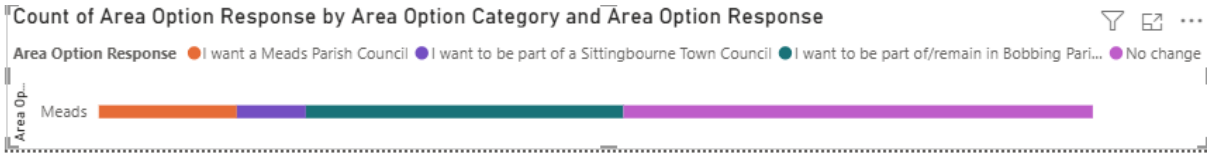


Map 2: Grove Park area

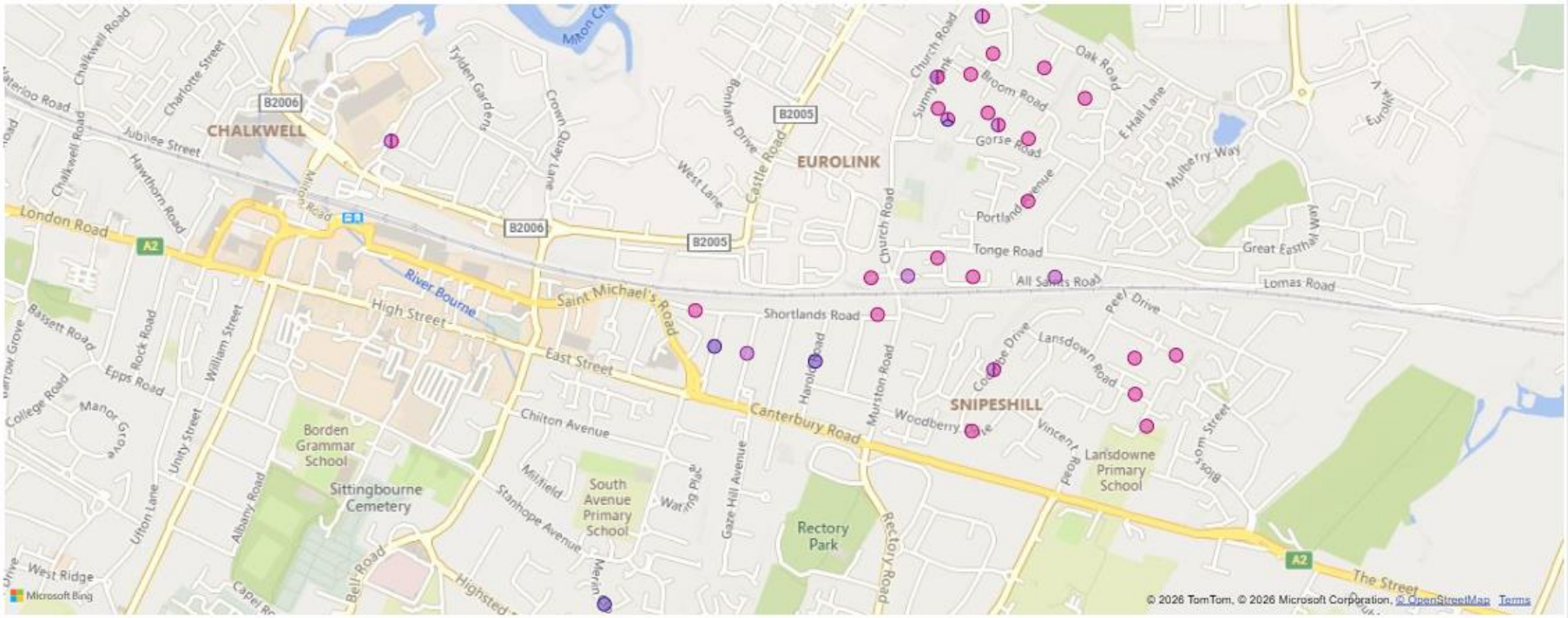


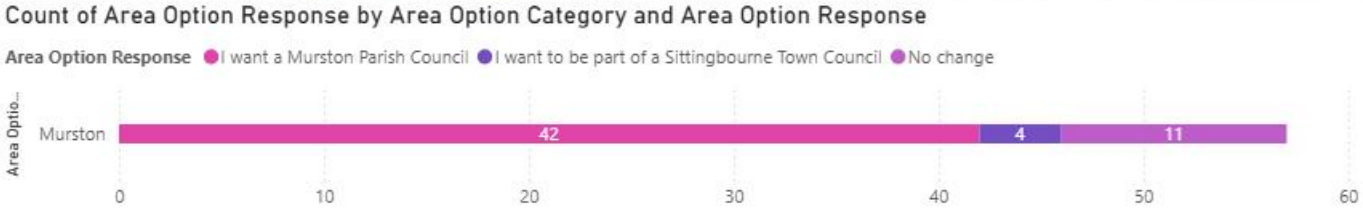
Map 3: Meads area Responses



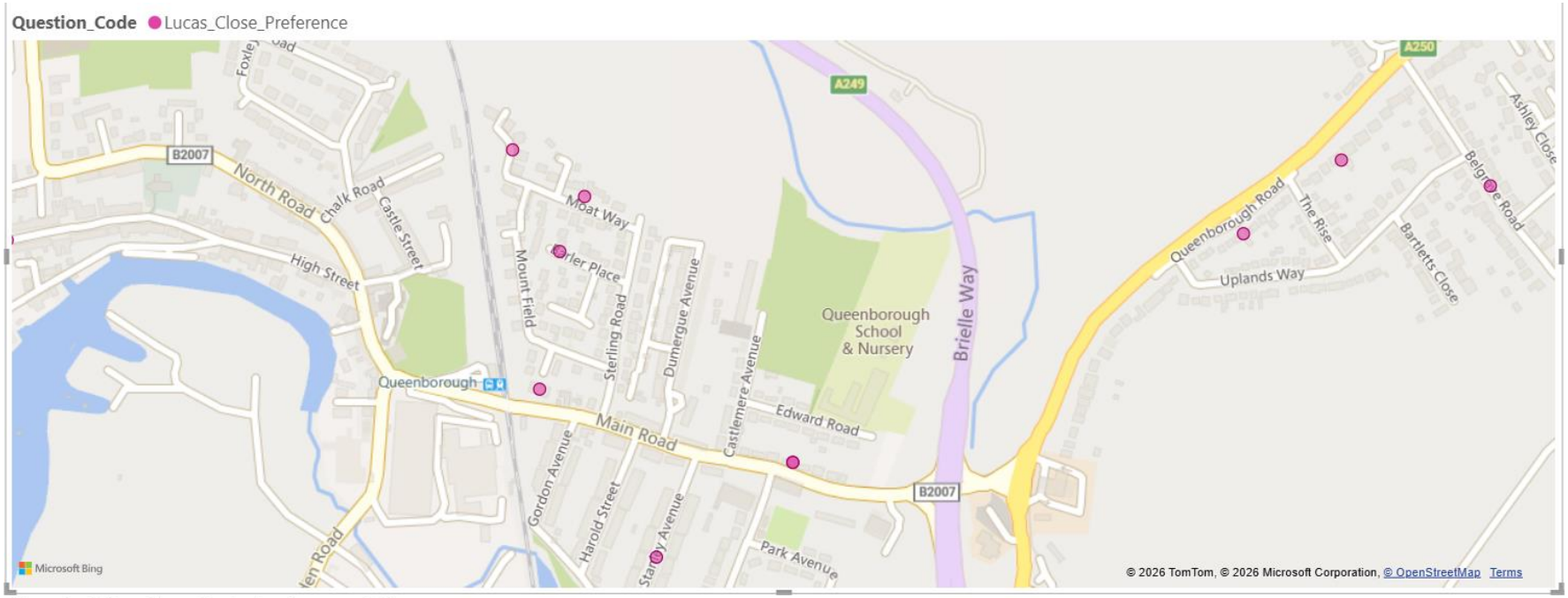
Map 4: Murston area



**Isle of Sheppey**

**Map 5: Lucas Close**

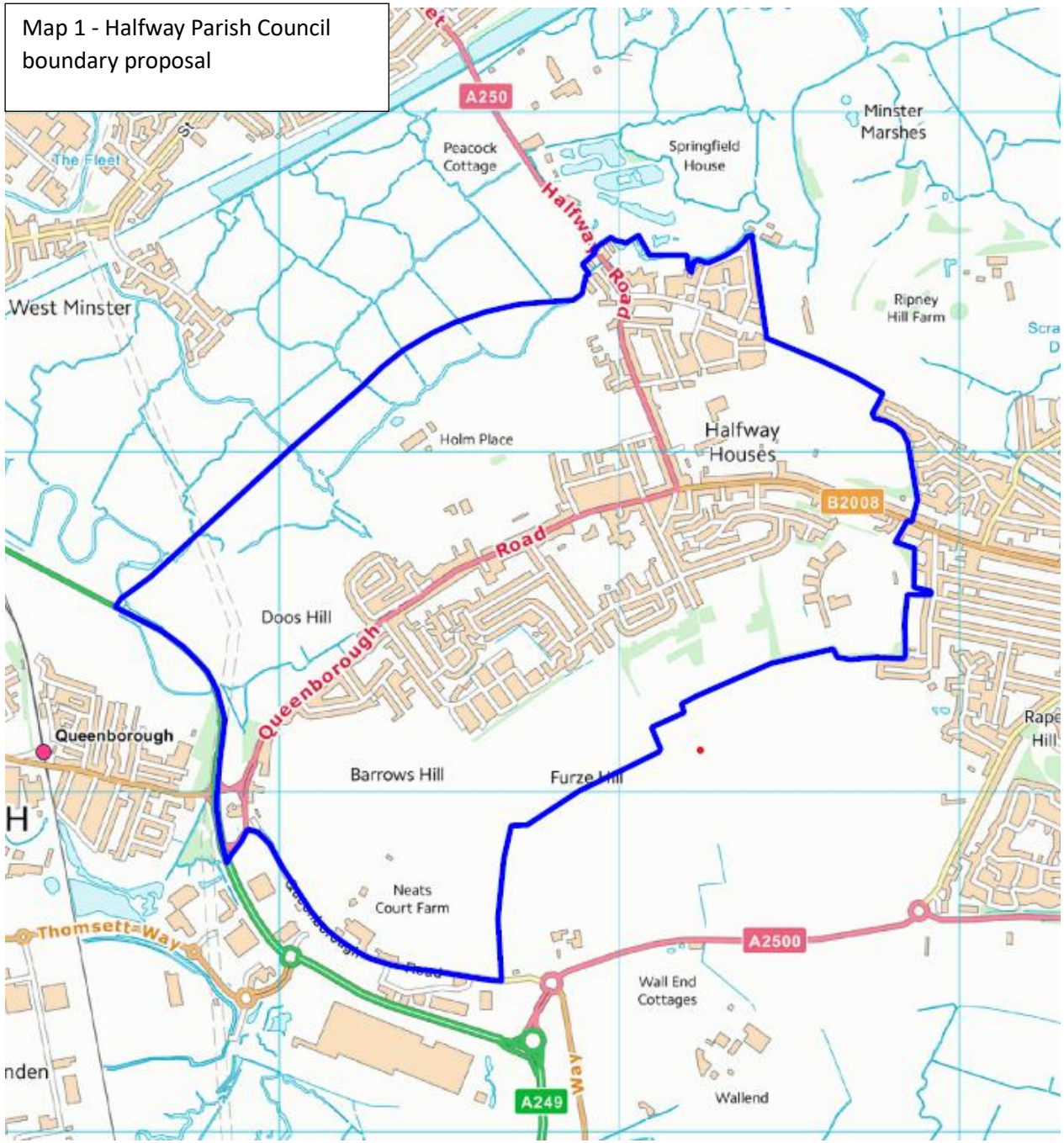




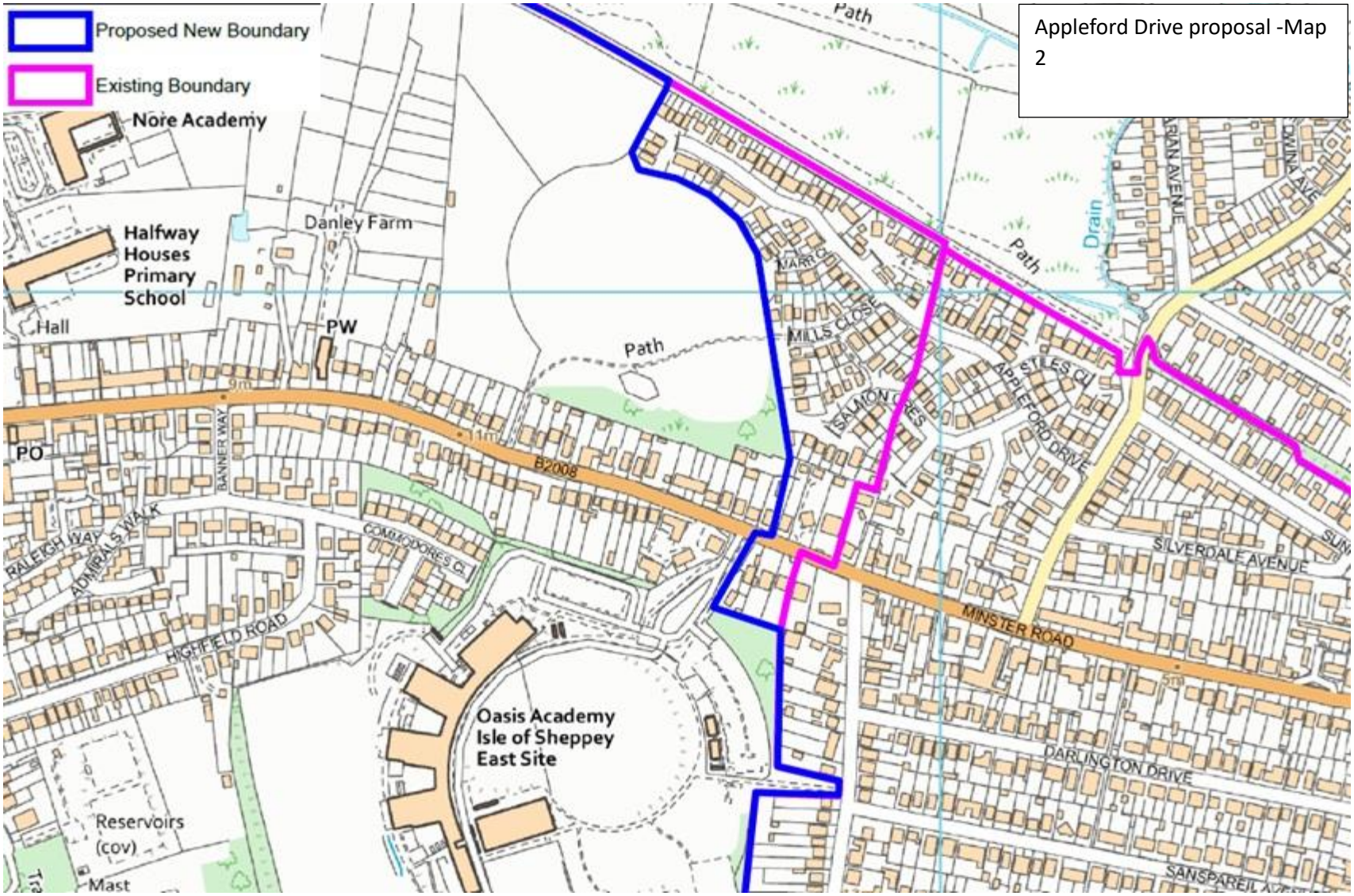

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Appendix X

Map 1 - Halfway Parish Council boundary proposal

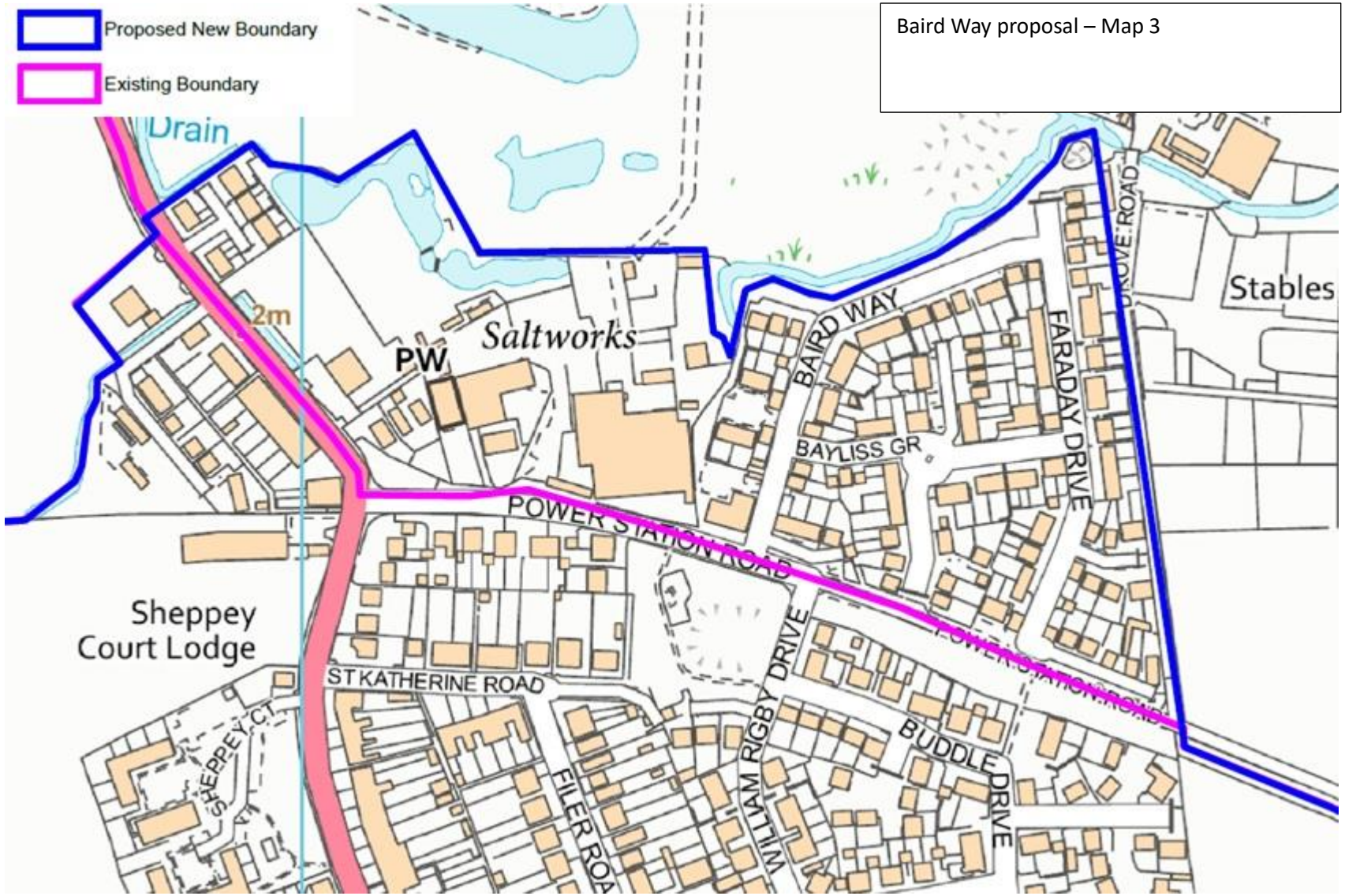


Appendix X

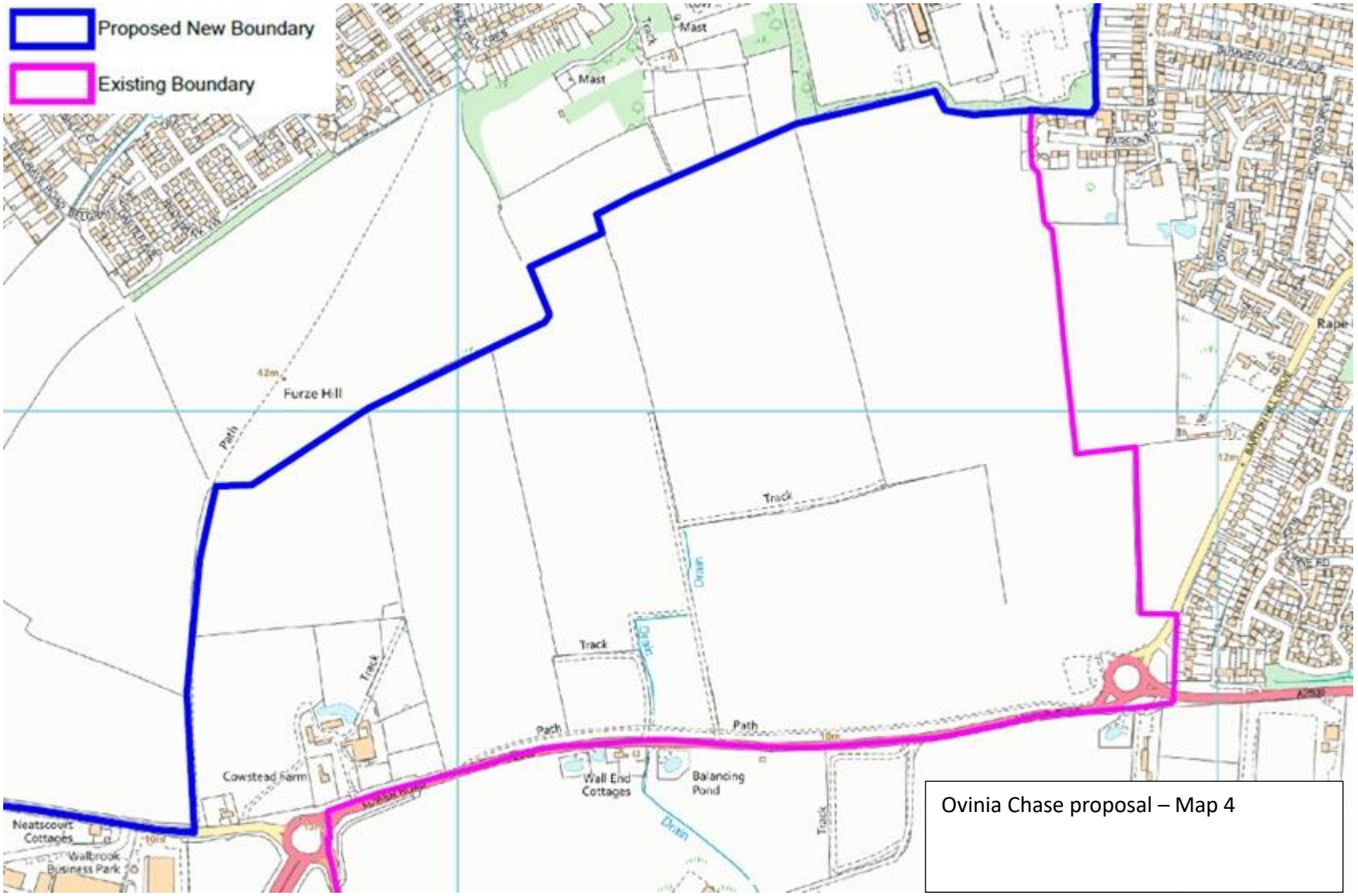



Appleford Drive proposal -Map 2

Appendix X

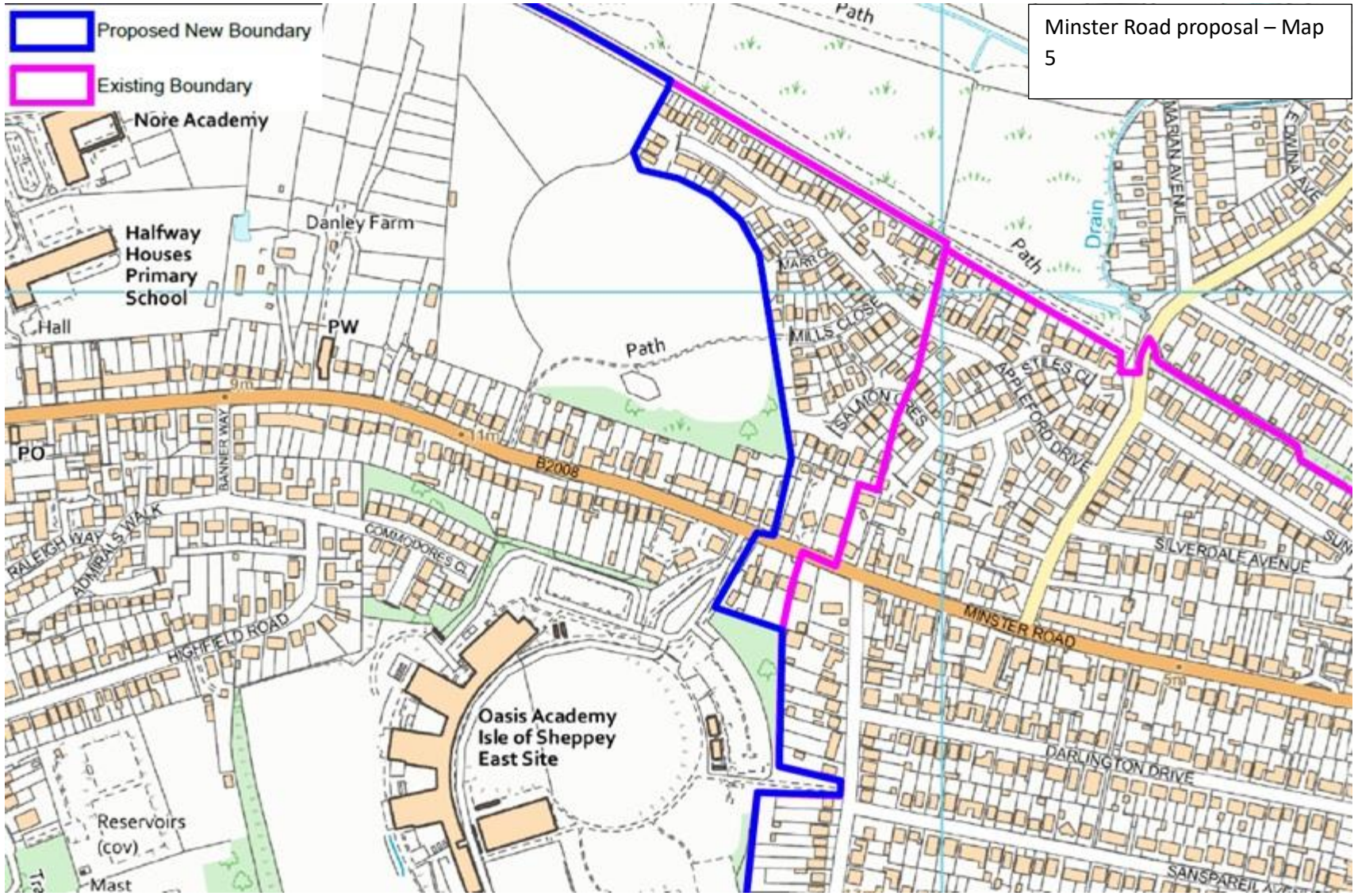

Proposed New Boundary
Existing Boundary
Baird Way proposal – Map 3
Drain
2m
PW
Saltworks
BAIRD WAY
FARADAY DRIVE
BAYLISS GR
POWER STATION ROAD
Stables
Sheppey Court Lodge
ST KATHERINE ROAD
SHEPPEY CT
FILER ROA
WILLIAM RIGBY DRIVE
BUDDLE DRIVE

Appendix X



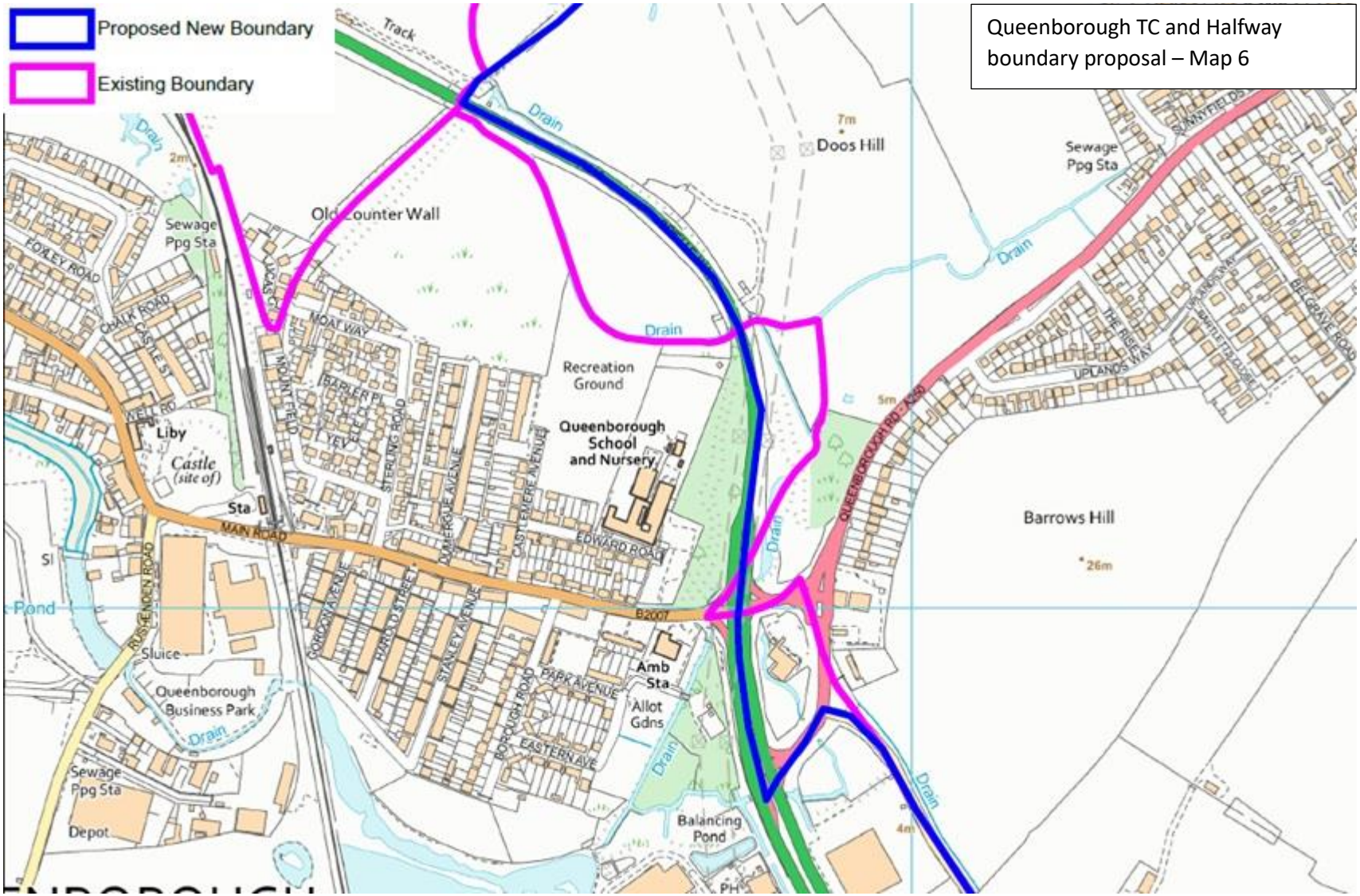

Ovinia Chase proposal – Map 4

Appendix X

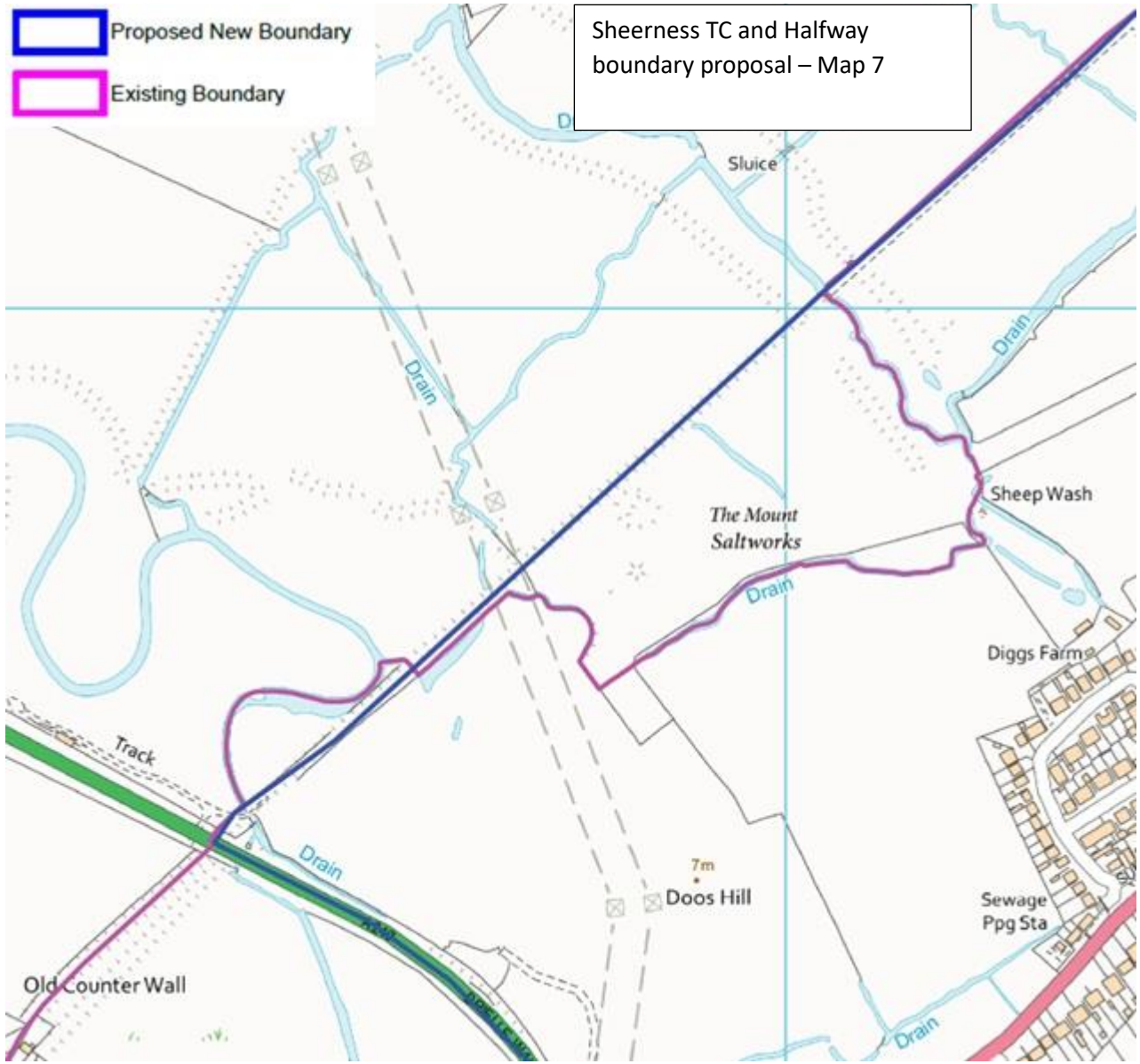



Minster Road proposal – Map 5

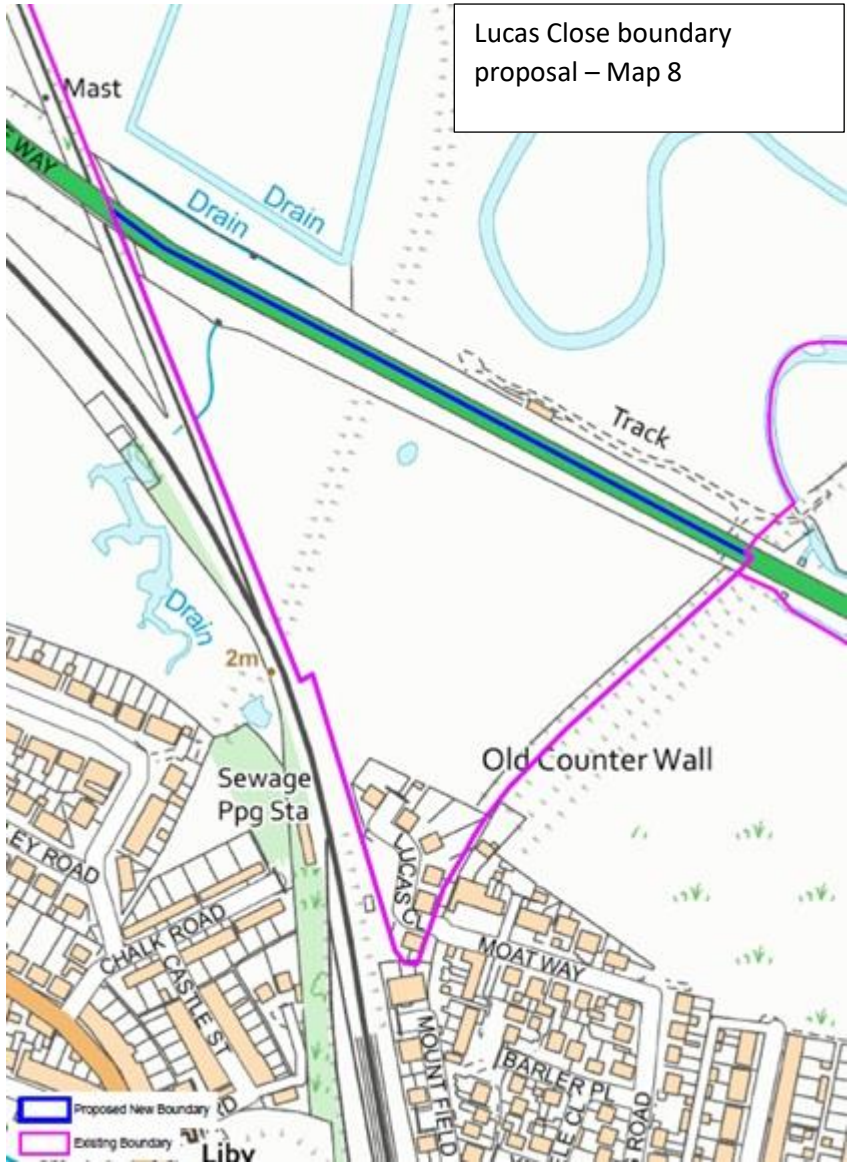
Appendix X


Proposed New Boundary
Existing Boundary
Queenborough TC and Halfway boundary proposal – Map 6
Track
Drain
Doos Hill
7m
Sewage Ppg Sta
Old Counter Wall
Recreation Ground
Queenborough School and Nursery
Liby
Castle (site of)
Sta
MAIN ROAD
B2007
Barrows Hill
26m
Pond
Sluice
Queenborough Business Park
Amb Sta
Allot Gdns
Balancing Pond
Depot
PH
FOXLEY ROAD
CHALK ROAD
MOAT WAY
MOUNTFIELD
STERLING ROAD
EDWARD ROAD
PARK AVENUE
EASTERN AVE
QUEENBOROUGH RD - A250
UPLANDS WAY
BELGRAVE ROAD

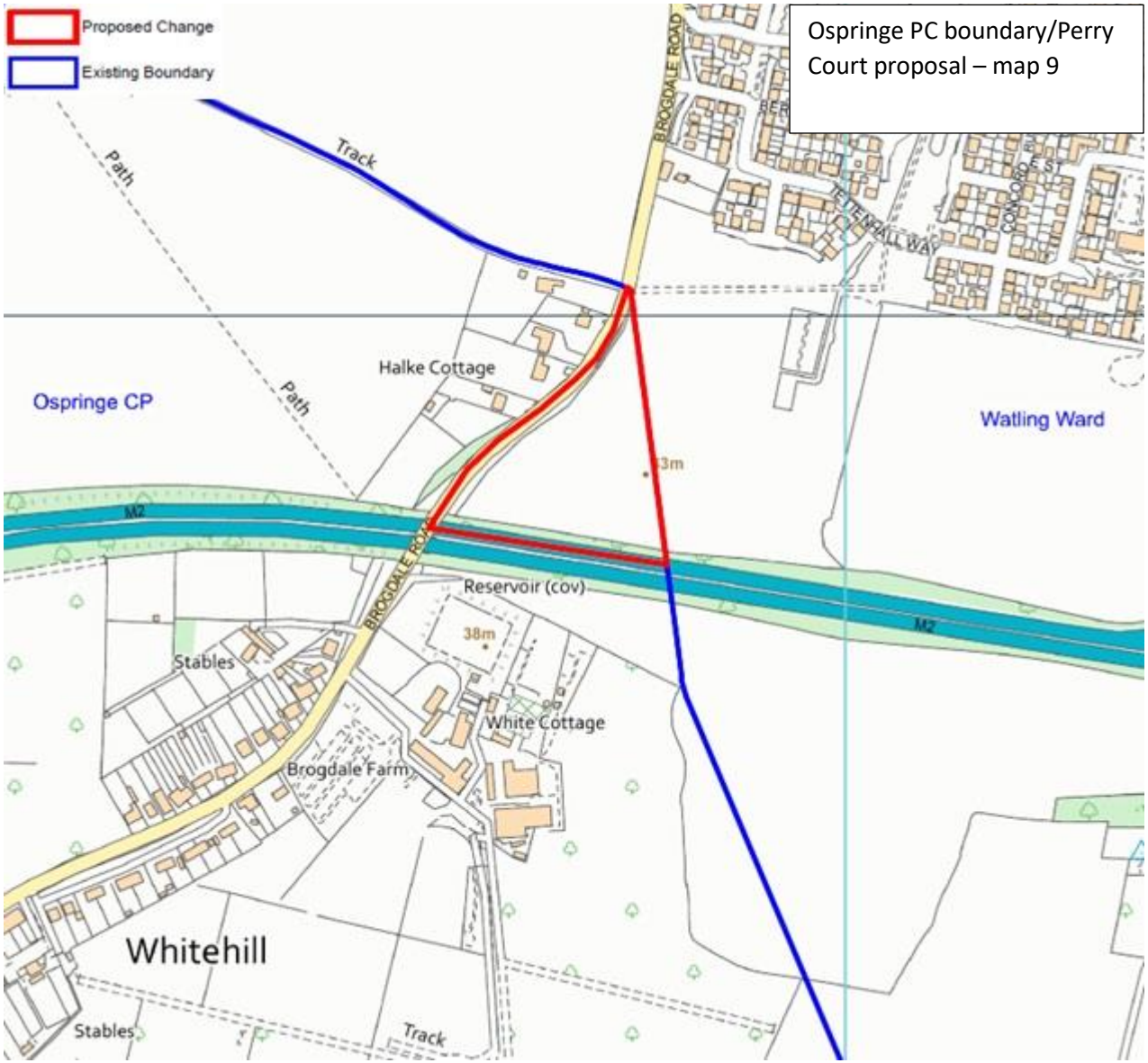
Appendix X


Proposed New Boundary
Existing Boundary
Sheerness TC and Halfway boundary proposal – Map 7
Sluice
Drain
Drain
Sheep Wash
The Mount
Saltworks
Drain
Diggs Farm
Track
Drain
7m
Doos Hill
Sewage
Ppg Sta
Old Counter Wall
Drain

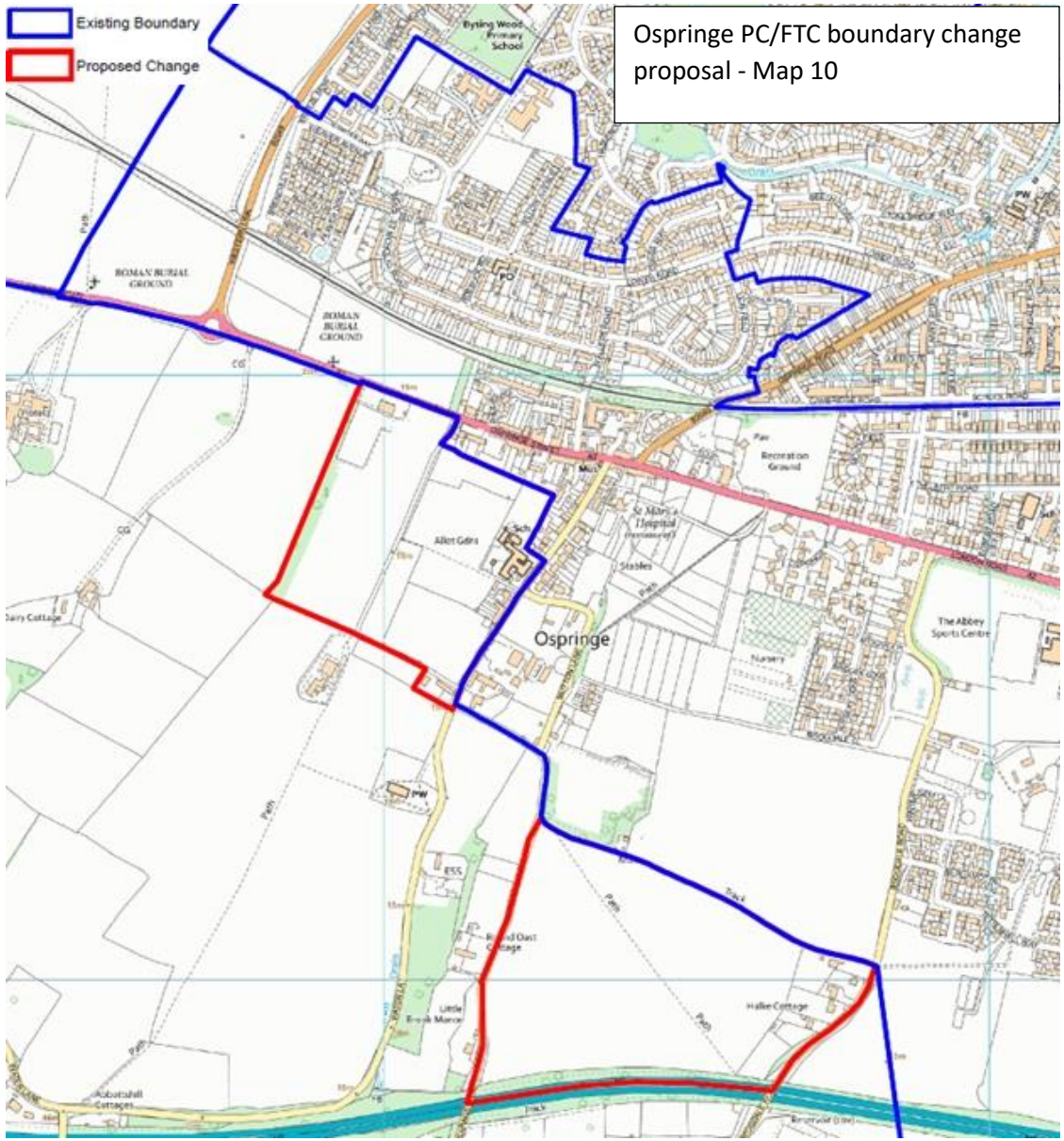
Appendix X


Lucas Close boundary proposal – Map 8
Mast
Drain
Drain
Track
Drain
2m
Old Counter Wall
Sewage Ppg Sta
CHALK ROAD
CASTLE ST
MOAT WAY
BARLER PL
Proposed New Boundary
Existing Boundary

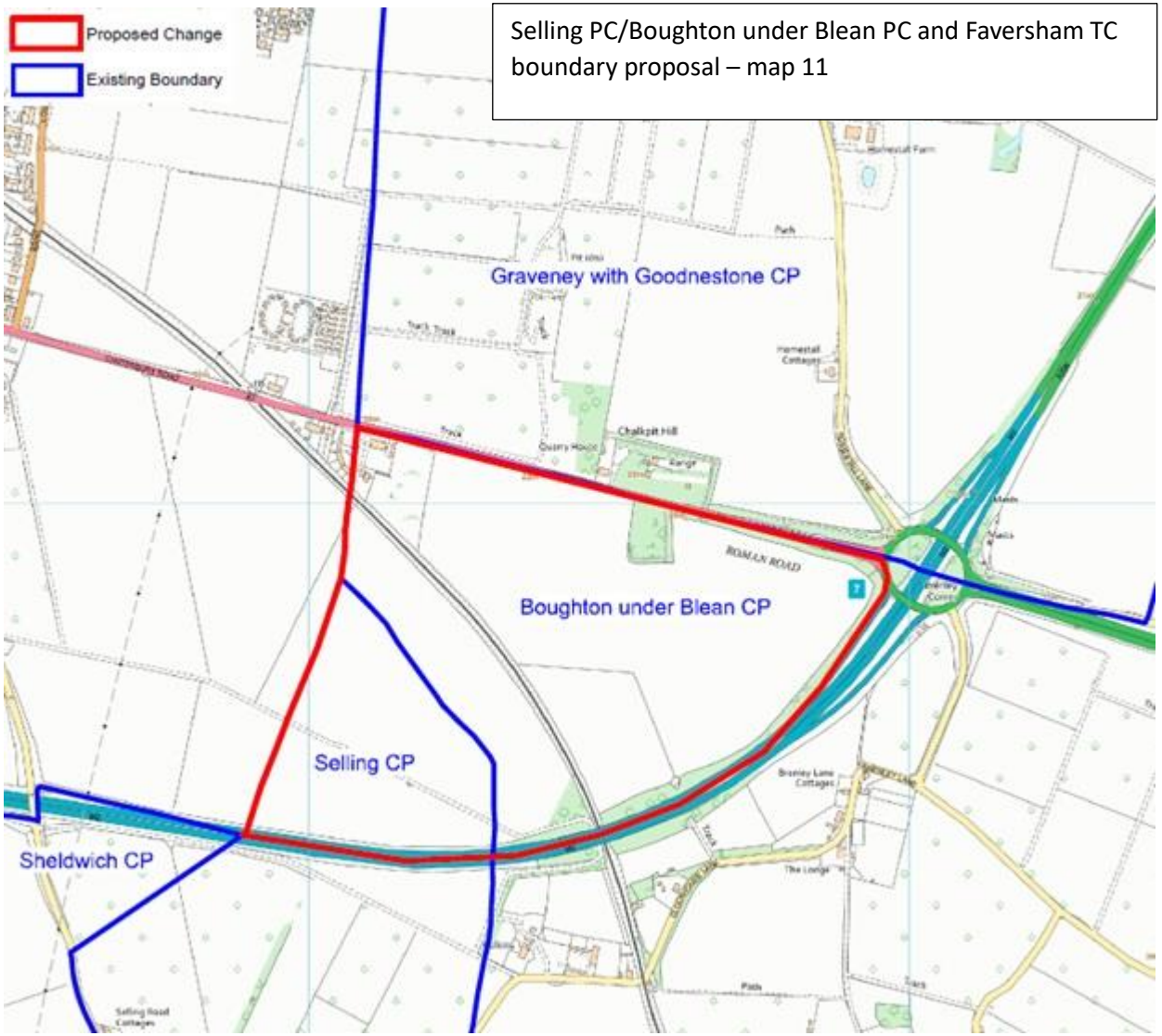
Appendix X


Proposed Change
Existing Boundary
Ospringe PC boundary/Perry Court proposal – map 9
Track
Path
Path
BROGDALE ROAD
TEYNHAM WAY
Halke Cottage
Ospringe CP
Watling Ward
3m
M2
M2
BROGDALE ROAD
Reservoir (cov)
38m
Stables
White Cottage
Brogdale Farm
Whitehill
Stables
Track

Appendix X

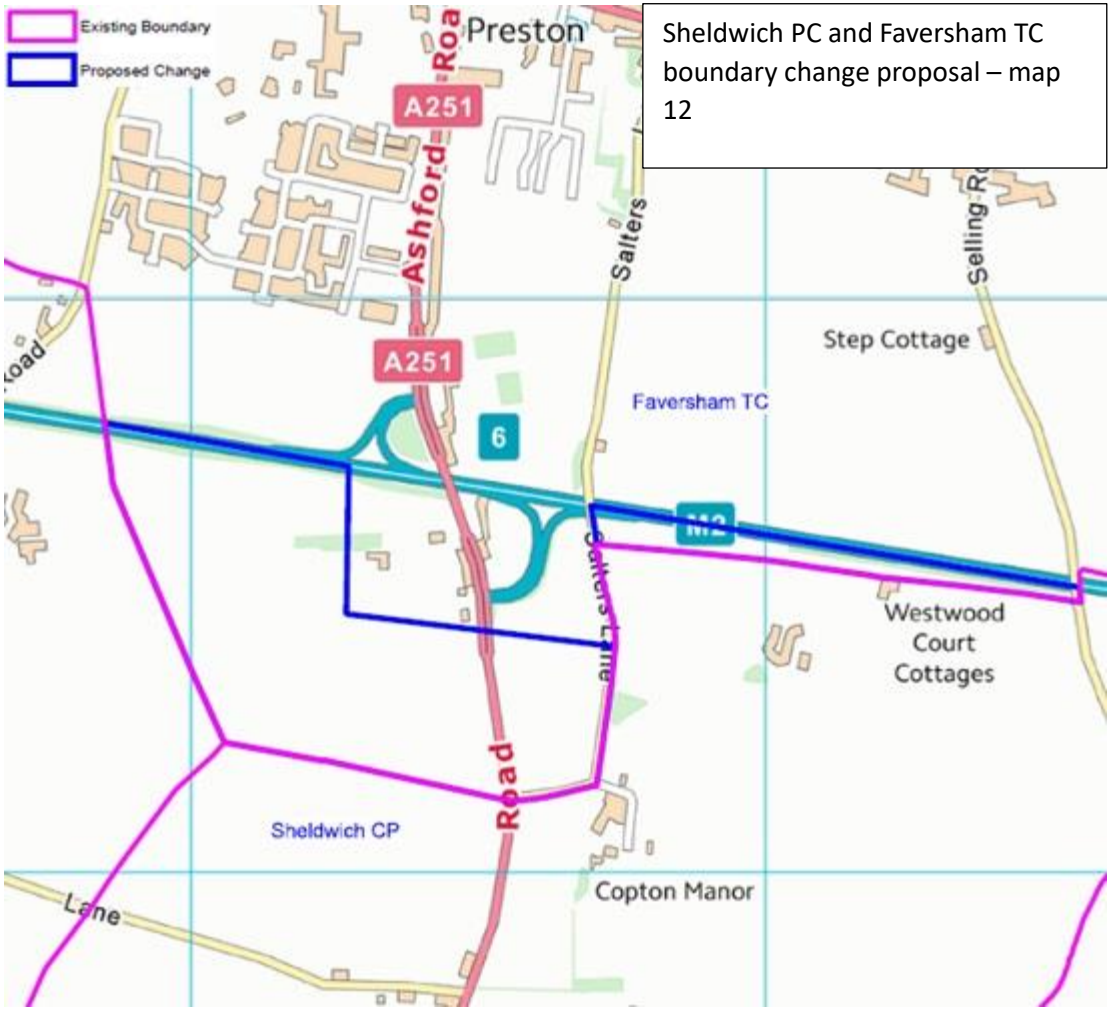

Existing Boundary
Proposed Change
Ospringe PC/FTC boundary change proposal - Map 10
Ospringe

Appendix X



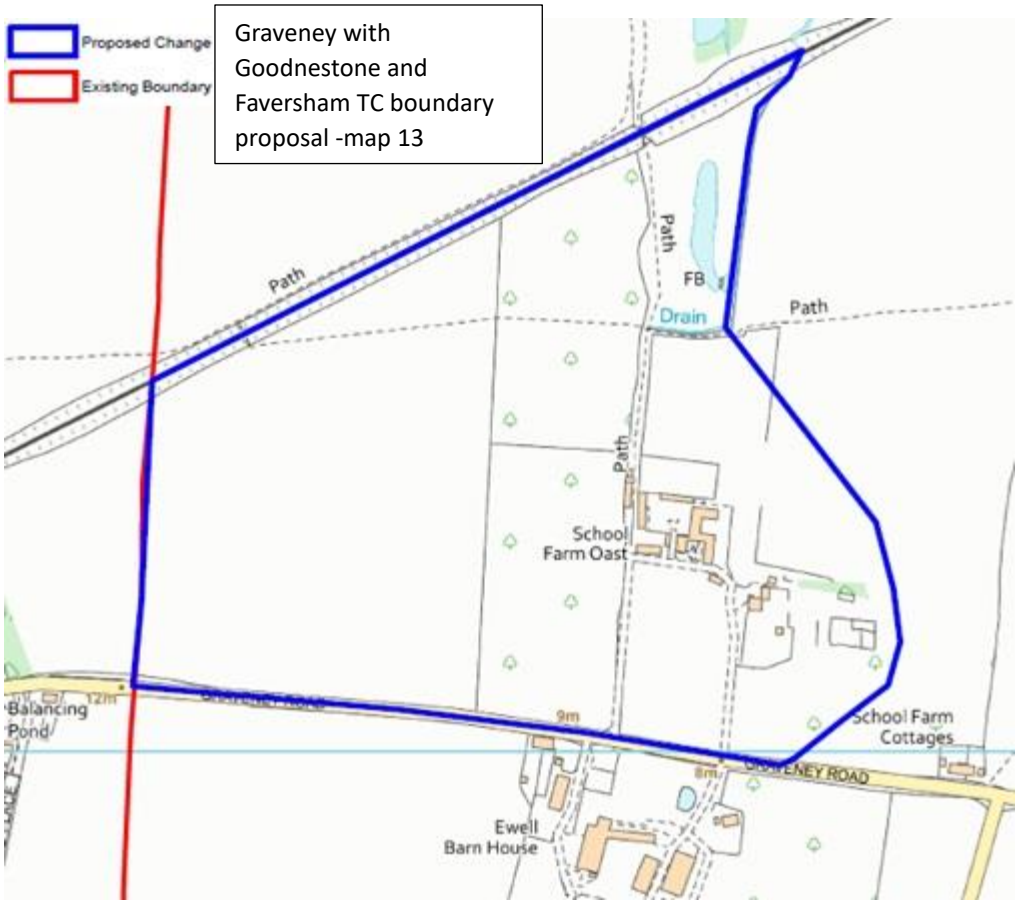

Selling PC/Boughton under Blean PC and Faversham TC boundary proposal – map 11

Appendix X

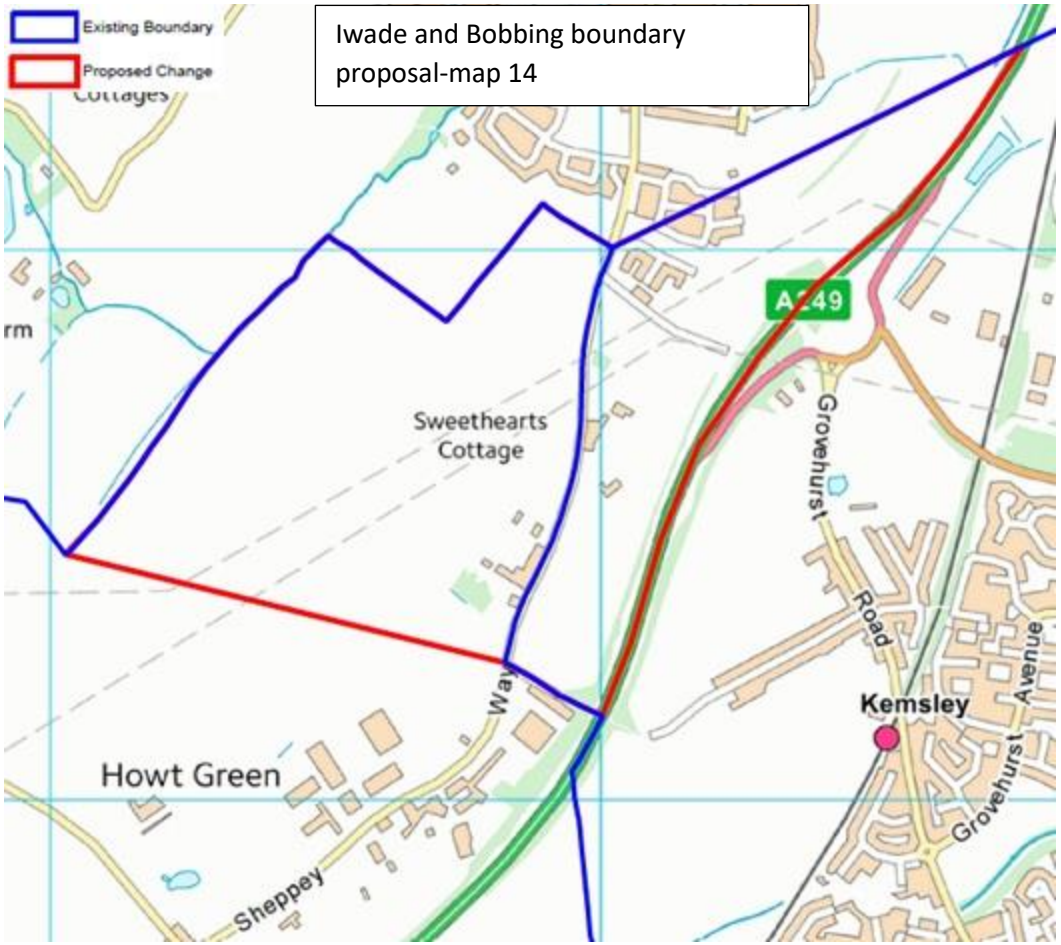



Sheldwich PC and Faversham TC boundary change proposal – map 12

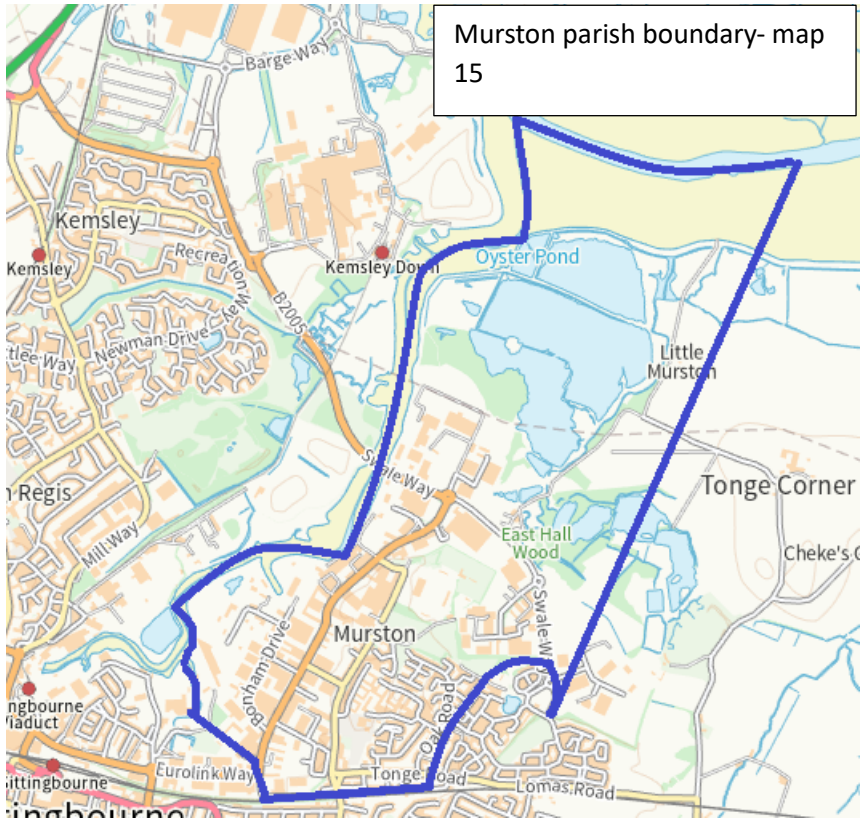
Appendix X


Proposed Change
Existing Boundary
Graveney with Goodnestone and Faversham TC boundary proposal -map 13
Path
Path
FB
Drain
Path
Path
School Farm Oast
Balancing Pond
12m
9m
8m
School Farm Cottages
GRAVENEY ROAD
Ewell Barn House

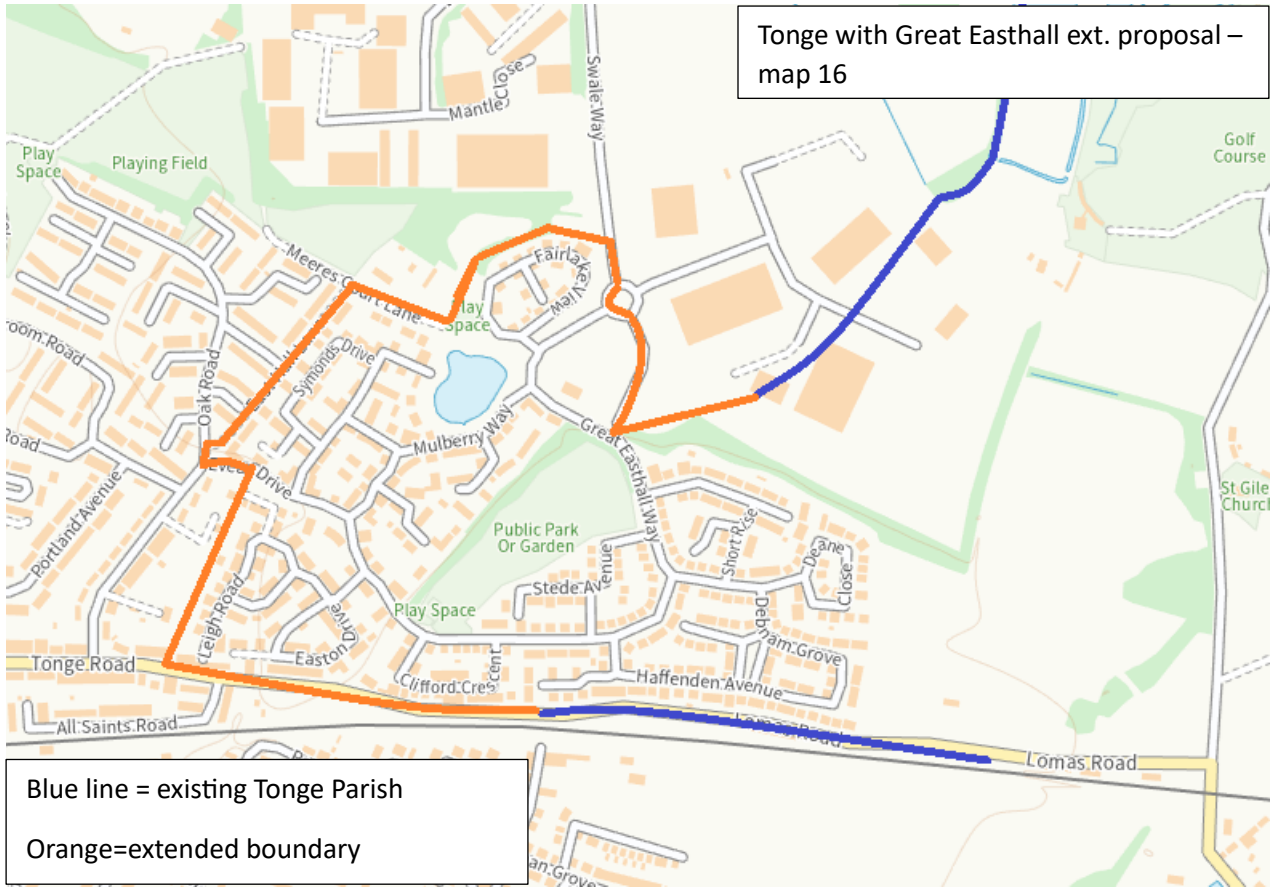
Appendix X


Existing Boundary
Proposed Change
Iwade and Bobbing boundary proposal-map 14
A249
Sweethearts Cottage
Grovehurst Road
Kemsley
Grovehurst Avenue
Howt Green
Sheppey

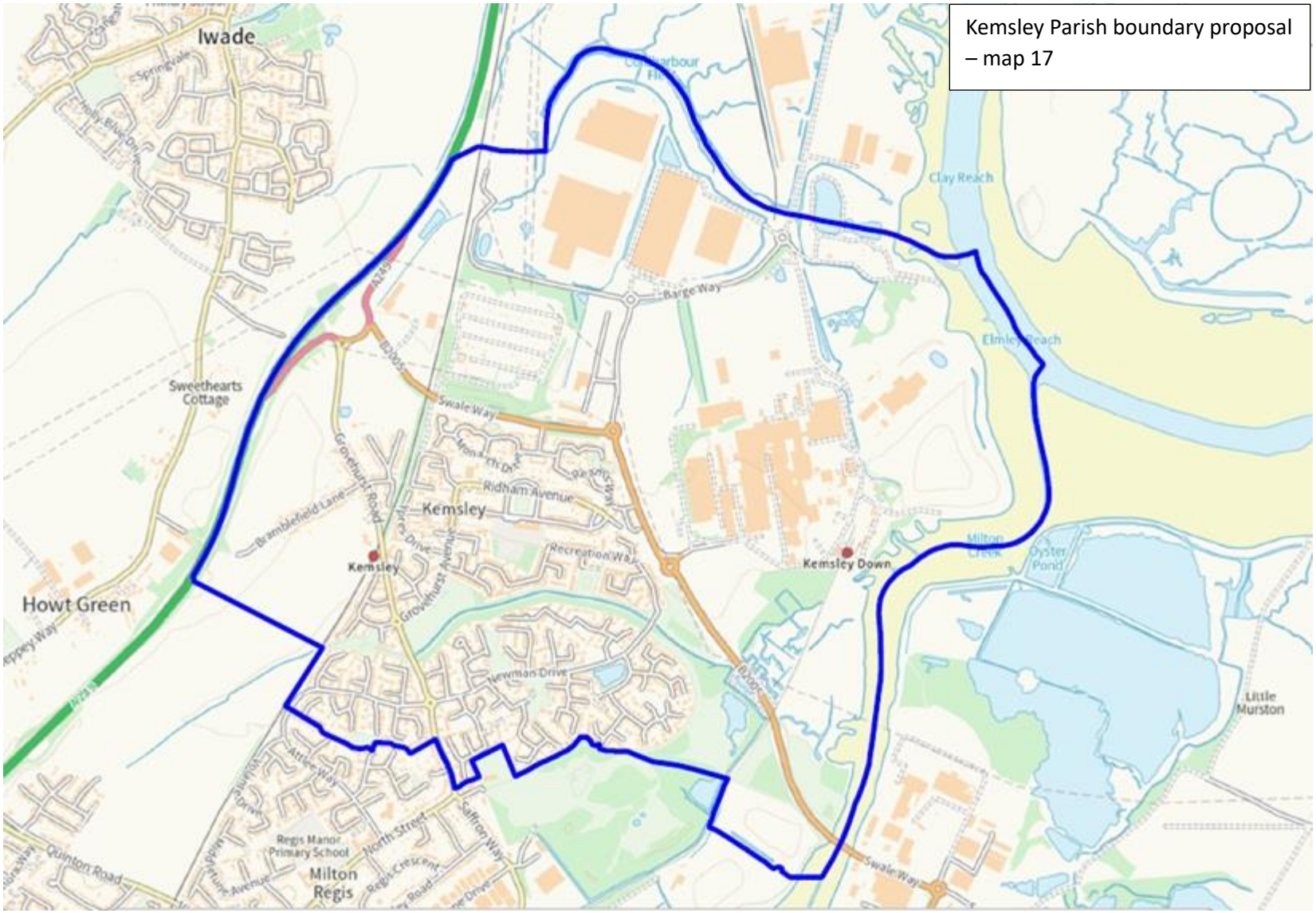
Appendix X


Murston parish boundary- map 15
Barge Way
Kemsley
Kemsley
Recreation Ground
Kemsley Down
Oyster Pond
B2005
Newman Drive
Little Murston
Regis
Mill Way
Tonge Corner
East Hall Wood
Murston
Bonham Drive
Oak Road
Eurolink Way
Tonge Road
Lomas Road

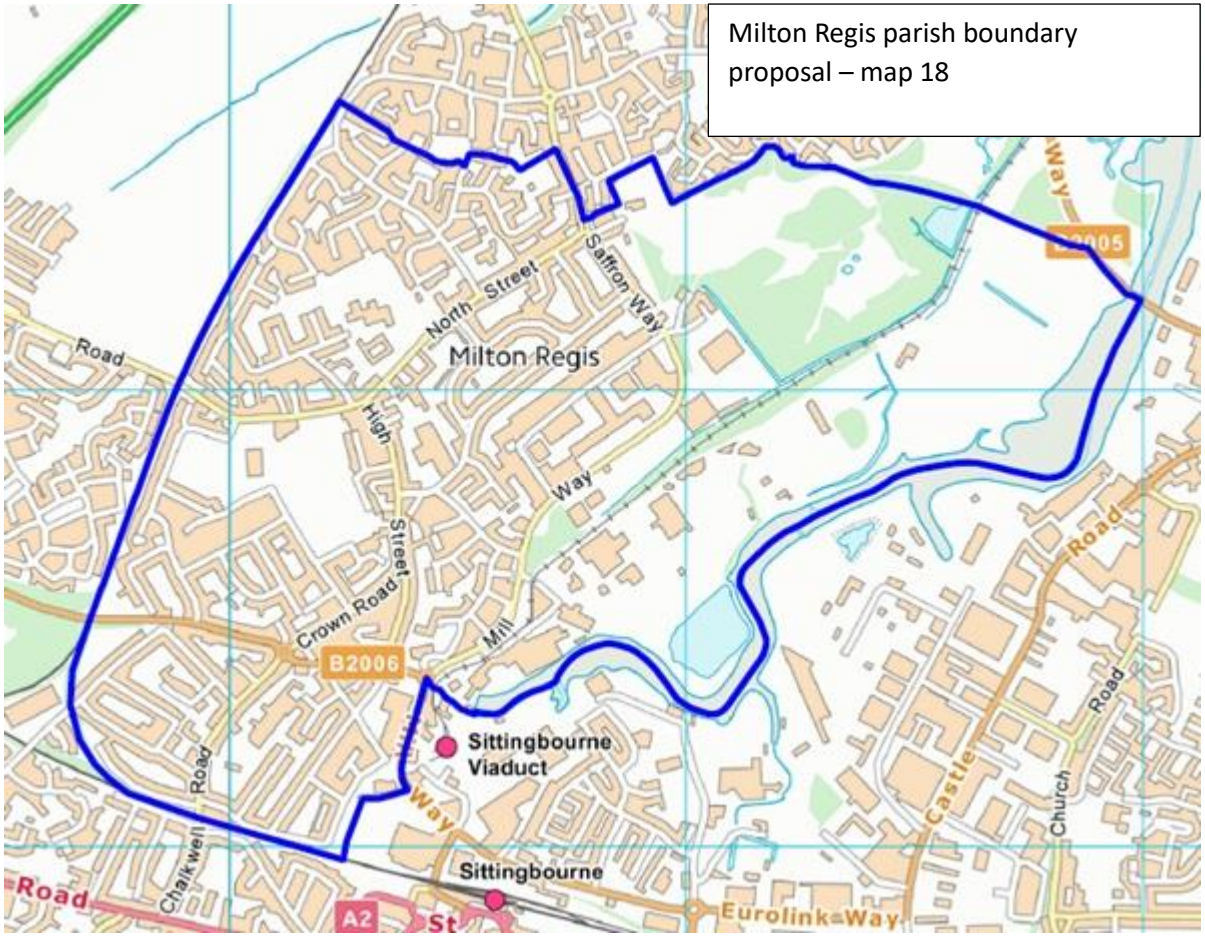
Appendix X


Tonge with Great Easthall ext. proposal – map 16
Blue line = existing Tonge Parish
Orange=extended boundary
Play Space
Playing Field
Golf Course
Mantle Close
Swale Way
Fairlake Way
Meeres Court Lane
Play Space
Oak Road
Symonds Drive
Mulberry Way
Great Easthall Way
Drive
Portland Avenue
Public Park Or Garden
Play Space
Stede Avenue
Short Rise
Deane Close
Leigh Road
Drive
Easton
Clifford Crescent
Haffenden Avenue
Tonge Road
All Saints Road
Lomas Road

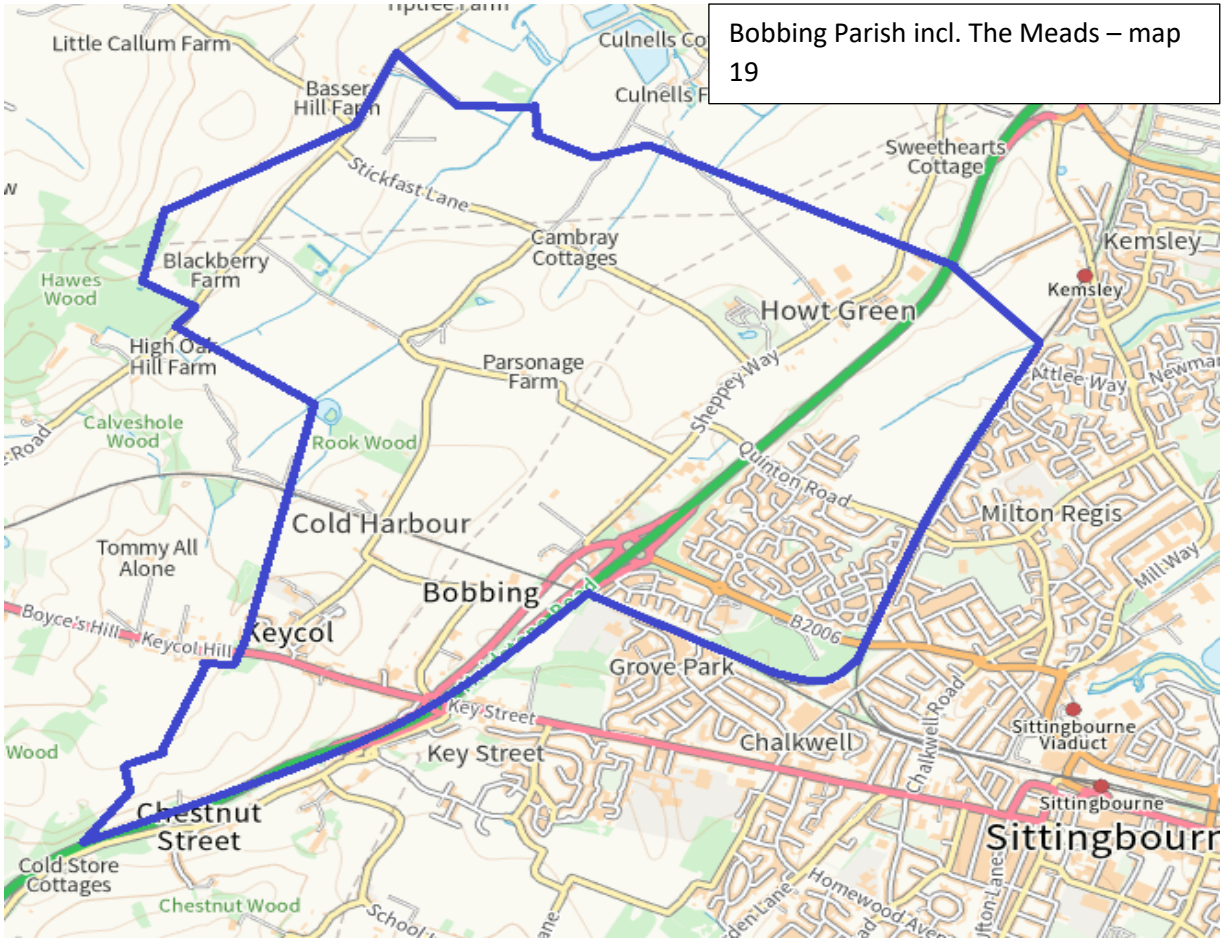
Appendix X


Kemsley Parish boundary proposal – map 17
Iwade
Springvale
Holly Blue Drive
Sweethearts Cottage
Howt Green
Peppey Way
A249
Bobbing
Barge Way
Clay Reach
Elmley Reach
Swale Way
Grovehurst Road
Bramblefield Lane
Kemsley
Ridham Avenue
Recreation Way
Newman Drive
Grovehurst Avenue
Kemsley Down
Milton Creek
Oyster Pond
Little Murston
Attlee Way
Regis Manor Primary School
North Street
Saffron Way
Milton Regis
Regis Crescent
Quinton Road

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Milton Regis parish boundary proposal – map 18
Milton Regis
North Street
Saffron Way
High Street
Crown Road
B2006
Mill Way
Sittingbourne Viaduct
Sittingbourne
A2
Eurolink Way
Castle Road
Church Road
Chalkwell Road
Road

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Bobbing Parish incl. The Meads – map 19
Little Callum Farm
Culnells Co
Culnells F
Basser Hill Farm
Stickfast Lane
Sweethearts Cottage
Kemsley
Kemsley
Cambray Cottages
Blackberry Farm
Hawes Wood
Howt Green
High Oak Hill Farm
Parsonage Farm
Sheppey Way
Attlee Way
Calveshole Wood
Rook Wood
Quinton Road
Milton Regis
Cold Harbour
Tommy All Alone
Bobbing
Mill Way
Boyce's Hill
Keycol Hill
Keycol
B2006
Grove Park
Key Street
Chalkwell
Chalkwell Road
Sittingbourne Viaduct
Key Street
Sittingbourne
Chestnut Street
Sittingbourn
Cold Store Cottages
Chestnut Wood
Homewood Aven

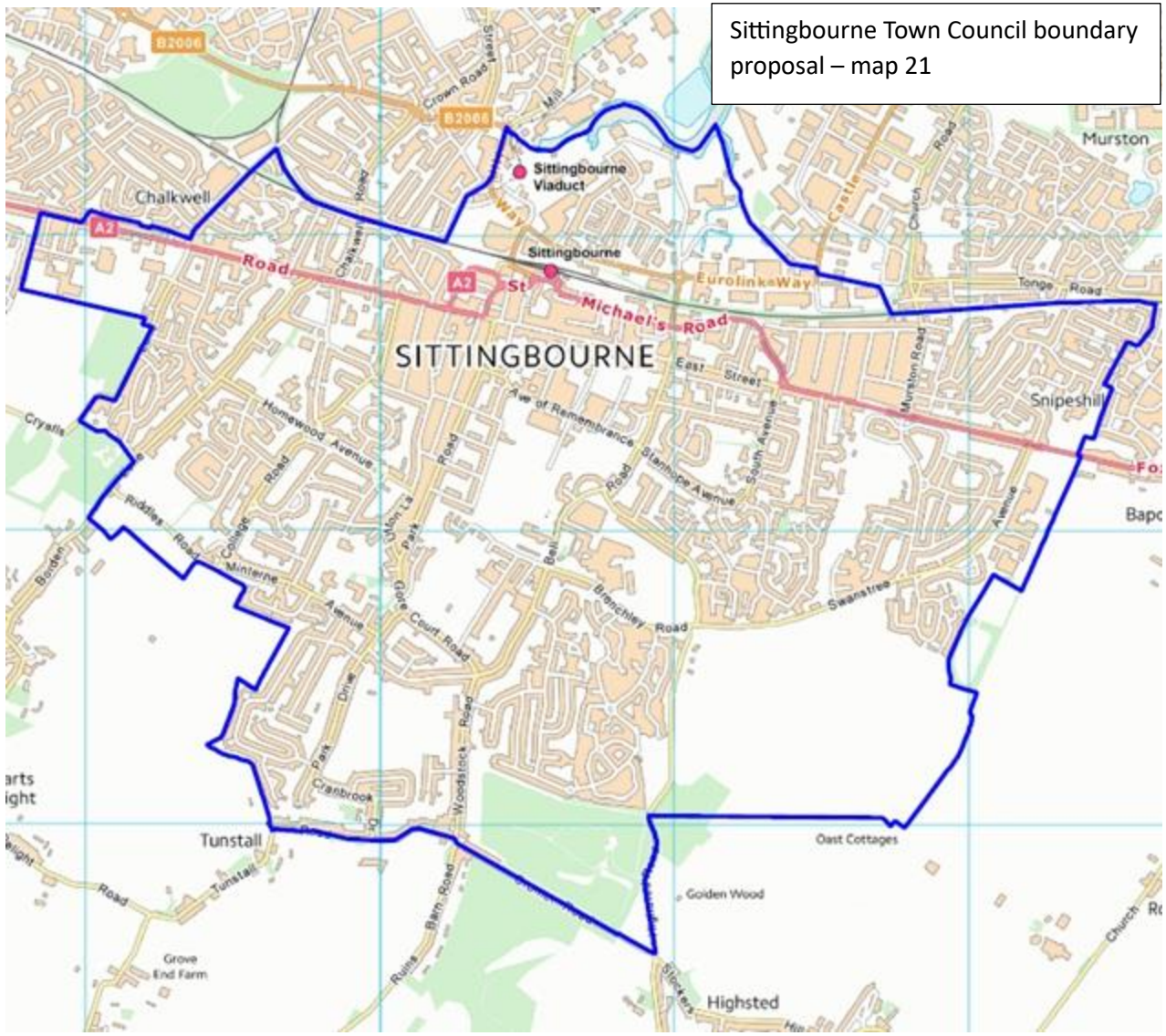
Appendix X

Grove Park parish boundary proposal – map 20



Appendix X

Sittingbourne Town Council boundary proposal – map 21



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**Appendix 5: Proposed Parish/Town/Community Council Councillor Numbers**

| Proposed New Parish/Town/Community Council | Electorate | Proposed number of Cllrs | notes |
|---|---|---|---|
| Kemsley Parish Council | 4654 | 9 | Bench marked against Bobbing PC with population figure of 4524, 7 cllrs (4 vacancies) |
| Milton Regis Town Council | 4825 | 9 | Same as above |
| Murston Parish Council | 4586 | 9 | Same as above |
| Grove Park Community Council | 2568 | 7 | Minimum number of Cllrs |
| Halfway Parish Council | 3571 | 7 | Benchmarked against above figures to achieve balance |
| | | **52** | |
| **Extension of Tonge Council to include Great Easthall** | | | |
| Tonge Parish Council currently has 5 parish councillors. Proposal to extend to include additional electors from unparished Great Easthall area | | 7 | Benchmarked against proposals for new parishes above. Tonge Parish council currently have 5 seats. It has been suggested that 7 would be suitable for the increase in electorate size, along with supporting improving its ability to be quorate. |
| **Extension of Bobbing Parish Council to include all of The Meads, and removal of Grove Park** | | 11 | Bobbing Parish Council already has 11 seats. Through the proposals, it will not see a significant change in electorate and it is therefore proposed to not increase the number of seats. |

| Points of consideration when setting Cllr numbers |
|---|
| 1. Number of electors (useful to benchmark against parish councils of a similar electorate size) |
| 2. Number of wards (where applicable, as each ward requires appropriate representation) |
| 3. Community identity and geography (larger or more rural parishes may require a higher number of councillors to ensure adequate representation) |
| 4. Functions and services (where a council is responsible for a wider range of services, a larger council may help ensure a broader mix of skills and capacity among members) |
| 5. Ability to recruit councillors (the number should be realistic and take account of the likelihood of attracting sufficient candidates to fill all seats) |

# Appendix 6: Member Steering Group CGR Recommendations and full reasoning

This appendix details the full reasoning considering by the CGR Member Steering group for each Stage 2 proposal.

The maps associated with each recommendation are shown in appendix 4.

The high level data for stage 2 consultation is shown in appendix 8. The Members of the Steering Group also had access to interactive heat maps which provided a good special analysis of results. A sample of these are shown in appendix 3. The Steering Group also had access to anonymised raw data from the stage 2 consultation responses.

## Isle of Sheppey

**Proposal : Change the name of Warden Parish Council to Warden Bay Parish Council**

**Recommendation:** To change the name of Warden Parish Council to Warden Bay Parish Council

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | 11 responses supported changing the name. All 11 were from residents living in the affected area. No responses supported no change. |
| Stage 1 consultation (same question was asked) | 14 responses supported changing the name and 1 response supported no change. |
| Parish council response | Warden Parish Council did not respond at Stage 2, but supported the proposal at Stage 1 and was the original proposer of the change. |
| Reason for recommendation | The consultation results from both stages show clear support for the name change, so the Member Steering Group recommends that the change is made. |

**Proposal: Create a Halfway Parish Council for the currently unparished area of Halfway**

**Recommendation:** To create a Halfway Parish Council (as shown in Map 1) with 7 seats.

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | 28 responses supported creating a Halfway Parish Council, all from residents in the affected area. 8 supported joining Queenborough Town Council (6 of whom were living in the area), 26 supported remaining |

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| | unparished (20 living in the area), and 7 were not residents of the area. |
| Stage 1 consultation | 18 responses supported a new parish, 20 supported merging with an existing parish or town council, and 4 supported no change. |
| Other evidence considered | A petition to create a Halfway Parish Council was collected earlier in 2025 with 426 signatures. Queenborough Town Council indicated that it would be willing to accommodate existing properties from the unparished area. |
| Reason for recommendation | Although the response rate was low, the petition, Stage 1 responses and Stage 2 responses together show a clear desire for a new parish council. The greatest number of residents in the affected area who responded supported a Halfway Parish Council. |

**Proposal: Amend boundaries between the new Halfway Parish Council and neighbouring town and parish councils**

**Recommendation:** To amend the Minster-on-Sea Council boundary to incorporate the properties shown within Map 2 (Appleford Drive area), Map 4 (Ovinia Chase area) and Map 5 (Minster Road) from the new Halfway Parish Council area, but to transfer the properties shown within Map 3 (Baird Way area) from Minster-on-Sea to the new Halfway Parish Council.

| Proposal | Recommendation and reason |
|---|---|
| Move Appleford, Salmon, Mills and Marr Close into Minster-on-Sea Parish Council. | 10 responses to change the boundary (3 from residents living in area); 19 no change (7 living in area); 38 not resident.<br>Recommend to amend the boundary. Although more affected-area respondents requested no change, the number was very low and the natural boundary means residents cannot easily access Halfway Parish Council services. |
| Move Baird Way/Faraday Drive from Minster-on-Sea Parish Council to Halfway Parish Council. | 12 yes amend boundary (8 resident in affected area); 9 no change (3 resident of area); 38 not resident.<br>Amend the boundary. The greatest number of respondents living in the affected area supported the change. |
| Move Ovinia Chase estate into Minster-on-Sea Parish Council. | 7 response to yes amend boundary (2 resident of affected area); 7 no amends (but 0 living in area).<br>Recommend to amend the boundary. Affected-area respondents supported |

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| | the change and access to the estate is through Minster-on-Sea parish land. |
| Move three properties on Minster Road into Minster-on-Sea Parish Council. | 8 yes to amend boundary (1 living in affected area); 5 no change (but none living in area).<br>Recommend to amend the boundary. The proposal affects only three properties and follows natural road boundaries. |

**Proposal: Amend boundaries between Queenborough Town Council and Halfway Parish Council**

**Recommendation**: To amend the Queenborough Town Council boundary to incorporate land shown in Map 6, from the new Halfway Parish Council.

| **Evidence area** | **Summary** |
|---|---|
| Stage 2 consultation | Yes amend boundary – 14<br>No change 10<br>Not resident of the area - 27 |
| Parish council response | No response at stage 2, but Queenborough town council supported at stage 1. |
| Reason for recommendation | This proposal affects land only and is tidying an existing boundary line. The greatest majority of respondents replied to agree with the proposal. |

**Proposal: Amend the boundary between Sheerness Town Council and Halfway Parish Council**

**Recommendation:** To not amend the boundary between Sheerness Town Council and the new Halfway Parish Council, as shown in Map 7.

| **Evidence area** | **Summary** |
|---|---|
| Stage 2 consultation | 0 responses supported amending the boundary and 3 responses supported no change. |
| Parish council response | No specific responses were received from existing parish or town councils at Stage 2. |
| Stage 1 consultation | This question was not specifically asked at Stage 1. The proposal was developed by the Member Steering Group in response to Stage 1 comments and as part of the Stage 2 proposals. |
| Reason for recommendation | The proposal affects land only and was intended to tidy an existing boundary line. However, the land is marshland |

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| | and no local residents supported the change, although the response rate was very small. |

**Proposal: Move Lucas Close from Sheerness Town Council to Queenborough Town Council**

**Recommendation:** To amend the boundary between Sheerness Town Council and Queenborough Town Council to move Lucas Close (Map 8) from Sheerness to Queenborough.

| **Evidence area** | **Summary** |
|---|---|
| Stage 2 consultation | 1 response supported the transfer (lives in affected area), 3 supported no change (not residents living in affected area), and 19 were from people who were not residents of the area. The one resident living in the affected area who responded supported the transfer. |
| Parish and town council response | No direct response was received from a parish or town council at Stage 2. The question was not asked at Stage 1. |
| Previous Community Governance Review | In the 2022 Community Governance Review, 5 resident responses were received: 1 supported reviewing the boundary and 4 did not. The Council agreed the transfer at that time, taking account of ward councillor and parish council responses, but the transfer did not take place because the required paperwork was not signed off by Government. |
| Reason for recommendation | The proposal was included at Stage 2 to address the unresolved 2022 boundary issue. Although earlier resident responses were not in favour, the affected-area respondent at Stage 2 supported the transfer. |

**Faversham**

**Proposal: Increase the number of councillors representing Watling Ward from 4 to 6;**

**Recommendation:** To increase the number of councillors representing Watling Ward (Faversham Town Council Ward) from 4 to 6 (3 per ward)

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | 142 responses supported increasing councillor numbers, including 140 from residents living in the affected area. 107 supported no change, including 103 from residents living in the affected area. 57 responses were from people who were not residents of the area. |
| Parish and town council response | No direct responses were received from existing town or parish councils, although the proposal was put forward by Faversham Town Council. |
| Stage 1 consultation | 25 responses supported splitting the ward and increasing councillor numbers. 12 supported keeping the ward as it is. |
| Reason for recommendation | More respondents supported increasing councillor numbers overall and among those living in the affected area. The Member Steering Group therefore recommends increasing the number of councillors from 4 to 6. |

**Proposal: To split the existing Watling ward (Faversham Town Council) into two**

**Recommendation:** To spilt this ward into two.

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | 140 responses to splitting the ward (139 live in affected area); 111 no change (106 live in affected area); 55 not resident. |
| Parish and town council response | No responses directly from existing town/parish councils, however this proposal was put forward directly by Faversham Town Council |
| Stage 1 consultation | 25 in support of the split, 12 keep it as is. |
| Reason for recommendation | Total number of responses favoured splitting the ward at both total response level and for those that live in |

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| | the affected area. Therefore, recommended to split the existing Watling Ward (Faversham Town Council ward) into two |

**Proposal: Increase the number of councillors representing Priory Ward from 2 to 3;**

**Recommendation:** To increase the number of councillors representing Priory Ward (Faversham Town Council Ward) from 2 to 3

| **Evidence area** | **Summary** |
|---|---|
| Stage 2 consultation | 90 residents in favour of the increase (9 live in affected area); 97 no change (1 lives in affected area); 120 not resident of area. |
| Parish and town council response | No responses directly from existing town/parish councils, however this proposal was put forward directly by Faversham Town Council. |
| Stage 1 consultation | 23 in favour of increasing; 13 keep as is, 25 not resident of the area. |
| Reason for recommendation | Although the total number of responses favoured no change in stage 2, upon reviewing those that live in the affected area, the majority wished for the number to increase |

**Proposal: To extend Watling Ward to include Perry Court**

Recommendation: To extend the Watling Ward (Faversham Town Council ward) to encompass Perry Court (Faversham Town Council owned land) from Ospringe parish council as shown in Map 9.

| **Evidence area** | **Summary** |
|---|---|
| Stage 2 consultation | 112 residents responded to agree yes to the extension, with 140 advising wish for no change. 0 residents living within this area. |
| Parish and town council response | Initial proposal from Faversham Town Council.<br>Ospringe Parish Council responded to a separate proposal, but did not provide views on this specific proposal as part of their stage 2 response, however at stage 1, they advised they oppose any boundary amends as could be considered just piecemeal changes. |
| Stage 1 consultation | Not included stage 1 consultation, as Member Steering group agreed this |

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| | proposal only needed to be included to consult at stage 2. |
| Reason for recommendation | This proposal was put forward by Faversham Town Council as they are now the land owner of this piece of land, but it remains within Ospringe Parish Council area. The proposal would enable tidying of boundaries and would use a natural landmark as the boundary. There are currently no residents living within the affected area. The Heat Map provided of responses, showed that these were spread across a wider area of Faversham but those living nearest indicated a preference for the change to take place. Although the greater number of responses indicated residents preference to not make this change, as these are not residents living in the affected area and given the land ownership. |

**To extend Watling Ward (Faversham Town Council ward) to cover area currently within Ospringe Parish area.**

**Recommendation** – To not extend the boundary of Watling Ward (Faversham Town Council) to cover area currently within Ospringe Parish Council (Map 10).

| **Evidence area** | **Summary** |
|---|---|
| Stage 2 consultation | 79 residents supported extending Watling Ward (none of whom live in the affected area); with 168 (16 living in area) preferring no change. 59 responses advised 'not resident of area'. |
| Parish and town council response | No response directly from Faversham Town Council, however they put forward the original proposal. Ospringe Parish Council provided a detailed response, following an emergency council meeting to which 64 members of the public attended. Concerns raised included loss of identity, loss of allotments and financial viability of the council. |
| Stage 1 consultation | 17 would prefer to extend the boundary; with 17 preferring to keep as it. 27 advised not resident of area. |

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| Reason for recommendation | Given the clear indication to the survey responses in stage 2 and the consultation comments from Ospringe Parish Council, it is not recommended that the proposal to transfer land from Ospringe to Faversham Town Council takes place. |

**Proposal: To extend the boundary of Watling Ward (Faversham Town Council ward) to cover land within Boughton Under Blean Parish Council and Selling Parish Council**

**Recommendation:** To amend the Watling Ward (Faversham Town Council) boundary to incorporate land currently within both Boughton Parish Council and Selling Parish Council (Map 11).

| **Evidence area** | **Summary** |
|---|---|
| Stage 2 consultation | Yes – extend Watling ward to include area within Boughton and Selling Parish area – 102 (4 residents within affected area)<br>No change – 124 (0 residents within affected area<br>I am not a resident of the area – 80. |
| Parish and town council response | No response directly from Faversham Town Council, however they put forward the original proposal.<br>Boughton Parish Council and Boughton and Dunkirk Neighbourhood Plan both responded to the consultation.<br>Concerns raised were more specifically regarding the CGR process, than providing clear views on the proposal itself. Both groups did also express their dissatisfaction with the process at stage 1. They also raised concerns about the impact of this change on the Boughton and Dunkirk Neighbourhood Plan and felt it would be undermined by a boundary change.<br>Selling Parish Council responded as part of the Stage 1 consultation and were opposed to this proposal – they were concerned about the impact of loss of this land should the Duchy of Cornwall go ahead. |
| Stage 1 consultation | Yes, extend the boundary – 22<br>No, keep it as is – 25<br>Not resident - 14 |

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|---|---|
| Reason for recommendation | Although the overall response rate showed a preference for no change at Stage 1 and Stage 2, when reviewing responses for those directly living in the affected area, the preference was to extend the boundary for Faversham Town Council. There are a very small number of properties within the affected area. This proposal was put forward by Faversham Town Council to tidy boundaries ahead of further housing development in the future. The Heat Map reviewed by the Member Steering Group of responses, showed the distribution of wider responses were not adjacent to the affected area. It is not possible to determine from the stage 1 consultation responses whether these were the same residents responding and due to the split nature of the responses at Stage 1, this is why it was agreed to consult as part of stage 2 to seek clearer indication. |

**Proposal: To transfer land from Faversham Town Council to Sheldwich Parish Council**

**Recommendation:** To transfer land from Faversham Town Council and Sheldwich Parish Council (Map 12).

| **Evidence area** | **Summary** |
|---|---|
| Stage 2 consultation | Yes – extend – 95 (0 residents within affected area)<br>No change – 106 (0 residents within affected area<br>I am not a resident of the area – 80. |
| Parish and town council response | No response directly from Faversham Town Council, however they put forward the original proposal.<br>No response from Sheldwich Parish Council at Stage 2, however they did respond at stage 1 to identify the error with the question, but to advice they would be in support of the land transfer to them. |
| Stage 1 consultation | There was an error in the wording of the Stage 1 consultation question which meant that any responses needed to be discounted. |

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|---|---|
| Reason for recommendation | Respondents are relatively split on this proposal, however there are no affected residents living directly in the affected area. This proposal was put forward by Faversham Town Council to transfer this boundary as it would ensure the entirety of the National Landscape is within the boundary of Sheldwich, and it is therefore recommended that this boundary amendment takes place. |

**Proposal: To extend Watling Ward (Faversham Town Council ward) to transfer School Farm along Graveney Road, Graveney Road from Graveney with Goodnestone Parish Council**

**Recommendation:** To extend Watling Ward (Faversham Town Council ward) to transfer School Farm along Graveney Road, Graveney Road from Graveney with Goodnestone Parish Council (Map 13).

| **Evidence area** | **Summary** |
|---|---|
| Stage 2 consultation | Yes – 98 (2 residents within affected area)<br>No change – 124 (1 residents within affected area<br>I am not a resident of the area – 84. |
| Parish and town council response | No response directly from Faversham Town Council<br>No response from Goodnestone and Graveney Parish Council |
| Stage 1 consultation | This question was not specifically asked as part of the Stage 1 consultation – this proposal was developed by the Member Steering Group in direct response to the Stage 1 consultation comments and as part of the development on the Stage 2 proposals. |
| Reason for recommendation | There are only 4 affected properties within this area (School Farm) and the majority of respondents do not live adjacent to the affected area. This proposal was put forward as a result of the stage 1 consultation where residents within this affected area requested this boundary tidy. Therefore, it is recommended that this boundary change takes place. |

**Sittingbourne**

**Proposal: To amend the Iwade Parish Boundary, moving previously unparished land into Iwade Parish Council,**

**Recommendation:** To amend the Iwade Parish Council boundary to incorporate previously unparished land (Map 14).

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | Yes – 2, change the boundary<br>No change – 1 |
| Parish and town council response | No response directly from any parish or town council at stage 2. |
| Stage 1 consultation | Yes, move the boundary – 37<br>No, keep it as is – 20<br>Not resident of area - 125 |
| Reason for recommendation | This proposal was developed by the Member Steering Group to tidy this boundary line. There are only a small number of residents living within the affected area, but of those that responded, the greater number were in favour, at both stage 1 and 2. |

**Proposal: To amend the Bobbing Parish Boundary, moving land from Bobbing Parish Council into Iwade Parish Council,**

**Recommendation:** To amend the Bobbing Parish Boundary, moving land from Bobbing Parish Council into Iwade Parish Council (Map 14).

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | Yes, change the boundary – 1<br>No change – 5 |
| Parish and town council response | No response directly from any parish or town council at stage 2 |
| Stage 1 consultation | Yes, move the boundary – 37<br>No, keep it as is – 20<br>Not resident of area - 125 |
| Reason for recommendation | This proposal was developed by the Member Steering Group to tidy this boundary line. There are no affected residents living within the affected area and although the majority of residents that responded were not in favour of this change, there are no houses in the affected area and is a boundary tidy. |

**Proposal: To create a Murston Parish Council**

**Recommendation:** To create a Murston Parish Council as per the area within Map 15, with 9 number of seats.

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | I want a Murston parish council – 44 (25 resident in affected area)<br>I want to be part of Sittingbourne Town Council – 4 (respondents live in Shortlands Road area which is already proposed to be part of Sittingbourne Town Council).<br>No change – 12 (9 resident in affected area)<br><br>Additional analysis taken place in relation to the Vincent Park area specifically which had been proposed to be part of Sittingbourne town council – 0 residents wanted to be part of Sittingbourne town council; 35 part of Murston parish council; and 11 no change. |
| Parish and town council response | N/A |
| Stage 1 consultation | As part of the Stage 1 consultation, residents were asked 'should the currently unparished areas of Sittingbourne have its own town council or a local parish council'. 55 responded yes to a town council; 70 to a local council; 20 to no keep as is; and 19 as other. If responded yes to a local council, residents were asked to which area they felt the strongest connection and these were used to develop the stage 2 consultation proposals |
| Reason for recommendation | The majority of respondents have said that they would like a Murston Parish Council, with this number increasing when including the Vincent Park area. |

**Proposal: To create a Great Easthall Parish Council moving land from Tonge Parish Council/ to merge the currently unparished area of Great Easthall with Tonge parish council**

Recommendation: To amend the Tonge Parish Council Boundary as per Map 16, incorporating the currently unparished area of Great Easthall, increasing their number of councillors from 5 to 7.

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | Total responses:<br>I want a Great Easthall Parish Council – 28<br>I want to be part of Tonge Parish Council - 21<br>I want to be part of Murston parish council – 2<br>I want to be part of Sittingbourne Town Council – 4<br>No change – 28<br><br>Further analysis has taken place between Great Easthall Residents and those living on Heron Fields (already part of Tonge Parish Council:<br>Great Easthall residents – Murston PC (2); Sittingbourne TC (3); No change (14); Tonge (9); Great Easthall PC (9)<br><br>Heron Fields/Tonge PC area – Sittingbourne TC (1); Murston (0); Tonge (10); Great Easthall (7) |
| Parish and town council response | Tonge Parish Council responded – they raised concerns regarding the financial viability of their council if they lost the Heron Fields development. |
| Stage 1 consultation | As part of the Stage 1 consultation, residents were asked 'should the currently unparished areas of Sittingbourne have its own town council or a local parish council'. 55 responded yes to a town council; 70 to a local council; 20 to no keep as is; and 19 as other. If responded yes to a local council, residents were asked to which area they felt the strongest connection and these were used to develop the stage 2 consultation proposals. |
| Reason for recommendation | The majority of respondents have said that they would like a parish council of some kind. Of comments made, there were concerns regarding payment to management companies with additional payments to a new parish council for those currently unparished – however a new parish council could take on functions of the management company. It is felt by the steering group that great |

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| | easthall needs to be treated as one area, not spilt in two as it currently is with regard to parish coverage. Although there is a mixture of parish council options preferred by respondents, with concerns raised by Tonge Parish Council of their financial viability if they lost a large proportion of housing, the member steering group therefore felt that the whole of this estate should be covered by Tonge Parish Council. |

**Proposal: To create a Kemsley Parish Council**

**Recommendation:** To create a Kemsley Parish Council as per the area within Map 17, with 9 seats

| **Evidence area** | **Summary** |
|---|---|
| Stage 2 consultation | I want a Kemsley parish council – 68<br>I want to be part of Sittingbourne Town Council – 5<br>No change – 38<br>(all responses were from residents of the area) |
| Parish and town council response | N/A |
| Stage 1 consultation | As part of the Stage 1 consultation, residents were asked 'should the currently unparished areas of Sittingbourne have its own town council or a local parish council'. 55 responded yes to a town council; 70 to a local council; 20 to no keep as is; and 19 as other. If responded yes to a local council, residents were asked to which area they felt the strongest connection and these were used to develop the stage 2 consultation proposals. |
| Reason for recommendation | The majority of respondents have said that they would like a Kemsley Parish Council. |

**Proposal: To create a Milton Regis Parish Council**

**Recommendation:** To create a Milton Regis Town Council as per the area within Map 18, with 9 seats

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | I want a Milton Regis parish council – 123<br>I want to be part of Sittingbourne Town Council – 10<br>No change – 73<br>(all responses from residents living within proposed area) |
| Parish and town council response | N/A |
| Stage 1 consultation | As part of the Stage 1 consultation, residents were asked 'should the currently unparished areas of Sittingbourne have its own town council or a local parish council'. 55 responded yes to a town council; 70 to a local council; 20 to no keep as is; and 19 as other. If responded yes to a local council, residents were asked to which area they felt the strongest connection and these were used to develop the stage 2 consultation proposals.<br>A petition was also collated in November 25 with approx. 142 signatures. Although it didn't specifically ask the same question as this CGR consultation, it did show the desire of the local population for a parish/town council, but there could be a cross over with respondents to the stage 2 consultation. |
| Reason for recommendation | The majority of respondents have said that they would like a Milton Regis Parish/Town Council. |

**Proposal: To create a Meads Parish Council moving land from Bobbing Parish Council/ To extend Bobbing Parish Council to encompass all of the unparished area of the Meads**

Recommendation: To extend the boundary of Bobbing Parish Council, as per the area within Map 19, to include the unparished area of The Meads.

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | I want a Meads parish council – 10<br>I want to join/remain part of Bobbing Parish Council - 23<br>I want to be part of Sittingbourne Town Council – 5<br>No change – 38<br>(all responses were from residents of the area) |
| Parish and town council response | Bobbing Parish Council have confirmed that they would be happy for such an extension to take place. |
| Stage 1 consultation | As part of the Stage 1 consultation, residents were asked 'should the currently unparished areas of Sittingbourne have its own town council or a local parish council'. 55 responded yes to a town council; 70 to a local council; 20 to no keep as is; and 19 as other. If responded yes to a local council, residents were asked to which area they felt the strongest connection and these were used to develop the stage 2 consultation proposals. |
| Reason for recommendation | The majority of respondents have said that they would like a parish/town council with the majority having indicated they would prefer to join/remain part of Bobbing Parish Council. Part of The Meads is already part of Bobbing Parish area. |

**Proposal: To create a Grove Park Parish Council/extend Bobbing Parish Council to encompass all of Grove Park**

**Recommendation:** To create a Grove Park Community Council as per the area within Map 20, with 7 seats, incorporating the part of this estate previously within the Bobbing Parish boundary

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | I want a Grove Park parish council – 39<br>I want to join/remain part of Bobbing Parish Council – 28 (5 already part of Bobbing)<br>I want to be part of Sittingbourne Town Council – 23<br>No change – 31<br>Of the existing unparished area of Grove Park – Grove Park parish council(29); remain unparished (26); Sittingbourne Town Council (18); join Bobbing parish council (15). |
| Parish and town council response | Bobbing Parish Council have confirmed that they would be happy for such an extension to take place, but have raised concerns regarding the loss of any properties within this area and the impact on their financial viability. |
| Stage 1 consultation | As part of the Stage 1 consultation, residents were asked 'should the currently unparished areas of Sittingbourne have its own town council or a local parish council'. 55 responded yes to a town council; 70 to a local council; 20 to no keep as is; and 19 as other. If responded yes to a local council, residents were asked to which area they felt the strongest connection and these were used to develop the stage 2 consultation proposals. |
| Reason for recommendation | The greatest number of respondents have said that they would like some kind of parish/town council, with a new Grove Park Council being the highest response within those. Although concerns were raised by Bobbing Parish Council as to the loss of any properties within this area in their boundary, as per another proposal, they would gain a number of properties within the Meads area. |

**Proposal: To create a Sittingbourne Town Council merging some land from Tunstall and the remainder of unparished areas.**

**Recommendation:** To not create a Sittingbourne Town Council as per Map 21

| Evidence area | Summary |
|---|---|
| Stage 2 consultation | Total responses: 256 want a Sittingbourne town council; 318 no change<br>Further analysis was undertaken and this number reconciled a number of times to factor: in any incorrect responses on other locations e.g. some responded to Grove park survey rather than Sittingbourne Town Centre. |
| Parish and town council response | Tunstall Parish Council – Have responded and requested that a boundary change be considered – they do not feel that the proposed development at Ufton Court Farm should sit within their boundary; and have also recommended another are should also be moved from within their boundary due to heritage reasons. |
| Stage 1 consultation | As part of the Stage 1 consultation, residents were asked 'should the currently unparished areas of Sittingbourne have its own town council or a local parish council'. 55 responded yes to a town council; 70 to a local council; 20 to no keep as is; and 19 as other. If responded yes to a local council, residents were asked to which area they felt the strongest connection and these were used to develop the stage 2 consultation proposals. |
| Reason for recommendation | Following the review of the responses from all of the wider Sittingbourne area, the greatest number of respondents were not in favour of a town council being established. |

# Appendix 7: CGR Equality Impact Assessment

An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making.

**When to assess**

An EIA should be carried out when you are changing, removing or introducing a new service, policy or function. The assessment should be proportionate; a major financial decision will need to be assessed more closely than a minor policy change.

**Public sector equality duty**

The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:

1) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

These are known as the three aims of the general equality duty.

**Protected characteristics**

The Equality Act 2010 sets out nine protected characteristics that apply to the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Ethnicity
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

**We also ask you to consider other socially excluded groups**, which could include people who are geographically isolated from services, with low literacy skills or living in poverty or low incomes, affected by rural deprivation or poor health. This may impact on aspirations, health or other areas of their life which are not protected by the Equality Act, but should be considered when delivering services.

**Due regard**

To ‘have due regard’ means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.

How much regard is ‘due’ will depend on the circumstances and in particular on the relevance of the aims in the general equality duty to the decision or function in question. The greater the relevance and potential impact, the higher the regard required by the duty. The three aims of the duty may be more relevant to some functions than others; or they may be more relevant to some protected characteristics than others.

**Collecting and using equality information**

The Equalities and Human Rights Commission (EHRC) states that 'Having due regard to the aims of the general equality duty requires public authorities to have an adequate evidence base for their decision making'. We need to make sure that we understand the potential impact of decisions on people with different protected characteristics. This will help us to reduce or remove unhelpful impacts. We need to consider this information before and as decisions are being made.

There are a number of publications and websites that may be useful in understanding the profile of users of a service, or those who may be affected.

- The Office for National Statistics Neighbourhoods website https://www.ons.gov.uk/
- Kent County Council Facts and Figures about Kent http://www.kent.gov.uk/about-the-council/information-and-data/Facts-and-figures-about-Kent
- Public health and social care data http://www.kpho.org.uk/search?mode=results&queries_exclude_query=no&queries_excludefromsearch_query=yes&queries_keyword_query=Swale

At this stage you may find that you need further information and will need to undertake engagement or consultation. Identify the gaps in your knowledge and take steps to fill these.

**Case law principles**

A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The person completing the EIA should have knowledge and understanding of the service, policy, strategy, practice, plan.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- A public authority is responsible for ensuring that any contracted organisations which provide services on their behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice.
- The duty is a continuing one. It applies when a service, policy, strategy, practice or plan is developed or agreed, and when it is implemented or reviewed.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- The general equality duty is not a duty to achieve a result, it is a duty to have due regard to the need achieve the aims of the duty.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

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| **Lead officer:** | Sarah Porter |
| **Decision maker:** | Full Council |
| **People involved:** | Sarah Porter, Louise Galloway, Steph Curtis |
| **Decision:**<br>• Policy, project, service, contract | Results of the Community Governance Review and recommendations to set up new Parish and Town Councils in the borough. |

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| • Review, change, new, stop | These would be new or changed parish council boundaries |
| **Date of decision:**<br>The date when the final decision is made. The EIA must be complete before this point and inform the final decision. | 22nd July 2026 - Council |
| **Summary of the decision:**<br>• Aims and objectives<br>• Key actions<br>• Expected outcomes<br>• Who will be affected and how?<br>• How many people will be affected? | The Community Governance Review (CGR) was undertaken as there was an action in the corporate plan to undertake one.<br><br>Additionally with Local Government Reorganisation happening in Kent in 2028 it was felt that local residents should be given the opportunity to decide whether they would like representation at a local Parish or town council area as we move into larger unitaries.<br><br>The aim of the CGR is to consult with residents and existing parish councils on whether they would like to see any changes to the existing parish/town council structures in the Swale Borough.<br><br>Following consultation on the options which were then considered by a Member Working Group - the following decisions are being recommended to policy and resources:<br><br>1. To change the name of Warden Parish Council to Warden Bay Parish Council<br>2. To create a Halfway Parish Council (as shown in Map 1) with 7 seats.<br>3. To amend the Minster-on-Sea Council boundary to incorporate the properties shown within Map 2 (Appleford Drive area), Map 4 (Ovinia Chase area) and Map 5 (Minster Road) from the new Halfway Parish Council area, but to transfer the properties shown within Map 3 (Baird Way area) from Minster-on-Sea to the new Halfway Parish Council.<br>4. To amend the Queenborough Town Council boundary to incorporate land shown in Map 6, from the new Halfway Parish Council.<br>5. To not amend the boundary between Sheerness Town Council and the new Halfway Parish Council, as shown in Map 7.<br>6. To amend the boundary between Sheerness Town Council and Queenborough Town Council to move Lucas Close (Map 8) from Sheerness to Queenborough.<br>7. To increase the number of councillors representing Watling Ward (Faversham Town Council Ward) from 4 to 6 (3 per ward)<br>8. To split the existing Watling Ward (Faversham Town Council ward) into two<br>9. To increase the number of councillors representing Priory Ward (Faversham Town Council ward) from 2 to 3<br>10. To extend the Watling Ward (Faversham Town Council ward) to encompass Perry Court (Faversham Town Council owned land) from Ospringe parish council as shown in Map 9.<br>11. To not extend the boundary of Watling Ward (Faversham Town Council) to cover area currently within Ospringe Parish Council (Map 10). |

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| | 12. To amend the Watling Ward (Faversham Town Council) boundary to incorporate land currently within both Boughton Parish Council and Selling Parish Council (Map 11).<br>13. To transfer land from Faversham Town Council and Sheldwich Parish Council (Map 12).<br>14. To extend Watling Ward (Faversham Town Council ward) to transfer School Farm along Graveney Road, Graveney Road from Graveney with Goodnestone Parish Council (Map 13).<br>15. To amend the Iwade Parish Council boundary to incorporate previously unparished land (Map 14).<br>16. To amend the Bobbing Parish Boundary, moving land from Bobbing Parish Council into Iwade Parish Council (Map 14).<br>17. To create a Murston Parish Council as per the area within Map 15, with 9 number of seats.<br>18. To amend the Tonge Parish Council Boundary as per Map 16, incorporating the currently unparished area of Great Easthall, increasing their number of councillors from 5 to 7.<br>19. To create a Kemsley Parish Council as per the area within Map 17, with 9 seats.<br>20. To create a Milton Regis Town Council as per the area within Map 18, with 9 seats<br>21. To extend the boundary of Bobbing Parish Council, as per the area within Map 19, to include the unparished area of The Meads.<br>22. To create a Grove Park Community Council as per the area within Map 20, with 7 seats, incorporating the part of this estate previously within the Bobbing Parish boundary.<br>23. To not create a Sittingbourne Town Council as per Map 21. |
| **Information and research:**<br>• Outline the information and research that has informed the decision.<br>• Include sources and key findings.<br>• Include information on how the decision will affect people with different protected characteristics. | Community Governance Reviews allow Swale Borough Council to assess and change local governance arrangements, including creating new parish councils or reviewing ones that may no longer function effectively due to low participation.<br><br>Reviews can be started either by the council or by local residents through petitions. The council must publish clear terms of reference for each review and any updates to them.<br><br>The aim is to improve community engagement, strengthen local democracy, and ensure local services are delivered effectively.<br><br>While most of Swale is covered by town or parish councils, some areas, such as Sittingbourne and nearby communities, are not. |
| **Consultation:**<br>• Has there been specific consultation on this decision?<br>• What were the results of the consultation?<br>• Did the consultation analysis reveal any difference in views across the protected characteristics? | This Equality Impact Assessment has been informed by analysis of consultation responses collected as part of the Community Governance Review.<br><br>In order to give us an overview of the protected characteristics of people completing the consultation, we asked that people responding also complete some key demographic information.<br><br>A total of 80 responses were received to the equality and diversity request for information, this included equality monitoring information |

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| • Can any conclusions be drawn from the analysis on how the decision will affect people with different protected characteristics? | covering age, sex, ethnicity, disability, sexual orientation and religion or belief.<br><br>**Key findings**<br>**Age**<br>Responses were heavily skewed towards older residents with the top 3 categories all falling within the 55-84 range<br>65-74 years - 20 responses<br>55-64 – 18 responses<br>75-84 years – 15 responses<br><br>Younger people responded as follows:<br>18-24 years – 1 response<br>25-34 years 4 responses<br><br>This indicates that younger residents are underrepresented and their views may not be fully reflected.<br><br>**Sex**<br>Female – 44 responses<br>Male – 33 responses<br>Prefer not to say – 3 responses<br><br>There was a fairly even balance across sex, but a slight over representation of women.<br><br>**Ethnicity**<br>White British – 69 responses<br>White English – 2 responses<br>Prefer not to say – 4 responses<br>White-White Irish – 1 response<br>White European – 1 response<br>Mixed-Black Caribbean and White – 1 response<br>Asian – Indian - 1 response<br>Human - 1 response<br><br>This indicates a limited ethnic diversity, although overall is reflective of the ethnic diversity of the borough (91.3% of respondents identified as white – compared to 93.8% of people in the borough during the 2021 census)<br><br>**Disability**<br>Disability or long term health condition - 23 responses<br>No disability – 49 responses<br>Prefer not to say – 7 responses<br><br>Almost 30% of respondents indicated a long term health condition or disability, which is higher than the local percentage of around 17%. This may be due to the age demographic skewing the data.<br><br>It does indicate that the consultation was accessible to people of all abilities<br><br>**Sexual orientation**<br>Heterosexual – 66 responses<br>Bisexual – 3 responses<br>Gay man or lesbian – 3 responses<br>Pansexual – 1 response |

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| | Prefer not to say – 7 responses<br><br>There is some representation from LGBT+ groups (approx. 9%), but the numbers are relatively small. It does however indicate a similar demographic to the 2021 census with 89.5% of the population identifying as straight/heterosexual.<br><br>**Religion or belief**<br>No religion – 26 responses<br>Christian – 43 responses<br>Buddhist – 1 responses<br>Jewish - 2 responses<br>Animist – 1 response<br>Jedi – 2 responses<br>Anthroposophical – 1 response<br>Prefer not to say – 4 responses<br><br>This indicates limited religious diversity within the consultation responses. However religious diversity in the borough is limited, with 91% of the population reporting either as Christian or with no religion in the 2021 census and 86% in the responses.<br><br>**Summary**<br>Overall the evidence base is reflective of the Swale population. The key differences being in Age and Disability:<br>• Younger people are under-represented<br>• People with disabilities or long term health conditions are over-represented.<br><br>The second stage of consultation – which is where we captured the above demographic information was largely yes - change/no - change option for residents, as there were 24 separate issues consulted including:<br>• Name change<br>• Boundary changes<br>• Warding changes<br>• New Parish/Town Council set up<br><br>Key findings from the second stage comments include:<br>• Financial concerns - with repeated references to the cost of living crisis and worry about additional council tax burdens<br>• Strong attachment to local identity and community character is evident, with fears that changes could undermine established communities<br>• Mixed views on governance exist, with some wanting more local representation while others oppose additional bureaucracy<br><br>There was no direct evidence of different impact on protected characteristic groups as it was not possible to identify responses from the anonymised data. Although financial burden concerns may disproportionately affect residents with on lower incomes. |

**Is the decision relevant to the aims of the equality duty?**
Guidance on the aims can be found in the EHRC's PSED Technical Guidance - https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance

| Aim | Yes/No |
|---|---|
| 1) Eliminate discrimination, harassment and victimisation | No |
| 2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it | Yes |
| 3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it | Yes |

**Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.**
When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

| Characteristic | Relevance to decision<br>High/Medium/Low/None | Impact of decision<br>Positive/Negative/Neutral |
|---|---|---|
| Age | Low | Neutral. |
| Disability | Low | Neutral. |
| Gender reassignment | Low | Neutral |
| Marriage and civil partnership | Low | Neutral |
| Pregnancy and maternity | Low | Neutral |
| Ethnicity | Low | Neutral |
| Religion or belief | Low | Neutral |
| Sex | Low | Neutral |
| Sexual orientation | Low | Neutral |
| Other socially excluded groups[1] | High | Potentially negative due to increased financial burden |

| **Conclusion:** | **Summarise this conclusion in the body of your report** |
|---|---|
| • Consider how due regard has been had to the equality duty, from start to finish.<br>• There should be no unlawful discrimination arising from the decision.<br>Advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact. | Overall, while no clear direct discrimination has been identified, there are potential indirect impacts to creating new Parish or Town Councils, particularly relating to financial burden.<br><br>Although Council Tax support may help alleviate this pressure, the concern for residents about additional financial burdens being applied must be considered.<br><br>The recommendation is therefore, that information on council tax support scheme is included in all council tax bills being issued to areas that are newly parished. |

[1] Other socially excluded groups could include those with literacy issues, people living in poverty or on low incomes or people who are geographically isolated from services, affected by rural deprivation or poor health.

**Timing**

- Having ‘due regard’ is a state of mind. It should be considered at the inception of any decision.
- Due regard should be considered throughout the development of the decision. Notes should be taken on how due regard to the equality duty has been considered through research, meetings, project teams, committees and consultations.

- The completion of the EIA is a way of effectively summarising the due regard shown to the equality duty throughout the development of the decision. The completed EIA must inform the final decision-making process. The decision-maker must be aware of the duty and the completed EIA.

**Full technical guidance on the public sector equality duty can be found at:**
**https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance**

**Please send the EIA in draft to Janet Dart in the Comms and Policy Team (janetdart@swale.gov.uk) who will review it with colleagues and let you have any comments or suggested changes.**

**This Equality Impact Assessment should form an appendix to any EMT/DMT, service committee or Council report relating to the decision, and a summary should be included in the 'Equality and Diversity' section of the standard committee report template under 'Section 6 – Implications'.**

| **Full Council** | |
|---|---|
| **Meeting Date** | 22nd July 2026 |
| **Report Title** | Local Plan Review – Regulation 19 Consultation Launch |
| **EMT Lead** | Emma Wiggins – Director of Regeneration & Neighbourhoods |
| **Head of Service** | Joanne Johnson – Head of Place |
| **Lead Officer** | Natalie Earl – Planning Manager (Policy) |
| **Classification** | **Open** |
| **Recommendations** | 1. To approve the changes to the proposed housing and employment allocations as set out in table I and paragraphs 2.2 – 2.6;<br><br>2. To delegate to the Head of Planning, in consultation with the Planning and Transportation Policy Working Group (PTPWG) Chair, any required updates to and/or deletions of sites with extant planning permissions;<br><br>3. To delegate to the Head of Planning, in consultation with the PTPWG Chair, any required updates and/or deletions to policies (Development Management, Strategic or Allocation) if required, once the transport and air quality modelling, Sustainability Appraisal and Habitats Regulation Assessment are complete;<br><br>4. To delegate to the Head of Planning, in consultation with PTPWG, the inclusion of any required mitigations within policies (Development Management, Strategic or Allocation) if required, once the Level 2 Strategic Flood Risk Assessment is complete;<br><br>5. To approve the Local Plan Regulation 19 document in Appendix I, the draft Sustainability Appraisal in Appendix II, the draft Habitat Regulation Assessment in Appendix III and the Draft Infrastructure Delivery Plan in Appendix IV for consultation purposes; and<br><br>6. To approve delegation to the Head of Planning, in consultation with the PTPWG Chair, any minor amendments and corrections to the Local Plan Regulation 19 document prior to the start of the consultation period. |

# 1 Purpose of Report and Executive Summary

1.1 This report sets out the background to the recommendations made by both the Planning and Transportation Policy Working Group (PTPWG) during its meeting on 30th June 2026 and the Policy and Resources Committee (P&R) on 13th July 2026 with regard to the start of the Local Plan Regulation 19 (Reg 19) consultation.

1.2 The purpose of those reports was to present, in draft form, the Regulation 19 Local Plan (Reg 19) (Appendix I), the Sustainability Appraisal (Appendix II), the Habitats Regulations Assessment (Appendix III) and the Infrastructure Delivery Plan (Appendix IV). The officer recommendation at both meetings was to recommend the documents for approval for consultation purposes.

1.3 This is a formal Regulation 19 consultation stage that seeks feedback from stakeholders and the public. This is the final consultation stage before the plan is submitted to the government who will appoint a planning inspector to run an Examination In Public [1] which is likely to take place next year. The reports also set out what evidence base work remained to be completed for the Local Plan.

1.4 Members discussed the report at both the Planning and Transportation Working Group (PTPWG) meeting on 30th June 2026 and at P&R on 13th July and at both meetings, voted in favour of the recommendations. At Policy and Resources Committee Members thanked both officers and members and the Chair and Vice-Chair of PTPWG for all of their hard work and dedication in the drafting of the Local Plan and especially for the strengthening of Policy C10 'Water Quality and Water Resources.'

# 2 Background

2.1 The PTPWG report set out the recent history of the progress of the Local Plan and the relevant decisions that have been taken since consultation on the Regulation 18 Local Plan (Reg 18) earlier this year. It explained how the Reg 19 differed from Reg 18, set out the structure of the Reg 19 document and described the additional policies for the Reg 19 on strategic matters and sites for allocation.

2.2 The report then set out required amendments to those housing and employment sites that were agreed for allocation by the Council on 1st April 2026 as part of the Reg 19 drafting process. Table I (housing) and relevant paragraphs from the report are repeated below. For the Queenborough and Rushenden Regeneration Area sites it should be noted that the adopted masterplan from 2015 made provision for 898 dwellings from these sites and this has been a long standing expectation. As part of the Regulation 18 Local Plan consultation earlier this year, Homes England, who own these sites, responded stating the sites would now only deliver a total of around 500 dwellings. This amended delivery would result in a loss of 398 dwellings from these sites. As a result of this the Council has used the density of development multiplier used in the

[1] For further information on the Examination in Public (legacy system) see Local plans: the examination process legacy system - GOV.UK

Council's HELAA[2] that was used for similar sites to inform the drafting of the Local Plan. This multiplier sets out that the sites could deliver 754 dwellings and this would result in a lower loss of 144 dwellings. The delivery expectation discussion for these sites will be ongoing between the Council and Homes England setting out what the evidence base supporting the Local Plan has determined is deliverable for these types of sites.

| Site Name | Proposed Number of Dwellings (As at FC 1st April) | Issues Arising |
|---|---|---|
| **SHELAA/270 Land at Tonge Road, Sittingbourne** | 19 dwellings | Further investigation has identified this site as having extant outline planning consent and so it is considered within the existing housing land supply and must be removed as a new allocation. This results in a loss of 19 dwellings. |
| **SHELAA/421 Land at West Minster off Brielle Way, Sheerness** | 76 dwellings | As part of detailed design considerations whilst preparing the site allocation policy, it is considered that the presence of overhead power cables constrains this site to a capacity of up to 30 dwellings. This results in a loss of 46 dwellings. |
| **Queenborough and Rushenden Regeneration Area sites** | | |
| The Council has been in ongoing discussions with Homes England over the revised dwelling capacities for these sites, as is best practice. Homes England have recently shared with the Council that due to viability issues and discussions with developers, they do not feel that they can deliver the number of dwellings proposed in the adopted masterplan. They have proposed capacities lower than the adopted masterplan; around 500 dwellings across the whole site. Due to a potential change in numbers, the Council have used the density multiplier used in the HELAA for similar sites and which they would consider deliverable. The figures are shown below for each of the sites. The Council position is that the HELAA approach provides the latest and most robust evidence on what the likely deliverability of those sites would be and the appropriate density multiplier to use and should be the starting point for what the sites can deliver. These figures will now be taken forward into the Regulation 19 Local Plan consultation document. They total 754[3] dwellings. | | |
| **SHELAA/217 South of Queenborough Creek** | 380 dwellings | Up to 246 dwellings: a loss of 134 dwellings. |
| **SHELAA/218 Former Istil site Rushenden Road** | 240 dwellings | Up to 140 dwellings: a loss of 100 dwellings. |

[2] Housing and Economic Land Availability Assessment is an appraisal of land within a local authority area that determines which sites are suitable on planning matters; available for development during the Local Plan time period and are financially achievable for development against the policy criteria of the emerging Local Plan.

[3] A Figure of 898 was presented in the PTPWG report 30th June. This figure was incorrect and reflected the existing masterplan delivery expectations from these sites. 754 dwellings reflects the delivery expectations for the Queenborough and Rushenden sites using the HELAA density multiplier. No other calculations are impacted by this or are incorrect.

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| **SHELAA/220 West of Rushenden Road** | 278 dwellings | Up to 368 dwellings: a gain of 90 dwellings. |

**Table I: Amendments to proposed non-strategic housing sites**

2.3 The revisions to these five housing sites have resulted in a net loss of 209 dwellings to the Council's housing land supply for the Regulation 19 Local Plan consultation. Whilst this loss is disappointing, revisions to site capacities and deliverability are part of the Local Plan drafting and consultation process. As mitigation, members previously agreed to apply a 5% buffer to the figures to allow for these types of matter and to avoid the need to consider adding sites late in the Local Plan drafting process. The housing land supply trajectory within the Regulation 19 Local Plan document, (Appendix I) at a base date 1st April 2025, sets out that there remains a buffer against the housing need for the Local Plan of 727 dwellings. The housing land supply position will be updated to a 1st April 2026 base date for the submission of the Local Plan in December 2026 that will include detailed site phasing from engagement with promoters of sites. The update will be reported to members when completed.

Amendments to proposed non-strategic sites - employment

2.4 After further, more detailed site work on the employment sites previously chosen for allocation by members, site CFS34 Land adj. Kemsley Substation, Sittingbourne – proposed for allocation for up to 5ha of employment land – has been withdrawn by the site promoter and owner, National Grid, making it no longer available. Site SBC17/005 Land at Pheasant Farm (west), Howt Green, Sittingbourne – proposed for allocation for 1.6ha of employment land - has also been removed as this site now has planning consent for 42 dwellings. This has resulted in a loss of 6.6ha of employment land from the supply.

2.5 Additionally, the employment site CFS50 Land East of Faversham Expansion - proposed for allocation for up to 21 ha of employment land - has had its site boundary amended from that presented in the HELAA and agreed by members. The boundary amendment reflects the site being considered for employment use only rather than the HELAA submission that considered a much a larger mixed use scheme. Through considering the design options for employment use on this site, it has been considered appropriate to locate the existing proposed quantum of employment use within the southeastern portion of the site (as shown in Appendix V) to reflect best access to the strategic road network. The name for this site has been amended to "Land at A2/M2 junction" to more accurately reflect its location.

2.6 In a similar context to housing land supply the loss of 6.6ha[4] of employment land is disappointing, however a buffer was applied to the supply for Local Plan drafting and resilience. The supply of employment sites as presented to Full Council on 1st April 2026 was a net supply position of 96ha once land lost for residential allocations had been considered and the revised figure following the loss of the two sites results in a net position of 89.4ha for employment allocations. This is still in excess of the 73ha target set for the Local Plan.

[4] This is amended from the 5ha as set out in the PTPWG report to accurately reflect the loss of the two employment sites set out in the preceding paragraphs.

Proposed Allocations

2.7 Some proposed allocations are extant planning permissions[5] which are yet to be built out and some are allocations from the adopted Local Plan which have yet to be developed or finished. They have been carried forward into this Local Plan, as is standard practice.

2.8 Extant planning permissions are sites that had full planning permission as of 1st April 2025 but which had not commenced development (NB these will be updated to 1st April 2026, once monitoring and analysis has been completed, for the submission version of the Local Plan[6]. It is therefore important that there is flexibility in managing revisions on these sites if any circumstances have changed by the intended December submission date. e.g. if the site is now complete and fully built out. These sites are generally considered to be deliverable, subject to phasing, within the 5-year housing period.

Accompanying Documents

2.9 The 30th June PTPWG report sets out the core documents that accompany the Local Plan and are being prepared for the Reg 19 consultation. They are:

- The draft Sustainability Appraisal (Appendix II). The Sustainability Appraisal presents an appraisal of the plan comparing the preferred growth scenario to other potentially reasonable alternative scenarios for growth in the Borough;
- The draft Habitats Regulation Assessment (Appendix III) that identifies aspects of the plan that will result in likely significant effects and adverse effects on habitat sites, special areas of conservation and special protection areas, and proposes appropriate policy mechanisms for delivering mitigation; and
- The draft Infrastructure Delivery Plan (Appendix IV) that strategically analyses and assesses the future infrastructure needs arising from development set out and planned for in the Local Plan. (NB. It cannot deal with current deficits in infrastructure provision.)

Sustainability Appraisal Update

2.10 The Sustainability Appraisal (SA) is a core document that must be submitted alongside the Local Plan for examination. The SA is a technical exercise that compares the preferred approach and alternative scenarios to achieving plan goals and targets. This is to ensure other reasonable approaches have been considered and subsequently that the preferred growth option (as chosen by members) is "justified". For the Regulation 19 version of the Local Plan the SA must be fully up to date at the point of consultation. The SA has now been

[5] Planning permission can be described as extant if all pre-commencement conditions have been adequately satisfied, and the time limits set by condition for starting the development and/or submitting reserved matters have not expired, or material operations comprising the development or the use authorised by the permission have been initiated before those deadlines expire.

[6] Monitoring includes an evaluation of planning permissions, housing starts and physical completions across Swale from 1st April. It includes site visits to all sites with live planning applications to ascertain whether a site is 'not started', 'under construction' or 'complete.' The results then have to be inputted into databases and analysis undertaken. This year there have been almost 250 housing sites to visit and 150 commercial sites.

updated to reflect the reasonable alternative growth scenarios which is the centrepiece of the report, and to reflect the most up-to-date position on the Land West of Bobbing strategic site taking account of the recent Resolution to Grant on the site made by Planning Committee on 24th June 2026. The implication of this resolution is to rule out alternative growth scenarios within the SA which do not include the Land West of Bobbing, The appraisal of Scenarios 1, 2 and 3 of the SA will be essentially remain unchanged. The SA looks in detail at evidence based reasonable growth alternatives that can be measured against the Councils preferred growth approach. The SA is indicating that the Councils preferred growth option performs the best when measured against the reasonable alternatives.

Strategic Flood Risk Assessment Level 2 (SFRA)

2.11 The 30th June PTPWG report also set out that a scoping exercise on the sites identified by Swale Borough Council to potentially take forward within the Local Plan was undertaken and guidance given as to whether a Level 2 SFRA should be undertaken. This demonstrated that 25 sites are 'least preferable' (over 20% of the site at risk from surface water, fluvial or tidal flood risk). A Level 2 SFRA is being carried out for these sites which will be ready in time for submission of the Local Plan. Consultant advice to date is that all sites are developable, with mitigation. This mitigation could be in the form of site layout changes, sustainable drainage requirements, land raising, flood resilience and resistance requirements, Flood Risk Emergency Plans and relevant wording would need to be added to the relevant allocation policies.

2.12 A full list of the changes requested by members at PTPWG on 30th June and amendments made by officers in response to those requests are included at Appendix VI.

Local Plan Policies Map

2.13 A requirement of a Local Plan's Examination in Public is to produce and submit alongside the Plan a Policies map. The map should set out geographically, where relevant, the policies within the Local Plan. This should include showing how the adopted policies map would be changed as a result of the new plan. The policies map is required to be reproduced from, or based on, an Ordnance Survey map.

2.14 As part of preparing the Regulation 19 Local Plan for consultation an interactive policies map is being produced at: https://maps.swale.gov.uk/. The visual standards for this Regulation 19 policies map will differ from the Local Plan Bearing Fruits standards as they have been developed to align with government recommended standards updated in February 2025[7]. These recommended standards seek to align ways in which Local Planning Authorities produce their policies map to make them quicker and easier to produce, understand and compare with different authorities.

[7] https://www.gov.uk/guidance/how-to-present-your-policies-map

## 3 Recommendations

1. To approve the changes to the proposed housing and employment allocations as set out in table I and paragraphs 2.2 – 2.6;

2. To delegate to the Head of Planning, in consultation with the Planning and Transportation Policy Working Group (PTPWG) Chair, any required updates to and/or deletions of sites with extant planning permissions;

3. To delegate to the Head of Planning, in consultation with the PTPWG Chair, any required updates and/or deletions to policies (Development Management, Strategic or Allocation) if required, once the transport and air quality modelling, Sustainability Appraisal and Habitats Regulation Assessment are complete;

4. To delegate to the Head of Planning, in consultation with PTPWG, the inclusion of any required mitigations within policies (Development Management, Strategic or Allocation) if required, once the Level 2 Strategic Flood Risk Assessment is complete;

5. To approve the Local Plan Regulation 19 document in Appendix I, the draft Sustainability Appraisal in Appendix II, the draft Habitat Regulation Assessment in Appendix III and the Draft Infrastructure Delivery Plan in Appendix IV for consultation purposes; and

6. To approve delegation to the Head of Planning, in consultation with the PTPWG Chair, any minor amendments and corrections to the Local Plan Regulation 19 document prior to the start of the consultation period.

## 4 Alternative Options Considered and Rejected

4.1 The alternative option is for members not to progress with a Local Plan review and not to publish the Regulation 19 Local Plan for consultation. This would be contrary to central government expectations, and to the Council's Corporate Plan objective to "progress a Local Plan with local needs and capacity at its heart." This would also be contrary to the Local Development Scheme (Local Plan timescale) adopted by Full Council, and to the recommendations of PTPWG (30th June) and P&R (13th July).

## 5 Consultation Undertaken or Proposed

5.1 All formal stages of a Local Plan go through statutory consultation with the public, Parish/Town Councils, Statutory and Non-Statutory Consultees and local interest groups. Details of this can be seen in the Swale Statement of Community Involvement

5.2 A consultation strategy has been developed for the Regulation 19 Local Plan, in line with the recently adopted Statement of Community Involvement, and will include:

- Emails sent out setting out the forthcoming dates to those on the Council's Local Plan consultation database ahead of the start of the consultation;
- Officers will attend the Swale Local Parish Council Liaison Forum;
- Printed copies of the documents will be placed at all of Swale's libraries, including the mobile ones. They will also be provided with posters to display advertising the consultation;
- The team will produce another video explaining the consultation document, what a Local Plan is and how to get involved with the consultation;
- Emails will be sent to Swale's Green Grid contacts;
- An article will be included in the Swale Means Business newsletter;
- An article will be included in the new resident newsletter and in Inside Swale;
- Posters will be made available to Parish and Town Councils and available to download from Swale's website for other community groups to share;
- The communications team will share regular social media posts promoting the consultation;
- Regular email reminders will be sent throughout the consultation period to those on the database;
- The team will update the Frequently Asked Questions document from the Regulation 18 consultation to assist stakeholders;
- A Statement of Representations Procedure has to be produced which will cover:
    - When you can make representations
    - The deadline for making representations
    - How you can make representations
    - How you can view key documents.
- A guidance note on making a representation will be available which will explain what is meant by soundness and legal compliance and to explain to stakeholders how to make their points clear for the Planning Inspector.
- The documents will be available to read on the Objective portal and be downloaded and printed, or a copy can be purchased; and
- A separate document of the site plans of the proposed allocations will be placed on the website so that they can be viewed separately to the whole Local Plan document and they will be able to be downloaded for all stakeholders to print and share as required.

5.3 The vision, objectives and DM policies have been through public consultation as part of the recent Regulation 18 consultation. The representations and their summaries and draft responses were taken to PTPWG on 27th May and the responses and comments from PTPWG were fed into the draft policies in Appendix I where appropriate.

5.4 The draft Strategic Policies were taken to PTPWG on 27th May and comments from members were fed into the draft policies in Appendix I where appropriate.

## 6 Implications

| Issue | Implications |
|---|---|
| Corporate Plan | The Local Plan supports the delivery of the Corporate Plan, aligning with the following priorities:<br>• Environment - To provide a cleaner, healthier, more sustainable and enjoyable environment, and to prepare our borough for the challenges ahead.<br>• Community - To enable our residents to live, work and enjoy their leisure time safely in our borough and to support community resilience.<br>• Economy – Working with our businesses and community organisations to work towards a sustainable economy which delivers for local people.<br>• Health and Housing - To aspire to be a borough where everyone has access to a decent home and improved health and wellbeing.<br>The Corporate Plan contains a specific objective to 'progress a Local Plan with local needs and capacity at its heart.' |
| Financial, Resource and Property | The Local Plan work programme is fully funded across a combination of base budget, committed reserves and a contribution from the government's Local Plans Delivery Fund. |
| Legal, Statutory and Procurement | Preparation of a Local Plan is carried out under a national legislative and regulatory framework. |
| Crime and Disorder | There are no direct crime and disorder impacts arising from this decision. |
| Environment and Climate/Ecological Emergency | As part of the Local Plan, there will be a Sustainability Appraisal and Habitats Regulation Assessment at each key stage in decision making and these assess the environmental impact of the Local Plan as a whole. The current documents are set out in Appendices II and II to this report. |
| Health and Wellbeing | No implications identified at this stage. |
| Safeguarding of Children, Young People and Vulnerable Adults | No implications identified at this stage. |
| Risk Management and Health and Safety | The risks of not submitting a Local Plan in line with the current Local Development Scheme have been previously debated by members and include needing to submit the Plan under the new national planning framework, and Swale Borough Council not being the adopting authority. This is in addition to an increased risk of speculative applications and appeals as long as Swale's Local Plan is considered out of date.<br>Judicial reviews to the Local Plan process and to the Plan itself are always possible and a relatively common course of action for |

| | |
|---|---|
| | parties not in agreement with decisions made. Any judicial reviews will be dealt with as they arise. Officers don't at this point perceive any vulnerabilities. |
| Equality and Diversity | No implications identified at this stage. |
| Privacy and Data Protection | No implications identified at this stage. |
| Local Government Reorganisation | The current Local Plan timetable expects the Local Plan to be submitted for its Examination in Public and to be adopted before local government reorganisation is expected to be complete. |

## 7 Appendices

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

- Appendix I: Draft Regulation 19 Local Plan
- Appendix II: Draft Sustainability Appraisal, June 2026
- Appendix III: Draft Habitat Regulation Assessment, June 2026
- Appendix IV: Draft Infrastructure Delivery Plan and Schedule, June 2026
- Appendix V: Reduced Employment Site at Land at A2/M2 Junction
- Appendix VI: Table of Comments Made, Changes Requested and Officer Response following PTPWG 30th June 2026 on Local Plan Review – Regulation 19 Consultation Launch

## 8 Background Papers

8.1 PTPWG report Local Plan Review - Regulation 19 Consultation Launch 30 June 2026

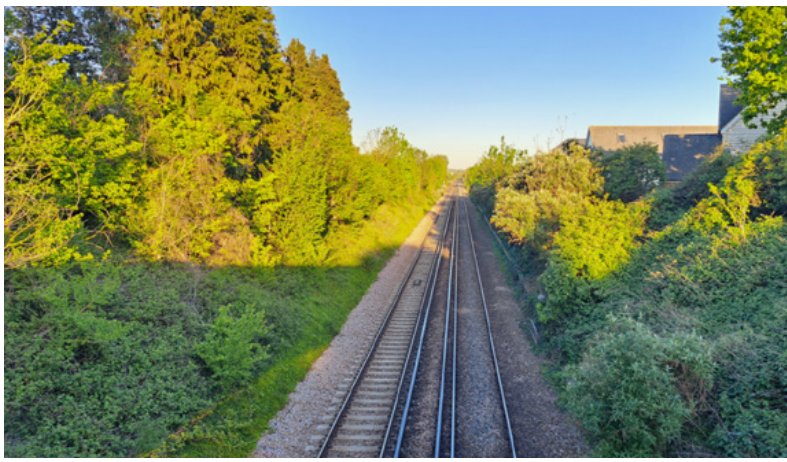
8.2 P&R report Local Plan Review - Regulation 19 Consultation Launch 13 July 2026

8.3 Full Council report Local Plan Review Growth Strategy and sites for allocation 1 April 2026

8.4 Local Development Scheme July 2025

8.5 Statement of Community Involvement December 2025

8.6 Interactive Local Plan Policies map link: https://maps.swale.gov.uk/






## Swale Borough Council

# Local Plan Review

## (Regulation 19)

**Summer 2026**

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# Foreword

Thank you for taking the time to engage with our local plan. It sets out the Council's vision for the borough over the next 15 years and will help shape our communities for generations to come.

This plan has been developed in a spirit of compromise. No plan can satisfy every aspiration or address every concern, but we hope residents and businesses will recognise it as a considered and balanced framework for guiding our borough through the years ahead.

In preparing this plan, we have had to balance a range of competing priorities. These include:

- protecting our vital agricultural land while meeting government targets for new housing;
- pushing for the highest possible environmental protections within the limitations of national planning law; and
- tackling the affordable housing crisis by securing the social rented housing local families need, while demanding the infrastructure to support it.

It is not perfect. No compromise ever is. But it provides an opportunity for local people to help shape the future of Swale.

Adopting a local plan allows us to retain greater influence over where and how development takes place, rather than leaving more decisions to be shaped by developers' proposals, appeals or Government decisions.

That is why we commend this plan to you. As councillors from different political parties and different parts of the borough, we have worked together to support a plan that we believe offers the strongest and most secure foundation for Swale's future.

Yours,

Cllr Tim Gibson (Leader of the Council)

Cllr Charles Gibson (Chair of the Planning & Transportation Policy Working Group)

ADD IMAGES LATER

# 1 Swale Borough Council Local Plan (Regulation 19)

## 1.1 Introduction

**1.1.1** The Local Plan should be read as a whole (including its footnotes and annexes and maps.)

## 1.2 What is a Local Plan?

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

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

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

**1.2.4** All policies in this Regulation 19 document are draft until the Local Plan is adopted by the Council after its Examination in Public.

**How is a Local Plan prepared?**

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

## 1.3 What has happened so far?

**Previous Local Plan Stages/Consultations**

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

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

**1 The Swale New Garden Communities Prospectus April 2018**

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

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

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

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

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

**1.3.6** For further information on the schemes submitted and the assessments of them please see the Strategic Development Options webpage [6].

**2 Looking Ahead April 2018**

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

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

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

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

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



6 https://swale.gov.uk/planning-and-regeneration/local-plans/sd-options

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

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

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

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

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

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

**1.3.14** The reasons for carrying out this further consultation [7] were to seek additional views on the options for a development strategy in light of the recently revised NPPF, and to set out potential approaches to address the challenges that faced the borough following the covid pandemic and Brexit.

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

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

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

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

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

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

**5 Local Plan Regulation 18 Consultation January - February 2026**

7 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/public-consultation
8 https://swale.gov.uk/planning-and-regeneration/local-plans/neighbourhood-planning/boughton-under-blean-and-dunkirk#h2
9 https://swale.gov.uk/planning-and-regeneration/local-plans/neighbourhood-planning/faversham#h2
10 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence#h2

**1.3.21** This consultation asked for feedback from stakeholders and the community on a series of questions about the Local Plan's vision, objectives and Development Management policies. Swale Regulation 18 Local Plan

**1.3.22** Alongside the Regulation 18 consultation the Council also consulted on the Sustainability Appraisal Scoping Report. Sustainability Appraisal Scoping Report

**1.3.23** The comments made were fed into the next stage of plan making (this Regulation 19 Local Plan.) The representations made, summaries of these comments and the Council's response to these can be viewed at Objective - What People Said

## 1.4 Neighbourhood Plans

**1.4.1** The Localism Act 2011 [11] introduced rights and powers that allow local communities to shape new developments within their area by coming together to prepare a neighbourhood plan. These Plans can be prepared by Town and Parish Councils or 'neighbourhood forums', which are community groups intended to undertake neighbourhood planning in areas without parishes. Such forums apply to the local planning authority for appropriate recognition to take the lead of a Neighbourhood Plan.

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

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

**1.4.4** The Local Plan sets the strategic context within which neighbourhood development plans sit.

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

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

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

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

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

**1.4.9** An independent qualified person will check that a neighbourhood development plan or order appropriately meets the conditions before it can be voted on in a local referendum. This is to make sure that referendums only take place when proposals are workable and of a decent quality. Neighbourhood



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

development plans or orders do not take effect unless there is a majority of support - more than 50% - in a referendum of the neighbourhood. If proposals pass the referendum, the local planning authority is under a legal duty to bring them into force.

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

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

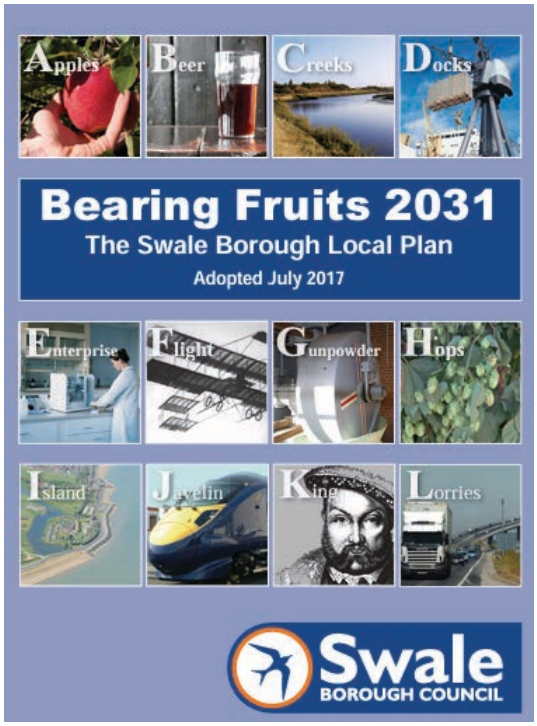
**1.4.11** Two Neighbourhood Plans are 'Made' (Adopted). The Localism Act 2011 considers Neighbourhood Development Plans as 'made' [12] when completed. Boughton and Dunkirk Neighbourhood Plan made in February 2023 and Faversham Neighbourhood Plan made in December 2024.

**1.4.12** For further guidance on how to undertake a Neighbourhood Plan please visit Neighbourhood Planning Guide.[13]

## 1.5 Why is the Local Plan being reviewed?

**Why the Local Plan is being reviewed**

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




**Picture 1.5.1 Bearing Fruits 2017**

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

- deliver the spatial priorities and objectives of the Swale Borough Corporate Plan, the current version (2023- 2027) of which reflects the Council's declaration of a climate and ecological emergency in June 2019;
- address changes to national planning policy and guidance since the adoption of Bearing Fruits, including the requirement to review Local Plans at least once every 5 years (introduced in April 2018);
- extend the plan period to ensure that there will be an appropriate time horizon for strategic policies as recommended in the NPPF in order to anticipate and respond to long term requirements and opportunities;
- fulfil the Council's commitment in Bearing Fruits to undertaking an early review of its Local Plan to address local transport issues; and
- provide for additional new housing, employment and other development that is required to meet future needs.
- Since the last Reg 19 consultation in Spring 2021 and the Reg 18 consultation in Spring 2026, a number of pieces of relevant legislation and documents have been updated:

12 https://www.legislation.gov.uk/ukpga/2011/20
13 https://neighbourhoodplanning.org/
14 services.swale.gov.uk/media/files/localplan/adoptedlocalplanfinalwebversion.pdf

- The NPPF was updated in 2024 so a new Reg 19 allows Swale to reflect this, and any updates to the PPGs, within the Local Plan;
- A number of new evidence base documents have been undertaken so their findings can be reflected within the Local Plan; and
- The Swale Climate and Ecological Emergency action plans have been updated, a new Swale Affordable Housing Emergency was declared in April 2024 and the Council signed the Town and Country Planning Association's 'Healthy Homes' pledge in May 2024.

**1.5.3** As part of that process four stages of consultation have been undertaken. They are set out in section 1.3 'What has happened so far?' above.

**1.5.4** The Council decided to undertake an additional Reg 18 consultation in Spring 2026 for several reasons, in addition to those outlined above. To:

- Allow Swale to set out a vision (excluding strategic policies or allocations) for housing, the economy, the environment, infrastructure, at the earliest stage of plan making;
- Enable Swale to reflect local issues and priorities within the Development Management Policies;
- Provide an early opportunity for the public and stakeholders to engage with elements of the Local Plan; and
- Allow the Local Plan to be submitted under the transition window and under the current planning system. [15]This will allow the current evidence base to be used and will deliver a Local Plan as early as possible. This is important because there are risks in not having an up-to-date Local Plan.

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

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

**Table 1.5.1 Local Development Scheme**

*Dates reliant on availability of the Planning Inspectorate

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

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

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

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

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

## 1.6 How to comment

**1.6.1** This is the final draft stage of the Local Plan's preparation before we submit it to the Government for Examination by an Independent Planning Inspector.

**1.6.2** At this Regulation 19 stage, we are inviting representations on whether the plan is legally compliant and sound. These are specific tests that the Planning Inspector will use to examine the plan as set out in legislation and national policy.

**What does this mean?**

**1.6.3** Your representations should explain whether you think the plan is:

- Positively prepared: That it meets the district's housing and development needs (based on evidence)
- Justified: That it provides an appropriate strategy (compared to reasonable alternatives)
- Effective: That it is deliverable over the plan period
- Consistent: with national policy and legal requirements

**1.6.4** For full guidance on how to submit your representation, please use this link: ** Add link. **

**1.6.5** Your representations will be passed to the Planning Inspector, so it is important that you tell us whether you think the plan meets these tests and why. If you think changes are needed to make the plan legally compliant or sound, please set out what specific changes you would propose.

**1.6.6** All comments received through our previous consultations (2018-2025) have been carefully considered in preparing this final draft of the Local Plan.

**1.6.7** We're also consulting on the Habitats Regulations Assessment and Sustainability Appraisal of the draft Local Plan.

**1.6.8** Following this consultation, the Local Plan and all the representations will be submitted to the Secretary of State.

**1.6.9** This consultation document and its supporting documents can be found on the Council's website[17]. Copies of the Regulation 19 document are available to view in local libraries across Swale.

**1.6.10** You can respond to this consultation in the following ways:

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

**1.6.11** If you have any questions about using the consultation portal, please refer to our Frequently Asked Questions on the Council's website[18], where you will find answers to some of the most commonly asked questions.

17 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/local-plan-review#h2
18 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/public-consultation

**1.6.12** If you need any assistance with the Regulation 19 consultation document or the Local Plan in general, you can:

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

**Consultation period**

This consultation is open for six weeks from **10th August 2026 until Monday 21st September at 5pm.**

Please submit your comments in advance of the closing date to enable time for them to be considered by the Planning Inspector.

**Privacy Notice**

We are required to publish the responses we receive, including your name and the name of the organisation, body or person you are representing. Please do not include information in your comments unless you are happy for it to be published. We may also share your data with the Planning Inspectorate.

Comments made on the Local Plan Regulation 19 will be made available for public inspection, together with your name and post town. For details on how your information is handled, please see our privacy notice [19]

**Question 1**

Tell us about yourself and your preferences for being notified about progress of the Local Plan

## 1.7 What happens next

**1.7.1** The comments received to the consultation will be provided in full to an independent planning inspector under Regulation 22 of the Local Plan Regulations along with this submission version of the Local Plan Review and accompanying documents.

**1.7.2** The consultation document has been prepared under the National Planning Policy Framework (NPPF) 2024. Should the NPPF be updated before submission of this Plan, then this Plan will be reviewed against the requirements of the new NPPF.

**1.7.3** The Council has published an updated timetable, known as the Local Development Scheme (LDS), for reviewing the Local Plan which is outlined in paragraph 1.5.5.

**1.7.4** Further details of the Local Plan timetable are set out in the Council's Local Development Scheme which can be viewed at: Local Development Scheme[20]

19 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/local-plans-privacy-notice
20 https://swale.gov.uk/your-council/publications/planning-and-planning-policy/local-development-scheme

# 2 What has influenced the development of the Local Plan

## 2.1 National Planning Policy and Guidance

**2.1.1** The National Planning Policy Framework (NPPF) [21] provides the Government's policies on planning and a framework for preparing Local Plans. The planning system is plan-led and there is a requirement for Planning Authorities to prepare Local Plans to address development priorities and use of land in their area.

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

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

**2.1.4** The Planning Practice Guidance (PPG) is published online and updated regularly to support the NPPF, expanding on it and providing further guidance on its application. It contains a dedicated section on Local Plans [22] including plan making and the role of plans.

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

**2.1.6** The Government consulted on a new National Policy Framework (NPPF) from 16th December 2025 to 10th March 2026. Until the final version is published, the Swale Local Plan will refer to the current version of the NPPF. If the NPPF is updated before the Local Plan is submitted, the Local Plan will be updated to reflect any necessary changes.

**Local Plan Review and Plan Period**

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

## 2.2 Engagement

**2.2.1** Paragraph 16(c) of the National Planning Policy Framework (NPPF) [23] states that plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees. There is also a 'duty to cooperate' legislative requirement built into the plan making process in line with the Localism Act 2011. This requires the Council to engage with neighbouring authorities, strategic partners and other prescribed bodies.

**2.2.2** Since the commencement of the preparation of the Swale Local Plan Review, the Council has undertaken a series of consultation and engagement opportunities across all aspects of planning policy with

21 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
22 https://www.gov.uk/government/collections/creating-or-updating-a-local-plan
23 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

a wide range of stakeholders. This is part of the Council's commitment to cooperating with neighbouring authorities, key organisations and infrastructure providers on cross boundary issues and with the wider public.

**2.2.3** The Council's statement of community involvement [24] sets out the requirements and approach towards consultation on the Local Plan. It also contains a list of specific and general consultees to be consulted. This has been duly considered and adhered to by the Council throughout the process of engaging on the plan.

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

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

**2.2.6** The Swale Local Plan Review Statement of Consultation [25] reports on engagement since the commencement of the Local Plan Review, as this is an ongoing process, the document will continuously be updated as the review progresses.

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

## 2.3 Other plans and strategies

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

**Corporate Plan 2023 - 2027**

**2.3.2** The Council's Corporate Plan 2023 - 2027[26] sets out the high level objectives and priorities for the Council and it acknowledges the Local Plan as a key tool in delivering those corporate priorities.

**Kent Minerals and Waste Plan**

**2.3.3** The Kent Minerals and Waste Local Plan 2024-39[27] was adopted in March 2025 and is a statutory development plan setting out the vision and strategy for waste management and mineral provision across Kent including Swale. The Plan presents:

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

24 https://swale.gov.uk/planning-and-regeneration/local-plans/sci
25 https://services.swale.gov.uk/assets/Planning%20Policy%202019/Statement%20of%20Consultation.pdf
26 https://swale.gov.uk/__data/assets/pdf_file/0005/465341/Corporate-Plan-2023-2027-final-adopted-version.pdf
27 https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/planning-policies/minerals-and-waste-planning-policy/kent-minerals-and-waste-local-plan-kmwlp

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

**The Kent Biodiversity Strategy 2020 to 2045**

**2.3.5** The Kent Nature Partnership Biodiversity Strategy 2020 to 2045 [28] is led by Kent Nature Partnership and is a 25 year plan to protect and recover threatened species and enhance the wildlife habitat in Kent setting an environmental net gain ambition in alignment with national planning policy. The strategy sets goals for ecosystems and species in terrestrial habitats, freshwater and intertidal marine habitats, as well as goals to connect people with the natural environment. The Nature Partnership includes the Council, and the ambitions of the strategy are embedded and will be delivered by the Local Plan, as encouraged by National Planning Policy Framework [29]

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

**2.3.6** The Air Quality Action Plan [30] sets out the Council's intention to improve Air Quality in the borough. It has been produced as part of the Council's Statutory Duties required by the Local Air Quality Management Framework. It includes key priority themes with actionable measures leading to compliance with the Air Quality Objectives for the AQMA.

**2.3.7** Other relevant Plans and Strategies that will help shape development in the borough are shown in Picture 2.3.1 Other Plans and Strategybelow

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

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

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




**Picture 2.3.1 Other Plans and Strategy**

## 2.4 Evidence base

**2.4.1** An assessment for "soundness" of Local Plans as contained in Paragraph 36(b) of the National Planning Policy Framework[31] (NPPF) is whether the plan is based on proportionate evidence. This is a key test considered by Planning Inspectors to determine if a plan is justified.

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

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



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

Infrastructure, environment, employment and others. These can be found on the Council's website[32]. The work undertaken with regards to gathering and preparing evidence to support the plan are interlinked and it can be beneficial to consider it as a whole.

## 2.5 Environmental impacts

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

**2.5.2** Section 39 of the Planning and Compulsory Purchase Act 2004 [33] requires authorities preparing a plan to do so with the objective of contributing to achieving sustainable development. The National Planning Policy Framework (Para 8c) [34] lists an environmental objective as one of the three overarching objectives of the planning system important in achieving sustainable development.

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

**2.5.4** The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) [35] requires a comprehensive assessment of Environmental Impact to determine likely significant effect in the process of plan making. Section 19 of the Planning and Compulsory Purchase Act 2004 [36] also legally requires that a full sustainability appraisal is carried out on the proposed plan.

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

**2.5.6** An SA scoping report [37] was produced in Dec 2018 in line with the SEA regulations to take comments from statutory consultees. The outcome of this fed into the Sustainability Appraisal (SA) of the Swale Local Plan [38] report published in February 2021 to accompany the then Regulation 19 version of the emerging Local Plan. Born out of a desire to 'take a step back' and reconsider issues, opportunities and options for the Local Plan Review, the Swale Local Plan Interim SA Report [39] was published in October 2021.

**2.5.7** Given that time has passed since the publication of the initial SA Scoping Report, a refresh of the document was prepared [40] for the Reg 18 Stage of Plan Making.

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

32 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence
33 https://www.legislation.gov.uk/ukpga/2004/5/contents
34 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
35 https://www.legislation.gov.uk/uksi/2004/1633/contents/made
36 https://www.legislation.gov.uk/ukpga/2004/5/section/19
37 https://services.swale.gov.uk/assets/Planning%20Policy%202019/FINAL%20Swale%20SA%20Scoping%20Report%20DECEMBER%202018.pdf
38 https://services.swale.gov.uk/assets/Planning%20Policy%202019/Swale%20Local%20Plan%20Review%20SA%20-%20SA%20Report%20210209.pdf
39 https://services.swale.gov.uk/assets/Planning%20Policy%202019/Reg%2018%20October%202021/Swale%20Local%20Plan%20SA%20-%20Interim%20SA%20Report%20211015.pdf
40 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/public-consultation

These sites include Special Areas of Conservation, Special Protection Areas and Ramsar sites and there are a number of such sites within or close to the borough. The requirement is set out in the Conservation of Habitats and Species Regulations 2017 (as amended)[41]

**2.5.9** An HRA [42] was prepared at the previous stage of the Local Plan and has been updated to support the emerging plan.

**2.5.10** An HRA and SA have been prepared for this Regulation 19 Local Plan and can be viewed at INSERT LINKS.

41 https://www.legislation.gov.uk/uksi/2017/1012/contents

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

# 3 Characteristics of the Borough and the key challenges to be addressed

## 3.1 Key characteristics

### Geography and Demographics

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

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

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

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

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

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

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

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

**Table 3.1.1**

### Employment and Skills

**3.1.8** There were 79,700 economically active residents in Swale in 2022, which is 84% of those aged 16-64. Job density is comparatively low at 0.65, with a Kent average of 0.81 and a national average of 0.86. Approximately 10,000 Swale residents commute out of the borough for work (Employment Land Review Update, 2024 [43]).

**3.1.9** There is a discrepancy between average resident wages and average workplace wages, with the average resident wage matching the county average, but the average workplace wage being 12% below this (and 20% below the England Average [43]).

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

**3.1.10** The latest qualifications data (2021) [43] suggests that the skills gap which has been a typical feature of the Swale economy is reducing. 31.2% of Swale's population have qualifications at or above NVQ Level 4. Whilst this is a gap of 7.3% when compared with the County average, this has reduced from 10% in 2018. 9% of Swale residents have no qualifications, and this is higher than both Kent and England.

**3.1.11** Swale's main town centres have fewer commercial unit vacancies on average than the national picture. Faversham has the lowest vacancy rate of 6.2%. The figure for Sheerness is 8.69%, whilst Sittingbourne has a vacancy rate of 12.02%. These compare with a national average of 13.9%.

**Housing Stock**

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

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

**Table 3.1.2**

**3.1.13** As of 31st March 2026, there were 2,069 households on the Housing Register.

**Heritage and Ecological Assets**

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

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

**Table 3.1.3**

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

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

**3.1.17** Swale contains a diverse range of cultural assets - both physical and organisations that add to the vibrancy of the area and provide jobs and skills training for residents.

## 3.2 Key issues and challenges

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

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

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

**Net Zero Carbon and Climate Change Emergency**

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

**3.2.4** The updated National Planning Policy Framework [44] (NPPF) contains significant amendments concerning climate change.

**3.2.5** The NPPF (para 161) now explicitly refers to the transition to net zero by 2050. This enshrines in planning policy the net zero obligation that was set out in the Climate Change Act 2008 (amended 2019) [45]. Local Plans are required to take full account of all climate impacts including:

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

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

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

**3.2.7** The Council declared a Climate and Ecological Emergency in 2019, with a borough-wide net zero target subsequently set for 2045. A related Action Plan [46] remains a live document.

44 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
45 https://www.legislation.gov.uk/ukpga/2008/27/contents
46 https://news.swale.gov.uk/news/action-plan-against-climate-change

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

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

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

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

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

**Affordable Housing and Affordable Home Emergency**

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

**3.2.12** The driving forces behind this emergency declaration are referred to in the motion as systemic and structural. A significant link between the impact of quality affordable homes and the wider determinants of health is recognised. In turn, health is recognised as a widespread driver of economic inactivity [47].

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

*Despite the housing growth in the area, the delivery of affordable rented properties falls far short from demand, It has become increasingly challenging to secure Registered Providers (RPs) on schemes with low numbers of s106 affordable homes, however the introduction of First Homes as part of the s106 affordable housing contribution has been catastrophic and severely reduced the number of affordable/social rented and shared ownership homes available to RPs. There is an increasing number of affordable homes being left dormant on approved sites across the borough - currently in Swale there are just under 500 affordable homes secured on s106 sites but with no RP to contract and deliver these much-needed homes. Despite working in effective partnership with RPs, including applying strategic partnership funding to provide additional affordable homes on land-led schemes, more innovation is required to enable smaller RPs to utilise available Homes England affordable housing grant to start to deliver homes in areas where viability is 'blocking' delivering but where homelessness and poverty are acute.*

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

- H1: Affordable Housing

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

**Infrastructure Delivery**

**3.2.15** Infrastructure can be grouped into three main types:

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

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

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

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

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

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

- Section 106 Agreements - used to secure site specific infrastructure through negotiation with the developer where it is necessary to make the development acceptable in planning terms, directly related to the development, fairly and reasonably related in scale, and kind to the development;
- Section 278 Agreements - completed between the developer and highway authority (Kent County Council) where development requires work to be carried out on the existing adopted highway;
- Planning conditions; and
- Community Infrastructure Levy payments - a charge which can be levied by local authorities on new development in their area.

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

**3.2.21** The IDP is a 'live' document and engagement with infrastructure providers will continue until submission of the Local Plan and the document will continue to be updated.

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

**3.2.23** The relevant draft policies are:

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

**Active Travel**

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

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

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

**3.2.27** A number of active travel schemes have been introduced since Bearing Fruits, such as the Faversham LCWIP (January 2022) which was revised in Autumn 2024 and the Kent Cycling and Walking Infrastructure Plan (KCWIP, August 2024 [48]).

**3.2.28** Work on a Sheppey Towns LCWIP was started and has since been merged into a Swale-wide LCWIP to put forward a coherent network of active travel routes across the borough. The Swale LCWIP [49] was adopted by the Council in March 2026. It has been designed to enable a long-term approach to developing local cycling, walking and wheeling networks over a 10-year period. It is envisaged that the LCWIP will be reviewed and updated to reflect progress made towards implementation or to reflect changes in local policies or strategies.

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

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

**3.2.30** The projects and proposals within the LCWIPs are reflected in the IDP, site allocations and the Strategic Transport Policies. Reference has been made to them in the Development Management transport policies within this plan.

**3.2.31** Kent County Council's Improvement Plan 2018 – 2028 sets out the objectives for Kent's Public Rights of Way (PROW) network and wider public access for the next 10 years and should be referred to by planning applicants.

**Historic and Natural Environment**

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

**3.2.33** Three broad landscape types dominate the borough:

- The chalk of the Kent Downs;

48 https://letstalk.kent.gov.uk/kent-cycling-and-walking-infrastructure-plan
49 https://swale.gov.uk/your-council/strategies-and-policies/active-travel

- The central agricultural plain; and
- The Thames Estuary marshes.

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

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

**3.2.36** The following draft policies respond to the ecological challenge:

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

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

**3.2.38** The National Planning Policy Framework [50] (NPPF para 202) refers to heritage assets as an "irreplaceable resource" which should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The vast array of Swale's heritage assets is set out in the Key Characteristics section of this plan, above.

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

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

**Town Centres**

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

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



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

**3.2.42** A Supplementary Planning Document (SPD) was adopted for Sittingbourne Town Centre in 2022 [51] , aiming to guide regeneration over the plan period. It will continue to form part of the Development Plan for the borough, shaping how the Council considers new development proposals.

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

**3.2.44** Policy E3: Proposals for Main Town Centre Uses responds to the identified challenges.

**Competitive Economy**

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

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

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

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

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

**3.2.50** The draft policies promoting a competitive economy are:

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

**Viability of Development**

**3.2.51** Whilst the overall development market for Swale is perceived to be active, with a strong market for the right scheme in the right place that includes an average of 720 completed homes per year over the last 10 years [52], some areas of the borough are challenging with relatively low house prices making the delivery of new homes less easy. This is particularly the case with brownfield sites being challenging to deliver in the borough's town centres where some of the lowest house prices are located.

**3.2.52** To ensure the deliverability of Local Plans the National Planning Policy Framework [53](NPPF para 35) sets out that policy requirements should be informed by evidence of infrastructure and Affordable Housing need, and a proportionate assessment of viability that takes into account all relevant policies, and local and national standards, including the cost implications of the Community Infrastructure Levy (CIL)

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

52 https://swale.gov.uk/__data/assets/pdf_file/0004/485014/2024-2025-Housing_Land_Supply_Position_Statement_Nov2024_Final.pdf

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

and section 106. To ensure that the Local Plan policy objectives do not undermine the deliverability of the Plan a Whole Plan Viability Assessment [54] has been undertaken and has provided recommendations that have informed drafting of this Plan.

**Health**

**3.2.53** The Council declared a mental health crisis in Swale at a meeting of its Full Council on 19th November 2025. Among a wider list of actions, the Council resolved to carry out two actions that relate to the Local Plan. They:

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



54 https://swale.gov.uk/__data/assets/pdf_file/0005/510494/2024_Whole_Plan_Viability_Assessment.pdf

# 4 Our Vision and Objectives

## 4.1 The Vision for Swale

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

### Statement 1

**The Vision for Swale**

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

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

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

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

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

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

## 4.2 Local Plan Objectives

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

### Statement 2

**The Objectives for Swale**

1. To provide for homes and jobs that are best suited to meet the imposed Government Targets;
2. To support and sustain communities across the borough, big and small, by planning to meet identified needs, including needs for community facilities and infrastructure;

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

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

# 5 Local Plan Strategy for Swale

**5.0.1** The Local Plan needs to contain an overall strategy for the pattern and scale of development and make sufficient provision for the future growth needs of the Borough for the plan period (2027- 2042).

**5.0.2** In terms of broad principles to guide the location of development, the following objectives reflect local evidence, government policy and Council priorities:

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

**5.0.3** Sitting behind these objectives are a number of key principles that underpin the development strategy. The borough's identified development needs should be met:

- on brownfield sites in sustainable locations/within the settlement confines;
- on land at low risk of flooding within existing settlements; and
- on land with the least environmental or amenity value.

**5.0.4** The quantum of new development needed to meet the identified needs for the plan period cannot be met in its entirety on sites that meet the above criteria. It has therefore been necessary to identify additional sites that can deliver sustainable development along with wider benefits that achieve the plan's objectives and guiding principles.

**5.0.5** The development strategy for this Local Plan must be considered within the context of the strategy and proposals set out in the adopted Local Plan - Bearing Fruits. For Bearing Fruits (and the 2008 plan), Sittingbourne (as the Borough's principal town) and the Isle of Sheppey were part of the broader Thames Gateway growth area and were the focus for development. Large amounts of development have been forthcoming in these locations but much of it was constrained by issues around highway capacity, air quality and high level constraints such as land at high risk of flooding or sites of international and national biodiversity significance. Organic growth of Sittingbourne along the lines of 'business as usual' as set out in Bearing Fruits represents significant challenges in terms of the impacts on infrastructure and would encroach further into land that plays an important role in maintaining a settlement gap between villages, much of which is significant for its local landscape value.

**5.0.6** It would be difficult to deliver the additional dwellings needed to meet the housing need for this Local Plan through new site allocations only in and around Sittingbourne as much of the land has been built out, or is being built out through existing allocations from Bearing Fruits with that remaining constrained. This has meant that the growth strategy in this Local Plan has been unable to align with the growth strategy in Bearing Fruits namely that development should be focused on Sittingbourne. This has meant that a new growth strategy has been developed for this Local Plan, containing new strategic sites capable of delivering much of their own infrastructure whilst meeting the wider needs of the borough. This Local Plan seeks to support the settlement hierarchy of the borough by seeking to place the remaining development need after strategic sites have been considered in the most sustainable settlements whilst also seeking to support rural communities.

## 5.1 Explaining the Development Strategy for Swale

**5.1.1** The development strategy for this Local Plan must be considered within the context of the strategy and proposals set out in the Local Plan Bearing Fruits. This development strategy seeks to evolve from the approach in Bearing Fruits to deliver a range of additional sites that are both strategic and non strategic to meet development needs. This approach seeks to also respect what viably the market and infrastructure providers can deliver during the various stages of this plan period.

**5.1.2** Viability in and around Sittingbourne and Sheppey has historically impacted upon housing delivery rates. Additionally, much of the planned development at Sittingbourne allocated in Bearing Fruits has been impacted by capacity issues at junction 5 of the M2. This is now resolved with improvements to junction 5 completed in 2023 resulting in allocations for development having moved forward with planning applications. However, the delivery of this development is still yet to be fully achieved. The opportunity for a new strategic site at Bobbing to the west of the A249 offers the opportunity to capitalise on the junction 5 improvements. It would provide development that is viable and less constrained than around Sittingbourne meeting much of its own infrastructure needs whilst providing for the wider needs of communities in the west of the borough.

**5.1.3** It would be difficult to deliver additional dwellings in and around Sittingbourne as existing allocations are not yet fully completed, with much of the remaining land constrained by local and national policy constraints. Sittingbourne town itself contains development opportunities for redevelopment and this regeneration is a major element of the emerging development strategy. This approach makes the best use of the available brownfield land and provides opportunities to support the commercial core of the town.

**5.1.4** Under Bearing Fruits and the 2008 Local Plan, significant development has been allocated in the west of the Isle of Sheppey through the strategic sites at Thistle Hill and Barton Hill Drive. Whilst much of this development is progressing other opportunities exist on the Isle of Sheppey at Sheerness, East Church, Leysdown and Warden. This includes smaller scale development in and around the settlements and is expected to be deliver through non strategic allocations over the life of the plan.

**5.1.5** Redevelopment opportunities exist in and around Queenborough and Rushenden where Homes England have facilitated remedial works to get sites identified in the Queenborough & Rushenden Masterplan [55] development ready. The emerging Local Plan strategy supports the expansion of the opportunities at Rushenden for further redevelopment that will deliver a landscape-led mixed use scheme in a part of the borough where the investment will have a meaningful positive impact and deliver much needed community infrastructure and open space.

**5.1.6** Faversham, one of the the borough's two secondary towns and has historically had lower levels of growth proposed through plan making. It is a historic market town that is also constrained, particularly to the north, west and south west by high level biodiversity designations, land at high risk of flooding, heritage assets and landscape designations. Along with the wider rural areas, viability is stronger at Faversham but there are concerns around affordability of housing, infrastructure capacity and local job opportunities. The opportunity for a new strategic site to the south east of the town will offer the opportunity to address some of the affordability issues and will deliver infrastructure and jobs to support both new and existing communities. Faversham Neighbourhood Plan made in 2023 sets out allocated development sites that support the urban area of the town including supporting connections that integrate the town and new development.

**5.1.7** Swale includes a number of vibrant rural communities, many of which offer a broad range of shops and services that meet many day-to-day needs but residents still need to travel to access the full range of services needed, for example employment and education. Small-scale development in those locations may be acceptable but the general quantum of development needed to deliver additional infrastructure could be so large it could impact on the character of the settlements and exacerbate existing infrastructure capacity issues in the short to medium term. To address this some non strategic site allocations are proposed in



55 https://swale.gov.uk/planning-and-regeneration/local-plans/queenborough-rushenden-masterplan

smaller settlements with development proposed that is appropriate in scale to the settlement and levels of infrastructure provision available. This approach should assist the sustainability of those settlements during the plan period.

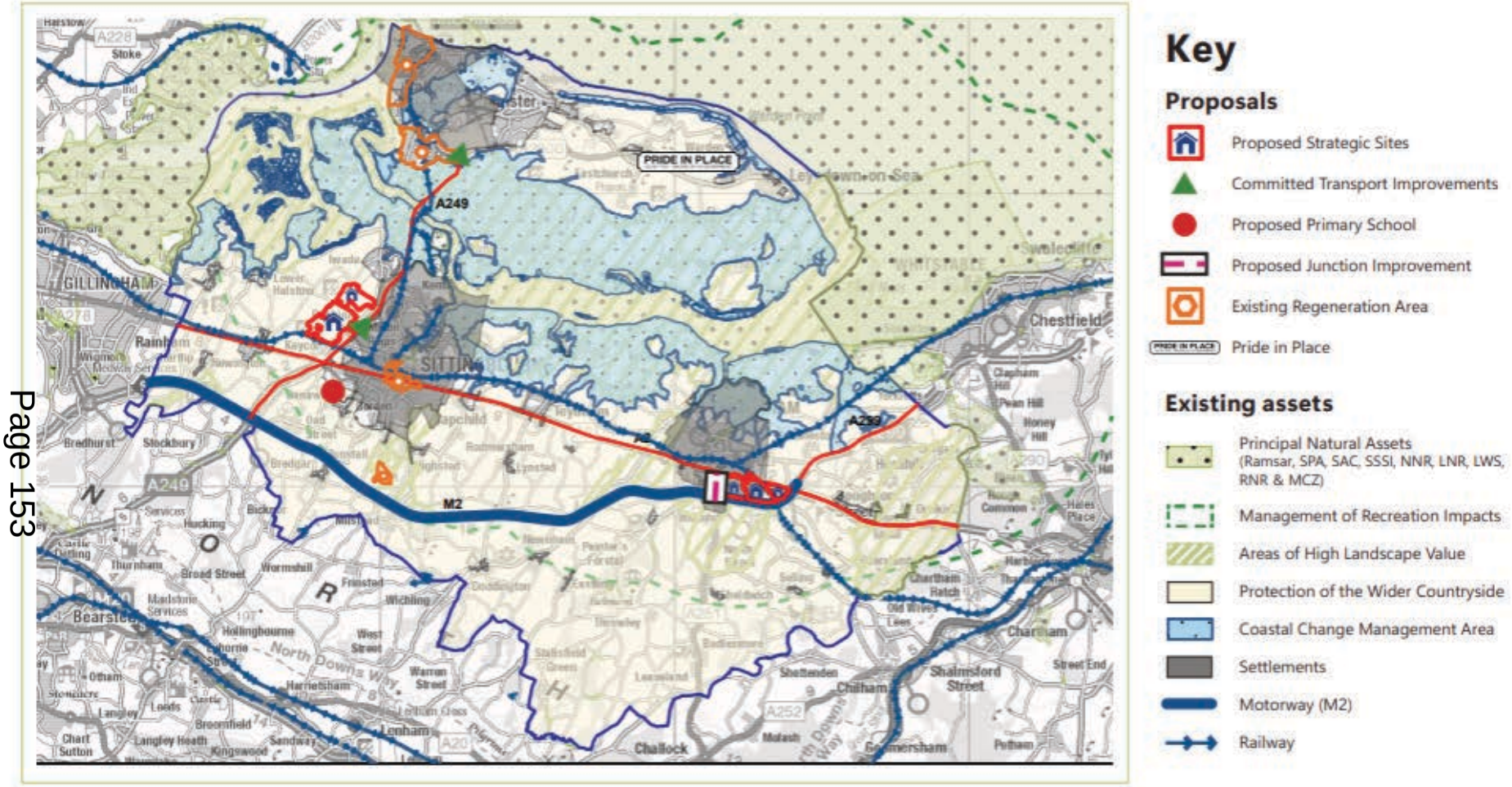
**5.1.8** To address the overall need for development in this Local Plan and considerate of the settlement patterns and land constraints two strategic sites have been chosen to be delivered through this Local Plan. One strategic site is proposed in the east of the borough and one in the west, with the spread of the sites optomising some of the least constrained land within the borough, the sites will provide for much of their own infrastructure needs whilst also supporting the needs of local communities across the whole borough. To support the existing settlements of the borough including the main settlements, the balance of development need after the strategic sites is proposed to be met on non strategic sites for allocation with this development sought at the most sustainable locations and seeking to support the needs of the rural communities.

**5.1.9** Further development on unallocated sites will be supported through the application of the policies in this plan that include:

- 17.2 Policy H2 Small and Medium sites for Housing Development;
- 17.3 Policy H3 Rural Exception and Community-Led Housing Development;
- 17.4 Policy H4 Self-Build and Custom Build;
- 17.5 Policy H5 Park Homes;
- 17.6 Policy H6 Gypsy, Traveller & Travelling Showpeople Accommodation;
- 18.1 Policy E1 Loss of Employment Floorspace & Land;
- 18.2 Policy E2 The Rural Economy; and
- 18.3 Policy E3 Proposals for Main Town Centre Uses.

## 5.2 The Key Diagram

**5.2.1** Our Key Diagram provides the spatial representation of our vision and the development strategy as set out above. It shows the priority areas for development, conservation and enhancement and infrastructure.




Map The Key Diagram

# 6 Strategic Policies

## 6.1 Introduction

**6.1.1** Strategic planning policies in local plans are high-level, overarching policies that set out the scale, pattern, and quality of development across a local authority's area. They provide the high-level, long-term planning principles that guide development, setting out the key principles for growth, infrastructure and the protection of areas. They sit above the development management (DM) policies which are set out in chapters 15 - 22.

## 6.2 Policy ST1 Delivering Sustainable Development in Swale

**6.2.1** The purpose of the Development Plan is to facilitate and manage sustainable development. There are three dimensions to sustainable development:

- economic;
- social; and
- environmental.

**6.2.2** The policies within this in the Local Plan seek opportunities to make a positive contribution to these dimensions.

**6.2.3** Sustainable development means meeting present needs - specifically for homes, jobs, and infrastructure - without compromising the ability of future generations to meet theirs. It is the core purpose of planning, balancing economic, social, and environmental objectives to create, beautiful, safe, and healthy communities, underpinned by a 'presumption in favour of sustainable development.' (Add internal link to the glossary.)

**6.2.4** In essence, the presumption in favour of sustainable development lies at the heart of the Local Plan and should be seen as a golden thread running through it. The strategy for Swale has been shaped by a desire to deliver sustainable growth that brings benefits for all sectors of Swale's community – for existing residents, businesses and organisations as much as for new ones. In order to deliver these benefits, it is necessary to take a bold approach to addressing the impacts of climate change, to embracing opportunities to enhance health and wellbeing, through improving our environment and ensuring communities are supported with the opportunities and infrastructure needed to enjoy a good quality of life, including jobs and homes.

**6.2.5** This policy provides the basis for action and the means to locally determine whether development proposals merit the national presumption in favour of sustainable development. It emphasises the importance of joint working, placing the requirement on all stakeholders to demonstrate their commitment to sustainable development in Swale.



**Picture 6.2.1 Swale Estuary and Solar Panels**

## Policy ST1

**Delivering sustainable development in Swale**

To deliver sustainable development in Swale that provides both mitigation and adaptation to climate change, all development proposals will contribute to:

1. Build a strong competitive and green economy by meeting identified needs for inward investment and indigenous growth on allocated and suitable sites, including meeting the needs of under-represented sectors;
2. Ensure the vitality of town centres by: strengthening the principal centre role of Sittingbourne; improving the role of Sheerness as the Island's main centre; or consolidating, proportionate to its scale and character, Faversham's role as a centre for the town itself and its local catchment;
3. Support a prosperous rural economy, especially for sustainable farming and tourism, or where enabling communities to meet local needs or benefiting countryside management;
4. Accord with the Local Plan settlement strategy;
5. Offer the potential to reduce levels of out-commuting and support the aims of the Swale Local Transport Strategy, including the promotion of zero carbon and active transport;
6. Support high quality communications infrastructure;
7. Deliver a wide choice of high quality, low carbon homes by:

    a. meeting the full, objectively assessed need for housing in the housing market area;

    b. providing housing opportunity, choice and independence with types of housing for local needs; and

    c. keeping vitality within rural communities with identified housing needs, proportionate to their character, scale and role;

d. promoting energy efficiency, renewable energy and district heat networks on new developments;

e. promoting the use of recognised certification schemes to demonstrate the environmental quality of new housing.

8. Achieve good design through reflecting the best of an area's defining characteristics;

9. Promote healthy communities through:

a. location of development to achieve safe, mixed uses and shared spaces;

b. rejuvenation of deprived communities;

c. provision of the infrastructure requirements set out in the Local Plan implementation and delivery plan and schedule;

d. safeguarding services and facilities that currently do, or could support communities;

e. maintaining the individual character, integrity, identities and settings of settlements;

f. protecting, managing, providing and enhancing open spaces and facilities for sport and recreation;

g. implementing the Swale natural assets green infrastructure strategy; and

h. enabling and fostering the conditions for cultural enterprises to establish and flourish within Swale.

10. Meet the challenge of climate change, flooding and coastal change through:

a. promotion of sustainable, low carbon and resilient design and construction, the installation and use of renewable energy, the efficient use of natural resources and the management of emissions;

b. the management and expansion of green infrastructure; and

c. applying planning policies to manage flood risk and coastal change;

11. Protect and enhance the natural environment by:

a. applying international, national and local planning policy for:

(i) areas designated for their biodiversity (inc. Nature Improvement Areas), geological or landscape importance; and/or

(ii) priority habitats and populations of protected, priority and notable species;

b. using landscape character assessments to protect, and where possible, enhance, the intrinsic character, beauty and tranquillity of the countryside, with emphasis on the estuarine, woodland, dry valley, down-land and horticultural landscapes that define the landscape character of Swale;

c. integrating the benefits of ecosystems to society across all policy areas;

d. achieving plentiful native landscaping of local provenance in and around developments;

e. achieving net gains in biodiversity within and around developments by use of such measures as natural/semi-natural greenspace and the creation of coherent ecological networks;

f. avoiding significant harm to biodiversity or, when not possible, adequately mitigating it, or, as a last resort, compensating for it with off-site action at identified Biodiversity Opportunity Areas or other appropriate locations;

g. using areas of lower quality agricultural land for significant levels of development (singly or cumulatively) where compatible with other criteria; and;

h. applying national planning policy in respect of pollution, despoiled, degraded, derelict, contaminated, unstable and previously developed land;

i. having regard to and contribute to the delivery of the Local Nature Recovery Strategy.

12. Conserve and enhance the historic environment by applying national and local planning policy through the identification, assessment and integration of development with the importance, form and character of heritage assets (inc. historic landscapes).

## 6.3 Policy ST2 Swale Settlement Strategy

**6.3.1** There are a wide range of towns, villages, hamlets and isolated settlements across Swale. The development strategy presents the approach to development for these locations and examines their role within the overall strategy for the broad distribution of growth, and decisions about other development.

**6.3.2** In consideration of the options for our development strategy, we looked closely at what is set out in Bearing Fruits and sought to complement that strategy with this Local Plan Review.

**6.3.3** Other key drivers that shaped this strategy include delivering sustainable growth, addressing climate change and enhancing health and wellbeing.

**6.3.4** The Borough of Swale has constraints in terms of landscape designations, land at risk of flooding, coastal change and ecological designations. Approximately 60% of the Borough is covered by such designations. Of the remaining 40%, there are areas that are locally important for their landscape value or high quality agricultural land, for example. To meet the borough's development needs, difficult choices had to be made.

**6.3.5** In the first instance, the availability of brownfield sites were considered. The Council has followed an approach of focussing development on brownfield sites for a while.

**6.3.6** There were limited opportunities now and within this context, Sittingbourne town centre was been identified as providing considerable redevelopment potential that will yield a minimum of 988 dwellings.

**6.3.7** Other brownfield sites were identified in Faversham, which were included in their Neighbourhood Plan, and in Sheerness, that could come forward outside of the Local Plan.

**6.3.8** Nevertheless, there were insufficient brownfield sites to deliver the quantum of development needed and the Local Plan Review had to look elsewhere to deliver sustainable growth. The process was completed through the HELAA where potential sites have been assessed with the most suitable allocated to meet the borough's housing need.

**6.3.9** Defining and implementing a settlement strategy is assisted by the identification of settlement tiers that guide the location of development and services. The means that the urban centres and the larger well-connected villages occupy the higher settlement tiers whilst those with strong environmental character, poorer access to services and/or limited capacity for change generally occupy the lower. Settlements are assigned to the tiers as shown in Table 6.3.1 Settlement Strategybelow.

| Tier | Settlement | Role |
|---|---|---|
| Tier1 Principal town | Sittingbourne | Sittingbourne remains at the top of the hierarchy, justified by it being the largest town in the Borough with the greatest range of services and facilities. These include all key and higher-order services and facilities including secondary schools, a college, a minor injuries unit and the Borough's main library. It holds the largest share of the Borough's population and economy with over 2000 employment units. There is a retail centre in the high street, Sittingbourne retail park and Princes Street retail park. It is also the location of the Eurolink industrial estate and Trinity trading estate. The ongoing town centre regeneration has and is expanding the leisure and retail offer further with a cinema, hotel and restaurants. Sittingbourne is served by a train station and |

| | | |
|---|---|---|
| | | bus hub with the greatest and most frequent variety of destinations. It is the most sustainable settlement within the Borough. |
| Tier 2 – Secondary towns | Faversham and Sheerness | Faversham and Sheerness, smaller than Sittingbourne, are unique in their identity and offer all of the key services and facilities and most of the higher-order ones too. Sheerness falls short of having its own hospital but benefits from that nearby at Minster. These towns also offer a wide range of employment, retail and leisure facilities. Faversham, the Borough's smaller market town, acts as a focal point for trade and services for the wider rural area here and has around 780 employment units. For the Isle of Sheppey, Sheerness is its main centre with an employment base in its high street and industry linked to the Port of Sheerness. There are around 430 employment units here. Public transport provision is good at Faversham, and fair at Sheerness but with connections to Sittingbourne. Away from Sittingbourne, these are the Borough's most sustainable locations. |
| Tier 3 – Urban service centres | Minster & Halfway and Queenborough & Rushenden. | Individually, the settlements within this tier are more limited in their range of services and facilities, although still having many of the key ones but at a lower frequency. However, due to their proximity to each other, Minster and Halfway and Queenborough and Rushenden combined create larger urban service centres which are able to support and be supported by their proximity to Sheerness and each other. There is an employment focus to the West of Minster, at Neatscourt retail park and around Queenborough Creek. Minster and Halfway have around 410 employment units and Queenborough and Rushenden have some 225. Public transport is more limited, although still fair with connections in and amongst each other and Sheerness |
| Tier 4 – Village service centres | Boughton, Eastchurch, Iwade, Leysdown, Newington and Teynham. | The villages in this tier provide the majority of the following key services and facilities: GP surgeries, primary schools, recreational grounds, convenience stores, public houses, post offices and places of worship. Newington and Teynham have the highest level of services and facilities serving their communities as well as having train stations, but overall, public transport provision is fair or limited. They are more isolated from the strategic road network but generally closest to the main link roads in between (the A249 and the A2). Those on the eastern end of the island have less services and facilities but given the distance to the nearest town at Sheerness, act as local centres for their communities. Leysdown and the surround have a unique tourism offer but otherwise would benefit from more diverse employment opportunities, public transport improvements and support for local services. As a whole, the eastern end of the island has around 295 employment units. All of these villages are likely to serve their and the surrounding rural populations' day to day needs with some sharing of services |

| | | |
|---|---|---|
| | | with nearby smaller settlements. They will need to travel to other centres for a wider range of retail, leisure and employment needs. |
| Tier 5 – Small villages | Bapchild, Bayview, Borden, Bredgar, Conyer, Doddington, Dunkirk, Eastling, Hartlip, Kingsborough Manor, Lewson Street, Lower Halstow, Lynsted, Neames Forstal, Newnham, Oare, Painters Forstal, Rodmersham Green, Selling, Sheldwich Lees, Upchurch and Warden. | These smaller villages vary in size and offer. The more sustainable provide primary schools, recreation grounds, convenience stores and have fair public transport provision. These include the likes of Upchurch, Bredgar and Bapchild. The less sustainable are without a few or most of the key services and facilities with limited or no public transport offer. A common theme for these villages, however, is their isolation from the nearest urban service centres and towns, as well as the main transport corridors to access these locations (the A249 and the A2). Even by foot, there are not always suitable, lit footpaths for use. Single or occasional clusters of villages may contain enough services to meet the day to day needs for their own communities, whilst others would require investment to provide or improve them. Travel to the urban service centres and towns is necessary for many or most needs. |
| Tier 6 – The open countryside | Baddlesmere, Bobbing, Bobbing Hill, Chestnut Street, Danaway, Dargate, Goodnestone, Graveney, Hernhill, Milstead, Staplestreet, Throwley Forstal and Tunstall. | The remainder of the Borough's settlements are without defined boundaries and form very small villages, hamlets, ribbon development, clusters of houses and isolated houses. Services and facilities here are extremely limited with public transport provision generally limited or non-existent. They are usually well away from the Borough's main transport corridors with poor foot links in and amongst them. Occasionally, a small range of day to day needs can be met but on the whole, there is no immediate access to a wider range of services, facilities and employment opportunities. |

**Table 6.3.1 Settlement Strategy**

**6.3.10** In combination with the adopted Local Plan allocations which are still being built out, Sittingbourne, as the Borough's principal town, remains the main focus for sustainable growth. With the largest share of the Borough's population, services, facilities and economy, it is constrained by environmental designations. The regeneration of the town centre needs to continue to capture the benefits of a growth in population. Swale's settlement hierarchy is:

i. Sittingbourne
ii. Faversham
iii. Isle of Sheppey
iv. Rural local service centres
v. Other villages with built up area boundaries
vi. Outside the built up area boundaries

## Policy ST2

**Swale Settlement Strategy**

By use of previously developed land within defined built up area boundaries and on sites allocated by the Local Plan, development proposals will be permitted in accordance with the following settlement strategy:

1. The principal town and main Borough urban centre of Sittingbourne will provide the primary urban focus for growth where development will support town centre regeneration and make the best use of previously developed, vacant or underused land;
2. Faversham, as one of the Borough's secondary towns, will provide a key focus for growth where development includes a sustainable urban extension and will deliver significant infrastructure improvements;
3. Redevelopment at the Regeneration Area of Queenborough & Rushenden to provide mixed use led regeneration that will provide new homes, jobs, infrastructure, open space and community facilities;
4. Village service centres to provide the tertiary focus for growth;
5. Small villages with built-up area boundaries that can provide some services and offer more sustainable travel options than private car travel on infill and redevelopment sites within the built up area boundaries where compatible with the settlement's character, amenity, landscape setting, heritage or biodiversity value; and
6. At locations in the open countryside, outside the built-up area boundaries shown on the Policies Map, development will not be permitted unless supported by national planning policy and able to demonstrate that it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities.

## 6.4 Policy ST3 Climate Change

**6.4.1** As a coastal borough in the south of England, Swale's population and environment is particularly vulnerable to the local impacts of climate change including:

- drought and water shortages
- overheating
- flooding, including from surface water, sewage and tidal sources
- sea-level rise and coastal squeeze
- erosion
- increased storms

**6.4.2** Effects are already being felt, particularly by communities and businesses and by local ecosystems and landscapes. Generally, the most deprived communities and most depleted ecosystems will be impacted most.

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

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

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

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

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

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

i. The Planning & Compulsory Purchase Act 2004 125 establishes that local plans are obliged to include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change;

ii. The Climate Change Act 2008 sets the UK's 2050 net zero carbon goal, and also interim 'carbon budgets', that reduce every 5 years;

iii. The Planning & Energy Act 2008 grants local planning authorities the power to set reasonable requirements for:
   - Energy efficiency standards higher than those set by Building Regulations; and
   - Renewable or low carbon sources 'in the locality of the development' to supply a proportion of energy used at the development.

iv. National Planning Policy Framework (NPPF) states that:
   - The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (para 161);
   - Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating and drought from rising temperatures, in line with the objectives and provisions of the Climate Change Act 2008 (para 162);
   - The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts (para 163);
   - New development should be planned for in ways that help to reduce greenhouse gas emissions, such as through its location, orientation and design (para 164);
   - To help increase the use and supply of renewable and low carbon energy and heat, plans should provide a positive strategy for energy from these sources (para 165).

v. The Planning Practice Guidance chapter on Climate Change explains why it is important for planning to consider climate change and the legal mandate for such. It highlights opportunities to mitigate and adapt to climate change including:
   - Reducing the need for travel and providing sustainable transport;
   - Providing opportunities for renewable and low carbon energy and decentralised energy; and
   - Promoting low-carbon design approaches to reduce energy consumption in new buildings.

**6.4.8** A positive response to the mitigation and adaptation of climate change is fundamental to all new development in Swale and ST3 Climate Change seeks to achieve this. This response cuts across other objectives and policies of the Local Plan including 6.2 Policy ST1 Delivering Sustainable Development in Swale, 6.5 Policy ST4 Development Needs for the Borough, 6.6 Policy ST5 Building a Strong, Competitive Economy, 6.7 Policy ST6 Delivering a Wide Choice of High-Quality Homes, 6.8 Policy ST7 Good Design and Placemaking, 6.9 Policy ST8 Health and Wellbeing, 6.10 Policy ST9 Planning for Infrastructure and

6.11 Policy ST10 Promoting Sustainable Transport and Active Travel and 6.12 Policy ST11 Protecting and Enhancing the Natural Environment. When done well, development can bring benefits to Swale's communities, their health and wellbeing, their businesses and the natural environment. If done poorly, the opportunity to avoid the climate change impacts associated with development, mitigate harm, and make the necessary adaptations, are missed.

**Climate, Energy and Waste Statements**

**6.4.9** Applicants for planning permission are expected to set out how policy ST 3, as well as the Development Management Policies C1 to C5 have been considered and responded to in a Climate, Energy and Waste Statement, to accompany planning applications. This statement should be proportionate to the scale of the application and the impacts of the development.

### Policy ST3

**Climate change**

All new development must demonstrate, in a Climate, Energy and Waste Statement, how it will mitigate and adapt to climate change and create places which respond to the local and national Climate Emergencies by demonstrating that:

a. the location and choice of sites, linkages to other sites, layout and land-uses of development have been chosen to mitigate and adapt to climate change;

b. new development use nature-based solutions to provide connected, accessible and multi-functional green spaces, which prioritise climate mitigation and adaption, biodiversity enhancement, health and wellbeing, flood risk mitigation, sustainable drainage and pollution prevention, in accordance with policies 6.8 Policy ST7 Good Design and Placemaking, 6.9 Policy ST8 Health and Wellbeing, 6.11 Policy ST10 Promoting Sustainable Transport and Active Travel; 6.12 Policy ST11 Protecting and Enhancing the Natural Environmentand the corresponding development management policies;

c. the principles of sustainable design and adaptation, including addressing overheating and creating places that are comfortable to live in and are adapted to climate change, as set out in policy 20.1 Policy C1 Sustainable Design and Adaptation Principles, are considered from the very start of the site selection and design process and integrated into the development;

d. new development is net zero carbon in operation, in line with policies 20.2 Policy C2 Net Zero Operational Carbon in New-Build Residential Development and 20.3 Policy C3 Net Zero Operational Carbon in New-Build Non-Domestic Development.

e. embodied carbon and waste is minimized in line with policy 20.4 Policy C4 Embodied Carbon and Waste;

f. renewable energy is enabled where it is appropriate for its site, in line with policy 20.5 Policy C5 Renewable Energy Development and Infrastructure;

g. existing and new development will be safe from the impacts of climate change, including coastal change and flood risk and contributes to necessary infrastructure where appropriate, in line with policies 20.6 Policy C6 Coastal Change Management, 20.7 Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy, 20.8 Policy C8 Flood Risk and 20.9 Policy C9 Sustainable Drainage. Where existing areas are at risk, positive approaches to adaptation and relocation are sought, in accordance with policy C6 Coastal Change Management; and

h. new development will seek to protect the ecosystem services on which we rely (including our water, air and soil) from all types of pollution and land instability in line with policies 20.10 Policy C10 Water Quality and Water Resources, 20.11 Policy C11 Air Qualityand 20.11 Policy C11 Air Quality.

## 6.5 Policy ST4 Development Needs for the Borough

**6.5.1 Quantum of new housing land**

**6.5.2** The Borough's Local Housing Need for 2027 to 2042 (the timeframe for this plan) has been informed by a local housing needs assessment, conducted using the Governments standard method in national guidance. The need of 1,064 [56]dwellings per annum represents an increase of 38% compared with the current local plan, Bearing Fruits, that has an objectively assessed need of 776 dwellings per annum for 2014 – 2031. The Local Plan has therefore allocated sites to accommodate the uplift in numbers for the period 2026 to 2042. The figure for the dwellings needed for this period is calculated by multiplying the number of years in the Local Plan plan period by the Local Housing Need figure calculated using the standard method, i.e. 16 x 1,064 =17,024.

**6.5.3** The supply of all types of sites that have been consented and not built out for the Plan period totals 7,167 and this left a residual requirement to accommodate 9,857 dwellings. In identifying supply to meet this residual requirement, windfall delivery rates since the monitoring year 2014/15 (period of 12 years) have been considered, and an allowance for windfall was made for small sites (1 to 4 dwellings) for 1,014 dwellings over the last 13 years of the plan period. In addition, a large sites (5 or more dwellings) windfall allowance was made of 1,395 dwellings over the last 9 years of the Plan. There have also been two Neighbourhood Plans recently made that combined allocate land for 231 dwellings. These sources of supply result in the need to allocate enough land to accommodate 7,217 additional dwellings through this Local Plan Review. Whilst their remains approximately 1,703 dwellings allocated from the Local Plan Bearing Fruits without planning consent, due to the time past since that Plan was adopted, all remaining allocations have been reassessed and where they remain suitable, have been included as allocations within this Plan.

**New employment land**

**6.5.4** Our strategy focuses on creating a strong supply of employment land to meet the identified need, and improving the quality of our economic offer to create a better business image and a more diverse economic base. It will enable the borough to branch out into under-represented sectors, increase the number of higher growth/value businesses and ensure that it retains and develops existing strengths and foster indigenous growth. In order to meet new floorspace needs, we will provide a range and choice of sites in areas of demand to meet the needs of differing sectors. We will be flexible, and plan positively to accommodate unexpected opportunities and allow for the upgrading and renewal of our existing, older sites.

**6.5.5** Manufacturing has declined, but relative to Kent and the UK, the sector is strong and our strategy will seek to stabilise this sector and support the emergence of more niche and advanced manufacturing activities. In recent years, the Borough has attracted new distribution and logistics businesses and jobs.

**6.5.6** We will continue to promote our strengths in industrial employment, helped by maintaining and enhancing a supply of well-located land and buildings, including those suitable for larger scale distribution. We will be focusing on continued growth from our indigenous (economic land uses) base and have identified sites to capitalise on this potential. Overall, our land bank will be flexible and has sufficient margin to grasp unexpected opportunities, such as those that reinforce the Borough's role as a recognised distribution hub.

**6.5.7** Our strategy for office is supportive of its expansion, especially for central Sittingbourne, around the A249 and at Faversham. Whilst there is workforce commuting for jobs outside Swale, the distances generally travelled are modest. We will also encourage employment sectors attractive to those commuting, including those in key sectors such as finance, information and communications and science based activities.

**6.5.8** Tourism is a major contributor to the local economy and we will capitalise on the continued trend for reduced travel and spending abroad to bring in greater local spending. There will be an emphasis on proposals that successfully integrate land based industries with the Borough's heritage offers and the landscapes of the North Kent marshes, the Blean, the Kent Downs and the horticultural belt. Specifically, given its location and proximity to other tourist centres at Canterbury, Whitstable and Herne Bay, Faversham

56 All housing land supply figures and assumptions are based on 1 April 2025 monitoring position including use of the Local housing Need at this base date. The housing land supply will be updated to 1 April 2026 as part of the Local Plans submission.

has strong potential to diversify its economy around tourism, especially its food and drink based offer. On the Isle of Sheppey, we need to continue to address declines in its traditional seaside tourism offer through modernisation and improvements in quality.

**6.5.9** Although the number of jobs in agriculture and horticulture is relatively small, our strategy anticipates forecast growth in this sector. For this and the wider rural economy, we will respond positively to the new opportunities for diversification and improved resilience for food production, as well as activities in other rural sectors, including growth in community based jobs and services, where these can be successfully integrated within the locality.

**6.5.10** We are also keen to continue to grow Swale's burgeoning creative industry offer, however this is often a sector that likes to grow organically and outside of the traditional planning allocations route. The DM employment policies give flexibility to allow these businesses to grow and flourish.

**6.5.11** Improving education provision performance will bring needed improved skills into the local workforce, but this more mobile workforce will need to be able to work and/or set up businesses locally. We provide flexible planning policies that support a greater choice of opportunity in such areas as the 'sharing economy'. It also remains important to tackle entrenched skill deficiencies so that all can benefit from growth. We will support a better range of opportunities for local people to improve their education and skills, endeavour to secure a further education facility within Sittingbourne town centre, and promote closer links between learning and employment opportunities, including the use of local labour and learning opportunities.

**6.5.12** How will this strategy be visible in terms of physical development? We will be largely maintaining our current portfolio of sites, with the renewal and intensification of existing sites in and around Sittingbourne, in particular, the growth and continued improvement of its key economic product – the Eurolink business park. Close to the urban areas, the A249 is also likely to remain the focus for meeting any potential for larger scale distribution or industrial uses. On the Isle of Sheppey, the existing large pool of employment sites will be developed for industrial purposes so that the economic benefits of infrastructure investment already made can be accomplished. At Faversham, the approach is to improve the quality and availability of sites on account of the town's good location and the loss of existing sites to other uses.

**6.5.13** Regeneration policies are also provided for two of the Borough's major strategic employment locations - the Port of Sheerness and the Kent Science Park. These will guide both their immediate needs for growth, and indicate the possibility of longer-term aspirations. Some port related activity will continue to be met as part of the general industrial supply, beyond the port's own portfolio, and the Science Park could attract science, technology and knowledge-based jobs that would help meet the socio-economic objectives of the Plan.

Ensuring the vitality of town centres

**6.5.14** Our town centres are facing considerable challenges at present and it is the Council's approach that there should be flexibility in the range of uses that are provided in these shopping areas, especially to encourage unexpected opportunities that occur on the fringes of the Primary Shopping Areas. This flexibility will help to enhance the vitality and viability of the Borough's town centres and maximise their contribution to the local economy. A wide range of uses can potentially have a key role in maintaining a diverse and commercially prosperous centre without undermining their primary retail function.

Supporting a prosperous rural economy

**6.5.15** Our rural areas support a wide range of businesses and the strategy is to support their expansion. However, this will not be by micro-management through the allocation of sites, as innovation comes from locations and sectors that we cannot hope to identify and write into the plan. Flexible planning policies will therefore be supportive of the right business at the right scale and in the right place. Our strategy will also maintain and enhance vibrant and viable rural services, particularly when we are shown innovative new ways of delivering them. A factor affecting the development of the rural economy is the limited availability of land and buildings and we will look to their use for employment before considering other uses such as housing.

**6.5.16** We intend to further encourage tourism and other businesses that are linked by and harmonised with our landscapes and communities. Across the rural area, business proposals, tourism related or otherwise, able to support the active and sustainable management of the countryside will be supported.

**6.5.17** The strategy does not overlook the importance of the agricultural sector and there are likely to be changes in the way land is used which will present challenges. We will harness the confidence that has re-emerged within fruit production and will encourage sustainable initiatives that respond to global challenges, including the realignment of the marketplace, climate change and the decline in pollinators, whilst encouraging more local food production and sales.

Swale's Jobs and Housing ratio

**6.5.18** It is an aspiration of the Council that for our strategic, mixed use sites, for every house that is built a new job is provided. Mixed use schemes were identified in the Employment Land Review 2018 as a practical means of delivering jobs, and a 1:1 ratio would help to reduce our out-commuting rate, thus reducing congestion and air pollution and help to foster and grow our own economy.

Employment Need

**6.5.19** The Employment Land Review update October 2023 (ELR) evidences the scale and quality of new land needed to support the Borough's growth over the period of 2022 – 2040. This document provides an update to the ELR 2018 to address recent macro-economic 'shocks' that have led to major structural changes in employment and business habits and significant changes to the planning system and guidance as they relate to the economy and employment.

**6.5.20** The ELR update 2023 concludes the demand for, and take-up of industrial land has been stronger and faster than was anticipated in the 2018 ELR, led by the strategic distribution market (particularly for retail and third-party logistics companies, but also manufacturing and freight and wholesalers). This has produced a higher need figure at 73 ha – with demand of 48 ha, plus a margin of 25 ha.

**6.5.21** The ELR update 2023 also sets out that the requirement for offices has shifted significantly since the 2018 assessment. Both the demand and the availability of office space remains low and broadly in balance, with the market serving essentially local businesses. Rents are insufficient to stimulate viable development and the long-standing weak performance of the office market, coupled with the shock of Covid and its aftermath, has pulled the assessment substantially downwards. The latest assessments of office demand broadly align, suggesting the market is at equilibrium at best, but could equally see contraction. This means that the unmet need for new office floorspace is just 1.1 ha; virtually no requirement.

### Policy ST4

**Development needs for the Borough**

1. The Council seeks to meet its development needs through the implementation of existing consented sites and by allocating sites for development as set out in this Local Plan.

Swale's development needs for jobs and homes 2026 – 2042

2. Land is identified by the Local Plan Review to meet the following development targets:

- B Class Employment provision (ha): 73ha
- Housing provision: 17,024 dwellings (1,064 dwellings per annum)

3. The Council will monitor and review the Local Plan as required by national policy. Infrastructure requirements to support housing and employment will be delivered as set out in the Infrastructure Delivery Plan.

## 6.6 Policy ST5 Building a Strong, Competitive Economy

**6.6.1** The requirement in the PPG and NPPF to plan for business uses - office and industrial/warehousing allocations remains. The introduction of Use class E in September 2020 sits alongside this, however there is no requirement to plan for such uses. . The Employment Land Review 2018 (ELR) Swale ELR gave a need figure for Swale so we will allocate for use class B and the parts of use E class that are relevant – office and R&D (E(g)i &ii) and light industrial (E(g)iii. We will refer to them as 'economic land uses' through the LPR. This may need to be revised before submission/examination if Government legislation changes.

**Building a strong, competitive economy**

**6.6.2** The Council will encourage and support sustainable economic development in Swale and ensure that local residents will benefit from a thriving, healthy and more diverse local economy. The Local Plan will support the local economy by protecting the existing stock of property where it has a reasonable prospect for ongoing employment use and allocating new sites to meet our economic needs.

**6.6.3** The Council aims to meet the needs of our residents and provide employment opportunities that match their skills and ambitions, providing the space to attract inward investment into the borough and supporting our own home-grown businesses to further grow and expand. We will support proposals that help create the conditions to support start-up businesses, especially in our future growth sectors and in the creative, science related and high tech industries.

**6.6.4** The economic objective of achieving sustainable development through the National Planning Policy Framework (NPPF) is "to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure." (NPPF, paragraph 8a.)

**6.6.5** Policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. (NPPF, paragraph 85.)

**6.6.6** The creation of the South East Local Enterprise Partnership (SELEP) in April 2011 included Government, Councils, businesses and education providers from Kent, Greater Essex and East Sussex. Their vision was "a more productive and prosperous economy in which everyone has the opportunity to succeed." Since their demise in April 2024, the role of supporting local growth has largely been led by Mayoral and Local Authorities.

**6.6.7** The English Devolution White Paper, published in December 2024, placed the requirement to develop "ambitious Local Growth Plans" on Mayoral Strategic Authorities. Whilst Kent is not subject to this, work to develop a Local Growth Plan has been commenced at County level, but is at an early stage of development.



**Picture 6.6.1 Swale Employment site**

**6.6.8** Prior to Covid-19 Swale's economy was growing, dominated by manufacturing and a number of small niche sectors. Post Covid-19, the economy remains similar, we are still a net exporter of labour mainly to London and adjoining areas of Kent, with some weaknesses in the local labour market, including relatively high unemployment levels, below average skills and lower earnings. Our rates of new business formation are also currently lower than the county averages. Most of our stock of employment space comprises industrial uses, with comparatively modest amounts of office accommodation, although this has grown in recent years.

**6.6.9** This policy, along with ST1 'Delivering Sustainable Development in Swale' and ST4 'Development needs for the Borough', ADD IN INTERNAL LINKS supports the vision and objectives of the Local Plan Strategy to strengthen economic development in the Borough and addresses the issues highlighted by the Swale Employment Land Review 2018and it's 2024 Update, Strategic Market Housing Assessment and it's 2026 Update ,the Local Housing Needs Assessment (2020) and the Swale retail and Leisure Needs Assessment 2019 and 2023 Update to produce a strategy to meet employment needs over the Plan period.

**6.6.10** In line with the evidence on need this policy supports our future potential growth sectors (see Statement ** box below) and the needs of:

- the manufacturing sub-sectors and their underlying strengths in certain specialist sectors;
- the retail sector;
- the visitor economy (recreation, accommodation and food services);
- growth focused on the natural environment and heritage offer;
- our emerging creative industry sector; and
- expansion proposals in the pharmaceutical sector.

**6.6.11** This policy confirms and encourages the appropriate development of the 'Strategic Employment Locations', as set out in the proposed allocations chapter and within Regeneration and town centre policies as appropriate, at:

- Sittingbourne, Sheerness and Faversham town centres;
- Ridham, Kemsley, Eurolink and the Kent Science Park in the Sittingbourne area; and
- Neatscourt and the Port of Sheerness on the Isle of Sheppey.

**6.6.12** An objective of the Council is to promote port related activities in and around the Sheerness Port estate Policy Regen 1 ADD IN INTERNAL LINKS (whilst recognising that the port land is outside of the scope of normal planning control) and to promote high tech industries at the Kent Science Park Policy Regen 4. ADD IN INTERNAL LINKS

### Statement 3

**Swale's Future Potential Growth Sectors**

- General and advanced manufacturing and engineering
- Logistics and distribution
- Agriculture/ forestry/woodland
- Financial/business services
- Environmental technologies (low carbon sector)
- Healthcare/biotechnology
- ICT, media/telecommunications
- Construction
- Creative industries
- Retail/leisure, cultural activities, tourism, hotels and catering and boat repair

**6.6.13** Future growth depends on attracting inward investment, developing the sectors where there are already established strengths and stimulating growth of smaller scale home-grown firms (inc. creating a positive climate to encourage school and higher education leavers to base new businesses in Swale). We also need to diversify into higher value manufacturing, logistics and distribution and the environmental sectors, all of which offer potential that can build on the area's strengths.

**6.6.14** Agriculture is also an important economic sector and the industry needs to keep pace with innovation in the sector and the changing context brought about by climate change, food security, global markets, major food retailers and changing legislation/guidance.

### Statement 4

**The Importance of Swale's Agricultural Sector**

- Swale has 37,000 ha of land; of which 24,000 ha is farmed and approximately 60% is classified as best and most versatile (BMV).
- The best and most versatile land (ALC Grades 1, 2 and 3a) farmed in Swale is worth approximately £360 million at the current average market price for good quality arable land in England. It is estimated to support £105m– £255m of agricultural output each year.
- Swale is within the top 20% of local authorities in England with the highest numbers of agricultural workers - Swale had 2,494 workers in 2016. In Swale, the agricultural workforce has increased in recent years.

**6.6.15** Policy E2 'The Rural Economy' ADD IN INTERNAL LINKS aims to support the agriculture sector adapt to the challenges it faces and continue to be a key feature of Swale's economy.

**6.6.16** As a Borough with a woodland resource, there is also potential employment through its better management, both for woodland products and as a renewable energy source.

**6.6.17** This policy safeguards for future use the employment potential of existing land or buildings, but acknowledges the desirability of releasing older, poorer performing industrial sites to other uses. The Employment Land Review 2018 and the Update (2024) assessed the existing stock of premises and land, and identified just six existing sites and no allocations that were suitable for managed release. This safeguarding includes both land or buildings in current employment use or allocation, land where planning permission has expired or other vacant land and premises where their potential for employment remains relevant. For sites not considered suitable or viable, the Council must be convinced that evidence points to wider, fundamental and deep seated structural problems with the site, rather than shorter term difficulties caused by a particular economic context. This is important where allocations and committed employment sites have been made on the basis of a particular economic and/or locational need to serve the plan period. Policy E1 ADD IN INTERNAL LINKS gives more detailed guidance on the evidence that the Council requires.

**6.6.18** Given the outstanding environment in Swale, this policy seeks to expand our potential for sustainable rural tourism to benefit local communities and raise awareness and support for conservation of the environment. There is an important link between the quality of the environment (both historic and new) and economic development, in particular the area's ability to attract investment, jobs and population. Swale's historic environment has the potential to play a significant role in supporting enterprise, especially in helping under-performing parts of Swale to transform themselves, such as at Sittingbourne town centre and Sheerness. Also important is our current portfolio of principal tourism assets (see Statement Box 3), with this policy supporting their growth and, if necessary, their protection from inappropriate development proposals.

## Statement 5

**Swale's Principal Tourism Assets and Potential**

- Coast - beaches, cliffs, lively seaside resorts including holiday parks and amusements, wild landscapes and marshes, Saxon Shore Way, King Charles III England Coast Path, Church Marshes, bird life and quiet sailing waters. The Isle of Sheppey is unique within Kent.
- Countryside - down land, valleys, woodlands, orchards, parkland, narrow lanes, picturesque villages and houses and a network of foot and cycle paths (including a National Cycle Route) and bridleways.
- Built heritage - a great range of heritage assets reflecting its Roman and Medieval legacy, its naval and maritime history and its industrial and agricultural past.
- Fruit Heritage - the National Fruit Collection, and 'fruit' celebrations.
- Festivals – such as the Faversham International Hop Festival, Faversham Literary Festival, Brogdale Collections Seasonal Fruit Festivals, Festival of Sheppey
- Market Town of Faversham. A small historic Cinque Port town, lively town centre, unexploited creek and marshland, a multi-faceted town with links to the countryside.
- Unspoilt rural villages.
- Industrial heritage - gunpowder, naval, brewing, aviation, 'defence of the realm', sailing barges, brick and paper-making.
- Naval and aviation history, sustainable rural tourism e.g. walking/cycling, other outdoor activities and sustainable accommodation at Faversham and Sheerness
- Food and drink - high quality restaurants, pubs, brewers and local food suppliers
- Accommodation - small number of hotels, pubs with rooms, guest houses and bed and breakfast establishments, holiday parks and glamping sites

**6.6.19** For our town centres and the retail and leisure sectors, our Local Plan Strategy indicates that there is a need for further comparison (non-food) floorspace support general growth and to help claw back expenditure lost to other centres and a diversification into the 'experience' sector rather than traditional retail. The creative sectors and arts and culture are an important part of the economy, which benefit from the availability of accessible flexible studio and workspace.

**6.6.20** We cannot anticipate every business opportunity. This policy indicates a series of 'Priority Locations' where, when demonstrated that an existing employment location or allocation is unsuitable or unavailable for the development in question, appropriate sites will be considered. For such proposals, the Local Plan Strategy and environmental quality should not be compromised. The 'Priority Locations' are:

- the extension of our existing employment sites;
- where benefits to deprived communities can be achieved;
- well related to either the A249, A2, the built out section of the Sittingbourne Northern Relief Road or A299 Thanet Way; and
- the re-use of heritage assets or where they could deliver significant benefits to the conservation of landscape and/or biodiversity.

**6.6.21** Some of our businesses will be at the front line of climate change, either by being affected by future natural processes or by offering potential for the Borough to be a focus for low carbon technologies. This policy supports improved resilience and new business opportunities within this sector.

**6.6.22** Swale is a net exporter of labour, with a net outflow of 10,394 working commuters. Alongside the commuting to London, almost all commuting is very short distance into one of the immediately adjoining local authorities. (Swale ELR, 2018.) Whilst reducing the level of out-commuting will be challenging, this policy is supportive of proposals able to realistically deliver a reduction in commuting out of the Borough, especially for those sectors which currently drive this.

**6.6.23** In May 2024, Swale's employment rate was 80.7% (ages 16 to 64) which was higher than across the South East as a whole and economic inactivity was 18.7% (ages 16 to 64.) (Office for National Statistics )

**6.6.24** Unemployment levels in Swale in April 2026 were 3.6%, above the Kent's 3.4%. ( KCC Economic Indictors) Improving the skills performance of the local labour supply is needed.

**6.6.25** Swale performs above the national median in 3 indicators: median gross weekly resident earnings; employment rate; and 5-year percentage change in employees. Swale performs below the national median in 9 indicators: job density; unemployment rate; median gross weekly workplace earnings; percentage qualified to RQF level 4 and above; percentage qualified to RQF level 2 and above; stock of businesses; 3-year business survival rate; GVA per head; and percentage of employees in the knowledge economy.

**6.6.26** High speed internet connectivity is important to encourage economic growth, especially in the rural areas. All new development will be required to provide for access to this technology regardless of location.

## Policy ST5

**Building a strong, competitive economy**

Actions by public, private and voluntary sectors will work towards the delivery of the Local Plan economic strategy.

1. Development proposals for current employment sites that re-provide the same employment land uses will be supported.

2. Development proposals for employment use on sites used for non-employment purposes will be encouraged where they meet the needs identified in the Council's Employment Land Review and/or where other considerations weigh in their favour.

Development proposals will be encouraged where they:

3. Stabilise losses of jobs within the manufacturing sector or exploit competitive strengths in the Swale economy including uplifting sectors related to the visitor economy and expansion of the pharmaceutical and science sectors;

4. Bring forward an increase in homegrown business creation and inward investment, including those able to encourage younger people to retain and use their skills within Swale;

5. Encourage educational facilities or an expansion of vocational learning, developing links between institutions and the private sector or work-based learning at key locations;

6. Grow opportunities for the creative and cultural sector through opportunities in underused properties or new developments for creative start-up space, skills hub, and flexible public facing creative exhibitions and events;

7.Contribute to the delivery of a comprehensive land portfolio for the Borough by:

a. safeguarding and maximising the potential of identified ‘Strategic Employment Sites';

b. bringing forward the stock of existing committed employment sites for industrial use;

c. addressing qualitative issues with new provision at Local Plan allocations to support established industrial markets, additional office space, the release of poorer quality locations and the broader upgrade of the supply; or

d. managing existing and future employment potential by upgrading older industrial areas.

8. Include sectors that are under-represented in Swale, and/or that may potentially enable a reduction in commuting out of the Borough;

9. Avoid proposals that would harm existing employment locations and allocations where appropriately located and suitable, viable for users under normally functioning economic conditions or required to meet the identified needs for the plan period;

10. Address future challenges to the agricultural and woodland/forestry industries with sustainable and appropriate proposals to create new markets and greater resilience;

11. Safeguard or enhance Swale's 'Principal Tourism Assets' and consolidate or widen the Borough's tourism potential, particularly where embracing principles of sustainable tourism;

12. Focus larger scale development where they utilise the strategic and primary road networks, or introduce sustainable solutions to the transportation of both freight and people at scale.

13. Support sectors attractive to the local population who would otherwise out-commute for work;

14. Facilitate the delivery of digital infrastructure, including access to high speed Internet connectivity from all new developments;

15. Create improved resilience for existing businesses by measures to address flood risk, climate change and natural processes and lead to an expansion of businesses in the low carbon sectors; or

16. Provided the Local Plan strategy is not significantly compromised, and sites cannot be found within criterion 7, meet unanticipated needs on appropriate sites within one or more of the following 'Priority Locations':

a. the extension of an existing employment site;

b. where benefits to deprived communities can be achieved;

c. sites well related to the A249, A2, Sittingbourne Northern Relief Road or A299 Thanet Way; or

d.re-use of heritage assets or where delivering significant benefits to the conservation of landscape or biodiversity.

## 6.7 Policy ST6 Delivering a Wide Choice of High-Quality Homes

**Delivering a wide choice of high-quality homes**

**6.7.1** The National Planning Policy Framework (NPPF) is clear that local plans should make sufficient provision to meet housing needs and that the needs of groups with specific housing requirements are addressed. Councils are expected to deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

**6.7.2** The Council is committed to delivering housing through the Local Plan that reflects the needs and preferences of local people and that the adverse effects of development on communities is offset by properly funded infrastructure. The Swale Borough Council Corporate Plan (2023– 2027) [57]sets out that the Council will progress a Local Plan with local needs and capacity at its heart. This will be achieved through this Local Plan by ensuring that future housing delivery is more closely aligned to the Borough's ability and capacity to provide for genuine sustainable housing needs, in terms of location, type and tenure and that the impact of housing growth is offset through improved physical, environmental, social and health infrastructure.

**6.7.3** The strategic priorities of the Swale Borough Housing, Homelessness & Rough Sleeping Strategy 2023-2027 [58] are to deliver affordable homes; to prevent homelessness; to develop a more efficient housing options service; and to improve conditions in existing homes. Delivering a range of choice of quality homes through the policies and proposals in this Local Plan Review will assist in delivering these priorities.

**6.7.4** Provision is made in this Local Plan for at least 8,068 dwellings (from non-consented allocated sites) [59]to address the identified local housing need using the standard method set out in the national planning practice guidance Housing and economic development needs assessments [60]. Major new development will be delivered at the strategic sites identified in this plan.

**6.7.5** In addition to the strategic and non strategic site allocations, new housing development for park homes, older person accommodation and Gypsy, Traveller and Travelling Show People accommodation will be delivered in accordance with the specific policies in this Plan.

**6.7.6** The Boughton and Dunkirk Neighbourhood Plan was made in February 2023 and The Faversham Neighbourhood Plan in December 2024. The two Plans combined have allocated sites for 263 dwelling over the life of the Plan. There are other areas that have been designated Neighbourhood Planning Areas with work commenced but no draft plans prepared to date.

**6.7.7** The Swale Housing Market Assessment (HMA) update 2026, [61](HMA) provides the evidence needed to identify the mix of housing needed for the Borough during the plan period. It sets out detailed information about the size profile and the tenure split for the period 2026 to 2042 for new dwellings. It also sets out the number of specialist dwellings for older persons needed and the need for new adapted housing to meet the needs of people with disabilities.

**6.7.8** The Government's standard method local housing need calculation for Swale of 1,064 is disaggregated using the Long Term Balancing Housing Markets model (LTBHM) [62]to identify the tenure and size of housing that should be sought over the plan period to best accommodate the future population. The outputs of this model determine the size and tenure of the new housing required as a guide, acknowledging that it may be appropriate to divert away from this profile in particular instances.

**6.7.9** The HMA concluded that affordable rent demand is highest for 3 bed properties, then 1 bed properties, and then followed by demand for 2 bed properties. Given that the HMA is a snapshot in time, the latest information available from the Council's Housing Register should be used as the starting point for identifying and agreeing the sizes of properties need for affordable rent in development proposals.

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57 https://swale.gov.uk/your-council/publications/council/corporate-plan
58 https://swale.gov.uk/your-council/strategies-and-policies/housing-homelessness-strategy
59 All housing land supply figures and assumptions are based on 1 April 2025 monitoring position including use of the Local housing Need at this base date. The housing land supply will be updated to 1 April 2026 as part of the Local Plans submission.
60 https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments
61 https://swale.gov.uk/__data/assets/pdf_file/0019/532807/Housing-Market-Assessment-update-2026-final.pdf
62 This model breaks down the overall housing need into the component types (tenure and size) of housing required.

**6.7.10** The HMA also sets out in terms of size profile, the greatest demand in market housing is for 4 bed properties (23.8%), followed closely by 2 bed properties (23.1%), with the lowest demand being for 1 bed properties (11%). The tenure split for the new dwellings in the Borough is for 76.8% market housing; 3.3% First Homes, 4.0% Shared ownership, 4.1% affordable rent; and 11.8% Social rent.

**6.7.11** Specialist dwellings for older persons has a need for 928 additional units of sheltered housing for older people/ retirement housing and 267 additional extra care units/ supported living housing over the Plan period. It is also identified that an additional 360 Registered Care spaces (nursing and residential care homes) will be required. The HMA concludes that the need for new adapted housing is required for an additional 5,376 households (and therefore should meet M4(2) space standards) and of those, 1,123 dwellings should be M4(3) Category 3 homes, i.e. dwellings suitable for wheelchair users.

The most effective approach to ensuring the housing stock has the flexibility to meet the requirements of the future population is for the Council to implement a policy of universal Category 2 standards in all new build housing. The Viability evidence confirms this can be achieved and that 5% of new dwellings can also achieve the higher standard of M4(3).

### Policy ST6

**Delivering a wide choice of high-quality homes**

Development proposals will, as appropriate:

1. Provide affordable housing in accordance with Policy H1;

2. Be steered to locations in accordance with Policy ST 2 (Swale's Settlement strategy), including:

i. at local plan and neighbourhood plan allocations and Community Right to Build initiatives;
ii. windfall sites where, its design, layout and landscaping would support and enhance the character of the area and can demonstrate that development of the site within its local context, would benefit the existing community and support sustainable development.
iii. town centres when contributing to their vitality and viability; or
iv. deprived communities when improving local housing markets and supporting communities.

3. Use densities determined by the context and the defining character of the area;

4. Provide dwellings that meet minimum space standards M4(2) on 95% of all dwellings and the accessible standards M4(3) on the remaining 5% of dwellings;

5. Achieve the mix of housing types needed as reflected in the findings of the latest Housing Market Assessment or similar needs assessment, and for affordable homes to use the information from the Council's Housing Register to ascertain specific needs at that time;

6. Meet the housing requirements of specific groups including families, older persons or disabled and other vulnerable persons;

7. Bring vacant homes back into use and up to the relevant standards; and

8. Achieve sustainable, healthy and high quality designed homes in accordance with Policy ST 7 Good Design, ST8 Health and Wellbeing and policies GD1 Local Design Principles and C1 Sustainable design and adaption principles.

## 6.8 Policy ST7 Good Design and Placemaking

**6.8.1** National planning policy requires planning policies and decisions to ensure that development is well-designed, responsive to context, and contributes positively to environmental, social and economic sustainability. The National Planning Policy Framework [63] National Design Guide [64] and National Model

63 https://assets.publishing.service.gov.uk/media/67[illegible]3cca46251/NPPF_December_2024.pdf
64 https://assets.publishing.service.gov.uk/media/602ce[illegible]d8fa8f5038595091b/National_design_guide.pdf

Design Code [65] together establish the framework for achieving well-designed, context-sensitive and inclusive places. Policy ST6 applies and builds on that framework, tailoring it to the particular character, constraints and opportunities of Swale.

**6.8.2** Swale is characterised by a diverse and sensitive environment, including extensive coastal, creekside and estuarine landscapes, together with a network of historic towns, villages and rural settlements shaped by long-standing interactions between people and place. This distinctive character is a key asset and requires careful management through the design of new development. It creates strong expectations for development that reinforces local identity, respects landscape character and settlement pattern, and integrates well with its surroundings. Isolated, poorly connected or standardised forms of development that conflict with these qualities and fail to accord with the policies of this Plan will not be supported.

**6.8.3** Swale also faces significant environmental pressures, including flood risk, coastal change, biodiversity sensitivity and the accelerating impacts of climate change. These constraints are not simply limitations on development, they are defining features of the borough that must inform the way new places are designed and built. Development that fails to respond to these pressures risks being neither resilient nor sustainable in the long term.

**6.8.4** High-quality placemaking in Swale therefore depends on a thorough understanding of local context, including the natural and built environment, and the social and economic needs of communities. In line with national policy, development must seek to avoid harm to local character, landscape and amenity, and contribute positively to local identity, environmental resilience, inclusive and healthy communities, and the long-term sustainability of the borough's towns, villages and landscapes.

**6.8.5** Policy ST7 establishes the strategic framework through which these objectives are pursued. It sets out the principles that development must follow to achieve well-designed, resilient and locally distinctive places. Policy GD1 (Local Design Principles) then provides the detailed criteria through which those principles are implemented. Together with relevant design codes, masterplans or supplementary guidance, this forms an integrated approach to design and placemaking across the borough.

**6.8.6** Applicants will be expected to demonstrate how proposals respond to both policies, taking account of the scale, nature and sensitivity of the development and its location. Early engagement with the Council on design matters is strongly encouraged and will assist in identifying issues and improving outcomes before formal application. The Council will establish arrangements for independent design review for major, strategic and sensitive proposals, particularly those of a scale, complexity or significance where independent input can add value. Guidance on how and when engagement with design review will be sought, and the arrangements for its delivery, will be published separately by the Council.

## Policy ST7

### Good design and placemaking

All development will be required to achieve high-quality design that delivers sustainable, resilient and locally distinctive places. Development proposals must clearly demonstrate how they respond to the following strategic principles:

a. **Character and Identity** - Reinforce and enhance the distinctive qualities of Swale's coastal, creekside, estuarine and rural landscapes, its historic towns, villages and settlements, and its built and archaeological heritage. Development must contribute positively to local identity and sense of place through a contextually responsive and high-quality design approach.

b. **Inclusion and Safety** - Create inclusive environments that promote health, wellbeing and social interaction. Development must ensure that buildings and spaces are safe, accessible, easy to navigate and reduce opportunities for crime.



65 https://www.gov.uk/government/publications/national-model-design-code

c. **Connectivity and Permeability** - Provide a clear, legible and well-connected network of streets, routes and spaces that are attractive and permeable. Development should prioritise walking, cycling and public transport, and provide strong and integrated connections within sites and with surrounding areas, including links to the coast, countryside, green spaces and heritage assets where appropriate.

d. **Sustainability and Climate Resilience** - Maximise resource efficiency and minimise carbon emissions, while integrating multifunctional green and blue infrastructure that supports amenity, biodiversity net gain, water management and climate adaptation. Development must respond to Swale's particular vulnerability to flood risk, coastal change and climate change, demonstrating resilience to current and future impacts.

e. **Well-managed and Built to Last** - Ensure buildings and spaces are durable, adaptable and designed for longevity, delivering a high standard of amenity. Development must include clear and effective arrangements for long-term stewardship, management and maintenance, and contribute positively to the quality of Swale's built and natural environment.

f. **Context** - Ensure that the use, scale, height, massing, density and appearance of development are appropriate to their location, responding positively to both the immediate context and the wider area. In smaller settlements, rural areas and sensitive coastal, creekside and historic environments, development must take account of established character, grain and setting.

g. **Public Spaces** - Deliver high-quality, well-designed public spaces and public realm that support social interaction, community cohesion, recreation and active use. Public spaces should respond to and reflect Swale's distinctive character, including its maritime, industrial and landscape heritage.

Major, strategic and sensitive development proposals, particularly those of a scale, complexity or significance that would benefit from independent scrutiny, will be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes. Details of the arrangements for independent design review will be published separately by the Council.

Where appropriate, including for major, sensitive or strategically significant development, proposals may be required to prepare or comply with design codes, or to have regard to relevant design codes where these apply, to guide the delivery of high-quality and locally distinctive design.

## 6.9 Policy ST8 Health and Wellbeing

**6.9.1** The Council aim to reduce health inequality by developing more productive relationships with local health partners and making health and wellbeing a central consideration in all relevant council decision-making, recognising the link between housing and health.

**6.9.2** The National Planning Policy Framework (NPPF) (paragraph 96) [66] stresses the importance of healthy, inclusive and safe places that encourage social interaction, provide good accessibility and support healthy lifestyles. The importance of positive planning for the provision of social infrastructure including schools, health facilities, sports facilities, open spaces, local shops, allotments and community centres is also a key thread through the Local Plan. Planning for and protecting existing services and open space are also recognised by the NPPF as important elements of creating healthy communities.

**6.9.3** The Healthy Places programme was set up in 2013 by Public Health England (PHE) in recognition that where people live, their homes and their communities' connections have a big impact on health and wellbeing and need to be integrated with high-quality health services. The learning from the Healthy New Towns programme has since been distilled into 'Putting Health into Place' [67] 2019 which sets out the role Councils, developers and the NHS can play as well as outlining the ten principles for healthy place-making:

1. Plan ahead collectively

66 https://assets.publishing.service.gov.uk/media/67aafe8f3b4177f3cca46251/NPPF_December_2024.pdf
67 https://www.england.nhs.uk/ourwork/innovation/healthy-new-towns/

2. Assess local health and care needs and assets
3. Connect, involve and empower people and communities
4. Create compact neighbourhoods
5. Maximise active travel
6. Inspire and enable healthy eating
7. Foster health in homes and buildings
8. Enable healthy play and leisure
9. Develop health services that help people stay well
10. Create integrated health and wellbeing centres

**6.9.4** The Department of Health and Social Care have published guidance [68] regarding the mutual relationship between wellbeing and health. Healthier lifestyles and good health status are both associated with higher levels of wellbeing and wellbeing is important to health. Therefore, focusing policies on wellbeing could lead to improved wellbeing and also improved health outcomes. The five ways to wellbeing are connectivity in terms of relationships and community, physical activity, engagement in life, continuous learning and giving back. In addition, there is clear evidence that good work improves health and wellbeing across people's lives.

**6.9.5** Community programmes to improve diet should address the needs, concerns and interests of local people and can be delivered in formal or informal ways. Increasing knowledge and skills in healthier eating and cooking is assisted with Public Health England's Eatwell Guide [69] which sets out recommendations on eating healthily and achieving a balanced diet.

**6.9.6** The Marmot Review: Implications for Spatial Planning (2011) identified the role planning can play in affecting health through: the design of developments, ensuring that services are joined up and easier to access, community participation, accessible transport, well located services and by the pursuit of healthy lifestyles through active travel and use of green space.

**6.9.7** Health Equity in England: The Marmot Review 10 Years On (2020) [70] highlights that: people can expect to spend more of their lives in poor health; improvements to life expectancy have stalled and declined for the poorest 10% of women; the health gap has grown between wealthy and deprived areas and irrespective of wealth or deprivation where you live negatively impacts on life expectancy by nearly five years. The Council is committed to addressing these heath inequities.

**6.9.8** Kent and Medway Councils have set up a joint Health and Wellbeing Board[71] as an advisory joint sub-committee to tackle system-wide health challenges and health inequalities with a focus on adult social care and health integration (local care) and on prevention. The Kent Joint Health and Wellbeing Strategy recognises that shaping the physical environment of the community so that it can better promote healthier lifestyles is central to the health improvement role of local authorities.

### Statement 6

Key Heath Facts for Swale

1. The health of people in Swale is mixed when compared with the average for England. The Public Health England publication Swale Health Profile reveals levels of health/deprivation significantly worse than the England average in the following areas: mortality rate at birth for males; suicide rates; smoking during pregnancy; teenage pregnancies'; and prevalence of smoking in adults [72].

68 https://www.gov.uk/government/publications/wellbeing-and-health-policy
69 https://www.gov.uk/government/publications/the-eatwell-guide
70 https://www.health.org.uk/reports-and-analysis/reports/health-equity-in-england-the-marmot-review-10-years-on-0
71 https://www.local.gov.uk/sites/default/files/documents/KM%20PDF.pdf
72 Local Authority Health Profiles - Data | Fingertips | Department of Health and Social Care

2. The Public Health England publication Swale Health Profile show that obesity levels in children was higher in Swale than in Kent in both reception (11.1%) and year 6 (23.9%) [73].
3. There are significant health inequalities depending on where people live within the Borough. Life expectancy is about 8.3 years lower for men and 6.4 years lower for women in the most deprived areas of Swale than those in the least deprived areas [74].

**6.9.9** There are significant health and wellbeing issues in Swale, especially in its deprived communities. To address these issues, it is important that community needs are supported through appropriate physical and social infrastructure and by other facilities and key services which contribute to improving wellbeing and the overall quality of life experienced by residents. The Local Plan, therefore, makes provision for improved access to local services, healthy transport choices such as cycling and walking, access to green infrastructure, open space and active recreation, good design in the built environment and recognises the role that mixed use developments can play in providing healthy communities. Specifically, to encourage healthy eating the negative impact of access to hot food takeaways (use class order sui generis) in close proximity to schools is addressed. In 2020 the PHE and partners provided practical support for local authorities that wish to use the planning system to achieve these important public health outcomes regarding obesity.

**6.9.10** On 19th November 2025, the Council declared a mental health crisis which is committed to ending the stigma around men's mental health and promote the support services available to residents such as Mind, MenTalk Health Swale Group, the Samaritans and CALM.

**6.9.11** The Council has undertaken an audit of open space and sports facilities and determined standards to be applied to new developments. These can be found in 19.3 Policy INF3 Open Space, Sport and Recreation Provision. Existing provision, whether of open space, health or other community facilities should also be safeguarded against development proposals that would result in their loss. The Council also adopted a borough wide LCWIP in March 2026 and development proposals will be expected to assist with the delivery of the LCWIP.

**6.9.12** In May 2024, the Council signed the Town and Country Planning Association's Healthy Home Pledge [75]. This pledge:

1. Ensures the provision of high-quality homes and places that will protect and promote all residents' physical, mental and social wellbeing, as well as to support planetary health. This is a commitment to ensure all homes meet the Healthy Homes Principles.
2. Is to not knowingly engage in any form of development, activity or decision making likely to create harm to human health.
3. Supports the provision of genuinely affordable homes, based upon people's ability to pay.
4. Ensures all residents have defined legal protections against poor build quality, management or maintenance and landlord harassment.

**6.9.13** Culture also plays a role in supporting health and wellbeing and place-making and should be viewed as fundamental part of living well. Participation in creative and cultural activity can help people feel happier, healthier, more connected and more resilient while also strengthening communities and reducing inequalities. This is highlighted by the Arts Council England's Creative Health & Wellbeing document [76]. The Council is preparing a cultural statement which will be a 'stocktake' of all of the cultural facilities, organisations and practitioners within Swale and show that culture and creativity are part of Swale's history and modern day DNA.

73 Obesity, physical activity and nutrition - Data | Fingertips | Department of Health and Social Care
74 Public Health Outcomes Framework - at a glance summary
75 https://www.tcpa.org.uk/healthy-homes-pledge/
76 https://www.artscouncil.org.uk/developing-creativity-and-culture/health-and-wellbeing/creative-health-wellbeing

**6.9.14** This policy brings together all the relevant matters affecting health to provide an integrated approach. If fully implemented, this approach towards health should potentially reduce costs to health services in the long term. Health impact assessments will be used to ensure these issues are properly considered and integrated at the planning application stage. The use of such assessments will be appropriate as identified by Local Plan allocations, or when statutory.

## Policy ST8

### Health and Wellbeing

The Council, working in conjunction with relevant organisations, communities and developers, will undertake targeted interventions to identify Swale's most disadvantaged families and communities, improve our understanding of the issues they face, and develop new ways of working to reduce social exclusion and enhance opportunities and quality of life to reduce health inequalities.

Development proposals will, as appropriate:

1. Bring forward accessible new community services and facilities, including sufficient health facilities with developers contributing towards the provision of built facilities and other improvements to healthcare services, as set out in the Infrastructure Delivery Plan;
2. Safeguard existing community services and facilities where they are viable or can be made so, or where replacement facilities can be provided without leading to any shortfall in provision: access to open space to facilitate physical activity, cultural activities, activities which strengthen social bonds, healthy eating learning, childcare and youth provision;
3. Safeguard or provide multifunctional open space, sport and recreation in accordance with INF3 Open space, sport and recreation provision, additionally enabling access to nature in accordance with the green infrastructure strategy in 6.12 Policy ST11 Protecting and Enhancing the Natural Environment;
4. Promote healthier options for transport, including cycling and walking by ensuring that the site chosen for the new place is suitable for sustainable transport links with other places, where appropriate is designed to be mixed use, compact and provided with safe pedestrian and cycle routes to make active travel easier in accordance with 6.11 Policy ST10 Promoting Sustainable Transport and Active Travel;
5. Improve or increase access to a healthy food supply such as allotments, markets and farm shops;
6. Limit new hot food takeaways within 400m of a school perimeters;
7. Create social interaction and safe environments through mixed uses and in the design and layout of new development in accordance with 6.7 Policy ST6 Delivering a Wide Choice of High-Quality Homes and 6.7 Policy ST6 Delivering a Wide Choice of High-Quality Homes;
8. Create a healthy environment that regulates local climate by providing open space, green and blue infrastructure and nature-based solutions to achieve shading and cooling, particularly within existing urban environments in accordance with 21.5 Policy B5 Woodland, Orchards, Trees and Hedgerows;
9. Address air quality in accordance with 20.11 Policy C11 Air Quality;
10. Ensure mitigation and adaptation to climate change through sustainable design and construction in accordance with 20.1 Policy C1 Sustainable Design and Adaptation Principles; and
11. Undertake and implement a Health Impact Assessment for relevant proposals that are;
    a. Required to undertake Environmental Impact Assessments; or
    b. Within Swale's most deprived wards; or
    c. Identified as required by the Local Plan.

## 6.10 Policy ST9 Planning for Infrastructure

**6.10.1** The new housing, employment and other development proposed in the Local Plan will increase demands on infrastructure in the Borough. These demands need to be managed and may involve protecting existing infrastructure, identifying where there is capacity and/or securing the timely provision of new infrastructure, which in itself may require land allocations to be made to accommodate it.

**6.10.2** Identifying and making sufficient provision for infrastructure is an important thread running throughout the National Planning Policy Framework (NPPF). The NPPF highlights the role the planning system can play in identifying and co-ordinating the provision of infrastructure [77] and the need for engagement with infrastructure providers to determine where additional infrastructure is [78].

**6.10.3** Infrastructure can include roads and other transport facilities including public transport, waste, utilities, flood defences, schools and other educational facilities, health facilities, cultural services, sports and recreational facilities and open spaces. This is not an exhaustive list and there may be other infrastructure facilities and services which will be required to deliver the Local Plan.

**6.10.4** The Council, in consultation with partners and service providers, has prepared an Infrastructure Delivery Plan (IDP), setting out the key infrastructure and service needs required to support the level of planned growth across the Borough and the individual site allocations. The IDP identifies, where known, how and when this infrastructure will be delivered, who will lead on delivery and a broad indication of timing, costs and funding mechanisms. The key on-site infrastructure needed to support implementation of a particular site allocation has also been identified in the relevant allocation policy. It should be noted that the IDP principally identifies key infrastructure projects and does not include all site-specific infrastructure requirements, which will be dealt with through individual planning applications.

**6.10.5** The IDP has been published separately and can be viewed on the Council's website. The IDP is a 'living' document, which will be reviewed and updated on a regular basis. The Council will continue to engage with service providers to ensure that the IDP provides the most up-to-date picture of the infrastructure needs of the Borough, particularly regarding infrastructure needed to support development later in the plan period, and to monitor progress in the delivery of infrastructure projects, their costs and funding.

**6.10.6** It is critical that sufficient infrastructure is available to serve new development and that it is delivered in a timely manner to ensure the needs of the occupiers of new development can be met without placing undue burdens on existing infrastructure facilities and services. The policy seeks to ensure that new infrastructure and services are delivered either in advance or alongside the development they are intended to support. Where appropriate, applicants will be expected to collaborate on the provision of infrastructure needed to serve more than one site.

**6.10.7** In some circumstances, due to the timing of critical infrastructure projects such as off-site highway improvements, it may be necessary for development of a site to be phased to ensure it does not proceed until the provision of this infrastructure. Should this be the case, the Council may grant permission with conditions or planning obligations restricting full or partial occupation until the completion of critical infrastructure projects or phases of projects. Where site allocations coming forward are dependent on the delivery of infrastructure projects this has been reflected in the phasing of the allocation in the housing trajectory.

**6.10.8** In the event issues arise with the delivery of strategic infrastructure required to enable growth, the Council will seek to work actively with developers, infrastructure providers and other partner organisations to resolve the issue.

**6.10.9** The Local Plan is based on a whole plan viability approach. The Whole Plan Viability Assessment tested whether the Local Plan strategy, taken as a whole, is realistic and able to be delivered and has considered the impact of the Local Plan policies and other requirements on the viability of development likely to come forward over the plan period in the borough. The assessment found that the policy requirements in this plan are viable across most site typologies.

77 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf Para 8a
78 necessary https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf Para 26

**6.10.10** As a starting point, therefore, it is assumed that all development proposals will be viable unless exceptional circumstances are demonstrated, and it should not normally be necessary for viability assessments to be submitted with individual planning applications. It will be for an applicant to justify, in line with paragraph 59 of the NPPF, the need for a viability assessment at the planning application stage. Where the applicant can justify that the particular circumstances warrant the need for a viability assessment the council will follow national guidance, as set out in the Planning Practice Guidance [79] , in determining the weight to be given to the assessment. Any viability assessment should reflect the government's recommended approach to viability assessment and be prepared at the applicant's expense.

**6.10.11** Where a viability assessment demonstrates to the satisfaction of the Council that a reduced level of developer contribution would be appropriate in order to enable the development to be delivered, the Council will take a pragmatic approach to seeking developer contributions. In doing so, the Council will generally apply the following priority to developer contributions, having regard to the latest IDP:

i. Those that are required to unlock growth, such as strategic highway improvements or ensure the safety of the development, such as flood risk mitigation; then
ii. Contributions to local infrastructure delivery to mitigate the impact arising from the development, such as education or health provision; then
iii. Affordable housing provision; then
iv. Other developer contributions that would not fall into the above.

**6.10.12** Any changes to this priority will be set out in the Council's annual Infrastructure Funding Statement.

**6.10.13** In recognition that the viability of development may change overtime, particularly for larger development proposals which may take many years to build out, any subsequent planning obligation will need to allow for a review of viability during the lifetime of the development at appropriate trigger points agreed between the Council and the applicant.

**6.10.14** All new development should contribute towards the cost of new infrastructure. Infrastructure funding by developers is most often secured through planning obligations [80]. On-site infrastructure will be secured based on the needs of each proposal and delivered directly by the developer or through financial contributions and/or the provision of land. Off-site infrastructure will be secured through developer contributions.

## Policy ST9

### Planning for Infrastructure

The Council will work with Kent County Council, infrastructure providers, applicants and other key stakeholders to ensure that growth over the plan period is supported by necessary infrastructure, facilities and services in a timely manner to meet the needs of Swale's communities.

1. The Council will resist the loss or change of use of existing social and community facilities unless it can be demonstrated that:
   a. The facility is no longer needed for its existing purpose, and the site or building is not needed for an alternative social or community use;
   b. The current or alternative community uses are not viable; or
   c. The services can be re-provided in a facility of better quality on the same site or in an alternative location that is equally accessible to the community served.
2. Development proposals, including those allocated in this plan, which give rise to the need for infrastructure improvements will be expected to mitigate their impact either individually or cumulatively and at a rate and scale to meet the needs that arise from that development or a

79 https://www.gov.uk/government/collections/planning-practice-guidance
80 Either through a Section106 agreement or Section 278 Highway agreement (with Kent County Council)

phase of that development. As such development may require to be phased to ensure the co-ordination with delivery of necessary infrastructure. Where appropriate, developers will be expected to collaborate on the provision of infrastructure needed to serve more than one site.

3. The Council will regularly update the Infrastructure Delivery Plan to determine the scope, cost and range of infrastructure improvement required to continue supporting the delivery of the Local Plan.

## 6.11 Policy ST10 Promoting Sustainable Transport and Active Travel

**6.11.1** One of the objectives of the Local Plan is to enable communities across Swale to become more sustainable. Creating safe and attractive neighbourhoods which promote walking and reduce the dominance of motor vehicles in particular have been found to be associated with increased social interactions and a sense of community. It can also help to create a sense of place and give an area an identity. This section provides policies on sustainable and active travel in the borough with an aim of creating modal shift towards sustainable and active modes and less reliance on the private car in the borough.

**6.11.2** Transportation plays a key role in the delivery of the Local Plan strategy, especially sustainable transport and active travel options. An efficient transport network which has good connectivity with the regional and national network is vital in helping Swale to realise its economic potential. To promote sustainable transport choices and active travel development should, firstly, prioritise the needs of those walking, wheeling and cycling and then assess the role that public transport can contribute towards meeting the travel demands it will generate. Only once those options have been fully explored, should further highway improvements be considered in the context of the capacity of the existing highway network. The Development Transport Hierarchy for Swale is set out within Policy INF1 on Managing Transport Demand and Impact.

**6.11.3** The Council declared the Swale Climate and Ecological Emergency in 2019 and developed a 'living' Action Plan in 2020, which was updated in 2025 and renamed the Climate and Ecological Emergency Action Plan. A list of actions under Air Quality and Sustainable Transport promote a wide modal shift towards public transportation and active travel within Swale and its communities.

**Travel Patterns**

**6.11.4** The need for an uptake in sustainable transport is more apparent than ever. The population of Swale is increasing, with its major towns and villages experiencing growth [81]. Swale has the third largest population in Kent, and the fourth highest level of dwelling completions over the 10 years to 2024[82]In addition, over the last 10 years more employment floorspace has been built in Swale than anywhere else in the county. Swale has high levels of road and fuel use, a below UK average use of public transport and an underdeveloped public transport network.

**6.11.5** The way in which people access work shows an increased reliance on car travel, with an increase from 60% to 70% using the car to get to work in Kent. The exception appears to be London commuting, where the proportion driving has remained fairly constant at 38%, train at 46% and bus at 11%. The method of travel to work for Swale residents largely reflects the Kent data, with 70.5% of residents travelling to work by car (drive or passenger in a car or van). The second most popular method is walking, with just over and 11% share. The bar chart below illustrates the travel to work mode share. TO BE UPDATED WITH DATA FROM THE TRANSPORT MODELLING

**6.11.6** These results also reflect the 2021 Census results for car ownership in Swale. The proportion of households with one or more cars available has increased to just under 83%, which is an increase on 2011

81 https://www.kent.gov.uk/__data/assets/pdf_file/0019/211618/Mid-year-population-estimates-total-population-of-Kent-bulletin.pdf

82 https://www.kent.gov.uk/__data/assets/pdf_file/0005/205826/Kent-local-authorities-dwelling-completions.pdf

figures and broadly aligns Swale to the Kent average. Kent car ownership as a whole is higher than the national average (82% of households compared with 78% nationally). The rate of increase in car ownership in Swale has been twice the national rate of increase over this period.

**6.11.7** COMMUTING DATA CHART to be added (Awaiting Transport Modelling data)

**6.11.8** The commuting data, therefore, suggests that there has been an increase in out commuting, particularly by car, to other Kent districts, with Medway, Maidstone and Canterbury being the most popular destinations. London commuting has risen only slightly, and whilst car commuting has also increased in absolute terms on this route, train and bus use have maintained their proportionate share of commuters. These figures therefore suggest increasing pressure on the strategic and interurban road network.

**6.11.9** The UK saw traffic levels and commuting patterns turned on their heads during 2020. Commuting patterns in Swale are considered to be largely back to pre-2020 levels, other than rail travel into larger hubs, such as London. However, Covid travel behaviours and commuting are likely to have been affected and the associated longer-term impacts on Swale are unknown. This presents an opportunity to enable more sustainable travel to be embedded in policy, development and any development schemes taken forward within the borough.

**Rural Lanes**

**6.11.10** Whilst the development strategy of the Plan is focused on locating development where the supporting transport can be provided in the most sustainable way, the Borough also has a rich heritage of rural lanes which contribute greatly to amenity. These may come under pressure with inappropriate development proposals. The issues are considered in Policy B8.

**Health and Air Quality**

**6.11.11** Accessible transport links are vital for providing Swale's residents with access to facilities and services across the borough, county and beyond. This includes connecting businesses and communities, as well as reducing social isolation. However, there can be negative impacts associated with transport too. Road transport contributes to 32% of Swale's CO2 emissions and pollutants have a negative impact on air quality, human health and the natural environment, as well as transport increasing noise pollution. Sustainable transport choices and 'active travel' (travel requiring a person to exercise - such as walking, wheeling and cycling) in particular are able to provide an opportunity for people to build activity into their daily lives. Currently 60.5% of primary school children and 33.7% of secondary school children actively travel to school, whilst 13.5% of adults actively travel to work. Kent's Active Travel Strategy[83] aims to make active travel an attractive and realistic choice for short journeys in Swale.

**Swale Transport Model**

**6.11.12** A multi modal strategic transport model has been undertaken during the drafting of the Local Plan Review to reflect the development strategy and proposals of this plan.

**6.11.13** * A table will be included showing the Local Plan Review Modelling Scenarios.*

**6.11.14** The following transport network improvement schemes are seen as necessary to support growth and the full implementation of the Local Plan strategy: (To be filled in.)

**6.11.15** The Council will work with Kent Highways, as the Highways Authority, on mitigations to manage the flow of traffic especially where there are air quality, traffic congestion and road safety issues. (Estimated cost will be updated after transport modelling)

**6.11.16** Furthermore, the modelling report recommended a number of mitigations for the borough which includes schemes relating to the allocated development sites. These will be encompassed within the future iteration of the Infrastructure Delivery Plan.

83 https://www.kent.gov.uk/about-the-council/strategies-and-policies/transport-and-highways-policies/active-travel-strategy

**6.11.17** Regional and National transport policies have an important role to play in tackling poor air quality, facilitating development and wider environmental and health objectives within Swale.

**6.11.18** The National Planning Policy Framework (NPPF) continues the core principle of sustainable development, through means such as using technology to reduce the need to travel, using planning policies and decisions to actively manage patterns of growth to make the fullest use of public transport, walking and cycling and focusing significant developments in areas which are, or can be made, sustainable.

**6.11.19** Transport policies have an important role to play in facilitating development and also in contributing to wider sustainability and health objectives. It is nevertheless recognised that different policies and measures will be needed in different communities and that sustainable transport solutions will vary between urban and rural areas.

**6.11.20** Key national objectives for transport policy include:

- Working with relevant transport providers and neighbouring authorities to develop strategies for viable infrastructure necessary (including for the growth of Ports) to support sustainable development;
- Ensuring that opportunities for sustainable and active travel have been taken up to minimise the need for major new transport infrastructure to support reductions in greenhouse gas emissions and to reduce congestion;
- Ensuring that the necessary improvements can be undertaken as far as possible within the transport network and are cost effective at mitigating the significant impacts of development;
- Achieving safe and suitable access to sites for all people and goods; and
- Designing developments to prioritise pedestrian and cycle access and give access to high quality public transport facilities.

**6.11.21** The Department for Transport Circular 01/2022: Strategic road network and the delivery of sustainable development - GOV.UK [84] Strategic Road Network and the delivery of sustainable development relates specifically to the impact of proposed development on the Strategic Road Network (SRN) which is operated, maintained and improved by Highways England on behalf of the Department for Transport. The SRN play an important part in enabling and sustaining economic prosperity as part of wider sustainable development objectives, with Highways England ensuring the continued safe operation of the network.

**6.11.22** The NPPF in paragraph 109 encourages a vision-led approach to transport issues for solutions that deliver well-designed, sustainable and popular places . DfT Circular 01/2022 presents a shift from the "Predict and Provide" method of transport planning for infrastructure to a "vision and validate" model. "Predict and Provide" predicts future demand and provide capacity while a "vision and validate" model provides transport solutions set to the outcome communities want to achieve. This is also emphasised in the Transport Decarbonisation Plan (2021) [85]. According to Circular 01/2022, the vision led approach include 'vision and validate,' 'decide and provide' or 'monitor and manage' and National highways is committed to supporting local authorities in achieving the aim. KCC is also committed to delivering with district planning authorities a 'decide and provide' (also known as 'vision and validate') approach to planning and site development.

**6.11.23** For the Strategic Road Network (SRN), development proposals are likely to be acceptable if they can be accommodated within the existing capacity of a section (or link or key junction) of the relevant part of the network; or they do not increase the demand for use of that section which is already operating over capacity, taking account of any mitigation and/ or capacity enhancement measures which may be proposed. Generally, development should only be prevented or refused where the residual cumulative impacts of development are severe. Safety of the SRN is the key consideration for judging impact of proposed development.

**6.11.24** The key issues for the Local Plan are to promote development patterns which minimise the need to travel, encourage the use of sustainable means of transport and minimise journey lengths for everyday

84 https://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development
85 https://www.gov.uk/government/publications/transport-decarbonisation-plan

activities such as work, education, shopping and leisure. Capacity on the SRN is limited, and additions are difficult, costly and time consuming, so these measures are integral to the local plan approach to reducing the potential for congestion on the SRN.

**6.11.25** The Circular states that capacity enhancements and infrastructure necessary to deliver strategic growth should be identified through the Local Plan. Where this is identified as necessary, Highways England will work with delivery agencies to assess the suitability, viability and deliverability of such proposals (including funding arrangements). If the need and deliverability is confirmed when balanced against other environmental and practical considerations, it may be considered for inclusion in the Highways England forward programme of works.

**6.11.26** The objectives of the Circular are reflected throughout the Local Plan in terms of its overall development strategy, land allocations and general policies for guiding design, layout and access, they are supported by and influence complementary plans, projects and funding programmes of the transport providers.

Car Parking

**6.11.27** The NPPF gives the option for local planning authorities to develop their own vehicle parking standards. Swale Borough Council has set out their Swale Parking Standards 2020[86] which must be referred to for all residential and non-residential developments within the borough. Further detail on this can be found in Policy INF 2 Vehicle Parking

**Promoting Sustainable Transport and Active Travel**

**6.11.28** Projects to provide new and improved transport infrastructure will play a central role in supporting growth and promoting sustainable transport within the borough as well as creating a shift towards sustainable modes. As major development will largely be concentrated in locations that are, or will be, subject to significant transport improvements, land and facilities will therefore need to be safeguarded in order to ensure delivery of these projects.

**6.11.29** All transport improvement schemes which are assessed and taken forward by the Council should be focused on the promotion of sustainable transport and active travel. The figure contained within paragraph 22.0.4 of Policy INF1, on Managing Transport Demand and Impact, should be adhered to when appraising all transport schemes within the borough.

**6.11.30** Swale Borough Council adopted a Swale LCWIP in March 2026 (Strategies and policies - Swale Borough Council - Active Travel). This document, alongside the Faversham LCWIP (Local Cycling and Walking Infrastructure Plan) should be key documents when planning future developments and how they should positively encourage and promote walking, wheeling and cycling.

**6.11.31** These LCWIPs have an important role in supporting growth and development. By linking proposed routes to housing and site allocations, the LCWIP provides a valuable evidence base for developers preparing Travel Plans and Transport Assessments, helping to ensure that new development supports and contributes to high-quality active travel infrastructure.

## Policy ST10

### Promoting Sustainable Transport and Active Travel

New development will be located in accordance with Policies ST1 and Policy ST2, Local Plan allocations and approved Neighbourhood Plans, which minimise the need to travel for employment and services and facilitate sustainable and active transport. The Council will promote an uptake of sustainable

86 https://swale.gov.uk/your-council/publications/planning-and-planning-policy/parking-standards-supplementary-planning-document-spd

transport and active travel through the prioritisation of walking, wheeling and cycling, in line with the hierarchy of road users, and the Council's adopted Swale wide Local Cycling and Walking Infrastructure Plan (LCWIP) and Faversham's LCWIP, along with public transport within all new developments.

Development proposals are expected to adopt the vision and validate principle in accordance with DFT circular 01/22 and set out a Monitor and Manage strategy covering all modes of transport.

The Council will:

1. Expect development proposals to adhere to the vision-led approach, as set out in Department for Transport circular 01/22, by adopting the Vision and Validate principle and setting out a Monitor and Manage strategy, covering all modes of transport;
2. Promote walking within the borough by ensuring that developments improve the pedestrian environments by supporting public realm improvements including the provision of high-quality safe road crossings, seating, signage, lighting and landscaping that are safe and easy to walk through;
3. Promote cycling in the borough by ensuring that developments provide and make a contribution towards high quality and safe cycle routes, provide for accessible, secure cycle parking taking into account the size and location of the development, and make provision for high quality facilities that promote cycle usage including showers, lockers and dryers;
4. Ensure walking and cycling routes are linked to new and existing communities with services and facilities, public transport and the Green Grid network and are accessible for all users;
5. Safeguard and promote the provision of public transport in the borough by ensuring that development contributes towards improvements to bus network infrastructure including access to bus stops, shelters, passenger seating, waiting areas, signage and timetable information. Contributions will be sought where the demand for bus services generated by the development is likely to exceed existing capacity. Contributions may also be sought towards the improvement of other forms of public transport in major developments where appropriate;
6. Require developments, where appropriate, to provide for the interchange between different modes of transport, including the provision of facilities to make interchange easy and convenient for all users, as set out in Policy INF1;
7. Facilitate the greater use of waterways for commercial traffic, where this would not have an unacceptable adverse environmental impact, through working with the Port of Sheerness and other bodies;
8. Ensure that developments contribute to transport network improvements, following the vision-led approach as set out in the Department for Transport Circular 01/2022, where capacity is exceeded and or safety standards are unacceptably compromised with particular emphasis on those identified in the Infrastructure Delivery Schedule;
9. Make best use of capacity in the network by working together with transport providers to improve the transport network in the most sustainable way, and extending it where necessary, as demonstrated by Transport Assessments and Travel Plans in support of development proposals, as discussed in INF1;
10. Support the provision of major new transport infrastructure in accordance with national and local transport strategies; and
11. Support the maintenance and improvement of the highway network at key points to improve traffic flows and respond to the impact of new development and regeneration.

## 6.12 Policy ST11 Protecting and Enhancing the Natural Environment

**6.12.1** Swale's diverse and outstanding natural environment is a defining characteristic of the borough.

**6.12.2** This policy sets out how our natural environment will be conserved, enhanced, and managed and how habitats, species, landscapes, natural resources, the economy and quality of life can recover. As the overarching policy on the natural environment it both sets out the Council's strategic policy on the natural

environment and is the umbrella policy for the Development Management environment policies – most specifically those which relate to climate change, pollution, water, flood risk, biodiversity, landscapes, the coast and agricultural land.

**6.12.3** Conserving and enhancing the Borough's outstanding natural environment is at the heart of the Local Plan strategy which seeks to create a more robust ecology and landscape and reverse the decline in the quality and diversity of our landscapes and biodiversity as well as minimising waste and pollution, making effective use of land, using natural resources prudently and mitigating and adapting to climate change.

The Natural Environment in Swale

**6.12.4** The breath of Swale's natural environment are set out elsewhere in the Local Plan (see table ****) and the preambles to policies B1 and B2) and include a swathe of designations:

- Internationally designated wetlands across the Medway and Swale Estuaries and Marshes (Ramsar sites, Special Areas of Conservation and Special Protection Areas, Policy B1)
- Nationally designated sites (Sites of Special Scientific Interest, National Nature Reserves and Marine Conservation Zones)
- Locally designated sites for wildlife (Policy B1)
- The Kent Downs National Landscape (Policy B3)
- Areas of High Landscape Value (Policy B2)
- Coastal Change Management Area (Policy C6)
- Important Local Countryside Gaps (Policy B2)

Pressures, impacts and opportunities

**6.12.5** Pressures, impacts and opportunities in relation to the natural environment, the landscapes, habitats and species of Swale, the economy and people's wellbeing come from a variety of sources:

- Pressures on land from competing interests
- Population growth and urban creep
- Water and soil pollution
- Air pollution
- Water demand
- Recreational disturbance of sensitive wildlife (especially coastal) sites
- Fragmentation of habitats
- Climate Change, which include rising temperatures, new pests and diseases, flooding, sea-level rise, coastal squeeze and coastal erosion, drought and extreme rainfall/storms, soil erosion, soil aridity and waterlogging, wildfires, soil erosion, poor air quality
- Opportunities to exercise and improve wellbeing and mental health by using the open spaces, countryside and coast
- The stunning landscapes, countryside and coast of Swale is a tourist asset that attracts visitors and provides a positive impact to the local economy
- Changes to the climate also provide opportunities for new agricultural ventures such as new crops and viticulture and longer growing seasons

**6.12.6** In recognition of the risks and impacts to the natural environment caused by the climate crisis, in 2019 Swale Borough Council declared a Climate and Ecological Emergency and developed an Action Plan. Swale Climate and Ecological Emergency

**6.12.7** Whilst other policies in this plan (most significantly ST 3 Climate Change and the Development Management Climate Change Policies C1 to C5) address mitigation and adaptation to climate change in detail, this policy recognises the interrelationship between the changing climate and impacts on the natural

environment and how these issues need to be considered and addressed together so that we can deliver places that can adapt to a change climate and provide opportunities for people and biodiversity to thrive and for nature to recover.

**Statement 7**

What Do We Expect from New Developments?

Swale expects all new developments to:

1. Consider green and blue infrastructure opportunities and requirements at the earliest opportunity, taking into account existing natural environment and the most suitable locations and types of new provision;
2. Be comprehensively integrated into the Green and Blue Infrastructure network (see the GBI map) for both nature and humans;
3. Have the principle of a 20% increase in biodiversity net gain at the heart of the design of the development;
4. Link with the existing active travel network and provide for its expansion, to allow residents to safely walk, cycle and scoot around their neighbourhood and between their homes, work, services and facilities and transport hubs;
5. Reflect the most up to date guidance and best practice;
6. Have put in place the funding and administrative mechanisms for the sustainable management and maintenance of the green and blue infrastructure so that it is to provide benefits and services in the long term;
7. Be designed, from the start, to achieve climate change mitigation and adaptation;
8. Integrate landscape protection and enhancement into schemes, linking landscapes to green and blue infrastructure and biodiversity net gain;
9. Seek to use natural resources, including agricultural land and water, prudently, find opportunities to improve the quality of our soils, air and water and reduce the risk of flooding; and
10. Have the natural environment and climate change adaptation as a golden thread running through their development proposals.



**Picture 6.12.1 Elemey Marshes, Isle of Sheppey**

**6.12.8** The National Planning Policy Framework (NPPF) states that Strategic policies “should make sufficient provision for: conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.” (NPPF, paragraph 20d.)

**6.12.9** It also sets out more detailed guidance (paragraph 187 onward) stating that planning policies and decisions should contribute to and enhance the natural and local environment by (in summary):

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils;
- recognising the intrinsic character and beauty of the countryside and the wider benefits of natural capital and ecosystem services
- maintaining the character of the undeveloped coast and improving appropriate public access
- minimising impacts and providing net gains for biodiversity, including by establishing coherent ecological networks and supports species such as swifts, bats and hedgehogs
- preventing development being at risk from, or adversely affected by pollution
- remediating contaminated land and improving environmental conditions

**6.12.10** There is a wealth of more detailed guidance on a number of topics related to the natural environment in the Planning Practice Guidance. These include air quality, appropriate assessment, biodiversity net gain, climate change, flood risk and coastal change, contaminated land, pollution and water.

Swale Biodiversity Baseline Study

**6.12.11** The Swale Biodiversity Baseline Study report Swale Biodiversity Baseline Study presents the results of a mapping exercise to record a biodiversity baseline for the Borough of Swale. The purpose is to provide guidance on how Swale Borough Council (SBC) can meet the requirements of the forthcoming Environment Bill.



**Picture 6.12.2 Pollinating Bee**

Green and Blue Infrastructure

**6.12.12** In 2020 the Council published The Green and Blue Infrastructure Strategy for Swale with the following vision:

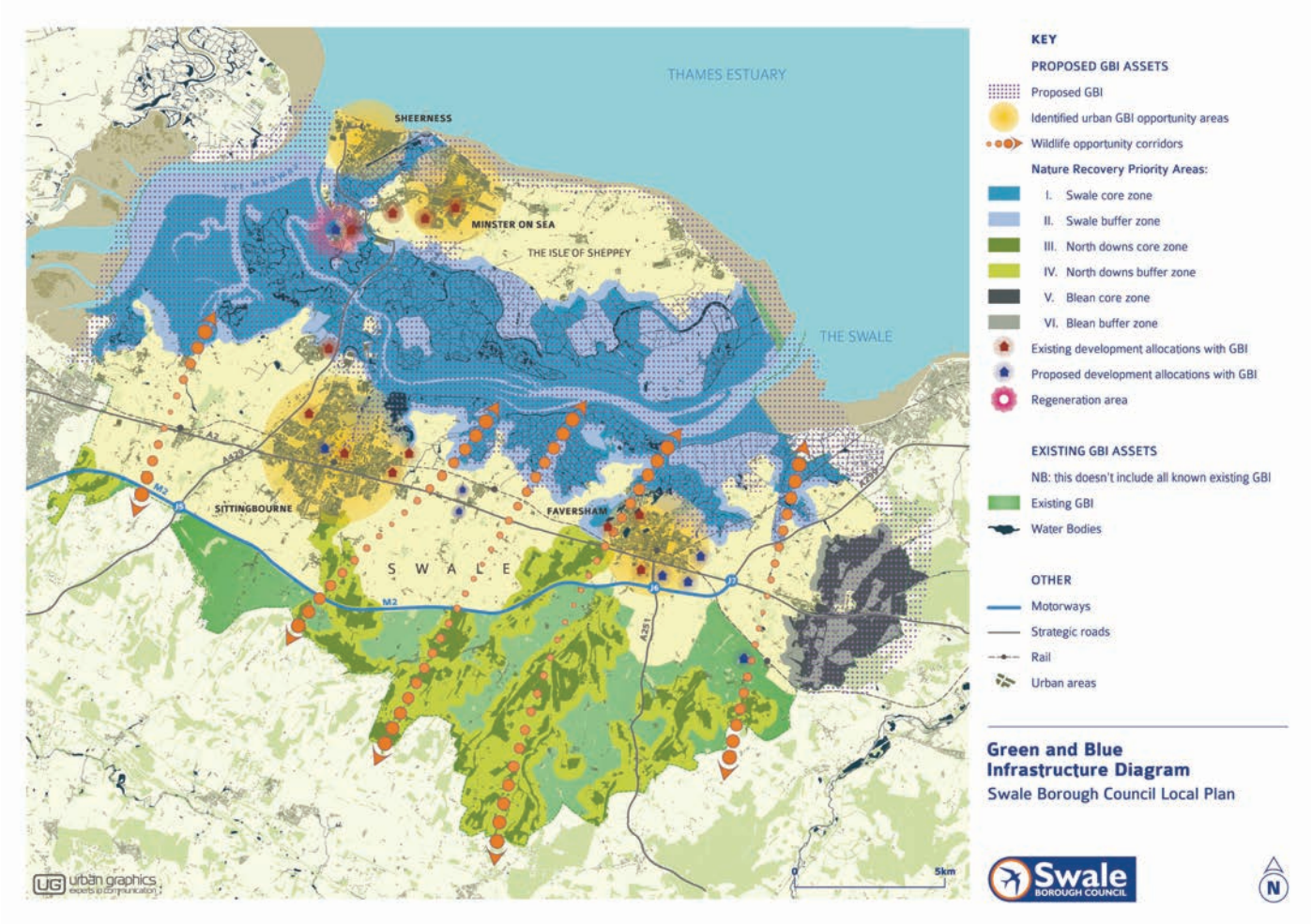
*"to develop a resilient, biodiverse and multi-functional GBI network to contribute to ensuring Swale a great place to live, work and invest, and respond to the climate and ecological emergency."*

**6.12.13** The Strategy seeks to identify and guide opportunities for a greener, healthier, more biodiverse and prosperous Swale. It sets out Swale's GBI resource and where deficits exist, it explains the priorities for GBI and its multifunctionality. It also looks at the opportunities for GBI in existing development as well as in new development – seeking to create a network of green and blue infrastructure across the borough and beyond.

**6.12.14** The GBI plan identifies four opportunity areas under which it provides practical advice for the optimisation of Swale's GBI resources.:

- A green and diverse borough
- A healthy blue environment
- A connected, active and healthy Swale
- A beacon for the visitor economy

**6.12.15** New development in Swale will be expected to address and further the opportunities promoted in the Green and Blue Infrastructure Strategy.




**Picture 6.12.3 Swale's Green and Blue Infrastructure Network**

**6.12.16** Natural England (NE) have published Green Infrastructure Framework Standards to help development deliver against the NPPF's requirements for green infrastructure, taking a strategic approach, deliver solutions to climate change and the nature crisis and make positive contributions to placemaking and urban renewal.

**6.12.17** Natural England has produced the following standards:

- Green Infrastructure Strategy Standard
- Accessible Greenspace Standard
- Urban Nature Recovery Standard
- Urban Greening Factor Standard
- Urban Tree Canopy Standard

**6.12.18** These define what good green infrastructure looks like for local planners, developers, parks and greenspace managers and communities, and how to plan it strategically to deliver multiple benefits for people and nature. When used together, these standards help stakeholders to deliver the Green Infrastructure Framework's principles and enable everyone to benefit from good green infrastructure provision.

The Kent and Medway Local Nature Recovery Strategy

**6.12.19** The Kent and Medway Local Nature Recovery Strategy (LNRS) Kent LRNS was published in November 2025. The strategy has been designed to assist Local Authorities and other stakeholders in understanding the locations important for conserving and enhancing biodiversity and help meet the challenges that the natural environment is facing.



**6.12.20** The principles for nature recovery set out in the Kent and Medway LNRS are:

- **Better** – improve the quality of our existing habitats and ensure they are in a healthy and functioning state by applying and resourcing better and appropriate management of them. We also need to better conserve and safeguard what we already have.
- **Bigger** – increase the size of our most valuable and important habitat sites, not only extending but buffering them, to protect them from the pressures of human influences.
- **More** – through habitat restoration and creation, establish new, nature-rich sites that not only provide more space for nature but also provide connectivity between existing core sites.
- **Joined up** – enhance connections between, and join up, sites, by improving the quality of the land between them, creating new physical corridors and establishing stepping stones.
- **Nature-based solutions** – work with nature and use natural processes to tackle some of the socio-economic challenges our county faces, maximising the benefits of nature recovery.
- **Land management and land use** – increase the number of landowners, land managers and farmers using nature-friendly and habitat-sensitive land management and land-use practices, recognising the crucial role they play in helping to deliver a better, more coherent and resilient wildlife network across the county.

**6.12.21** The LNRS also has range of Ambitions for the county under which a series of priorities sit.

**6.12.22** The details of the work undertaken for Kent and Medway, along with advice, guidance (eg a Developer's Toolkit) and case studies are set out on the Kent and Medway LRNS website

**6.12.23** The Kent And Medway LNRS contains a mapping portal which maps:

Habitats Regulations Assessments

**6.12.24** If a development proposal is considered likely to have a significant effect on a protected habitats site (either individually or cumulatively) then an Appropriate Assessment (AA) of the implications for the site will be required under the Conservation of Habitats and Species Regulations 2017255. If the Council, further to the AA and in consultation with other bodies, is unable to conclude that the proposal will not adversely affect the integrity of the site, then it will have to be refused. Applicants will therefore need to provide sufficient information as may be required to undertake the assessment, including implementation of the mitigation hierarchy.

**6.12.25** More generally, the Council will take a precautionary approach in requiring Habitats Regulations Assessments to be prepared for individual development proposals until a strategic solution has been prepared or where effects of a proposal are deemed to be uncertain. The Council will consider the need for Habitats Regulations Assessments to be undertaken at the reserved matters stage for sites where outline planning permission has already been granted.

Strategic Access Management and Monitoring Strategy (SAMMS) for North Kent

**6.12.26** In 2011, Local Authorities and conservation organisations across north Kent joined together within the North Kent Environment Planning Group to identify the impacts of recreational disturbance on wintering birds within the Special Protection Areas. Following a Visitor and Bird Disturbance Survey, a Strategic Access Management and Monitoring Strategy (SAMMS) is now in place, which sets out a range of measures to mitigate any disturbance to birds caused by increasing numbers of recreational visitors.

**6.12.27** These strategic measures (such as habitat creation, management and wardening) are funded by developer contributions, and are applied to all residential development within 6km of the SPAs (the area mostly likely to result in increased recreational pressure on them). These contributions are collected via Section 106 agreements, or, if implemented in the future, a Community Infrastructure Levy. Some larger developments beyond the 6km radius, or those particularly close to the SPA, may require additional mitigation.

**6.12.28** Alternatively, developers can gather their own evidence and complete a Habitats Regulations Assessment and implement bespoke mitigation measures. Such an assessment would have to consider

the impact of the proposal in combination with other proposed developments, the cost of which is likely to be higher than making a contribution to the implementation of the SAMMS. In most cases, it will not be viable for a development to provide its own bespoke mitigation package.

**6.12.29** An integral part of the SAMMS is the monitoring of the effectiveness of the measures put in place through the tariff payments. If this monitoring highlights areas where changes to the mitigation measures are required, these will be implemented by the Partnership.

**6.12.30** Please see the Partnership's website for more detailed information Bird Wise

Nutrient Neutrality

**6.12.31** Due to raised nitrogen and phosphorous levels at the Stodmarsh National Nature Reserve, in 2020 Natural England issued nutrient neutrality advise for the catchment that feeds that reserve. A small area of Swale is within the Stodmarsh Catchment. As a result of the advice, Local Planning Authorities can only approve development if they are certain it will not have an adverse effect on the Stodmarsh Nature Reserve i.e. that schemes are 'nutrient neutral'.

**6.12.32** Policy C10 Water quality and water resources and its preamble explains the detail on nutrient neutrality and the response to it, including recently developed environmental credits and enhancement schemes.

**Biodiversity Net Gain (BNG)**

**6.12.33** BNG is an approach to development which makes sure that habitats for wildlife are left in a measurably better state than they were before the development was built. In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

**6.12.34** In Swale, developers are required to provide a BNG of 20%. This means a development will result in more or better quality natural habitat than there was before development.

## Policy ST11

**Conserving and enhancing the natural environment**

The Council will work with partners and developers to ensure the protection and enhancement as appropriate, of the Swale natural environment and the delivery of the green and blue infrastructure network and its associated strategy.

1. Actions by public, private and voluntary sectors will:

    a. use nature-based solutions to safeguard, restore and enhance the size, quality, diversity and interconnectedness of the natural environment in Swale and reverse the decline in nature, including furthering the delivery of Swale's Green and Blue Infrastructure Network and Strategy and the Kent and Medway Local Nature Recovery Strategy;

    b. recognise and value natural capital and ecosystems for the wider services they provide, such as for food, water, flood mitigation, disease control, recreation, health and well-being, climate change mitigation;

    c. provide a focus and opportunities for social inclusion, community development and lifelong learning;

2. All non-householder development proposals will, as appropriate and proportionate to the scale of the development, demonstrate via a Natural Environment Statement how the development:

    a. is appropriate to its location, steered to land of least environmental value and avoids: internationally, nationally and locally designated sites of importance for nature; nationally and

locally designated landscapes; best and most versatile agricultural land, in accordance with policies B1 Biodiversity and geodiversity conservation and Biodiversity Net Gain and B2 Conserving and enhancing valued landscapes and B6 Agricultural Land;

b. will protect and enhance soils, due to the importance of soils for biodiversity and carbon storage, by avoiding the best and most versatile agricultural land or other valued soils, soil disturbance, compaction and erosion. Development must not result in soil pollution or contamination;

c. follows the mitigation hierarchy by avoiding, then mitigating, and only as a last resort, compensating for adverse impacts on biodiversity and the natural environment;

d. provides protection, enhancement and recovery to the most valuable existing habitats and species (Habitats and Species of principle importance under s.41 of the NERC Act), and the creation of new habitats;

e. contributes to the recovery and expansion of Swale's natural environment, by fully responding to the Council's Biodiversity Baseline Study, the Green and Blue Infrastructure Strategy, Natural England's Green Infrastructure Strategy and contributes to the targets of identified Biodiversity Opportunity Areas and of the Kent and Medway Local Nature Recovery Strategy;

f. set out the application's response to the Council's declaration of an Ecological Emergency;

g. protects and enhances the intrinsic character and natural beauty of the countryside and the borough's urban natural environment; and

h. where relevant this should include an Ecological Assessment, a Green Infrastructure Plan, a Local Nature Recovery Strategy Response, a Biodiversity Net Gain Plan and a Landscape and Visual Impact Assessment.

3. All applications will accord with Policy B1 Biodiversity, geodiversity and biodiversity net gain with regard the hierarchy of biodiversity and geological designations as well as for land that is not specifically designated, but contains features of biodiversity and geodiversity value.

4. All relevant development will set out, via a Biodiversity Gain Plan, how development will achieve a measurable, by a recognised metric, net gain of 20% in biodiversity, in accordance with Policy B1 Biodiversity, geodiversity and biodiversity net gain;

5. All relevant development with require the completion of project specific Habitats Regulations Assessment (HRA), in accordance with policy B1 Biodiversity and geodiversity conservation and biodiversity net gain to ensure there are no likely significant effects upon any European designated site. For residential sites within 6km of an access point to any of the North Kent Marshes, development must contribute to its Strategic Access Management and Monitoring Strategy or undertake their own HRA;

6. All developments will:

a. increase opportunities for nature, 'green' the borough and assist with adaptation to the changing climate in existing and proposed development by delivering high-quality green and blue infrastructure adhering to Natural England's Green Infrastructure Framework, contributing to the planting of a strategically significant network of street trees, trees in and around formal open spaces and in new gardens, green roofs and green walls, and contribute to approaches to improve the network of habitats at scale and locally (eg though the inclusion of swift and bat boxes and hedgehog highways);

b. deliver a high standard of design quality and promote nature-based solutions to protect the intrinsic natural beauty and character of our natural environment in accordance with policies ST7 Good design, GD1 Local Design Principles, B4 The Separation of Settlements – Important Local Countryside Gaps, B8 Rural Lanes and B9 The keeping and grazing of horses and maximise the social, economic, health and environmental benefits of green and blue infrastructure;

c. provide new recreational facilities in accordance with Policy INF3 Open space, sport and recreation provision , exploiting opportunities to increase green infrastructure whilst linking urban and countryside areas and to create new 'green' footpath and cycle links between new and existing developments and services and facilities for both recreation and commuting, in accordance with ST 10 Promoting Sustainable Transport and Active Travel and INF1 Managing transport demand and impact;

d. create natural environments that promote health and wellbeing and protect Local Green Spaces in accordance with policies ST8 Health and Wellbeing and INF4 Local Green Spaces.

e. ensure mitigation and adaptation to climate change is a defining element of any proposals, in accordance with ST 3 Climate Change and the Development Management Climate Change Policies C1 to C5, prioritising nature-based approaches.

f. take account of and integrate with natural processes, such as natural flood management, utilising sustainable urban drainage in accordance with Policies C8 Flood Risk and C9 Sustainable Drainage;

g. ensure development is safe from the risks of flooding and coastal change and does not increase flood risk elsewhere, in accordance with C6 Coastal Change Management, C7 Implementing the Medway Estuary and Swale Risk Management Strategy and C8 Flood Risk;

h. demonstrate how pollution will be prevented and local environmental conditions, including air, soil and water quality are to be improved by development and how contaminated or unstable land will be remediated;

i. demonstrate how natural resources will be protected and ecosystem services supported, in accordance with C10 Water quality and water resources, C11 Air Quality and C12 Pollution and Land Instability;

j. protect, enhance and manage the value, character, amenity and tranquillity of the Borough's landscapes, in accordance with Policies B2 Conserving and enhancing valued landscapes and B3 The Kent Downs National Landscape and B7 The Coast; and

k. Demonstrate the protection, enhancement and management, as appropriate, of seascape and coastal processes in accordance with C6 Coastal Change Management, B7 The Coast and C7 Implementing the Medway Estuary and Swale Coastal Risk Management Strategy. and

7. Meet all of the points in the Statement box above "What Do we Expect from New Developments?"

## 6.13 Policy ST12 Conserving and Enhancing the Historic Environment

**6.13.1** National planning policy [87] recognises that heritage assets are an irreplaceable resource and requires their conservation in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of present and future generations. It also requires local planning authorities to set out a positive strategy for the conservation and enjoyment of the historic environment, taking account of the wider social, cultural, economic and environmental benefits, that heritage brings. Policy ST12 establishes the strategic framework for meeting these requirements in Swale, supported by more detailed policies within the Plan that together address the management of change and development affecting heritage assets.

**6.13.2** Swale has a rich and varied historic environment, shaped by its coastal, creekside and estuarine landscapes, its historic towns and rural settlements, and its long history of maritime, industrial and agricultural activity. Designated and non-designated heritage assets alike contribute to character, identity and sense of place and play an important role in supporting regeneration, tourism and community wellbeing. Conserving and enhancing this heritage, and understanding its significance, is central to ensuring that development respects and reinforces local character and distinctiveness across the borough.



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

**6.13.3** The borough's historic environment is not static. It has always evolved in response to changing needs, uses and circumstances, and will continue to do so. The challenge is to manage that change in a way that conserves the significance of heritage assets while enabling appropriate adaptation, new uses and continued investment. Some of Swale's heritage assets face particular pressures, including vacancy, neglect and the cumulative effects of incremental change, and securing their long-term future may require proactive intervention and creative approaches to new use and investment. Handled well, development can play a positive role in sustaining heritage assets, helping to secure their long-term viability and continued contribution to the borough's character, identity and historic significance.

**6.13.4** Policy ST12 sets out how development proposals should conserve and enhance the historic environment. It requires that proposals affecting heritage assets are informed by a clear understanding of their significance and setting, and that harm is avoided, minimised or, where it cannot be avoided, justified in a manner proportionate to the significance of the asset. This approach reflects the tiered protection that national policy affords to designated and non-designated assets respectively, with the greatest weight given to those of the highest significance.

**6.13.5** Applicants will be expected to provide proportionate information demonstrating how proposals affect the significance of heritage assets and their setting, and how impacts have been avoided, minimised or justified. For proposals affecting significant assets, early engagement with Historic England is encouraged where necessary, alongside engagement with the Council. Consideration of heritage matters should be incorporated from the earliest stages of design to ensure that significance is fully understood and integrated sensitively into proposals.

## Policy ST12

**Conserving and enhancing the historic environment**

1. Heritage assets within the Borough are an irreplaceable resource that contribute significantly to its character, identity, economy and quality of life. Development proposals affecting heritage assets will be required to conserve and, where appropriate, enhance their significance, including their setting, in a manner proportionate to their importance.
2. Designated heritage assets will be given great weight in decision-making. Any harm to, or loss of, their significance, including their setting, must be clearly and convincingly justified and weighed against the public benefits of the proposal.
3. Substantial harm to or total loss of a designated heritage asset should be exceptional, and for assets of the highest significance should be wholly exceptional. In all cases, such impacts will only be permitted where it is demonstrated that substantial public benefits outweigh the harm.
4. Applications affecting non-designated heritage assets, directly or indirectly, will be assessed through a balanced judgement, having regard to the significance of the asset and the scale of any harm or loss.
5. Cumulative and incremental impacts on the significance of heritage assets and their settings will be taken into account in decision-making.

Development proposals must respond to the following principles:

a. Conserve and respond positively to the significance, character and setting of heritage assets, historic landscapes and settlement form;
b. Support the sensitive and sustainable use of heritage assets, including those identified as being at risk on national or local registers;
c. Promote the understanding, appreciation and enjoyment of heritage assets through interpretation, education and, where appropriate, public access;
d. Ensure that measures to address climate change and sustainable development are sensitively designed and implemented to avoid unacceptable harm to the significance of heritage assets;

e. Recognise the importance of archaeological remains, historic landscapes and the wider setting of heritage assets; and
f. Recognise and account for cumulative or incremental impacts on heritage assets and their settings.

Where appropriate, measures to conserve or enhance heritage assets will be secured through planning conditions, obligations or other appropriate mechanisms.

# 7 Land Allocations for Development

## 7.1 Introduction

**7.1.1** This chapter deals with the land allocations that are necessary to meet our development targets for the period 2027 to 2042. This includes allocations for both residential, employment and mixed use. Bearing Fruits was adopted in July 2017 with a timeframe to 2031. Since the plan was adopted, many sites have come forward and are now under construction or complete. This Local Plan builds on those existing allocations, retaining and updating those that are not yet built out, but are still developable, as allocations in this Plan.

**7.1.2** These site allocations support development that meets local needs, including the local housing requirement, local employment, retail, and infrastructure needs. These are set out in the following sub-sections:

- Section 6.2 Extant permitted sites: Policy supporting the ongoing delivery of extant consented schemes.
- Section 6.3 Regeneration areas: Broad areas within which development is expected to come forward.
- Section 6.4 Strategic allocations: Larger sites which contain a mix of uses and carry a housing figure over 1,000 new homes.
- Section 6.5 Proposed housing allocations: Large residential development sites.
- Section 6.6 Proposed employment allocations: Large employment development sites.
- Section 6.7 Neighbourhood Plans: Sites allocated in Neighbourhood Plans within the borough.

**About the Site Allocations, Concept Diagrams & Site Capacities**

**7.1.3** The allocations set out in this chapter together support the delivery of the Plan's Spatial Strategy. Each site represents suitable, available, achievable land which the Council has assessed through its Housing and Economic Land Availability Assessment (HELAA).

**7.1.4** The residential capacities identified in this Plan are based on the size of the site, its situation (central/urban/suburban/rural), and constraints that exist on the site. Together these are used to create a minimum site capacity for each site. For more detail on how capacities were identified of each site, please refer to the Housing and Economic Land Assessment. The capacities should not be used to constrain future designs of the site. The capacity of each site will ultimately be determined as part of a planning permission.

**7.1.5** Concept diagrams have been included in this document to support readers to interpret the Site Allocation Policies. They are not detailed designs and should not be seen as such. The specifics of the design of a site will only come forward at the detailed planning stage.

**7.1.6** Regard should also be had to other documents in the Council's evidence base when making applications on allocated sites (as they should in unallocated sites).

# 8 Extant Planning Permissions

**8.0.1** These sites had full planning permission as of 1st April 2025 (NB to be updated to 1st April 2026 in Submission version). It is important that there is a flexible policy approach to managing any revisions or reapplication for development consent on these sites. These sites are generally considered to be deliverable, subject to phasing, within the 5-year housing period. Some sites have gained outline previously, but have more recently gained full planning permission. If these sites do not come forward in this Plan period, they will be reviewed to understand why not, and a judgement on whether they remain developable/ deliverable for the next plan will be informed by an updated Land Availability Assessment to support the next Local Plan.

**8.0.2** There are several large sites in the borough on which an outline planning consent has been granted. It is expected that Reserved Matter applications will be made within the Local Plan period, and as such it is prudent that policies establishing expectations around their future delivery, ensuring their design is of a high quality, and appropriate to their local area.

## Policy Extant 1

**Extant Planning Permissions**

1. The Council will work with stakeholders (including utilities providers) to bring forward the strategic extant planning permissions within the borough alongside good quality infrastructure.

2. Where revisions are sought to extant permissions:

a. applicants must demonstrate all reasonable efforts have been made to ensure that the site is being optimised, to make the most efficient use of land; and

b. all opportunities to draw investment in infrastructure have been explored.

3. Any development that would prejudice the optimal delivery of an extant strategic site allocation, or frustrates the delivery of a neighbouring site, will be resisted.

| Planning Ref | Site | Status (1st April 2025) | Net Units |
|---|---|---|---|
| 18/502190/ElHYB | North West Sittingbourne | Hybrid/ Outline | 1,200 |
| 18/503135/OUT | Land West of Barton Hill Drive, Minster | Mixed | 700 |
| 17/505711 | South West Sittingbourne/ Wises Lane | Hybrid | 640 |
| 19/503974 | Land East of Iwade | Outline | 466 |
| 13/1455 & 19/503120 & 22/503935 | Thistle Hill/ Harps Farm, Minster | Hybrid | 391 |
| 22/502834 | Land West of Church Road, Tonge | Outline | 380 |
| 21/500766 & 23/501167 | Land at Preston Fields, Salters Lane, Faversham | Extant | 301 |
| 23/505541 | Land between Frognal Lane and Lower Road, Teynham | Extant | 298 |

| | | | |
|---|---|---|---|
| 22/505646 | Land at Ufton Court Farm, Sittingbourne | Outline | 290 |
| 23/500857 & 21/502927 | Land at Lady Dean Farm, Faversham | Hybrid | 279 |
| 23/502113 | Land at Ham Road, Faversham | Outline (Judicial Review) | 250 |
| 22/500275 | Land South of London Road , Newington | Outline | 135 |
| 21/505498 | Land off Swanstree Avenue, Sittingbourne | Outline | 135 |
| 19/506047 & 22/503236 | Land at Plover Road, Minster | Extant | 120 |
| 20/503325 | Land east of Crown Quay Lane, Sittingbourne | Extant | 107 |

**Table 8.0.1**

# 9 Regeneration Areas

## 9.1 Policy Regen 1 The Port of Sheerness

**9.1.1** The Port of Sheerness is a significant feature of the Isle of Sheppey's economy, and in handling approximately 1.5 million tonnes of cargo per annum is classified by the Department for Transport as a "major" port. It is one of the largest facilities for the importation of foreign cars in the UK and also handles thousands of tonnes of forest products and steel from all over Europe. The Port has good transport infrastructure, with connections to the wider road and railway networks.

**9.1.2** Future expansion is likely to involve intensification of port use both within the existing port confines and via expansion onto appropriate nearby land. In the longer term, the regeneration of the Port of Sheerness could have far reaching consequences for the Borough and represent a major opportunity for Sheerness and the communities on western Sheppey.

**9.1.3** The owners of the Port published and consulted upon their 'Sheerness Port Masterplan–a 20 year Strategy for Growth' in November 2014. The Masterplan is part of the strategic plan to develop and grow the Port of Sheerness over the next 20 years, reflecting the owner's long-term ambition to remain a key employer and driver for sustainable growth in the Swale and wider Kent region. The draft Masterplan identifies options for the expansion and development of the Port of Sheerness. Options were considered including expansion within the operational area, and land reclamation with the intention to facilitate new port operations and create the opportunity to regenerate the older historical parts of the dockyard, while also creating the potential for housing and other mixed use development.

**9.1.4** Heritage is a key issue, both in terms of its potential to act as a catalyst for change, but also in terms of sustaining and enhancing the significance of heritage assets. The Dockyard conservation area includes the most important part of the19th century engineer John Rennie's original plan, and the heritage and cultural significance of the former Royal Naval Dockyard is now widely recognised and accepted as being of international importance. Adjacent to the Port is Bluetown, a community of small businesses and homes with considerable heritage, character and development potential located in the shadow of the historic dockyard wall.

**9.1.5** The Council's Heritage Strategy identifies both the repair and positive management of heritage assets at risk, and the sustainable reuse of the borough's historic assets, as key priorities. This includes a group of currently vacant and underused listed buildings within the Sheerness Port operational area such as the grade I listed Boat Store. Work is progressing in collaboration with landowners and key stakeholders to develop an informed and coordinated approach to securing the long-term conservation, enhancement and viable use of these assets, recognising their potential to make a reinforce local character and contribute positively to the surrounding area.

**9.1.6** Alongside heritage, there are also biodiversity, coastal and infrastructure considerations that will need to be addressed to bring these wider proposals for regeneration forward over the longer term.

**9.1.7** Adjacent to the longstanding port area is the former Thamesteel site, which following the grant of planning permission in October 2016 has since been assimilated into the operational port facilitated by a new bridge across Brielle Way. There is potential to redevelop the listed Military Hospital adjacent to the former Thamesteel site. The extended port site now provides an expanded operational land footprint for the port's activities, having regard to improving the amenities of adjacent residential areas whose quality of life was impacted by the previous steel mill activities. Given the scale of the site and its access to the railway network, if port activities are to be extended onto the site, the Council will expect schemes utilise the existing railway infrastructure on the site.

**9.1.8** Long term options within the emerging Port Masterplan, such as potential land reclamation, could play a significant role in the wider regeneration of Sheerness in the longer term. If realised, these areas would represent the single largest regeneration in Swale and one of the largest across north Kent.

### Policy Regen 1

**The Port of Sheerness**

A regeneration area for the Port of Sheerness is shown on the Policies Map. Within this area proposals will be supported which support the objectives of maintaining and enhancing the Port of Sheerness as a deep water gateway port to Europe. The priority will be to safeguard the port function and to encourage investment in infrastructure that supports water and railway freight connections. Expansion involving the intensification of port use within existing port confines and/or expansion onto appropriate land within the area defined on the Policies Map will be supported provided that:

1. any measures required by the development to improve local access by road and railway are brought forward as part of the proposals;
2. the proposals increase the potential for the movement of freight by railway;
3. the proposals are of a scale, use and external appearance that would not detract from the visual appearance or residential amenity of the locality;
4. the significance of heritage assets are sustained and enhanced with viable uses consistent with their conservation, with new development making a positive contribution to local character and distinctiveness;
5. a project specific HRA demonstrates that the integrity of the Outer Thames Estuary SPA is retained;
6. there are no other significant adverse social or environmental impacts arising as a result of the project; and
7. all proposals intended to secure the regeneration of the area for mixed uses will be considered in terms of their social, economic and environmental implications and their ability to secure the wider possible benefits for the sustainable regeneration of Sheerness and Bluetown.

## 9.2 Policy Regen 2 Sittingbourne Town Centre

**9.2.1** The Sittingbourne town centre boundary includes the historic High Street, the Forum shopping centre, Central Avenue, St Michael's Road/A2 and the south side of Eurolink Way. Connections to the nearby Dolphin Sailing Barge Museum, The Mill Skate Park, Sittingbourne and Kemsley Light Railway, Milton Country Park and Eurolink to the north, and Borden Grammar School, Albany Park, Sittingbourne Cemetery, The Appleyard at Avenue of Remembrance, and Sittingbourne Memorial Hospital to the south, while not in the town centre, are important considerations to the town centre.

**9.2.2** Recent development includes food stores and a drive-in coffee shop directly north of the railway station, a new multi-storey car park (MSCP) on St Michael's Road, the new leisure facilities including cinema and bowling, hotel and restaurants in Bourne Place opposite the railway station and a large residential development on Eurolink Way. A number of smaller scale developments in the High Street itself and in the wider town centre are welcome additions to the town centre.

**9.2.3** The public realm and setting of the railway station have undergone extensive improvement and new bus stops with associated public realm have been provided; this new public realm assists with providing easy connections between the station and the High Street. The railway line and Eurolink Way form significant barriers for pedestrian and cycle movement north south. The narrow footpaths under the two railway bridges are a particular challenge limiting pedestrian access to the important leisure and work facilities, and new residential developments north of the town centre.

**9.2.4** The western end of the High Street and the Forum shopping centre have the highest concentration of retail outlets. Around the Park Road High Street junction is a concentration of bars and public houses. However, there are also restaurants, cafes, bars and public houses spread on the eastern end of the High

Street. Sittingbourne is fortunate to retain a number of financial services on the High Street at the Central Avenue junction which also leads to a concentration of community facilities including Swallows Leisure Centre, the library, Police Station, Avenue Theatre, and post office.

**9.2.5** West Street and East Street both feature a mix of independent retail and food & beverage facilities. St Michael's Road forms an unremarkable gateway to Sittingbourne with uses which do not support the High Street and with little architectural merit.

**9.2.6** There is a Conservation Area in the core of the High Street with a number of Listed Buildings and a predominance of eighteenth and early nineteenth century buildings, reflecting its importance as a coaching stop between London and Canterbury, although St Michael's Church at the eastern end of the High Street dates back to the fourteenth and fifteenth centuries.

**9.2.7** The appearance of land behind the High Street in the town centre is generally poor, with unattractive views of commercial premises and service roads, whilst the centre contains large areas of surface car parking. While some car parks are in good condition and well-used others are poorly maintained and underused especially after business hours. The latter represent a poor use of space and detract from the environment and amenity of the town centre.

**9.2.8** The National Planning Policy Framework (NPPF para 90) requires planning policies for town centres to take a positive approach to their growth, management and adaptation allowing for flexible mixed use characterful places.

**9.2.9** The latest Retail and Leisure Needs Assessment concluded that the 'health' (vitality and viability) of the Borough's town centres is good with vacancy rates largely in line with national trends and a good range of shops and services while Sittingbourne town centre could accommodate up to 2,400m2 convenience floorspace by 2029 increasing to 3,000m2 by 2033, and to 3,600m2 by 2038.

**9.2.10** Since adoption of the previous local plan several residential planning applications have come forward for proposals at the Bell Centre in the eastern end of the town centre, a site overlooking the Sainsbury's car park and a site off Albany Road, but no development has yet taken place.

**9.2.11** The Employment Land Review Update 2023 identified a need for just 1.1 Ha of additional office space across the borough. As such, while it is important to protect existing stock, there is little evidence that supports expansion at the present time.

**9.2.12** Working and shopping patterns are expected to continue to change in the future, as lifestyles continue to be more digitally driven. As such there is an even greater emphasis on creating destinations which embrace flexibility and social interaction. There is a need for a proactive plan to transform the place, looking not only to future retail and development, but to other uses and activities, that may draw people, enhance prosperity and improve the look, role and general feel of the town centre.

**Sittingbourne town centre**

**9.2.13** The role and purpose of Sittingbourne town centre is set out in the settlement strategy ST 2 Swale Settlement Strategy. Policies for maintaining and enhancing the vitality and viability of Swale's town centres are set out in Policy E3 (Proposals for Main Town Centre Uses), which also sets out the town centre boundary and primary retail frontage for Sittingbourne. Sittingbourne is the principal town in the Borough and the focus of new housing, employment, services and infrastructure, which will support regeneration in the town centre. The aim for the centre is to ensure its vitality through enhancing the retail offer, and a wider range of services including leisure, culture, education and improving both the public realm and the quality of new buildings.

**9.2.14** The purpose of this policy is to identify the future development of the town centre as a whole. It takes into account progress achieved to date, the changed national planning policy context and prevailing economic context, and new evidence, whilst being as flexible as possible to accommodate regeneration and investment proposals which may come forward in the plan period.

**9.2.15** The Sittingbourne Town Centre Supplementary Planning Document (SPD) adopted October 2022 was prepared with the aim of shaping and guiding regeneration in the town centre over the next 10-15

years. The focus is to create places that people want to visit and linger, places that encourage transactions and positive interactions throughout the day and night and which therefore contribute to the vitality and viability of Sittingbourne. The SPD will guide regeneration in a way that:

1. promotes the heritage and culture of Sittingbourne;
2. introduces a wider range of land uses and activity;
3. enables walking, cycling and inclusive access throughout the area;
4. strengthens local communities;
5. responds positively to the challenges of climate change;
6. within an integrated landscape strategy, introduce green spaces and trees;
7. create opportunities for private and public sector investment; and
8. a major step change in retail offer is not proposed for the town centre so as to consolidate and ensure the continuation of the existing convenience and budget retail function and to minimise vacancies on the High Street and in the Forum shopping centre.

**9.2.16** There is scope for additional cultural and leisure facilities in the town and more variety in the night-time economy. Support for uses such as restaurants, cafes and leisure development will be given along the High Street.

**9.2.17** Improvement and consolidation of community services, education and health services is also part of the development intent and these will continue to be focused on Central Avenue. A need for a town centre college of further education has been identified, which is seen as vital for the local labour force to support the economic regeneration of the Borough as a whole. Widening the opportunities for community uses will be considered with sharing of uses such as education and library functions. The community quarter on Central Avenue would be a good location for this facility and it would assist with increasing pedestrian footfall and vitality and help link the various functions of the centre.

**9.2.18** There are a number of alleys leading from the High Street connecting with the ‘back land’ areas of the town centre: the former will benefit from repurposed uses particularly for creative industries and the latter represent significant amounts of poorly used space that would benefit from new well-designed residential uses. Public realm improvements in these spaces and in the main commercial parts of the centre would do much to improve their amenity and attractiveness, whilst development proposals will explore opportunities to improve these outlooks and pedestrian links into the main shopping streets.

**9.2.19** Traffic management is a key part of the regeneration strategy with remodelling and traffic calming on St. Michael’s Road and Eurolink Way for safer, more attractive pedestrian and cycle provision as tree-lined avenues. The new multi-storey car park and new parking provision at the railway station consolidates the car parking strategy for the town centre. Surface car parks at the rear of the High Street and car parking on the High Street itself continue to provide convenient access to the facilities on the High Street however not all of these car parks are in good condition or well used.

**9.2.20** A Swale LCWIP (Local Cycling and Walking Infrastructure Plan) was adopted by Swale Borough Council in March 2026 which will assist with identifying and funding opportunities to improve the walking and cycling infrastructure in Sittingbourne, including the area around the train station and retail park.

**9.2.21** The Council seeks a design and landscape led approach to development within the town centre and expects innovative yet sensitive design responses to identified opportunities, particularly on prominent sites or where landmark buildings are proposed. Engagement with formal Design Review will be expected, where appropriate, to assist in securing high-quality design outcomes.

**9.2.22** Consultation will also be undertaken to engage the community. Proposals for the public realm should be finished with high quality materials and landscape making them attractive for visitors and shoppers. Sittingbourne's heritage assets should play a key role in delivering successful town centre regeneration in the future. This could be achieved by means of a programme of historic building repair, restoration, refurbishment and re-use, in tandem with a programme of townscape and conservation area enhancement. Many of the development proposals will be taking place within the town centre conservation area or its

setting. Whilst pursuing innovative and modern designs, development proposals will need to respect and positively respond to the character and heritage there, drawing upon the Council's Conservation Area Appraisal.

**9.2.23** To support co-ordinated development within the Town Centre, an integrated landscape strategy should be created for the town centre, which will set out the approach toward a major scheme of public realm, green space improvements, new surfacing, lighting and street furniture. The strategy's objective will be to improve the amenity and attractiveness of the town centre for the business environment, shoppers and visitors alike.

**9.2.24** In accordance with 6.9 Policy ST8 Health and Wellbeing, a Health Impact Assessment should be prepared to enable an integrated approach to creating a healthier environment across the regeneration area.

**9.2.25** The central area currently has relatively little housing, but the Strategic Housing Land Availability Assessment has identified capacity for at least 240 additional dwellings within the regeneration area. The contribution from this area to the overall housing land supply is identified in the Housing and Economic Land Availability Assessment (HELAA) 2026, although this does not preclude other suitable sites within the town centre regeneration area coming forward. Well-designed schemes should improve visual amenity, create and knit together the townscape and increase vitality.

**9.2.26** The town centre should bring forward a range of housing types in accordance with 6.7 Policy ST6 Delivering a Wide Choice of High-Quality HomesST6 and the Nationally Described Space Standards for residential dwellings, including those for affordable housing. Whilst we are looking towards schemes providing a minimum 10% affordable housing within the Town Centre in accordance with 17.1 Policy H1 Affordable Housing, there could be opportunities for grant funding or commuted payments to bring forward schemes with higher proportions of affordable units.

**9.2.27** Open space will be required in accordance with 19.3 Policy INF3 Open Space, Sport and Recreation Provision. Actual amounts and types of open space will be determined at planning application stage, in the context of the specific details of the proposed development. In the case of sports pitch and formal play facilities, the degree to which these will be provided on site or by way of off-site financial contribution (or a combination of both) will also be determined at the planning application stage.

## Policy Regen 2

**Sittingbourne Town Centre**

**Policy Regen 2 Sittingbourne Town Centre**

A map for the town centre for central Sittingbourne covered by the Supplementary Planning document, is shown on the Proposals Map. Within this area proposals which support the objective of consolidating and expanding Sittingbourne's position as the main retail, business, cultural, community and civic centre for the Borough, will be permitted. Development proposals will:

1. Consolidate and improve the retail and food & beverage (Use Class order E) offer of the town centre within the Primary Shopping Area on the High Street (as shown on the Policies Map) to ensure vitality, viability, diversity and activity (see 18.3 Policy E3 Proposals for Main Town Centre Uses);
2. Provide for a redeveloped and enhanced community quarter focused on Central Avenue, Roman Square and Avenue of Remembrance to include community services, housing and further education facilities;
3. Provide for suitable car parking in accordance with the Swale Parking SPD for central urban area parking with emphasis on opportunities presented by car clubs as a means to reduce the need for extensive parking areas;
4. Redevelop sites predominantly for housing in the eastern and western gateways to the town centre, in the southern areas behind the High Street along St Michael's Avenue and Eurolink

Way or at other suitable sites (see 6.7 Policy ST6 Delivering a Wide Choice of High-Quality Homes);

5. Find and safeguard active uses above ground floor town centre uses. Offices should be maintained wherever possible, with opportunities for residential development of suitable type identified as part of mixed-use developments;
6. Supporting the creation of a high quality active travel route along St Michael's Road and Eurolink Way, with improved pedestrian and cycle routes through traffic calming and environmental enhancement;
7. Deliver an integrated landscape strategy for the area as a whole that secures improvements in the public realm, green spaces and the pedestrian environment. Proposals will implement a green grid structure with street tree planting in key streets;
8. Retain, enhance and create new open spaces and green spaces which should include tree planting (including street trees);
9. Provide public spaces, squares and public art, alongside improved lighting and street furniture;
10. Improve north-south links to facilities north of the railway and Eurolink Way via Milton Road and Crown Quay Lane;
11. Provide an improved environment for the bus stops to create a bus hub;
12. A Health Impact Assessment to enable an integrated approach to be adopted across the area (see 6.9 Policy ST8 Health and Wellbeing); and
13. Redevelop visually poor areas with buildings of innovative and sensitive design to create new and improved townscape areas, which are of sustainable design and construction (see 20.1 Policy C1 Sustainable Design and Adaptation Principles).

## 9.3 Policy Regen 2a Bell House, Bell Road, Sittingbourne

**9.3.1** The Bell Centre is a largely vacant brownfield site in the heart of Sittingbourne which sits ready for regeneration. The site is suitable for mixed use development including residential, office, and all main town centre uses, and has the potential to make a significant contribution to the feel and function of the east of the town centre.

### Policy Regen 2a

**Bell House, Bell Road, Sittingbourne**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 120 dwellings and town centre uses, as shown on the Policies Map. Development proposals will:

1. Provide vehicular access into the site from Bell Road, with pedestrian access through the site to the west, creating a secondary route behind the High St, and north, to the High Street;
2. Be subject to a detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
3. Be accompanied by a Desk Based Archaeological Assessment;
4. Deliver a landmark building marking the entrance to the town centre from Bell Road and East St;
5. Make a positive contribution to the Sittingbourne Conservation Area, as well as be sensitive to the nearby listed buildings, in particular St Michael's Church which lies opposite the site. A Heritage Assessment will be required to address potential impacts;
6. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
7. Make an appropriate contribution towards SPA mitigation;

8. Be sensitive to the Inner Groundwater Source Protection Zone;
9. Create a new open space within the site reflecting local open space needs in line with Policy INF3 (Open Space, Sport, and Recreation Provision), and
10. Be sensitive to the on-site sewer intersections.

## 9.4 Policy Regen 2b Former Bus Depot, East Street, Sittingbourne

**9.4.1** This site is an irregularly shaped set of surface car parking areas between East St and St. Michael's Road (A2). An overgrown part of the site fronts onto East St in the south. The site holds significant potential to benefit the town centre, and offers the opportunity to deliver new homes, workspaces, town centre uses, as well as public realm improvements to a very narrow section of East St.

### Policy Regen 2b

**Former Bus Depot, East Street, Sittingbourne**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 22 dwellings and town centre uses, as shown on the Policies Map. Development proposals will:

1. Secure vehicular access from St. Michael's Rd;
2. Deliver pedestrian access through the site to East Street, and to the PRoW running to the west of the site;
3. Be accompanied by a masterplan showing how development would complement future redevelopment of the two van sales centres on St Michael's Road;
4. Reflect an opportunity for higher density development along the St Michael's Road frontage;
5. Be sensitive to existing residential properties to the east;
6. Be sensitive to properties along East St to the south, which are within the Sittingbourne Conservation Area;
7. Deliver a new public urban open space onto East Street in the south of site.
8. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
9. Make an appropriate contribution towards SPA mitigation;
10. Be sensitive to the Inner Groundwater Source Protection Zone;
11. Address contamination affecting a small part of the site, and
12. The loss of parking capacity at the small East St car park should be considered within the context of overall town centre car parking need and capacity.

## 9.5 Policy Regen 2c The Classic Cinema, High Street, Sittingbourne

**9.5.1** The cinema opened in 1937 in a distinctive Art Deco style, characterised by a prominent curved cast-stone facade, red brick frontage, yellow stock brick secondary elevations, minimal fenestration typical of cinema design, and a combination of flat-roofed entrance and pitched-roof auditorium behind. It is on the Swale Local Heritage List. It has not been in active use for some time, and as such the site is suitable for conversion to secure a new set of uses within it.

### Policy Regen 2c

**The Classic Cinema, High Street, Sittingbourne**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 50 dwellings and main town centre uses, as shown on the Policies Map. Development proposals will:

1. Retain the building;
2. Deliver pedestrian access through the site to East Street, and to the PRoW running to the west of the site;
3. Be sensitive to St. Michael's Church, as well as to properties along High St to the south;
4. Be accompanied by a Desk Based Archaeological Assessment;
5. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
6. Be sensitive to the low pressure gas intersection; and
7. Make an appropriate contribution towards SPA mitigation.

## 9.6 Policy Regen 2d 10-14 High Street, Sittingbourne

**9.6.1** The former Iceland supermarket could be redeveloped to help to create an enhanced boundary to the St. Michael's churchyard.

### Policy Regen 2d

**10-14 High Street, Sittingbourne**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 3 dwellings and main town centre uses, as shown on the Policies Map. Development proposals will:

1. Be car-free, due to the excellent public transport connections and close proximity of the town centre;
2. Be accompanied by a Heritage Assessment to identify impacts and potential mitigations of the design with regards St. Michael's Church, properties opposite along High St, and to the Sittingbourne Conservation Area;
3. Be accompanied by a Desk Based Archaeological Assessment;
4. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
5. Be sensitive to the Outer Groundwater Source Protection Zone;
6. Be sensitive to the low pressure gas intersection on site; and
7. Make an appropriate contribution towards SPA mitigation.

## 9.7 Policy Regen 2e St Michaels House & Langs Bar, St Michaels Rd, Sittingbourne

**9.7.1** This is a highly prominent site located outside Sittingbourne railway station. There is potential to deliver a prominent new gateway development welcoming visitors to, and residents home, when they exit the station

### Policy Regen 2e

**St Michaels House & Langs Bar, St Michaels Road, Sittingbourne**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 30 dwellings and main town centre uses, as shown on the Policies Map. Development proposals will:

1. Be car-free, due to the excellent public transport connections and close proximity of the town centre;
2. Be accompanied by a masterplan showing how development would complement future redevelopment of the adjacent Kwik Fit;
3. Be accompanied by a Heritage Assessment to assess potential impacts on nearby Listed Buildings and Conservation Area;
4. Be sensitive to the low pressure gas intersection on site;
5. Be sensitive to the Outer Groundwater Source Protection Zone; and
6. Make an appropriate contribution towards SPA mitigation.

## 9.8 Policy Regen 2f ISP, Church Street, Sittingbourne

**9.8.1** Diversity House and the vehicle sale site opposite represents a modest opportunity for infill regeneration within Sittingbourne Town Centre. Diversity House itself could be retained and extended, and the community use should be replaced prior to any development. The site is adjacent to Holy Trinity House.

### Policy Regen 2f

**ISP, Church Street, Sittingbourne**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 15 dwellings and main town centre uses, as shown on the Policies Map. Development proposals will:

1. Be car-free, due to the excellent public transport connections and close proximity of the town centre;
2. Be accompanied by a Heritage Assessment to assess potential impacts on the neighbouring Holy Trinity Church;
3. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
4. Be sensitive to the Outer Groundwater Source Protection Zone; and
5. Make an appropriate contribution towards SPA mitigation.

## 9.9 Policy Regen 3 Queenborough and Rushenden

**9.9.1** Queenborough and Rushenden are two settlements that sit together on the west of the Isle of Sheppey. Bearing Fruits (2017), identified the Queenborough and Rushenden Regeneration Area and this has been the focus for investment and regeneration for some years. The initial area for this regeneration zone and Masterplan area covered most of the urban area of both settlements, some 165 Ha of land and buildings on both banks of Queenborough Creek.

**9.9.2** Parts of the area have been dominated by heavy industry and poor environmental quality, but this is changing. Although a significant amount of investment and regeneration has already been undertaken through the implementation of earlier local plans and master plans, there is still more to do. There remain significant opportunities for further regeneration that supports long term plans to provide new and improved community facilities, most notably a new school, improved health and community facilities and new open space.

**9.9.3** SEEDA (now Homes England) produced a revised 'Queenborough & Rushenden Regeneration – Indicative Revised Land-Use Plan' which was adopted in 2015 as an addendum to the original Queenborough and Rushenden Masterplan. It reflected the changes to the original Masterplan which occurred since its adoption in 2010, notably, a reduction in the total number of dwellings for the area from 2,000 to approximately 1,180. The original Masterplan and adopted Addendum have Supplementary Planning Document status and will remain important tools in delivering the regeneration of the area.

**9.9.4** Economic fortunes have changed markedly since the adoption of the Masterplan in 2010 and this has been keenly felt at Queenborough and Rushenden. The area's regeneration is led by Homes England who have assisted in the delivery of homes, coordinating significant land decontamination and land raising works (to safeguard against flooding) as well as the completion of local road infrastructure and the removal of the redundant industrial railway track that formed a strong physical barrier between the two communities.

**9.9.5** Other significant achievements related to the Masterplan include:

- The completion of the Rushenden Relief Road (Thomsett Way), opening up the area with improved road access and reducing lorry movements through Queenborough.
- A large scale retrofit project to make homes more energy efficient (across all tenures) by providing a series of energy-saving measures. This retrofit was delivered in partnership and was the first of its kind in England to cover private and social homes of various construction types.
- Progression of the Neats Court development including a large Morrisons supermarket, convenience and comparison retail units, a petrol filling station, fast food takeaways, cafes and leisure uses.
- Completion of over 60,000m2 of employment floorspace including Aldi regional office and distribution centre.

**9.9.6** The Council and Homes England remain committed to the original 2010 Masterplan's aim of: *"a 'multifaceted' regeneration, using the highest standards of design; an urban scheme which is respectful of the history and character of Queenborough, where new houses complementing the old will revitalise the area, bringing money into the local economy, improving education and services, and putting a 'value' on the visual, historical and ecological qualities that the Isle of Sheppey enjoys. The new regenerated Queenborough and Rushenden will be a very attractive place to live and work."*

**9.9.7** The combined regeneration area falls within some of the Borough's most deprived areas and the purpose of development here is to support a restoration of the local housing market in terms of housing type and quality of environment, and to deliver new and enhanced community facilities and infrastructure. As well as bringing significant social and economic benefits, regeneration in this location is expected to deliver positive environmental impacts in terms of biodiversity net gain, impacts on the local landscape, and providing carbon neutral development.

**9.9.8** A range of housing types should be brought forward in accordance with 6.7 Policy ST6 Delivering a Wide Choice of High-Quality Homes, including those for affordable housing, with a minimum of 10% of the scheme overall expected to be affordable, with the potential for more, subject to ongoing review during the long-term construction phases.

**9.9.9** In accordance with 6.9 Policy ST8 Health and Wellbeing, a Health Impact Assessment should be prepared to enable an integrated approach to issues to be adopted across the regeneration areas.

**9.9.10** Queenborough Creek, the Queenborough Conservation Area, and the wider estuarine environment are under-appreciated assets. A high standard of development will be required that is not only sensitive to these assets and their settings, but as the means to secure a major uplift to the image and public realm of the area. There are also opportunities for greening the area and producing landmark developments and quality public spaces. Environmental enhancement must extend through and beyond the development sites, into existing residential and business communities. The Council will expect major proposals and sensitive schemes to be subject to formal design review to assist in securing high quality design outcomes and to accord with an integrated landscape strategy prepared as part of the 2010 Masterplan SPD.

**9.9.11** Most of the regeneration area is considered by the Environment Agency to be within an area with a high risk of flooding, but as it is defended, it is suitable for development. Site based flood risk assessments, however, will be required for development proposals with the need for any further flood defence upgrades informed by future assessment.

**9.9.12** New community facilities are proposed, most notably a new school and improved health and community facilities, together with new open space. Land will be safeguarded for a new school facility so that at the point of a planning application, the local education body can determine the required need and format, whether it be a primary, secondary or SEN school.

**9.9.13** Open space will be required across the area in accordance with Policy INF3 (Open Space, Sport, and Recreation Provision). The actual amounts and types of open space, sports pitch and formal play facilities will be determined in accordance with the adopted Masterplan SPD and at the planning application stage.

Queenborough and Rushenden Regeneration Area

**9.9.14** The economic climate has fluctuated since the adoption of the Masterplan in 2010 and this has been strongly felt at Queenborough and Rushenden. The 2,000 dwellings suggested by the 2008 Local Plan and the original Masterplan appeared optimistic and were reduced in the 2015 addendum with development relying on significant proportions of high density and flatted accommodation taking advantage of the waterside location and a proposed marina. However, updated viability assessments show that the marina and the high density, high rise development around it is not currently viable.

**9.9.15** Homes England produced a revised 'Queenborough & Rushenden Regeneration – Indicative Revised Land-Use Plan' which was adopted in 2015 as an addendum to the original Masterplan. It reflected the changes to the original Masterplan which occurred since its adoption, notably, a reduction in the total number of dwellings for the area to approximately 1,180. Other changes to the original Masterplan included the removal of the proposed marina. An indicative diagram showing the addended masterplan layout is below.




**Picture 9.9.1 Queenborough & Rushenden Masterplan Addendum**

**9.9.16** The former Istil Mill and Thomsett sites are now included for residential development. Their development will remove industrial uses from part of Rushenden Road to help to create more integrated communities and improve the quality of both the natural and built environments. Similarly, the introduction of residential uses along the new Rushenden Link Road will improve the character of this key gateway into Queenborough and Rushenden and improve pedestrian linkages to the new retail and employment uses at Neatscourt.

**9.9.17** The first phase of houses has been built at the junction of Rushenden Road and First Avenue. This comprised 101 dwellings, including 30% Starter Homes (affordable housing.) Planning applications for land raising and remedial works have been approved at the former Istil, Klondyke and Twyford sites in preparation for future applications for residential development.



**Picture 9.9.2 First Phase of Housing at Rushenden**

**9.9.18** In 2017, Swale Borough Council successfully made a bid for £3.5million to the Housing Infrastructure Fund (HIF) Marginal Viability funding for the Queenborough and Rushenden Regeneration scheme. This award has subsequently been increased to in excess of £6.2million to cover increased costs in changing market conditions and availability of materials. The funds paid for:

- Land raising works to bring the development area for phase 4 out of the flood zone; and
- Site clearance and land remediation works required to enable development to commence.

## Policy Regen 3

### Queenborough and Rushenden

The regeneration area for Queenborough and Rushenden is designated as shown on the Policies Map. Within this area, proposals will support the objective of regenerating the area for residential, employment and community uses to achieve the integration of communities. Development proposals will, as appropriate:

1. Accord with the adopted Masterplan Supplementary Planning Document and its addendum;
2. Contribute towards the creation of a distinctive sense of place for the planned new settlement that also reflects the area's waterside location and historic environment;
3. Demonstrate sensitive and innovative design, which responds to the challenge of creating new townscape and be subject to formal Design Review;
4. Achieve high standards in terms of sustainable design and construction, including the design and specification of the buildings and sustainable urban drainage;
5. Accord with an integrated landscape strategy through the creation of a new landscape structure for the area, supporting the creation of a network of areas for play, walking and informal recreation, as well as achieving a net gain in biodiversity overall;
6. Assess biodiversity interests, including a Habitats Regulations Assessment. Proposals will ensure that, through both on and off site measures, any significant adverse impacts on European sites through recreational pressure will be mitigated in accordance with 6.12 Policy ST11 Protecting and Enhancing the Natural Environment and 21.1 Policy B1 Biodiversity & Geodiversity Conservation & BNG including either a financial contribution towards the Strategic Access Management and Monitoring (SAMM) Strategy or an area-specific SAMM+ approach;
7. Improve the quality of the environment and housing choice to restore the local housing market area;
8. Achieve a mix of housing in accordance with Policy ST 6, and be subject to ongoing review during the long term construction phases expected;
9. Provide, at Neats Court, any remaining commercial floorspace unless this would adversely impact upon the vitality of Sheerness town centre or compromise the achievement of meeting industrial floorspace needs as required for the Local Plan period;
10. Secure those improved services and facilities necessary for a sustainable community;

11. Through physical, environmental and economic measures, integrate the new sites, as well as existing and new communities;
12. Assess the need for, and provide such transport initiatives and improvements as are necessary;
13. Assess and respond to any risk from flooding; and
14. Provide infrastructure needs arising from the development, including those matters identified by the Local Plan Infrastructure Delivery Plan, in particular those relating to transport, education and health.

## 9.10 Policy Regen 3a Land at West Street

**9.10.1** Lying on the northern bank of the mouth of the Queenborough Creek, this site is an old marine industrial location. As a part of the future regeneration of Queenborough there is the opportunity to redevelop this site, creating new homes, and opening up a currently inaccessible stretch of riverbank.

### Policy Regen 3a

**Land at West Street, Queenborough**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 80 dwellings, as shown on the Policies Map. Development proposals will:

1. Provide vehicular access fromSouth Street;
2. Open up access to the coastline by extending PRoW ZB47 into the site;
3. Incorporate the significant non-designated heritage assets into the design of the site to recognise the area's marine history;
4. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
5. Be accompanied by a contaminated land assessment;
6. Be supported by a Heritage Statement identifying heritage assets, assessing their significance, and demonstrating how proposals respond to that significance, alongside a proportionate assessment of impacts and mitigation;
7. Be accompanied by a Desk Based Archaeological Assessment;
8. Be sensitive to the Swale Landscape Value and Local Landscape designation;
9. Make an appropriate contribution towards SPA mitigation; and
10. Take into account the 16 combined sewers and low-pressure gas intersection on site.

## 9.11 Policy Regen 3b South of Queenborough Creek

**9.11.1** This is a key site to enhance the level of services available in Queenborough. Development of new homes has the potential to unlock new services as part of a riverside development on an area of previously developed coastal land.

### Policy Regen 3b

**South of Queenborough Creek**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 246 dwellings and town centre uses, as shown on the Policies Map. Development proposals will:

1. Provide vehicular access from Rushenden Road;

2. Improve access to the coastline by enhancing PRoW ZB48 through the site;
3. Celebrate the area's marine history through the design of new development;
4. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
5. Ensure that the presence of historic landfill on a small part of the site is appropriately managed;
6. Be accompanied by a contaminated land assessment;
7. Be supported by a Heritage Statement identifying heritage assets, assessing their significance, and demonstrating how proposals respond to that significance, alongside a proportionate assessment of impacts and mitigation;
8. Assess the potential for minerals on the site to be claimed prior to development;
9. Be accompanied by a Desk Based Archaeological Assessment;
10. Be sensitive to the Swale Landscape Value and Local Landscape designation;
11. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
12. Take into account the 2 combined sewers and low-pressure gas intersection on site;
13. Make an appropriate contribution towards SPA mitigation;
14. Undertake ecological assessments that will also consider the presence of protected species; and
15. Be accompanied by evidence identifying whether the site and surrounding area supports habitat for a designated bird species. This may then create a requirement for a future planning application to be supported by a project specific Habitats Regulations Assessment to ensure that the development does not result in adverse effects on integrity.

## 9.12 Policy Regen 3c Former Istil Site, Rushenden Road/Thomsett Way

**9.12.1** This is a large brownfield site located between Queenborough and Rushenden, east of Rushenden Road, north of Thomsett Way, and west of the Sheerness railway line. This area now benefits from improved access to local services via Thomsett Way and represents a significant opportunity to support local housing needs.

### Policy Regen 3c

**Former Istil Site, Rushenden Rd/Thomsett Way, Queenborough**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 140 dwellings, as shown on the Policies Map. Development proposals will:

1. Secure vehicular access from Rushenden Road and Thomsett Way;
2. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
3. Assess the potential for minerals on the site to be claimed prior to development;
4. Be accompanied by a contaminated land assessment;
5. Take into account the combined sewers and low pressure gas intersection on site;
6. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
7. Make an appropriate contribution towards SPA mitigation; and
8. Be accompanied by evidence identifying whether the site and surrounding area supports habitat for a designated bird species. This may then create a requirement for a future planning application to be supported by a project specific Habitats Regulations Assessment to ensure that the development does not result in adverse effects on integrity.

## 9.13 Policy Regen 3d West of Rushenden Road, Queenborough

**9.13.1** This is a large site immediately north of Rushenden. It represents an opportunity to bring Queenborough and Rushenden closer together, with associated opportunities to share local services for the benefit of both communities.

### Policy Regen 3d

**West of Rushenden Road, Queenborough**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 368 dwellings, as shown on the Policies Map. Development proposals will:

1. Secure vehicular access from Rushenden Road;
2. Improve access to the coastline by enhancing PRoWs ZB48 & ZB49 through the site;
3. Include a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
4. Assess the potential for minerals on the site to be claimed prior to development;
5. Be accompanied by a contaminated land assessment;
6. Take into account the combined sewers and low-pressure gas intersection on site;
7. Make an appropriate contribution towards SPA mitigation;
8. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
9. Be supported by a Heritage Statement identifying heritage assets, assessing their significance, and demonstrating how proposals respond to that significance, alongside a proportionate assessment of impacts and mitigation; and
10. Be accompanied by a Desk Based Archaeological Assessment.

## 9.14 Policy Regen 3e The Foundry, Rushenden Road

**9.14.1** The site is a relatively small industrial parcel on the east bank of the Queenborough Creek, to the west of Rushenden Road, in Queenborough. The site is generally industrial and logistics use, and with the change in the area, may be more suitable for regeneration in the future, making use of the site's river frontage.

### Policy Regen 3e

**The Foundry, Rushenden Road, Queenborough**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 37 dwellings, as shown on the Policies Map. Development proposals will:

1. Secure vehicular access from Rushenden Road;
2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
3. Assess the potential for minerals on the site to be claimed prior to development;
4. Be accompanied by a Desk Based Archaeological Assessment;
5. Be sensitive to the Swale Landscape Value and Local Landscape designation;
6. Take into account the 2 combined sewers and low-pressure gas intersection on site;
7. Make an appropriate contribution towards SPA mitigation; and
8. Undertake ecological assessments that will also consider the presence of protected species.

## 9.15 Policy Regen 4 Kent Science Park

**9.15.1** Located in the rural area south of Sittingbourne, the Kent Science Park has developed across 26 hectares and comprises around 47,000m2 of laboratory, research and development facilities. It is one of the largest science park and research facilities in South East England with high spec laboratories and business accommodation set over a number of buildings across the site. The variety of premises on offer provides accommodation suitable for start-up or micro businesses as well as established, growing organisations. Serviced offices have also been popular additions to the site in recent years.

**9.15.2** Kent Science Park is identified as one of the Borough's existing strategic employment locations, the current extent of the site identified by the boundary on the Policies Map. It provides a specialist offer within the Borough and wider region, supporting approximately 600 jobs in the bio-sciences and environmental technologies sectors.

**9.15.3** Part of the site's unique attraction is its scenic countryside location. It is close to local biodiversity designations and national and local designated landscapes (Kent Downs National Landscape and Area of High Landscape Value). These designations, together with the nature and character of residential streets and rural lanes that lead to the site also mean that opportunities for expansion at this location are limited and require careful consideration.

**9.15.4** This policy is intended to provide parameters and the policy framework to support proposals that are compatible or complementary with the use of the site as a 'Science Park' as defined by the UK Science Park Association. Any future needs at this location should first consider the efficient use of existing land and buildings (including consented land and land and buildings within the current security fence). In terms of any expansion proposals, including those beyond the security fence and consented land, environmental and transport constraints must be addressed in full given the remote and sensitive location.

**9.15.5** Any proposals to reconfigure or expand the floorspace on the site should come forward via a masterplan, prepared in agreement by the Council. An associated landscape strategy will need to set out how proposals will conserve and enhance the parkland character of surrounding land, including its remaining landscape structure, whilst diversifying and restoring features and habitats and creating links between features. Proposals should set out how sustainable travel to and from the site will be achieved, and attention should be given to any impacts within views of the site, especially from the Kent Downs National Landscape to the south.

**9.15.6** A transport assessment will need to consider and address the impact of proposals on the network of rural lands around the site and at other locations, recognising that the Council will need to be satisfied not only in terms of the overall highway capacity of the network, but also the continuing environmental quality of the lanes around the site. These issues could be addressed by comprehensive measures that can maximise the use of public transport, other non-car modes and car use reduction initiatives between the Park, Sittingbourne (particularly key public transport hubs) and beyond. This could include a formal cycle link between the site and Sittingbourne town centre.

### Policy Regen 4

**Kent Science Park**

A. The Council will support co-ordinated proposals at the Kent Science Park, as shown on the Policies Map, that will consolidate and expand its role as a business cluster of regional significance, specialising in technology and knowledge-based businesses. The location, scale and design of proposals shall avoid adverse impacts on the environment or where not possible, minimise and adequately mitigate such impacts, or compensate for them as a last resort. New development within, or expanding the site should be accompanied by a masterplan, and shall:

1. Comprise uses that support the expansion of economic activity within the site, particularly in research and development, office, and industrial uses;

2. Exploit the existing opportunities for sustainable energy at the site, incorporating new facilities that deliver reduced or zero carbon development in line with Policy C2 (Net Zero Operational Carbon in New-Build Residential Development);
3. Demonstrate how trips to and from the site can be made more sustainably, including delivery of any identified and necessary improvements to the local network that include implementation of a Travel Plan to minimise car journeys, and include a safe cycle route to link the site with Sittingbourne town centre;
4. Not significantly harm the character of the rural lanes in accordance with Policy B8 (Rural Lanes);
5. Retain and enhance the current level of sport facilities and provision, and;
6. Demonstrate how the development will take place in accordance with an overall landscape and ecological strategy and framework that ensures both the mitigation of, and impacts on, designated sites and their setting, and the continuance of a high quality environment for the site and its wider environs.

# 10 Strategic Allocations

## 10.1 Policy STRAT1 Land west of Bobbing

**10.1.1** Land West of Bobbing covers land to the north west of Sheppey Way, north-west of Bobbing, to the north west of Sittingbourne. The site is a largely contiguous 200 Ha area of existing farmland, covering land extending roughly 1km north-west of Sheppey Road between the London-Canterbury rail line and Pheasant Enterprise Centre. A smaller part of the site lies south of the Sheppey Way/ Quinton Rd junction. The northwestern boundary is formed of features broadly aligning with Parsonage Lane, including a drain to the south, and a farm track to Culnells Farm in the north.

**10.1.2** The site slopes gently from south to north, with a roughly 15m drop across the site. There are ponds and minor waterways within the site, which flow northwards, eventually feeding into The Swale.

**10.1.3** There are two land parcels within, but not included in the allocation, Newington Cricket Club, and the Little Norwood Farm/ Parsonage Farm (Grade II listed) cluster of buildings. The site's southeastern boundary runs variously to the north of, and along Sheppey Way, excluding the actual village of Bobbing, land at Bobbing Place, the Garden of England crematorium and properties at Howt Green. The Grade I listed Church of St Bartholomew lies beyond the site's southeastern boundary. To the southwest, the site is bounded by the rail line, but also wraps around existing residential properties on Cold Harbour Lane. To the northwest of the site there are wide, open agricultural fields, meaning that the site will be visible in long distance views from this direction. Culnells Farm buildings are outside of the site's northern corner, with agricultural fields forming a roughly 500m gap between the site boundary and Iwade to the northeast.

**10.1.4** The site is crossed by three lanes running northwest-southeast; Cold Harbour Lane, which runs through the south-western part of the site, Parsonage Lane which runs through the central part of the site then turns at a right angle continuing along the site's northern border and connecting Sheppey Way to Stickfast Lane, providing access to Parsonage Farm and the Little Norwood Caravan Club; and Stickfast Lane, which connects Sheppey Way to Iwade Road through the northern part of the site, and is part of National Cycle Route 1 (NCR1). Cold Harbour Land and part of Parsonage Lane are designated as a rural lane under Local Plan Policy B8 (Rural Lanes).

**10.1.5** There are 3 PRoWs which form part of the site; ZR105 runs along the northwestern boundary of the site between the railway line and School Lane, ZU48 traverses the northeast of the site between School Lane and Sheppey Way, and ZR107 crosses the site from the village of Bobbing to Stickfast Lane.

**10.1.6** A high-voltage electrical line runs northeast to southwest through the site, with a second line joining from the west in the northeast of the site. A small parcel of ancient woodland known as 'Rook Wood' lies within the south- west of the site. Little Norwood Caravan Club is located within the west of the site. There are further Grade II listed buildings adjoining the site's eastern boundary and to the north of the site. There are further Grade II listed buildings in proximity to the site at Great Norwood, Culnells Farm and Chestnut House to the west and north of the site.

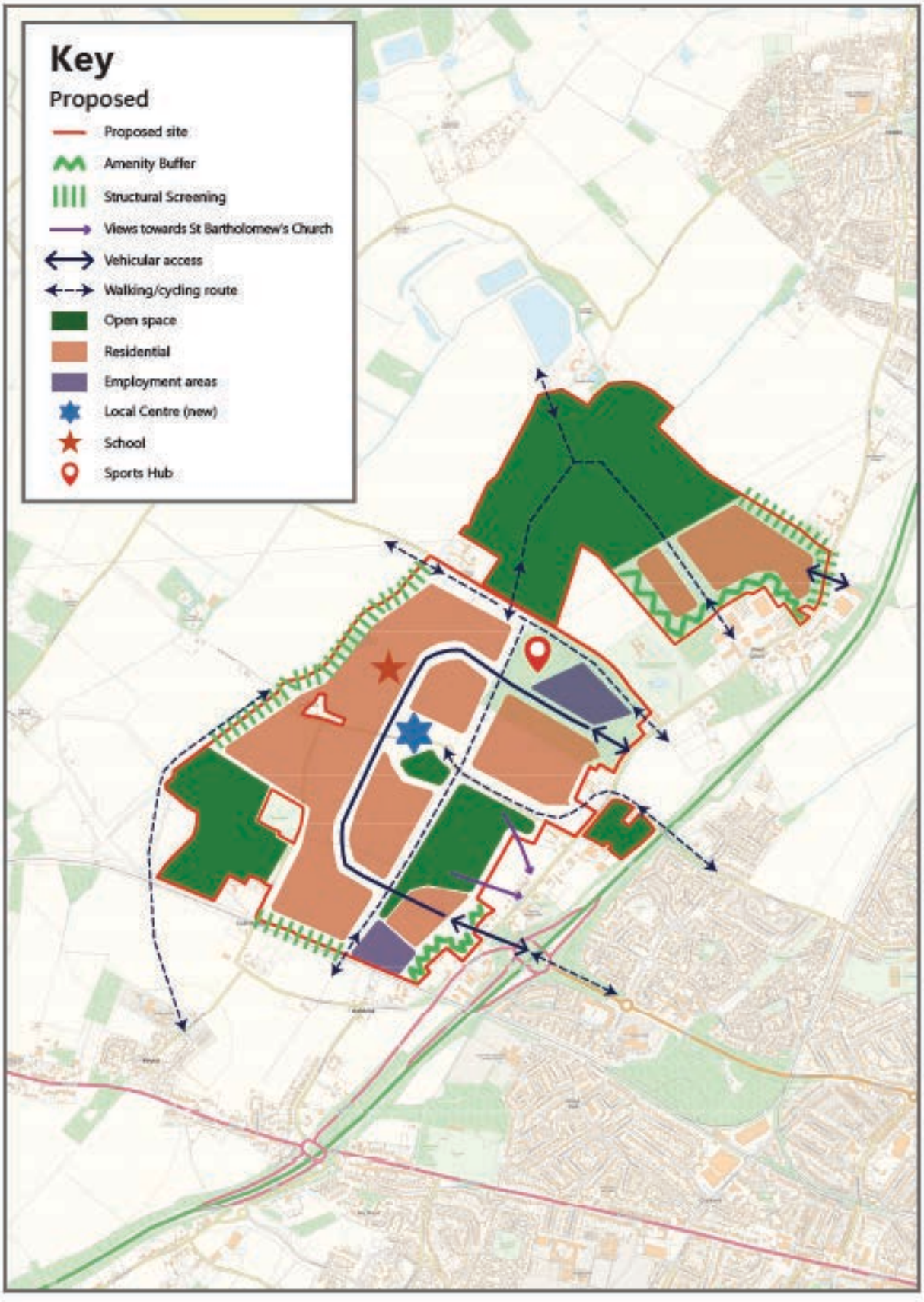
**10.1.7** The site is bound by visually prominent hills known as the Iwade Ridge, which include Bobbing Hill, Keycol Hill, Oak Hill, Callum Hill and Tiptree Hill to the south-west and west. The Lower Halstow-Iwade Ridge Area of High Landscape Value – Swale Level encompassing the hills lies north-west of the site. The North Kent Marshes Area of High Landscape Value – Kent Level encompassing the marshes and coastal landscape beyond the hills is located approx. 1.5km to the north-west of the site at its closest, also wrapping around to the north and east.

**10.1.8** The site has been promoted through the Council's call for sites, and historically through the Council's Strategic Development Options Process. The site currently has resolution to grant planning permission subject to Section 106 (22/503654/EIOUT).

**10.1.9** The site is strategic in nature, with the aim of delivering a suite of infrastructure and services alongside new housing and employment uses. Great care needs to be taken to ensure that the countryside beyond the site is able to continue to function for its range of purposes, and that the impacts of development are appropriately mitigated to ensure long-distance views across the area are respected.

**10.1.10** Sittingbourne is the top tier of the settlement hierarchy within the borough, and the built-up area boundary lies along the eastern side of the A249, a relatively short distance from the southeastern boundary of the application site. As such it is feasible to create a semi-self sufficient new community, with some local services provided within the new development, with good access to more specialised services in Sittingbourne. The provision of new services and employment land within the development will also offer opportunities for new and existing residents to make shorter, more sustainable trips. Strong sustainable and active travel routes into Sittingbourne from within the site will also be important in helping new and existing residents to access new services on the site, and services within Sittingbourne.

# West of Bobbing




Picture 10.1.1 Concept Diagram - West of Bobbing

## Policy STRAT1

### Land west of Bobbing

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 2,500 new dwellings, 5 Ha new employment land, a new village centre, a comprehensive new set of public open spaces, including a new country park and a sports hub, improved transport infrastructure, and associated new utilities and groundworks, as shown on the Policies Map. Development proposals will:

1. Locate the residential component of the scheme within the southern two thirds of the site, with a smaller parcel of residential development located to the northeast of the site;
2. Create a new local centre which includes a 3FE primary school, a health centre, local retail/ services provision, and community facilities; and
3. Ensure that the new employment land is provided in locations that provide equitable access to opportunities for investment and access to new jobs for local and neighbouring residents.

Relationship with the site's surroundings

1. Secure an appropriate transition between residential development and the adjacent country park and crematorium;
2. Safeguard the parcel of land south east of the Sheppey Way/ Quinton Road junction as an Important Local Countryside Gap (Policy B4 (The Separation of Settlements – Important Local Countryside Gaps);
3. Demonstrate how new development is in context with the landscape and character of the local area;
4. Adopt a development form and layout which retains the characteristics of those parts of Cold Harbour Lane and Parsonage Lane which are designated as Rural Lanes;
5. Development should conserve and enhance the setting of the Grade I listed Church of St Bartholomew, with new views being created through the layout of routes and open spaces;
6. Be supported by a Heritage Statement identifying heritage assets, assessing their significance, and demonstrating how proposals respond to that significance, alongside a proportionate assessment of impacts and mitigation; and
7. Include a Strategic Site Wide Design Code alongside any detailed design, informed by, amongst other things, a Design Review involving the Local Planning Authority and carried out by Design South East or another appropriate design review panel that has been approved in writing by the Local Planning Authority.

Access & Transport

1. Demonstrate considerably improved pedestrian and cycling connectivity, including improvements to existing PRoW routes, and strong linkages between residences, the local centre and service/ employment locations;
2. Improve the A249/Sheppey Way/ B2006 junction to service the new development, as well as continuing to meet the needs of existing local residents and businesses;
3. Create a new central spine route running southwest-northeast through the site which connects with a minimum of two Sheppey Way Accesses;
4. Secure enhanced vehicular access to the site from Sheppey Way/ A249 roundabout, including consideration of how trips from the development will not adversely affect Bobbing Hill and Sheppey Way;
5. Upgrade a portion of Stickfast Lane to be the primary road accessing the north of the site, and secure an improved access to Sheppey Way;
6. Ensure that access to Parsonage Farm, residential dwellings on Cold Harbour Lane and Parsonage Lane will be retained;

7. Ensure the development layout maximises the use of permeable and connected streets to ensure a choice and hierarchy of movement routes throughout the development;
8. Restrict traffic accessing the site from the eastern end/from the Old Sheppey Way;
9. Secure a dedicated shared cycleway/footway connecting the site with the shared cycleway/footway and existing cycle facilities on the B2006 into Sittingbourne;
10. Demonstrate how National Cycle Route 1 can be improved through the site;
11. Secure a new 3m shared surface for cyclists and pedestrians to facilitate connection to Sittingbourne via Quinton Road; and
12. Deliver new public transport within the site, providing public and active travel connections between the new local centre, employment locations, residential areas, and Sittingbourne.

Open Spaces

1. Create a new country park in the north of the site to safeguard the landscape gap to Iwade, reduce the landscape visual impact from the west, as well as creating a substantial new open space in the west of the borough;
2. Deliver street planting including street trees, hedgerow and shrubs to enhance the public realm;
3. Create a new wetland at the northern boundary of the site to act as the final control for discharge into the Iwade Stream;
4. Retain existing trees and hedgerows wherever possible in order to soften and screen the new neighbourhood from views in the surrounding landscape and provide a mature landscape setting for development;
5. Establish a planted linear tree belt along the ridgeline within the southern part of the site to extend the existing field boundaries and to reinforce the vegetation as a landscape feature in views from the eastern edge of the site; and
6. Provide a comprehensive suite of new open spaces, including a network of natural and semi-natural areas to enhance biodiversity and provide public amenity, whilst integrating the development into the wider landscape including:

i. A Village Common to provide an open landscape setting for St Bartholemew's Church, and green corridors to provide views to St Bartholomew's Church from pedestrian routes crossing the site;
ii. A Village Green adjacent to the local centre which can accommodate outdoor community events;
iii. A linking open space corridor to the east providing pedestrian and cycle access between Sheppey Way and the Country Park;
iv. A series of green biodiversity corridors to link existing hedgerows and the proposed green spaces to the surrounding countryside with enhancement of existing green corridors along the site periphery; and
v. A range of play spaces and equipment for children of different ages across the development.

Constraint Management

1. Identification of embedded mitigation that will ensure the known remains of the nationally significant Chatham Land Front are maintained within open spaces on the site;
2. Retention of Rook Wood ancient woodland with a minimum 15m buffer zone (where feasible) and an ecological enhancement area to the south, and provision of a management and monitoring plan to guide the active management of Rook Wood to improve the condition of the ancient woodland;
3. Undertake ecological assessments that will also consider the presence of protected species;
4. Be accompanied by a sustainable drainage strategy which includes a series of swales and ponds throughout the open spaces and a large wetland area within the country park. Basins within the central green spaces will provide recreation space in normal conditions and will accommodate surface water during heavy rainfall events;

5. Demonstrate how new homes will be appropriately separated from the high voltage power lines running through the site;
6. Assess the potential for minerals on the site to be claimed prior to development; and
7. Secure financial contributions to ensure sufficient capacity within education, community learning, children's services, libraries, adult social care, community buildings and household waste processing.

## 10.2 Policy STRAT2 South East Faversham

**10.2.1** South East Faversham is an area of approximately 138 Ha, located immediately south and east, and extending south east of the town of Faversham. The boundaries of the site principally comprise the A2 to the north, Salters Lane to the west, with the M2 wrapping around the southern and eastern edge of the site. A small triangle north of the A2 to the east of Love Lane is also included in the site area. The Faversham-Canterbury rail line crosses the site northwest-southeast in the east of the site. Selling Road, which is a designated Rural Lane runs through the site, from its junction with the A2 in the north to where it crosses the M2 to the south. The site gently slopes down from the south (M2) to the north (A2).

**10.2.2** To the north of the site, across the A2 lies the existing town of Faversham, which currently extends as far east as Love Lane. Beyond that is agricultural land, but it is noted that development is underway that will bring the urban boundary of Faversham to the north of the Love Lane triangle north of the railway line. To the west of Salters Lane, development is underway which will create an urban edge to the site. The Faversham Household Waste Recycling Centre is also on Salters Lane opposite the site.

**10.2.3** Several areas are "wrapped around" by the site, generally at the edges of the site. These include 1-2 Salters Lane, a small area northeast of the M2 footbridge in the south of the site, the Desmond Crescent triangle, Macknade Fine Foods and the cluster of buildings around it, the Gunpowder pub, and other neighbouring properties on the A2, as well as Step Cottage on Selling Rd, and the Faversham FC stadium in the northwest of the site.

**10.2.4** The site itself is principally agricultural, characterised by large, gently undulating arable fields, which are in active use. Fields are quite large and similarly sized. Existing planting on the site comprises 91 individual trees, 83 tree groups, 10 hedgerows and 1 woodland. This planting is predominantly located on the field boundaries in the form of hedgerow and linear tree belts although a number of larger tree species are located on the perimeter of the existing cricket pitch in the north-western part of the site. Other uses included within the site are Faversham Cricket Club, and various buildings linked to Macknade Farm, including the grade II listed Oasts, and 4 dwellings all located on or close to, the A2.

**10.2.5** The site is located in the North Kent Plains National Character Area, and the Faversham and Ospringe Fruit Belt Local Landscape Character Area, which extends from the southern boundary of Faversham to the foot of the North Downs dip slope. The Kent Downs National Landscape lies to the south of the M2 and at the closest point is approximately 220m away from the site. In addition, there is an Area of High Landscape Value (AHLV) (Kent Level) which runs adjacent to the southern side of the M2. There is also a parcel of B category woodland located close to the southern boundary of the site, adjacent to the railway and close to the M2. The M2 provides a strong and permanent barrier which provides separation between the extended Faversham and local villages.

**10.2.6** The Preston-next-Faversham, and Faversham Conservation Area are both close to the northwest corner of the site. The surrounding area includes a number of listed buildings including the grade II listed Macknade Manor, which sits approximately 25m away from the site; grade II listed Thatched Cottage, grade II listed The Windmill and grade II listed Cherry Tree Cottages which lie 55m, 58m and 70m from the north-western corner of the site respectively. Grade II listed 148 Ashford Road sits approximately 306m from the south-west corner of the site. Grade II listed 1, 2 and 3 Westwood Court, Colkins and Colkins Barn and Wall are located approximately 190m, 160m and 184m to the south of the site respectively.

**10.2.7** The site lies to the south east of the town of Faversham, including its town centre. Parts of the site, particularly the areas furthest to the south and east are outside of a comfortable walking distance of the town centre, and as such will need to create a local service offer. Faversham will remain an important destination for more specialist services, and accessible routes by bike and bus will need to be established to enable new residents to make this trip by a sustainable mode.

**10.2.8** The northwest corner of the site is within a 10-minute walk of Faversham rail station, but this proximity fades to the south and east of the site, which is approximately 2.5km from the station. There are regular bus stops along the A2 in the western part of the site, providing local and inter-settlement connections. As the eastern portion of the A2 frontage is currently rural, there are fewer stops along that stretch.

**10.2.9** Junction 7 of the M2 (known as Brenley Corner) lies adjacent to the north-eastern corner of the site and connects the M2 with the A2. The site is likely to be attractive to the market for industrial uses, particularly logistics and distribution given their relative ease of access to A2/A299/M2.

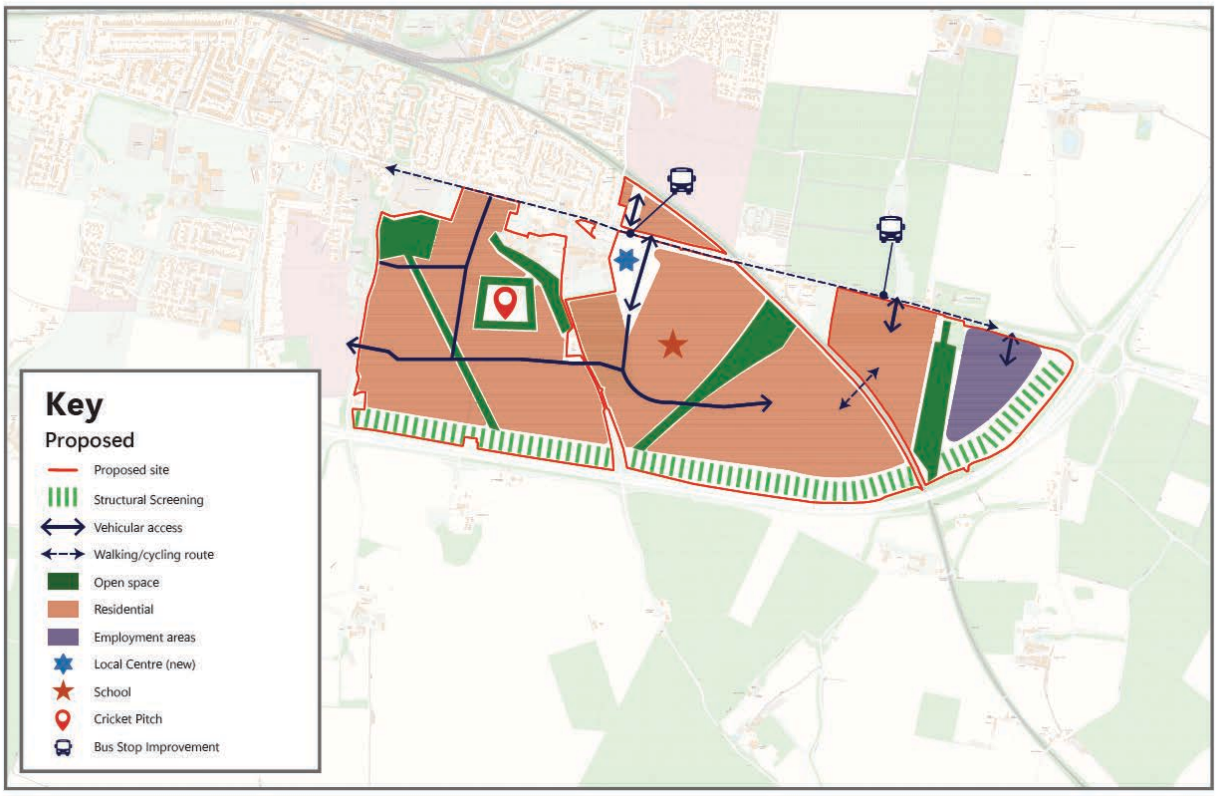
**10.2.10** The site sits immediately to the east of the Preston Fields development, which creates an opportunity to create a link road through this adjacent site, linking this allocation with the A251. There are two rural lanes, Salters Lane and Selling Road, which run north-south from the A2; Salters Lane runs along the western boundary of the site and Selling Road passes through the site. Both lanes will be fundamentally affected due to the scale of the new development. The expectation is that their character will be enhanced, with traffic being diverted away from sections of them, and their roles being rebalanced as active travel routes. They will continue to play an important role in screening views into and across the site.

**10.2.11** Public Footpaths ZF21, ZF25, ZF26 are located within the site and as a result would be directly affected by development. ZF21 passes through the site between the M2 and Salters Lane on an approximately south to north alignment, crossing over the M2 to a bridleway (ZF38) south of the motorway. ZF25 passes through the site from the middle of ZF21 in the west to Selling Road in the east. ZF26 begins on the eastern side of Selling Road and continues east before turning north to pass through fields up to the junction with Selling Road and the A2.

**10.2.12** Public footpaths ZF22 and ZF24 lie outside of the site but close to its northern boundary. Public bridleways ZF38 and ZR633 lie outside of but close to the southern boundary of the site, sitting in combination close to the southern boundary of the M2.

**10.2.13** The surrounding area also has a number of PROWs. Public Bridleway ZF38 runs east to west parallel to the southern edge of M2 along Westwood Court between Salters Lane and Selling Road. Public Bridleway ZR533 runs northwest-southeast between Selling Road and Colkins (west of the Faversham to Canterbury and Dover railway line) along Westwood Court. Public Footpath ZF20 which connects Salters Lane to A251 Ashford Road just north of Copton, but south of the M2. Public Footpath ZR641 connects Selling Road at Sole Street House to the unnamed road south of Colkins and south of the M2. Public Footpath ZR634 is to the south of the M2 and east of the Faversham to Canterbury and Dover railway line connecting the unnamed road east of Colkins to another unnamed road close to Brenley Farm. Public Footpath ZF24 from A2 Canterbury/London Road runs through the south-eastern urban area of Faversham on a broadly southeast to northwest alignment to Faversham Recreation Ground. Public Footpath ZF28 from B2040 Love Lane along the northern edge of the Faversham to Canterbury and Dover railway line to Public Footpath ZF24 runs northwest-southeast and is located to the north of the site. Public Footpath ZB28/ZR496 runs from B2040 (Love Lane) in the east to an unnamed road northwest of Nash Court on an approximately west-east alignment north of the site.

## South East Faversham




**Picture 10.2.1 Concept Diagram - South East Faversham**

### Policy STRAT2

**South East Faversham**

Subject to securing high quality design, and general conformity with relevant Neighbourhood Plans, planning permission will be granted for a minimum of 2,500 new homes, a range of employment spaces capable of accommodating 2,500 new jobs, a new local centre, a comprehensive new set of public open spaces, new local services, improved transport infrastructure, and associated new utilities and groundworks, as shown on the Policies Map. Development proposals will:

Uses on the site

1. Focus the residential component of the scheme within the western two thirds of the site, new employment land in the east of the site, taking advantage of the strong road links from the M2/A2/A299 interchange;
2. Create a new local centre in the centre of the site, close to the A2 to maximise access to it. Smaller-scale services should be located where they provide equitable access to opportunities for investment and access to new jobs for local and neighbouring residents; and
3. Include new homes of a mix of housing sizes, types and tenures to meet the range of identified local housing needs, including affordable housing, accessible housing and housing for older people.

Movement

1. Demonstrate considerably improved pedestrian and cycling connectivity, including improvements to existing PRoW routes, and strong linkages between residences, the local centre and service/employment locations;

2. Enhance pedestrian / cycle improvements between the site and Faversham rail station and Faversham town centre;
3. Establish enhanced bus services between Faversham and Canterbury (including the site, particularly at peak times), including revised and new bus stops on the A2, and enabling bus services to permeate through the site along primary routes with the aim that all homes would be within a 5 minutes' walk of a bus stop;
4. Deliver a new pedestrian / cycle bridge over the railway line within the site to support internal connectivity;
5. PROWs will, where possible be retained and enhanced during the construction of the development, with some stretches requiring temporary or permanent diversions or with them being replaced with footways, footpaths or combined footways / cycleways within the site;
6. Enhance both Salters Lane and Selling Road in terms of being active travel routes ensuring they remain open for pedestrian and cycle use, with vehicles requiring through routes;
7. Deliver any required mitigation works to the strategic and local highway network at appropriate points in time as identified by a Transport Assessment and requested by the relevant highway authority;
8. Given the position of the M2, access to the site will be concentrated on the A2. A suite of new access points from the A2 into the site. These should be minimised to reduce impact on flow along the A2, and aligned with the principal routes through the site, as well as existing junctions;
9. Align development so it is capable of being linked to the A251, and thereby create an alternative route between the A2 and A251;
10. Ensure access to the Household Waste Recycling Centre is retained;
11. Create a new shared use footway / cycleway along the A2; and
12. Ensure the primary movement through the site and to its edges is by walking and cycling. This would be supported by a network of car free routes that provide faster and more direct routes than the loops created by primary and secondary streets.

Services

1. Create a new local centre which includes local retail/ services provision, and allows for health and community facilities. This should be located centrally within the development to maximise access to these services for new residents and establish a commercial and community focal point. The new centre may also offer improved services for existing (neighbouring) residents, but the scale of the new local centre should be managed so that it performs a role which does not unacceptably impact upon the vitality and viability of Faversham Town Centre;
2. Include a 3FE primary school in the centre of the site;
3. Complementary local services should be provided across the development to allow future residents access to services and facilities within a 5-minute walk within local hubs. These hubs have the potential to provide focal points along movement corridors to integrate with new public transport, cycle, and pedestrian routes;
4. A dedicated waste water treatment facility may be required due to Faversham WWTW capacity concerns. If required, locating the facility in the eastern part of the site would provide separation from residential elements, minimising amenity impacts, and make use of contours of the existing land form;
5. Specialist housing products, such as an element of older persons housing, as well as any hotel provision should be located in close proximity to the new Local Centre;
6. The site includes the existing training pitches serving Faversham Town Football Club. Where impacted by development, modern replacement facilities should be provided prior to any development taking place on the existing pitches; and
7. The site includes the cricket pitch used by Faversham Cricket Club. Replacement facilities will be required to be available for use prior to any development taking place on the existing cricket

pitch. The opportunity for these facilities to play a placemaking role and help to meet local open space needs within the layout of new development and open space should be considered.

Design

1. The design of new development within the site should take account of the Faversham Design Guidance and Codes, including referencing the existing architectural detailing contained within Faversham to develop distinctive architectural character areas across the site;
2. The street structure should allow good permeability through the site, supported by cycle and pedestrian routes that connect with destinations, including the local centre, play and open space and facilities and services outside of the site boundary. This could be achieved by laying out new development in a series of perimeter blocks, with dwellings fronting streets and areas of open space, to achieve a grid layout;
3. The majority of development on the site should be two to three storeys in height;
4. Buildings of particular value should be retained on the site, including around the Macknade Farmstead & associated buildings, with development minimising any harm to the setting of designated heritage assets, and harm to non-designated heritage assets; and
5. Be supported by a Heritage Statement identifying heritage assets, assessing their significance, and demonstrating how proposals respond to that significance, alongside a proportionate assessment of impacts and mitigation.

Employment

1. Approximately 5 Ha of new dedicated employment land should be created in the eastern part of the site close to Brenley Corner. Access will need to be sufficient to allow commercial vehicles to access the site from the A2/ M2/ A229 junction to ensure commercial uses would benefit from good vehicular connectivity to the wider strategic road network;
2. The potential impacts of the larger-footprint employment buildings should be a particular focus of the National Landscape impact mitigations; and
3. Some Class E employment space would be appropriate as a part of the mix of uses within the new Local Centre.

Open Space/ Landscaping

1. In order to offer an amenity buffer between the M2 and the new development, and to mitigate the impact on the National Landscape to the south, a strategic landscape buffer, incorporating a raised bund, should be created along the southern edge of the site. This buffer should provide leisure, biodiversity and air quality improvement outcomes for local residents, and construction from material excavated from elsewhere on the site should be explored;
2. Reflect the landscape qualities and distinctive features of the Kent Downs National Landscape, including by enhancing access and views into the landscape from the development;
3. Ensure that there is appropriate landscaping to protect the amenity of properties adjacent to the site; and
4. Provide a comprehensive suite of new open spaces which meet the standards contained in Policy INF3 (Open Space, Sport and Recreation Provision), including a network of natural and semi-natural areas to enhance biodiversity and provide public amenity, whilst integrating the development into the wider landscape including:

a. A series of green biodiversity corridors to link existing hedgerows and the proposed green spaces to the surrounding countryside with enhancement of existing green corridors along the site periphery;
b. A range of play spaces and equipment for children of different ages across the development;
c. Street trees planted along the street network;

d. Spaces such as allotments could act as buffers between new homes and heavier infrastructure such as the railway line which cuts through the site; and
e. Incorporate existing PROWs, thereby improving accessibility to open spaces and providing opportunities to the wider development.

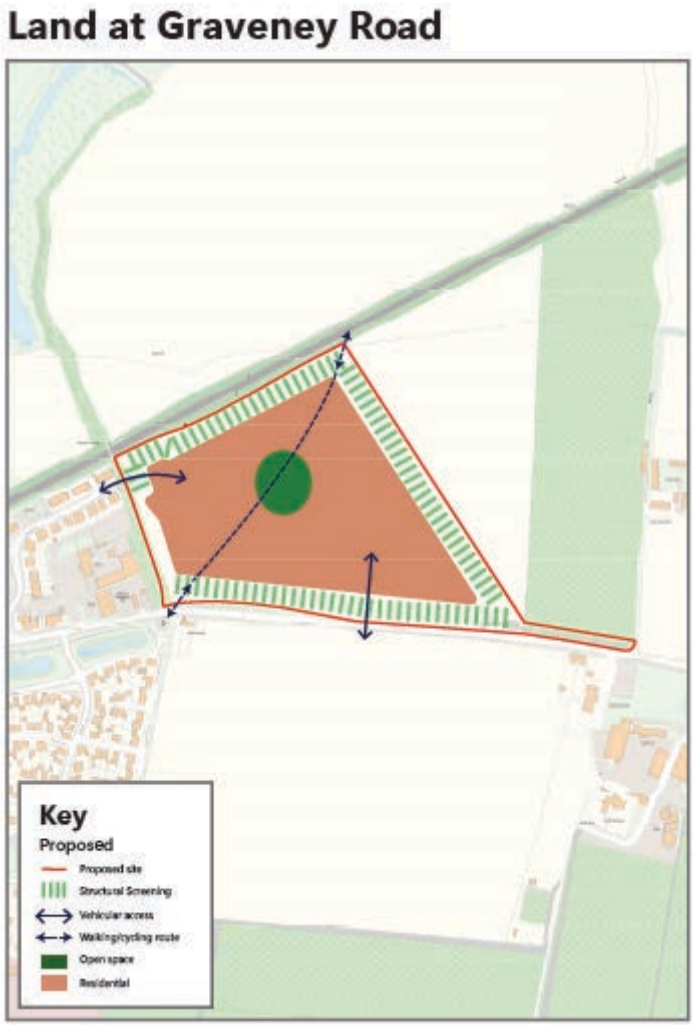
Constraints Management

1. An ecological study, including priority species such as bats, wintering and breeding birds, badgers, and reptiles;
2. A detailed sustainable surface water drainage scheme to be provided based upon a site-wide Flood Risk Assessment;
3. A site-wide archaeological assessment focussing on the north of the site;
4. Retention of existing trees and hedgerows wherever possible to soften and screen the new neighbourhood from views in the surrounding landscape and provide a mature landscape setting for development;
5. Be sensitive to the Outer Groundwater Source Protection Zone;
6. Address contamination affecting a small part of the site;
7. Assess the potential for minerals on the site to be claimed prior to development;
8. Secure financial contributions to ensure sufficient capacity within education, community learning, children's services, libraries, adult social care, community buildings and household waste processing;
9. Make a contribution towards SPA mitigation; and
10. Take into account the high and low pressure gas pipes intersecting the site.

# 11 Proposed Housing Allocations

## 11.1 Policy HOA1 Land at Graveney Road, Faversham

**11.1.1** The site is a greenfield site immediately east of Faversham, located on Graveney Road, bounded to the north by the Faversham-Ramsgate railway line. While greenfield, the site is well situated adjacent to the urban area of Faversham, and has good connectivity to the area. Subject to the management of development's impacts on local landscape and heritage assets, it is a suitable site to contribute to the borough's housing stock.




**Picture 11.1.1 Concept Diagram - Land at Graveney Road**

### Policy HOA1

**Land at Graveney Road, Faversham**

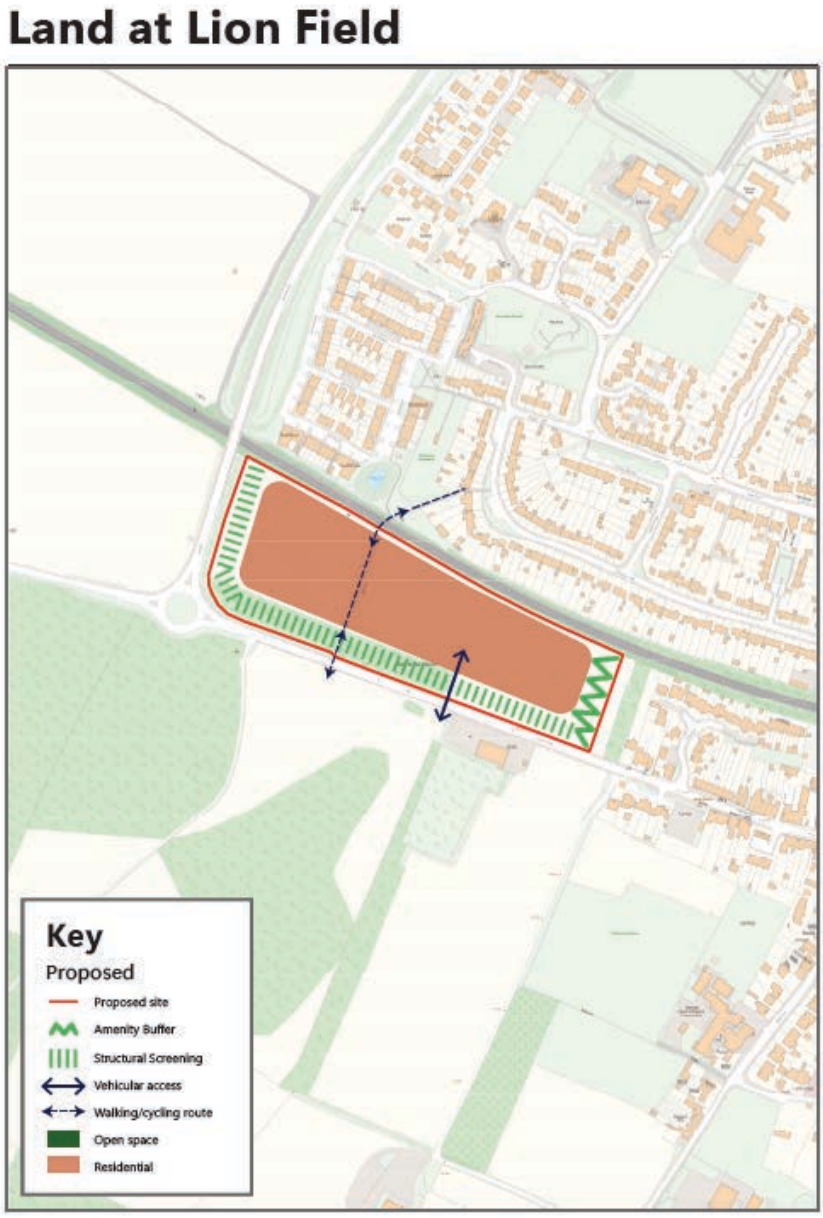
Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 177 dwellings, as shown on the Policies Map. Development proposals will:

1. Assess the potential for minerals on the site to be claimed prior to development;
2. Make an appropriate contribution towards SPA mitigation;
3. Secure vehicular access onto Graveney Road;
4. Create a new active travel access between PRoW ZR495 at the north of the site and the heart of the development;

5. Create a new open space within the site reflecting local open space needs in line with Policy INF3 (Open Space, Sport, and Recreation Provision);
6. Utilise screening along Graveney Rd to both mitigate the site's impact on the local landscape, and provide a buffer between new homes and the road;
7. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
8. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
9. Secure access to Nova Avenue to the west;
10. Be supported by a Heritage Statement identifying heritage assets, assessing their significance, and demonstrating how proposals respond to that significance, alongside a proportionate assessment of impacts and mitigation;
11. Consider the Southern Water infrastructure which crosses the site in its layout, or divert the infrastructure. Easements would be required if no diversion occurs. Layout must be planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes; and
12. Be accompanied by a noise assessment to evaluate potential impacts and mitigations from the adjacent railway line and Graveney Road.

## 11.2 Policy HOA2 Land at Lion Field, Faversham

**11.2.1** The site lies to the south-west of Faversham. The site consists of three small fields: two smaller grassed fields in the west and a large field in arable use to the east. The site is a greenfield site bounded to the south by the A2/London Rd, and the west by Western Link. The site is separated from the residential area to the north by the railway line, but there is pedestrian access into the site from the north via a pedestrian level crossing. While greenfield, the site is well situated adjacent to the urban area of Faversham, and has good connectivity to the area. Subject to the management of development's impacts on local landscape and heritage assets, it is a suitable site to contribute to the borough's housing stock.




**Picture 11.2.1 Concept Diagram - Land at Lion Field**

## Policy HOA2

**Land at Lion Field, Faversham**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 68 dwellings, as shown on the Policies Map. Development proposals will:

1. Secure site access from the A2/ London Rd;
2. Improve the existing PRoW linking the site across the railway line to the north with the A2/ London Rd;
3. Improve the existing footway on the A2 by widening it to at least 1.8m, allowing residents to safely walk to local amenities such as the primary school;
4. Utilise screening along the A2 and Western Link Road to both mitigate the site's impact on the local landscape and provide a buffer between new homes and the roads. This will include the recent planting that has taken place in the southwest of the site;

5. Ensure frontage development along the A2 is sensitive to the existing Conservation Area to the east. The mature wide vegetated field boundary on the eastern edge should be retained, protected and enhanced to limit views into the site from existing residential properties to the east of the site;
6. Ensure building heights in the south closer to the A2 reflect the heights of the adjacent settlement edge in Ospringe to the east. Taller development, reflecting Austin Mews to the north, could be positioned in the north-west and along the railway line;
7. Be sensitive to the setting of the Kent Downs National Landscape;
8. Have regard to the recommendations within the Council's Landscape Sensitivity Assessment;
9. Assess the potential for minerals on the site to be claimed prior to development;
10. Be accompanied by a Desk Based Archaeological Assessment;
11. Be accompanied by a Heritage Assessment to identify potential impacts on nearby Listed Buildings and Conservation Area, alongside mitigations; and
12. Make an appropriate contribution towards SPA mitigation.

## 11.3 Policy HOA3 Land at West Minster, New Road, Sheerness

**11.3.1** This area of land is currently flat scrub land located on New Road in West Minster. The site is set within an industrial area, with industrial uses to the east and west, and the Sheerness railway line forming the site's northern boundary. A high voltage electricity line passes over the site running north-south.

### Policy HOA3

**Land at West Minster, New Road, Sheerness**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 30 dwellings, as shown on the Policies Map. Development proposals will:

1. Secure site access from New Road;
2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
3. Make a contribution to the Medway Estuary and Swale Strategy actions;
4. Assess the potential for minerals on the site to be claimed prior to development;
5. Be accompanied by a Desk Based Archaeological Assessment;
6. Make an appropriate contribution towards SPA mitigation; and
7. Ensure an appropriate buffer is provided between the existing power lines and new homes.

## 11.4 Policy HOA4 Land at Brielle Way, Sheerness

**11.4.1** This area of land is currently flat scrub land located between Brielle Way and the Sheerness railway line to the west of West Minster. There is existing access from Cromwell Road which runs adjacent to the railway line. While the site was likely previously developed, it has largely returned to nature due to long-term vacancy. It has good access via road and bus, and is surrounded by urban land, and as such offers a good site to help to meet local housing needs.

### Policy HOA4

**Land at Brielle Way, Sheerness**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 76 dwellings, as shown on the Policies Map. Development proposals will:

1. Secure access via Cromwell Rd, to minimise impact on the flow of the A249;
2. Retain and improve the existing active travel link between the bus stop on Brielle Way and the footbridge linking to Queens Way;
3. Deliver appropriate screening from the railway line and A249 to ensure the amenity of new residents;
4. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
5. Make a contribution to the Medway Estuary and Swale Strategy actions;
6. Assess the potential for minerals on the site to be claimed prior to development;
7. Be accompanied by a Desk Based Archaeological Assessment; and
8. Provide screening along the southern boundary of the site to mitigate landscape impact on the countryside beyond.

## 11.5 Policy HOA5 Halfway Houses Primary School, Southdown Road, Minster

**11.5.1** Halfway Houses Primary School is a disused school building located within the village of Halfway, on the Isle of Sheppey. The site is gently sloping from the north #(high) to south (low), and is adjacent to residential use to the north, east, and across Queenborough Road to the south. The site is well served by public transport, and within the urban area of Minster. As such it represents a suitable previously developed site which is appropriate to be re-used to deliver new homes.




**Picture 11.5.1 Concept Diagram - Halfway Houses**

## Policy HOA5

**Halfway Houses Primary School, Southdown Road, Minster**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 60 dwellings, as shown on the Policies Map. Development proposals will:

1. Manage the impact on existing residents by managing height, proximity, and screening to residential properties to the east and north of the site. Greater density may be achievable in the centre of the site, making use of the site's southern relief;
2. Incorporate new active travel routes through the site linking Queensborough Road, Southdown Road and Labworth Close;
3. Secure appropriate vehicular access from Queenborough Rd;
4. Create a new open space within the site reflecting local open space needs in line with Policy INF3 (Open Space, Sport, and Recreation Provision);
5. Incorporate existing mature trees and dense hedgerows through an integrated landscape strategy for the site;
6. Deliver an improved frontage to Queenborough Road including wider pavements and an improved bus stop;
7. Undertake ecological assessments that consider the presence of protected species;
8. Consider the possibility of archaeological remains being on site;

9. Mitigate against the risk of surface water flooding affecting a small part of the site and take into account the surface water sewer intersects; and
10. Make an appropriate contribution towards SPA mitigation.

## 11.6 Policy HOA6 Hollybush Farm Caravan Park, Oak Lane, Minster

**11.6.1** The site lies to the east of Minster. It comprises the existing Hollybush Farm Caravan Park with open grassland, caravan pitches, storage areas and internal access tracks. The site is enclosed by residential development to the north and west. There is mature vegetation to the south and sparse vegetation with open views to the east and south-east.

**11.6.2** The site is part of the static home offer in coastal Sheppey. The caravans were not originally designed to be occupied year-round, and do not represent good quality housing stock. Increasingly a market for better insulated, self-contained park homes has emerged, and these are being introduced as replacements for caravans which are more suitable for year-round occupation as C3 residential stock. This development therefore represents an opportunity to improve the quality of the borough's housing stock.

### Policy HOA6

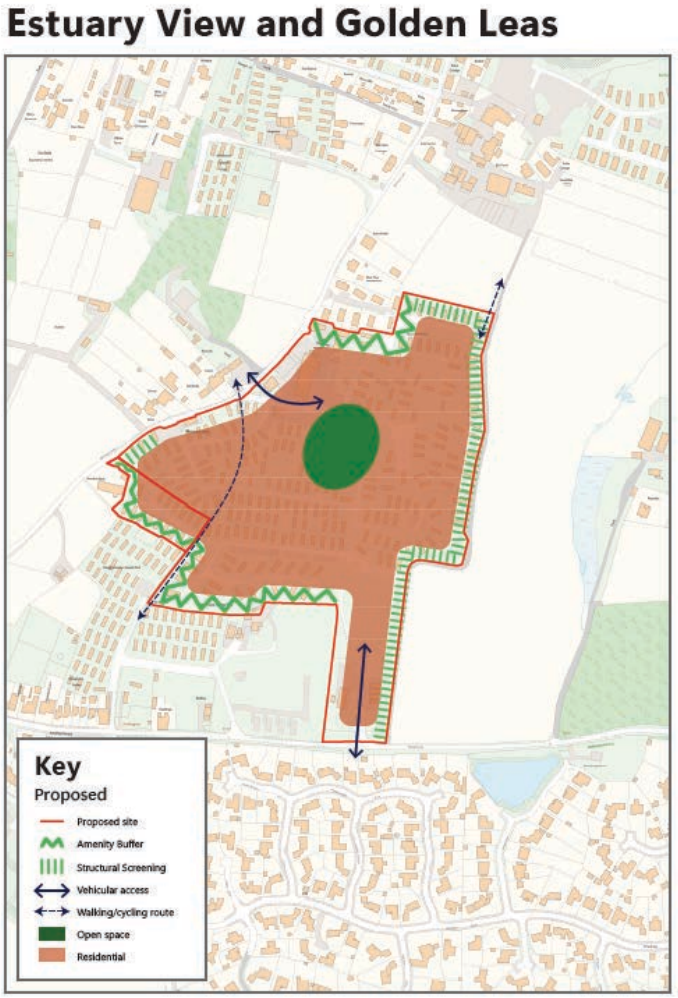
**Hollybush Farm Caravan Park, Oak Lane, Minster**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for the park home equivalent of 124 dwellings, as shown on the Policies Map. Development proposals will:

1. Manage the impact on existing residents by managing height, proximity, and screening to residential properties to the west and north of the site;
2. Incorporate appropriate screening to mitigate landscape impact. Due to the site's elevated location this may need to be all around the site;
3. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
4. Retain and improve the PRoW along the western edge of the site;
5. Secure appropriate vehicular access from Oak Lane;
6. Create a new open space within the site reflecting local open space needs in line with Policy INF3 (Open Space, Sport, and Recreation Provision);
7. Undertake ecological assessments with reference to coastal zones and associated protected areas;
8. Be sensitive to the area of it that lies within coastal erosion zone 2;
9. Mitigate against the risk of surface water flooding affecting the site; and
10. Make an appropriate contribution towards SPA mitigation.

## 11.7 Policy HOA7 Estuary View and Golden Leas Holiday Parks, Minster

**11.7.1** The sites lie to the east of Minster and north of Kingsborough. They comprise Golden Leas Holiday Park, including caravan pitches, storage areas, play spaces and internal access tracks. This site is a part of the static home offer in coastal Sheppey. These caravans were not designed to be occupied year-round, and do not represent good quality housing stock. Increasingly a market for better insulated, self-contained park homes has emerged, and these are being introduced as replacements for caravans which are more suitable for year-round occupation. This development therefore represents an opportunity to improve the quality of the borough's housing stock.




**Picture 11.7.1 Concept Diagram - Estuary View & Golden Leas**

## Policy HOA7

**Estuary View and Golden Leas Holiday Parks, Minster**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for the park home equivalent of 247 dwellings, as shown on the Policies Map. Development proposals will:

1. Manage the impact on existing residents by managing height, proximity, and screening to residential properties to the east and north of the site;
2. Incorporate appropriate screening to mitigate landscape impact to/from the southwest, north, and east of the site;
3. Retain and improve the PRoW that runs north-south through the site;
4. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
5. Secure appropriate vehicular access to each site from Plough Road and Bell Farm Lane;
6. Create a new open space within the site reflecting local open space needs in line with Policy INF3 (Open Space, Sport, and Recreation Provision);
7. Be accompanied by a Desk Based Archaeological Assessment;

8. Be accompanied by a Heritage Assessment to assess potential impacts on nearby Listed Building;
9. Have regard to the recommendations within the Council's Landscape Sensitivity Assessment;
10. Mitigate against the risk of surface water flooding affecting the site; and
11. Make an appropriate contribution towards SPA mitigation.

## 11.8 Policy HOA8 Land adj. to Leysdown Road, Eastchurch

**11.8.1** This site is an arable field immediately to the east of Eastchurch village. The Grade II* listed building Shurland Hall lies to the north of the site, and its setting will need to be incorporated into any development proposal. Subject to this being achieved, the site is well located and accessible and capable of contributing to meeting the borough's housing needs.

### Policy HOA8

**Land adj. to Leysdown Road, Eastchurch**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for 62 dwellings, as shown on the Policies Map. Development proposals will:

1. Secure appropriate vehicular access from Leysdown Road;
2. Create a new open space within the site reflecting local open space needs in line with Policy INF3 (Open Space, Sport, and Recreation Provision);
3. Be accompanied by a Desk Based Archaeological Assessment;
4. Minimise potential impacts on the adjacent Listed Building by locating development towards the southern part of the site and offering landscape buffering to the north;
5. Retain and offer ongoing protection of the protected trees on Leysdown Road;
6. Deliver screening along the southern and eastern boundary to mitigate the site's impact on the local landscape;
7. Mitigate against the risk of surface water flooding affecting the site; and
8. Make an appropriate contribution towards SPA mitigation.

## 11.9 Policy HOA9 Land south of Little Groves, Leysdown Road, Leysdown

**11.9.1** This site is a greenfield site on Leysdown Road in the village of Leysdown-on-Sea. It is surrounded by the Little Groves Leisure Park to the north, east, and west. The site has suitable access from Leysdown Road and is within Leysdown's urban envelope. As such it has the potential to make a contribution to the borough's housing supply.

### Policy HOA9

**Land south of Little Groves, Leysdown Road, Leysdown**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 53 dwellings, as shown on the Policies Map. Development proposals will:

1. Manage the impact on existing residents by managing height, proximity, and screening to residential properties to the east, west and north of the site;
2. Secure appropriate vehicular access from Leysdown Road;
3. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
4. Retain and offer ongoing protection of the protected trees on Leysdown Road;

5. Deliver screening along the southern boundary to mitigate the site's impact on the local landscape;
6. Mitigate against the risk of surface water flooding affecting the site;
7. Make an appropriate contribution towards SPA mitigation; and
8. Take into account the 3 foul sewers, and medium pressure gas pipes on site.

## 11.10 Policy HOA10 Sheppey Beach Villas, Leysdown

**11.10.1** This site contains a collection of beachside holiday homes located to the east of The Promenade in Leysdown. The existing environmental conditions in the area are in need of improvement, with several areas having unmade roads, and areas of the site that are derelict. Development with improves the standard of the local environment and regularises the homes to be suitable for year-round occupation would be supported.

### Policy HOA10

**Sheppey Beach Villas, Leysdown**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 133 dwellings, as shown on the Policies Map. Development proposals will:

1. Manage the impact on existing residents by managing height, proximity, and screening to residential properties to the south of the site;
2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
3. Demonstrate how the layout of the development can reflect the potential for wave overtopping;
4. Retain and offer ongoing protection of the protected trees on Leysdown Road;
5. Seek to greatly improve the biodiversity opportunities on site particularly as part of the site falls within a designated opportunity area;
6. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
7. Assess the potential for minerals on the site to be claimed prior to development;
8. Make an appropriate contribution to securing sea defences for the area;
9. Make an appropriate contribution towards SPA mitigation;
10. Be accompanied by a Desk Based Archaeological Assessment;
11. Take into account the 3 foul sewers, and medium pressure gas pipes on site; and
12. Seek to establish a 16 m margin clear of development from the coastline.

## 11.11 Policy HOA11 Amethyst Horticulture, London Road, Newington

**11.11.1** Amethyst Horticulture occupies a 2.5 Ha plot of land west of Newington, and east of Hartlip Hill on the A2. As an intensive greenhouse and warehouse business, the site can be considered to be previously developed, and the site on the A2 is surrounded to the east and west by existing homes, and there is an industrial estate across the A2 to the south. There is an additional part of the site to the north of the railway line, accessed via a railway arch; if development is to be permitted on that part of the site, the access arrangements will need to be very clearly justified.

### Policy HOA11

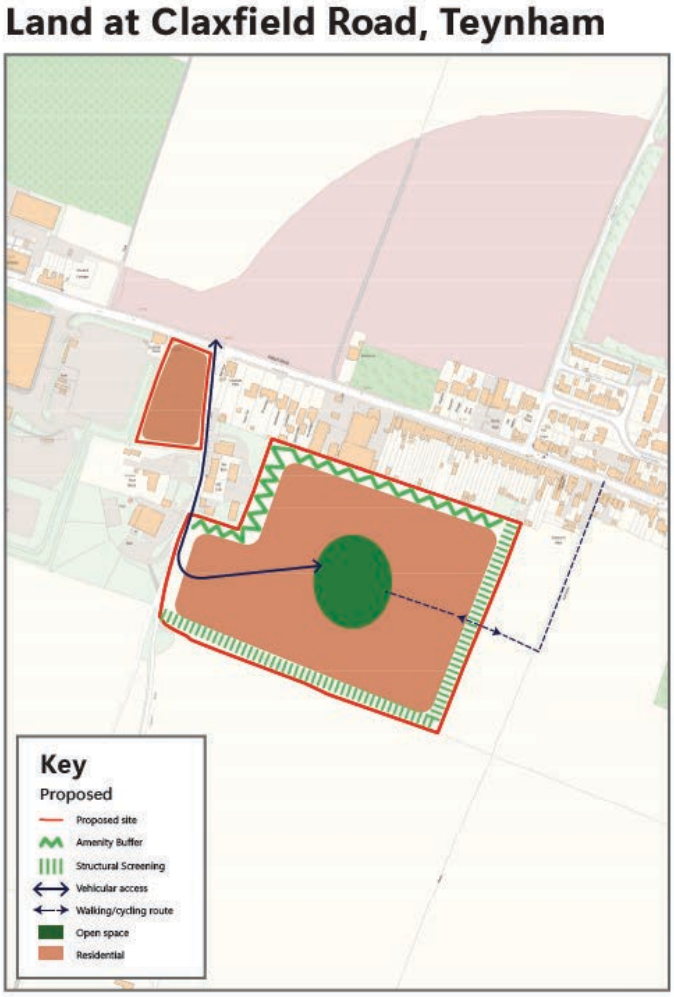
**Amethyst Horticulture, Newington Nurseries, London Road, Newington**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 52 dwellings, as shown on the Policies Map. Development proposals will:

1. Retain and improve existing screening to manage the impact on neighbouring residents to the east and west, and of the railway line and road to the north and south. Greater density may be achievable in the northern centre of the site, closer to the railway line;
2. Secure appropriate vehicular access from the A2/ London Rd;
3. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
4. Create a new open space within the site reflecting local open space needs in line with Policy INF3 (Open Space, Sport, and Recreation Provision);
5. Incorporate existing mature trees and dense hedgerows through an integrated landscape strategy for the site;
6. Have regard to the recommendations within the Council's Landscape Sensitivity Assessment;
7. Deliver a new bus stop outside the site to provide public transport access to the site;
8. Make an appropriate contribution towards SPA mitigation;
9. Be accompanied by a contaminated land assessment;
10. Assess the potential for minerals on the site to be claimed prior to development;
11. Be accompanied by a Desk Based Archaeological Assessment; and
12. If the land north of the site is to be developed strongly justify access arrangements via the railway arch. Additionally, the northern parcel is located in a highly sensitive landscape setting, so this would also need to be carefully managed.

## 11.12 Policy HOA12 Land at Claxfield Road, Teynham

**11.12.1** The site is made up of two distinct land parcels: a set of 4 paddocks on the southwest of Claxfield Road & A2, and a larger field to the rear of properties on the A2 to the west of Claxfield Road. The land parcels are adjacent to the built-up area of Teynham, and if planned together may be able to secure appropriate access to enable the sites to contribute to the borough's housing supply.




**Picture 11.12.1 Concept Diagram - Land at Claxfield Road**

## Policy HOA12

### Land at Claxfield Road, Teynham

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 139 dwellings, as shown on the Policies Map. Development proposals will:

1. Manage the impact on existing residents by managing height, proximity, and screening to residential properties on Claxfield Road and the A2;
2. Secure appropriate vehicular access from Claxfield Road. The land available would also provide scope to deliver a footway/cycleway from the site to connect to the A2 and the new roundabout junction that is due to be constructed shortly as part of the Frognal Lane development;
3. Link the site with the existing PRoW running close to the western edge of the site;
4. Create a new open space within the site reflecting local open space needs in line with Policy INF3 (Open Space, Sport, and Recreation Provision);
5. Incorporate existing mature trees and dense hedgerows through an integrated landscape strategy for the site;
6. Assess the potential for minerals on the site to be claimed prior to development;
7. Deliver screening along the southern, eastern, and western boundary of the site to mitigate the site's impact on the local landscape;

8. Be accompanied by a Heritage Assessment to identify potential impacts on nearby Listed Buildings and Conservation Area, alongside mitigations;
9. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
10. Undertake ecological assessments that will also consider the presence of protected species;
11. Be accompanied by a Desk Based Archaeological Assessment;
12. Mitigate against the risk of surface water flooding affecting part of the site;
13. Make an appropriate contribution towards SPA mitigation;
14. Take into account the medium and low pressure gas pipe on site; and
15. Address contamination affecting a small part of the site.

## 11.13 Policy HOA13 Land at Norton Ash Garden Centre, Lewson Street

**11.13.1** The site comprises previously developed land which has primarily returned to nature, and as such is a mixed greenfield/brownfield site. The site is accessed from the A2 to the north. Norton Road, a designated rural lane, runs along the western edge of the site, with open countryside located beyond the site to the north, south and east. To the west lies open countryside and a cluster of employment uses, including a service station with a shop.

**11.13.2** Whilst the site is not adjacent to any local settlements, the site comprises previously developed land in proximity to bus stops and a collection of employment uses to the immediate west of Norton Road. Access to bus stops will provide future residents with access to services and facilities in Faversham, Teynham and Sittingbourne, with the shop ensuring that future occupiers are not solely dependent on use of the private car to meet day-to-day needs. Improving pedestrian access to the employment uses to west and bus stops along the A2 as part of any redevelopment will be vital.

**11.13.3** The site provides a good opportunity to make use of an existing site which partially comprises previously developed land in a location that is reasonably well served by public transport. It is considered a suitable redevelopment site for the purposes of housing delivery, subject to the relevant policy criteria set out below.

### Policy HOA13

**Land at Norton Ash Garden Centre, Lewson Street**

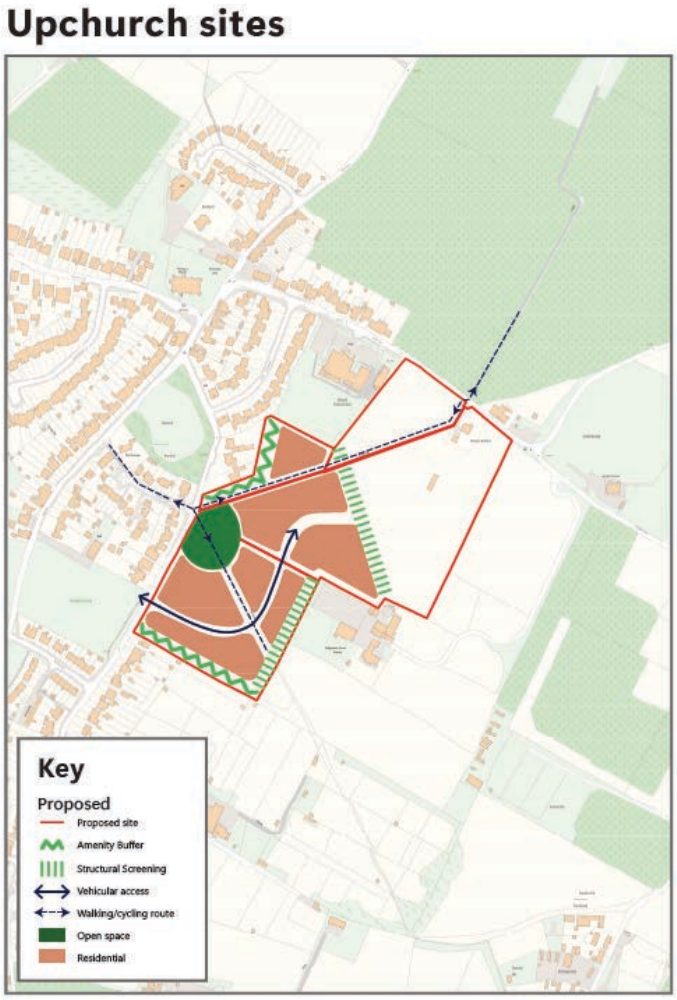
Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 100 dwellings, as shown on the Policies Map. Development proposals will:

1. Utilise the existing access into the site as the primary access point;
2. Provide a suitable pedestrian footway on the south side of the A2 linking the site access with the service station and existing bus stop to the west, as well as providing any other necessary highway improvements to facilitate safe pedestrian access to the northern side;
3. Provide for improvements to the existing bus stops either side of the A2 in proximity to the site;
4. Provide an active frontage onto the A2;
5. Retain and enhance buffer planting along the western and eastern edges of the site to soften the impacts of development on the character of the designated rural lane, Norton Road, and the rural landscape character of the area respectively;
6. Have regard to the recommendations within the Council's Landscape Sensitivity Assessment;
7. Ensure that any development in proximity to Norton Ash House avoids an adverse impact on the residential amenity of those occupiers, both through the positioning of any housing and the layout of internal roads/parking areas;

8. Be sensitive to the setting of the North Downs National Landscape;
9. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
10. Create a new open space within the site reflecting local open space needs in line with Policy INF3 (Open Space, Sport, and Recreation Provision);
11. Make an appropriate contribution towards SPA mitigation;
12. Be accompanied by a Heritage Assessment to identify potential impacts on nearby Listed Buildings and Conservation Area, alongside any necessary mitigation;
13. Be accompanied by a Contaminated Land Assessment;
14. Be accompanied by appropriate ecological assessment, with any necessary mitigation incorporated within the development where relevant; and
15. Be accompanied by a Desk Based Archaeological Assessment.

## 11.14 Policy HOA14 Land Around Forge Lane And Chaffes Lane, Upchurch

**11.14.1** This site is a collection of agricultural fields located immediately east of the village of Upchurch. There is road access from Chaffes Lane and potentially Forge Lane. The sites are very open within the local landscape, and to the countryside, but by being designed comprehensively, development that appropriately mitigates landscape impacts while delivering new homes can be achieved.




**Picture 11.14.1**

### Policy HOA14

**Land around Forge Lane And Chaffes Lane, Upchurch**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 168 dwellings, as shown on the Policies Map. Development proposals will:

1. Secure site access from Chaffes Lane and Forge Lane;
2. Improve the existing PRoWs running across the site. A connection should be secured to facilitate a complete route between the site entrance and Church Farm Road to the village's services;
3. Deliver screening to the south and east of the site to mitigate the site's impact on the local landscape;
4. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
5. Have regard to the recommendations within the Council's Landscape Sensitivity Assessment;
6. Create a new open space within the site reflecting local open space needs in line with Policy INF3 (Open Space, Sport, and Recreation Provision);
7. Undertake a detailed assessment of flood, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
8. Assess the potential for minerals on the site to be claimed prior to development;
9. Be accompanied by a Desk Based Archaeological Assessment;
10. Be accompanied by a Heritage Assessment to identify potential impacts on nearby Listed Buildings and Conservation Area to the west, alongside mitigations;
11. Make an appropriate contribution towards SPA mitigation; and
12. Take into account the 2 foul sewers and the low pressure gas pipes on site.

## 11.15 Policy HOA15 Land west of Warden

**11.15.1** This site is currently a pair of farmers' fields located immediately west of the village of Warden. The site slopes gently from north (high) to south (low). There are five roads leading up to the site (Leicester, Clarence, Windsor, and Empress Gardens, and Knoll Way), but only Leicester Way is surfaced. The site is well located adjacent to the urban area of Warden, and represents an opportunity to secure much-needed transport improvements in the village while also contributing to supporting the borough's housing needs.

### Policy HOA15

**Land west of Warden**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for a minimum of 139 dwellings, as shown on the Policies Map. Development proposals will:

1. Manage the impact on existing residents by managing height, proximity, and screening to residential properties to the east of the site;
2. Provide a comprehensive transport plan demonstrating how safe access will be achieved into/from the site by all modes. This is likely to include off-site surface and pavement improvements to nearby roads, local footpaths and pavements;
3. Incorporate new active travel routes through the site linking through to the village centre and bus stop on Warden Bay Road;
4. Create a new open space within the site reflecting local open space needs in line with Policy INF3 (Open Space, Sport, and Recreation Provision);
5. Provide screening along the southern and western boundaries to mitigate the site's impact on the local landscape;

6. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
7. Undertake ecological assessments that will also consider the presence of protected species;
8. An assessment to address potential archaeological impacts will be required;
9. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site; and
10. Make an appropriate contribution towards SPA mitigation.

## 11.16 Policy HOA16 Smaller Site Allocations

**11.16.1** In addition to the strategic Site Allocation policies set out above, a proactive approach has been taken to identifying smaller/ less strategic sites which provide a range of development opportunities for a range of developer types, in accordance with the NPPF target to identify 10% of housing requirement on sites below 1Ha.

### Policy HOA16

**Smaller Site Allocations**

Planning permission will be granted for proposals that accord with the policies in the Local Plan and address the site-specific issues and requirements for the site as set out below.

| Site Ref/ Name | New Homes | Site Requirements |
|---|---|---|
| HOA16a - Lady Dane Farm Buildings, Love Lane | 25 | 1. Secure access via Love Lane;<br>2. Provide footpaths along the front of the development and facilities to allow pedestrians to cross on to its western side;<br>3. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>4. Assess the potential for minerals on the site to be claimed prior to development;<br>5. Be accompanied by a Heritage Assessment to identify potential impacts on the nearby Listed Buildings and Conservation Areas; and<br>6. Be accompanied by a Desk Based Archaeological Assessment Make an appropriate contribution towards SPA mitigation. |
| HOA16b - Syndale Park, London Road, Faversham, Kent, ME13 0RH | 9 | 1. Secure access via the A2 London Road;<br>2. Retain and enhance the existing PRoW on site;<br>3. Be accompanied by a Heritage Assessment to identify potential impacts on the nearby Listed Buildings and Conservation Area;<br>4. An assessment to address potential archaeological impacts will be required;<br>5. Make an appropriate contribution towards SPA mitigation;<br>6. Be sensitive to the setting of the Kent Downs National Landscape; |

| | | |
|---|---|---|
| | | 7. Be sensitive to the nearby LWS;<br>8. Be sensitive to the Swale Landscape of Value and a Local Landscape designation; and<br>9. Introduce screening to the south and southwestern boundary to mitigate the impact on the countryside beyond. |
| HOA16c - Digswell, Lower Hartlip Road, Hartlip | 11 | 1. Secure access via Lower Hartlip Road;<br>2. Secure footpath connectivity to enable pedestrian access;<br>3. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>4. Be sensitive to the Outer Groundwater Source Protection Zone;<br>5. Assess the potential for minerals on the site to be claimed prior to development;<br>6. Introduce screening on the southern boundary; and<br>7. Make an appropriate contribution towards SPA mitigation. |
| HOA16d - Barrow Green Farm, Barrow Green | 30 | 1. Secure access via The Crescent;<br>2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>3. Assess the potential for minerals on the site to be claimed prior to development;<br>4. Be accompanied by a Heritage Assessment to identify potential impacts on the nearby Listed Buildings;<br>5. Be accompanied by a Desk Based Archaeological Assessment;<br>6. Introduce screening on the southern boundary to manage landscape impacts; and<br>7. Make an appropriate contribution towards SPA mitigation. |
| HOA16e - Land Adjoining Mayfield, London Road | 13 | 1. Secure access via A2 London Road;<br>2. Provide off-street parking and seek to introduce waiting restrictions;<br>3. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>4. Be accompanied by a Heritage Assessment to identify potential impacts on the nearby Listed Buildings;<br>5. Be accompanied by a Desk Based Archaeological Assessment;<br>6. Assess the potential for minerals on the site to be claimed prior to development;<br>7. Assess the potential for minerals on the site to be claimed prior to development;<br>8. Make an appropriate contribution towards SPA mitigation; and<br>9. An ecological survey will be required. |

| | | |
|---|---|---|
| HOA16f - Land off Colonels Lane | 15 | 1. Secure accessed via Colonels Lane;<br>2. Secure ped/bike access is also available to Colonels Lane;<br>3. Be sensitive to the PRoW;<br>4. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>5. Be accompanied by a Heritage Assessment to identify potential impacts on the nearby Listed Buildings and Conservation Area;<br>6. Make an appropriate contribution towards SPA mitigation;<br>7. Be sensitive to the 5 foul sewers on site; and<br>8. Be sensitive to the setting of the Kent Downs National Landscape. |
| HOA16g - The Former Garden Hotel (no 169), The Street | 10 | 1. Secure access via The Street;<br>2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>3. Be accompanied by a Heritage Assessment to identify potential impacts on the nearby Listed Buildings and Conservation Areas;<br>4. Be accompanied by a Desk Based Archaeological Assessment;<br>5. Make an appropriate contribution towards SPA mitigation;<br>6. Be sensitive to the tree line on the southern boundary;<br>7. Be sensitive to the 4 surface water sewers on site; and<br>8. Be sensitive to the setting of the Kent Downs National Landscape. |
| HOA16h- Land at Street Farm, Pond Farm Road (Site B) | 15 | 1. Secure access via Pond Farm Road;<br>2. Be sensitive to the Outer Groundwater Source Protection Zone;<br>3. Make an appropriate contribution towards SPA mitigation;<br>4. Be accompanied by a Heritage Assessment to identify potential impacts on the nearby Listed Buildings and Conservation Areas; and<br>5. Be sensitive to the 2 foul sewers on site. |
| HOA16i - Home Farm, Breach Lane, Lower Halstow, ME9 7DB | 16 | 1. Secure access via Breach Lane;<br>2. Secure adequate footpath connectivity;<br>3. Make an appropriate contribution towards SPA mitigation; and<br>4. Strengthen the western boundary to reduce the openness of the site to the wider countryside. |

**Table 11.16.1**

## 11.17 Policy HOA17 Gypsy and Traveller Sites for Intensification

## Policy HOA17

### Gypsy and Traveller Sites for Intensification

### Policy HOA17 Smaller Site Allocations

Planning permission will be granted for proposals that accord with the policies in the Local Plan and address the site-specific issues and requirements for the site as set out below.

| Site Ref/ Name | New Pitches | Site Requirements |
|---|---|---|
| HOA17a Three Lakes Park, Church Road, ME10 3NL | 4 | 1. Secure access via Church Road;<br>2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>3. Assess the potential for minerals on the site to be claimed prior to development;<br>4. Be accompanied by a contaminated land assessment will be required;<br>5. Make an appropriate contribution towards SPA mitigation;<br>6. Be accompanied by a Desk Based Archaeological Assessment;<br>7. Be sensitive to the sewer intersection;<br>8. Be sensitive to the low and medium pressure gas intersection; and<br>9. Be accompanied by evidence identifying whether the site and surrounding area supports a priority habitat. This may then create a requirement for a future planning application to be supported by a project specific Habitats Regulations Assessment to ensure that the development does not result in adverse effects on integrity. |
| HOA17b - Bakers Place, Lomas Road, ME9 8BB | 2 | 1. Secure access via Lomas Road;<br>2. Secure footpath connectivity;<br>3. Be sensitive to the GPZ2;<br>4. Assess the potential for minerals on the site to be claimed prior to development;<br>5. Make an appropriate contribution towards SPA mitigation; and<br>6. Consider the moderate landscape sensitivity. |
| HOA17c - Emley Road, ME12 3SS | 1 | 1. Secure access via Emley Road;<br>2. Make an appropriate contribution towards SPA mitigation; and<br>3. Consider the Moderate to High landscape sensitivity. |
| HOA17d - The Peartree, Greyhound Road, ME12 XXY | 1 | 1. Secure access via Greyhound Road;<br>2. Make an appropriate contribution towards SPA mitigation;<br>3. Consider the surrounding landscape sensitivity; and<br>4. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site. |
| HOA17e - 15 The Laurels, Bell Farm Lane, ME12 4JA | 3 | 1. Secure access via Bell Farm; |

| | | |
|---|---|---|
| | | 2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>3. Assess the potential for minerals on the site to be claimed prior to development;<br>4. Be accompanied by a coastal erosion impact assessment;<br>5. Be accompanied by a Heritage Assessment to identify potential impacts on the nearby Listed Buildings;<br>6. Consider the Moderate to High landscape sensitivity; and<br>7. Mitigate potential impacts on the Sheppey Cliffs and Foreshore SSSI. |
| HOA17f - Land At Warden Road / Rear of Orchard Cottage (Mary's Place) ME12 4GJ | 2 | 1. Secure access via Warden Road;<br>2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>3. Be sensitive to the Outer Groundwater Source Protection Zone;<br>4. Make an appropriate contribution towards SPA mitigation; and<br>5. Be accompanied by a Desk Based Archaeological Assessment. |
| HOA17g - Keycol Farm, Keycol Hill, ME9 8NA | 2 | 1. Secure access via the A2 Keycol Hill;<br>2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>3. Assess the potential for minerals on the site to be claimed prior to development;<br>4. Make an appropriate contribution towards SPA mitigation;<br>5. Incorporate screening along the northern boundary to mitigate surrounding landscape sensitivity; and<br>6. Be accompanied by a Desk Based Archaeological Assessment. |
| HOA17h - Breach Farm Paddocks, Breach Lane | 1 | 1. Secure access via Breach Lane.<br>2. Secure footpath access;<br>3. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>4. Be sensitive to the Inner Groundwater Source Protection Zone;<br>5. Assess the potential for minerals on the site to be claimed prior to development;<br>6. Make an appropriate contribution towards SPA mitigation;<br>7. Be accompanied by a Desk Based Archaeological Assessment; and<br>8. Consider the surrounding landscape sensitivity. |
| HOA17i - Mattsfield, Boxted Lane, ME9 7BX | 4 | 1. Access to the site will be secured via Boxted Lane;<br>2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>3. Assess the potential for minerals on the site to be claimed prior to development;<br>4. Make an appropriate contribution towards SPA mitigation; |

| | | |
|---|---|---|
| | | 5. Consider the surrounding landscape sensitivity; and<br>6. Be accompanied by a Heritage Assessment to identify potential impacts on the nearby Conservation Areas. |
| HOA17j - Halstow Cross, ME9 7ER | 3 | 1. Secure access via Wardwell Lane;<br>2. Be sensitive to the Outer Groundwater Source Protection Zone;<br>3. Make an appropriate contribution towards SPA mitigation; and<br>4. Be sensitive to the adjacent biodiversity assets. |
| HOA17k - Jack Russell Place, ME9 7AB | 3 | 1. Secure access via The Street;<br>2. Footpath connectivity will need to be assessed;<br>3. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;<br>4. Make an appropriate contribution towards SPA mitigation; and<br>5. Enhance screening around the site to mitigate impacts on the surrounding landscape. |
| HOA17l - Windmill Farm, ME9 7XF | 3 | 1. Secure access via Yaugher Lane;<br>2. Assess the potential for minerals on the site to be claimed prior to development;<br>3. Make an appropriate contribution towards SPA mitigation: Be sensitive to the adjacent biodiversity assets; and<br>4. Be sensitive to the setting of the Kent Downs National Landscape. |

**Table 11.17.1**

# 12 Proposed Employment Allocations

## 12.1 Policy EMA1 Ridham Dock Sittingbourne

**12.1.1** This site is currently a wharf and associated storage space which is in active use, primarily for the transfer of aggregates. The use is critical in supporting a range of construction uses, but should it cease as a result of technological or supply chain changes, then the site is suitable to be redeveloped as employment floorspace to help support economic growth in the borough.

### Policy EMA1

**Ridham Dock, Sittingbourne**

Subject to securing high quality design, planning permission will be granted for approximately 25 Ha of new employment floorspace, as shown on the Policies Map. Development proposals will:

1. Secure access from Barge Way and from the west of the site to Sheppey Way/ A249;
2. Link the site with the existing PRoWs adjacent to the eastern and western edge of the site;
3. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
4. Assess the potential for minerals on the site to be claimed prior to development;
5. Depending on the type of employment offer, and the operational requirements of the existing dock, align the King Charles III England Coastal Path more closely with the coastline;
6. Be accompanied by a Desk Based Archaeological Assessment;
7. Be sensitive to the Swale Landscape Value and Local Landscape designation.
8. Undertake ecological assessments with reference to coastal zones and associated protected area
9. Be sensitive to the area of coastal erosion adjacent to the site;
10. Be accompanied by a contaminated land assessment;
11. Be sensitive to the hazardous zone affecting part of the site;
12. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
13. Be accompanied by evidence identifying whether the site and surrounding area supports habitat for a designated bird species. This may then create a requirement for a future planning application to be supported by a project specific Habitats Regulations Assessment to ensure that the development does not result in adverse effects on integrity; and
14. Consider direct and indirect impacts on The Swale SSSI/ SPA/ Ramsar and Medway Estuary and Marshes SSSI/ SPA/ Ramsar and Elmley NNR.

## 12.2 Policy EMA2 Land fronting east side, Bobbing Hill

**12.2.1** This site is currently an arable field between Sheppey Way and the A249, roughly equidistant between the A2 and B2006 junctions. There are employment activities to the northeast and northwest of the site, and due to the excellent road connections, this site has the potential to contribute to supporting local economic growth.

### Policy EMA2

**Land fronting east side Bobbing Hill**

Subject to securing high quality design, planning permission will be granted for approximately 1 Ha of new employment floorspace, as shown on the Policies Map. Development proposals will:

1. Access will be secured onto Sheppey Way. A left-in, left-out arrangement would minimise the traffic impacts from movements in/out of the site;
2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
3. Assess the potential for minerals on the site to be claimed prior to development;
4. Be sensitive to the Inner Groundwater Source Protection Zone;
5. Consider direct and indirect impacts on The Swale SSSI/ SPA/ Ramsar and Medway Estuary and Marshes SSSI/ SPA/ Ramsar and Elmley NNR;
6. Be accompanied by a Heritage Assessment to identify potential impacts on nearby Listed Buildings to the north, alongside mitigations;
7. Be accompanied by a Desk Based Archaeological Assessment for the area to the north of the site;
8. Be sensitive to the low pressure gas intersection; and
9. Be accompanied by evidence identifying whether the site and surrounding area supports habitat for a designated bird species. This may then create a requirement for a future planning application to be supported by a project specific Habitats Regulations Assessment to ensure that the development does not result in adverse effects on integrity.

## 12.3 Policy EMA3 Smeed Dean Works, Eurolink Industrial Estate, Castle Road, Sittingbourne

**12.3.1** This site is currently undeveloped land to the north of the Eurolink Industrial Estate. The site is adjacent to the Swale SPA/ SSSI to the north, and this relationship needs to be carefully managed. Should the development of the site be able to create an improved edge to these designations then the site would be suitable for supporting local economic growth.

### Policy EMA3

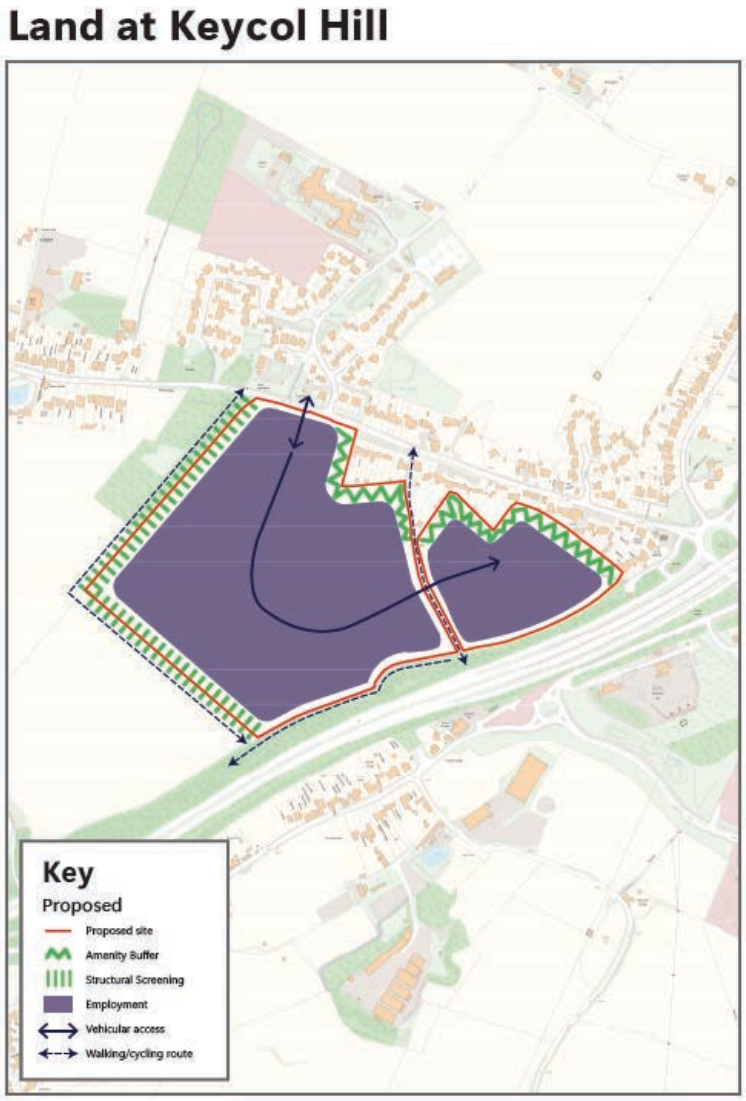
**Smeed Dean Works, Eurolink Industrial Estate, Castle Road, Sittingbourne**

Subject to securing high quality design, planning permission will be granted for approximately 4.3 Ha of new employment floorspace, as shown on the Policies Map. Development proposals will:

1. Secure access from the south of the site, and on to Swale Way;
2. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
3. Ensure that the presence of historic landfill on a small part of the site is appropriately managed;
4. Be accompanied by a contaminated land assessment;
5. Assess the potential for minerals on the site to be claimed prior to development;
6. Deliver screening to the north of the site to mitigate the site's impact on the local landscape;
7. Demonstrate how the presence of the overhead power line has been appropriately managed within the design of the site;
8. Have regard to the recommendations within the Council's Landscape Sensitivity Assessment;
9. Undertake ecological assessments that will also consider the presence of protected species;
10. Consider direct and indirect impacts on The Swale SSSI/ SPA/ Ramsar, and;
11. Be accompanied by evidence identifying whether the site and surrounding area supports a priority habitat. This may then create a requirement for a future planning application to be supported by a project specific Habitats Regulations Assessment to ensure that the development does not result in adverse effects on integrity.

## 12.4 Policy EMA4 Land north of Keycol Hill

**12.4.1** This site is currently a pair of agricultural fields south of Keycol Hill, and north of the A249. The site offers good access to the A249 via the A2 and has the potential to make a contribution to the borough's supply of employment land.




**Picture 12.4.1**

### Policy EMA4

**Land north of Keycol Hill**

Subject to securing high quality design, planning permission will be granted for approximately 30 Ha of new employment floorspace, as shown on the Policies Map. Development proposals will:

1. Secure access from Keycol Hill, and by a single entrance to manage the impact on flow on the A2;
2. Deliver screening to the south and west of the site to mitigate the site's impact on the local landscape;
3. Have regard to the recommendations within the Council's Landscape Sensitivity Assessment;
4. Manage the impact on existing residents by managing height, proximity, and screening to residential properties to the north of the site;

5. Assess the potential for minerals on the site to be claimed prior to development;
6. Be accompanied by a Desk Based Archaeological Assessment;
7. Be accompanied by a Heritage Assessment to identify potential impacts on nearby Listed Buildings and Conservation Area to the west, alongside mitigations;
8. Be expected to engage with independent design review at an early stage to assist in securing high-quality design outcomes;
9. Be sensitive to the Outer Groundwater Source Protection Zone;
10. Retain byway ZR116 through the site, and
11. Enhance footpath ZR115 and redirect it around the perimeter of the site to connect with Prow ZR116a.

## 12.5 Policy EMA5 Land at A2/M2 junction

**12.5.1** The site has been promoted through the Council's call for sites, and historically through the Council's Strategic Development Options Process. The larger East of Faversham strategic option was not selected within the spatial strategy for this Plan, but the part of the site closest to the A2/M2 junction has the potential to make a positive contribution to the borough's employment land supply.

### Policy EMA5

**Land at A2/M2 Junction**

Subject to securing high quality design, planning permission will be granted for approximately 21 Ha of new employment floorspace, as shown on the Policies Map. Development proposals will:

1. Secure access via Homestall Lane to the A2/M2 junction;
2. Retain and enhance PRoW ZR496 which passes through the site;
3. Be sensitive to PRoW ZR494 that intersects the site in the north west corner;
4. Deliver screening to all edges of the site to mitigate the site's impact on the local landscape;
5. Have regard to the recommendations within the Council's Landscape Sensitivity Assessment;
6. Manage the impact on existing residents by managing height, proximity, and screening to the Homestall cottages;
7. Be accompanied by a Desk Based Archaeological Assessment;
8. Be accompanied by a Heritage Assessment to identify potential impacts on adjacent Listed Buildings, alongside mitigations;
9. Assess the potential for minerals on the site to be claimed prior to development;
10. Be accompanied by a contaminated land assessment;
11. Be sensitive to the low pressure gas intersections on site;
12. Be sensitive to the LWS to the north of the site;
13. Be accompanied by evidence identifying whether the site and surrounding area supports habitat for a designated bird species. This may then create a requirement for a future planning application to be supported by a project specific Habitats Regulations Assessment to ensure that the development does not result in adverse effects on integrity; and
14. Consider direct and indirect impacts on The Swale SSSI/ SPA/ Ramsar and Medway Estuary and Marshes SSSI/ SPA/ Ramsar and Elmley NNR.

## 12.6 Policy EMA6 Land at Marshlands Farm, Lower Road, Minster

**12.6.1** This site is an agricultural field to the west of the Marshlands Industrial Estate, south of Lower Road, in the south of Minster. The site has good access via Lower Rd to the A249, and represents a good opportunity to support the local employment land supply on the Isle of Sheppey.

### Policy EMA6

**Land at Marshlands Farm, Lower Road, Minster**

Subject to securing high quality design, planning permission will be granted for approximately 5.6 Ha of new employment floorspace, as shown on the Policies Map. Development proposals will:

1. Access will be to Lower Road, via the roundabout adjacent to the site;
2. Deliver screening to the south and west of the site to mitigate the site's impact on the local landscape;
3. A detailed assessment of flood risk will be undertaken, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
4. Assess the potential for minerals on the site to be claimed prior to development;
5. Be sensitive to the low pressure gas intersection on site;
6. Be sensitive to the area of coastal erosion near the site, and;
7. Consider direct and indirect impacts on The Swale SSSI/ SPA/ Ramsar and Medway Estuary and Marshes SSSI/ SPA/ Ramsar and Elmley NNR.

## 12.7 Policy EMA7 Newington Industrial Estate

**12.7.1** The Newington Industrial Estate is a substantial logistics hub located south of the A2 between Newington and Hartlip Hill. The site is surrounded by countryside, but close by there are garden centres and residential uses. There is potential to expand the site and provide further opportunities for economic growth in the area.

### Policy EMA7

**Southern expansion & Land to the west & east of Newington Industrial Estate, Newington**

Subject to securing high quality design, planning permission will be granted for approximately 2 Ha of new employment floorspace, as shown on the Policies Map. Development proposals will:

1. Access will be via the existing junction onto the A2;
2. Manage the impact on existing residents by managing height, proximity, and screening to residential properties to the west and north of the site;
3. Incorporate existing mature trees and dense hedgerows through an integrated landscape strategy for the site;
4. Assess the potential for minerals on the site to be claimed prior to development;
5. Deliver screening to the south, west, and east of the site to mitigate the site's impact on the local landscape;
6. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site; and
7. Redirect and enhance the PRoW which crosses the site at present. It is not appropriate that it will cross through an industrial site, so it should be redirected around the edge of the site.

## 12.8 Policy EMA8 Land at Radfield Farm, London Road, Bapchild

**12.8.1** This site is currently farm and residential buildings located at Radfield Farm south of the A2 between Bapchild and Teynham. There is evidence of commercial (non-agricultural) use existing on the site, and this could be regularised and enhanced to support economic growth in the borough.

### Policy EMA8

**Land at Radfield Farm London Road Bapchild**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for approximately 3 Ha of new employment floorspace, as shown on the Policies Map. Development proposals will:

1. Secure access onto the A2;
2. Deliver screening to the south, west, and east of the site to mitigate the site's impact on the local landscape;
3. Retain and enhance PRoW ZR196 which passes through the site. It may be that a diversion around the commercial uses is required;
4. Undertake a detailed assessment of flood risk, with a sequential approach to the location of development uses, having regard to vulnerability and flood risk on the site;
5. Enhance and improve the setting of the Grade II listed building;
6. Take into account the medium pressure gas pipes on site;
7. Be sensitive to the setting of the Kent Downs National Landscape;
8. Assess the potential for minerals on the site to be claimed prior to development;
9. Be accompanied by a Desk Based Archaeological Assessment;
10. Be sensitive to the Inner Groundwater Source Protection Zone; and
11. Consider direct and indirect impacts on The Swale SSSI/ SPA/ Ramsar and Medway Estuary and Marshes SSSI/ SPA/ Ramsar and Elmley NNR.

## 12.9 Policy EMA9 Hartlip Industrial Estate, Hartlip

**12.9.1** This land is to the south of the existing Hartlip Industrial Estate, located on Spade Lane, south of the A2 west of Hartlip. Subject to securing appropriate access onto the A2 there is potential for an expansion of the industrial area to support the borough's local economy.

### Policy EMA9

**Hartlip Industrial Estate (extension to), Hartlip**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for approximately 5.9 Ha of new employment floorspace, as shown on the Policies Map. Development proposals will:

1. Secure access to the site either through the current entrance to the industrial estate and onto the A2, or via Spade Lane widening to access a new portal further south;
2. Demonstrate how the presence of the overhead power line has been appropriately managed within the design of the site;
3. Retain and enhance PRoW ZR74 which passes through the site. It may be that a diversion around the commercial uses is required;
4. Deliver screening to the south, west, and east of the site to mitigate the site's impact on the local landscape;
5. Be sensitive to the setting of the Kent Downs National Landscape;
6. Assess the potential for minerals on the site to be claimed prior to development;

7. Be accompanied by a Desk Based Archaeological Assessment; and
8. Be sensitive to the Inner Groundwater Source Protection Zone.

## 12.10 Policy EMA10 Grove Farm, Bobbing

**12.10.1** This site is currently in agricultural use and is on the northwestern side of Sheppey Way, north of Bobbing. The site has employment uses to the north, and also proposed (Site EMA2) to the south. Due to the excellent road connections, this site has the potential to contribute to supporting local economic growth.

### Policy EMA10

**Grove Farm, Bobbing**

Subject to securing high quality design and an appropriate mix, planning permission will be granted for approximately 5.1 Ha of new employment floorspace, as shown on the Policies Map. Development proposals will:

1. Access should be secured onto Sheppey Way;
2. PRoW ZR113 passes through the centre of the site east-west. It is not appropriate that it will cross through an industrial site, so it should be redirected around the edge of the site, and enhanced; and
3. Be sensitive to the Outer Groundwater Source Protection Zone.

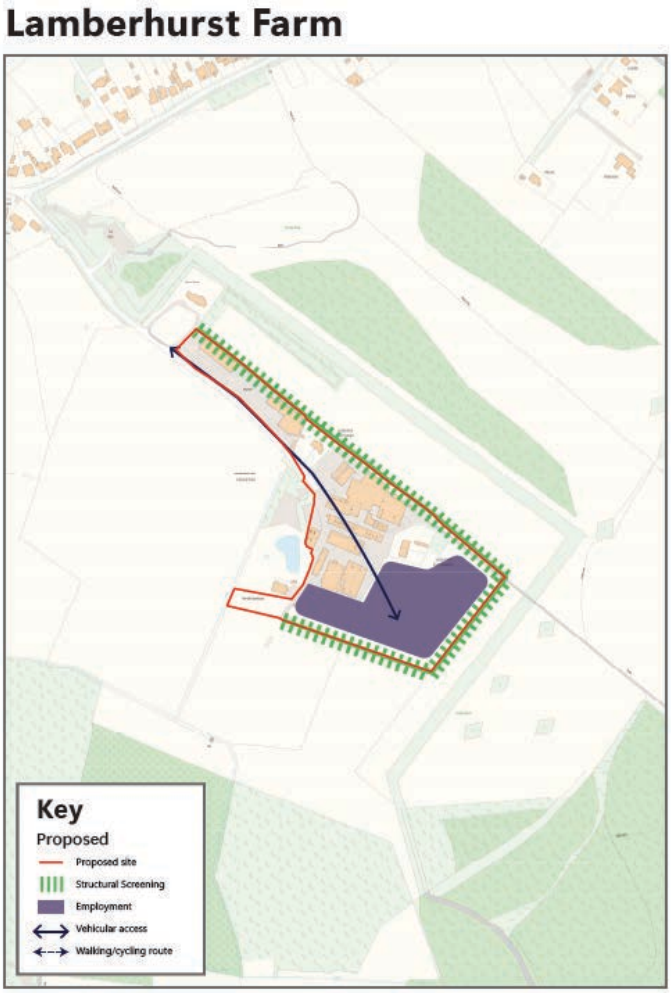
## 12.11 Policy EMA11 Lamberhurst Farm, Yorkletts

**12.11.1** The site is a 2.3 Ha former farm building complex that provides a range of premises for approximately 40 different businesses for a variety of employment uses from artisan food production to motor repair and MOT workshops and some limited vehicle open storage. There are currently 5 houses on the site, one of which is Grade II listed.

**12.11.2** The site is reasonably remote and located in open countryside with the Swale level area of high landscape value immediately to the south and accessed via a narrow country lane. The south of the site is therefore more constrained and the views to the south are important because of this landscape designation.

**12.11.3** The allocation is for a 3.19 ha extension to the existing employment area, creating a 5.5 ha employment allocation in total. The site sits within the Hernhill Neighbourhood Plan area so the applicant would be required to liaise with the Parish Council prior to developing their plans.

**12.11.4** The site plays an important role in supporting the provision of a mixed portfolio of employment premises for established and new businesses. It is described in the Employment Land Review (2018) as having a poor internal environment with no internal landscaping and low-quality units. The extension of the existing site therefore presents an opportunity for redevelopment to address these issues as well as make better use of the space available.




Picture 12.11.1

## Policy EMA11

**Lamberhurst Farm, Yorkletts**

Planning permission will be granted for employment uses on a 5.5 Ha site at Lamberhurst Farm, Yorkletts, as shown on the Policies Map. Development proposals will:

1. Be planned through a comprehensive approach with the development of the existing site and the extension being planned holistically;
2. Undertake a Transport Assessment and provide any highway, sustainable and active travel interventions as required;
3. Be accompanied by a landscape and visual assessment which the proposals will respond to positively and comprehensively;
4. Have regard to the recommendations within the Council's Landscape Sensitivity Assessment;
5. Minimise adverse impacts upon the sensitive landscape and surrounding countryside to acceptable levels and landscape the site, creating an appropriate and attractive edge to the development. Any visual impacts will need to be mitigated by the retention and significant enhancement of existing vegetation; and
6. Enhance and improve the setting of the Grade II listed building.

## 12.12 Policy EMA12 Waterham Industrial Estate

**12.12.1** This site is currently undeveloped agricultural ancillary land. There is strong access to the road network with the A299 junction nearby, and an extension to the Waterham Industrial Estate will help to support the local economy.

## Policy EMA12

**Waterham Industrial Estate**

Subject to securing high quality design, planning permission will be granted for approximately 0.5 Ha of new employment floorspace, as shown on the Policies Map. Development proposals will:

1. Access will be onto Highstreet Road, then to the A299;
2. Have regard to the recommendations within the Council's Landscape Sensitivity Assessment; and
3. Be accompanied by a Desk Based Archaeological Assessment.

# 13 Areas of Search - The Sittingbourne Northern Relief Road

**13.0.1** The Sittingbourne Northern Relief Road (SNRR) was originally conceived as a link between the A2 to the east of the town and the A249 in the west, able to provide new links into the town's commercial areas and to free road capacity in the streets around the town centre. Phases of the road were completed over a 10-year period from the A249 through to new developments at East Hall Farm in the north east of the town, leaving the link to the A2 incomplete. The Milton Creek section was completed in November 2011.

**13.0.2** The development strategy of the Local Plan focuses new development at the main urban area of Sittingbourne, with allocations in and around Sittingbourne. The allocations in the adopted Local Plan at North East and North West Sittingbourne made use of spare capacity on the A249 and the completed sections of the SNRR. It was always envisaged that completion of the road to the A2 in the Bapchild area would realise the full benefits of the road, further relieving the town centre of traffic, opening up development opportunities and maximising the benefits of proposals for regeneration, traffic management and calming in the centre of the town. Completion also brings other environmental benefits, notably the Canterbury Road section of the A2 between the town centre and east of the town will benefit from reduced congestion at peak times and improved air quality.

**13.0.3** High level transport modelling has demonstrated the value of completing the SNRR as outlined above, although the provision of the road is not imperative in traffic terms to deliver the development targets as proposed in the Local Plan. More detailed transport impact assessments for development proposals in the town centre and elsewhere may indicate that the current improved economic growth context could alter this situation. It is therefore important to maintain the commitment to finalising the route of the final section of the road to ensure its inclusion in appropriate transport programmes and funding bids, as well as allowing it to attract developer funding. In the longer term a precise alignment can be considered as part of a future local plan review.

**13.0.4** Local public consultation was carried out by KCC Highways in 2010 on a single route crossing the railway and then either going straight to the A2 to the west of the village, or sweeping around the north of Bapchild to join the A2 east of the village. The outcome of this consultation was inconclusive in terms of route preference (although the most easterly route presents the most costly of those considered).

**13.0.5** The SNRR could, with appropriate funding, be delivered within the plan period and will support local growth, however, it will not be required to support the growth planned for the first five years of the Local Plan period and probably longer. The scheme was identified in Kent County Council's Local Transport Strategy for Swale and its transport delivery programme, although to date it has not been supported by funding delivered via the Local Economic Partnership, or its successors.

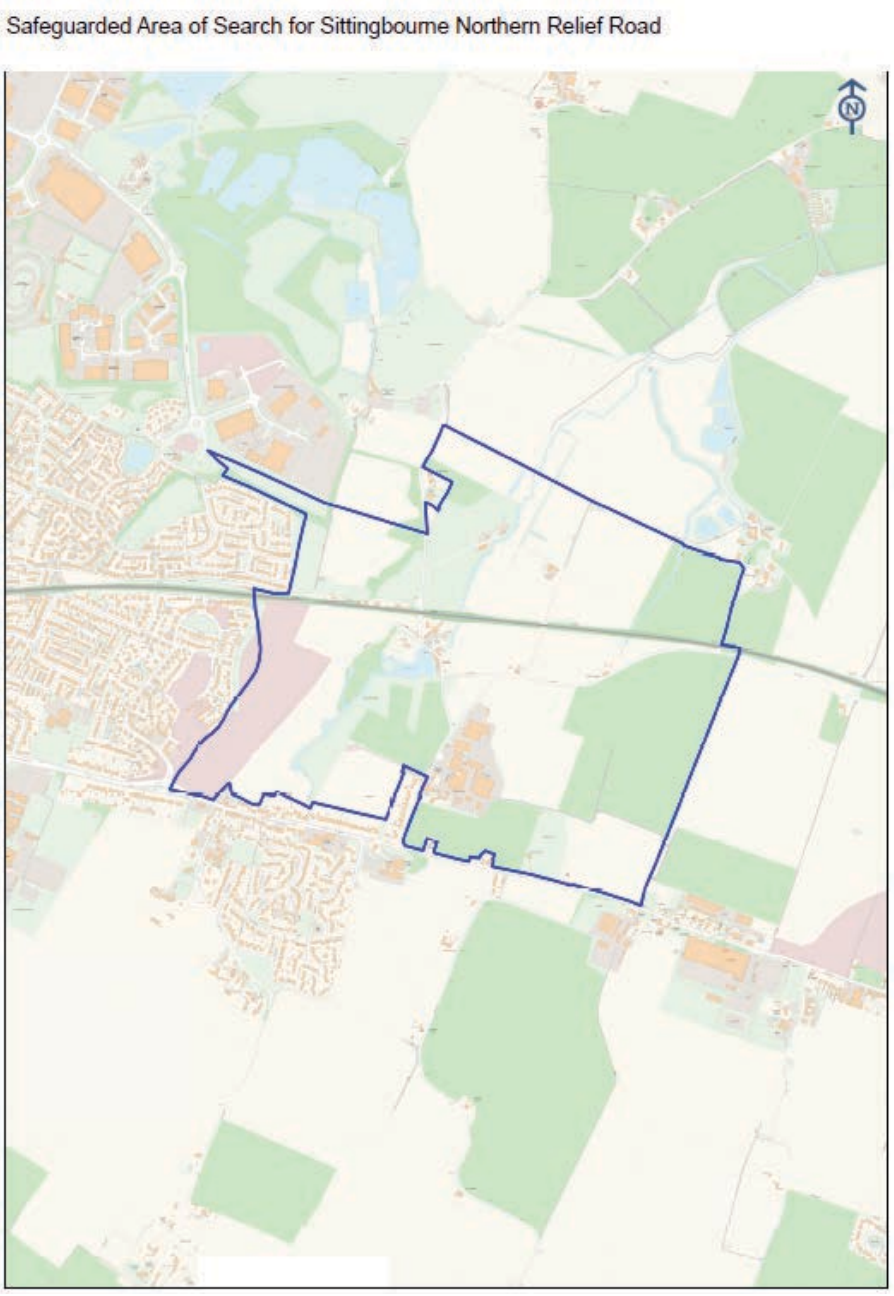
**13.0.6** As a preferred route has not yet been agreed, this Local Plan identifies a safeguarded 'Area of Search' on the Policies Map, which reflects the area covered by reasonable options tested in the 2010 consultation. Within this area of search, the route of the road will be sought and allocated either by a separate Development Plan Document (DPD) if need and timing dictates, or, most likely, through a Local Plan Review. These mechanisms will determine the detail of the route and the appraisal and mitigation of impacts, including the area impacted by the chosen route itself and any potential for impacts on traffic flows and living environments on the A2 corridor east of Sittingbourne. The latter may require traffic management solutions in the settlements most affected. The evidence base for the route will include and review the design and consultation work carried out by KCC Highways in 2010 and work on this is expected to proceed in collaboration with the highway authority.

**13.0.7** The proximity of the Area of Search to the Swale SPA/Ramsar site will need to be borne in mind in any decision on route location with reference to the mitigation of impacts in accordance with Policy B1 (Biodiversity & Geodiversity Conservation & BNG) and the Habitats Regulations.

**13.0.8** The Area of Search incorporates land which was allocated for mixed use under the allocation for North East Sittingbourne in Bearing Fruits (2017 Policy MU2). Outline planning permission (22/502834/EIOUT) has been granted for part of that allocation with a condition preventing certain phases until the relief road has been agreed. South of the railway, land at Stones Farm has been built out, with new open space provided. These developments allow for the consideration of route options, whilst enabling

appropriate weight to be given to such matters as the need for adequate open space and settlement separation between Sittingbourne and Bapchild, as proposed by Policy B4 (The Separation of Settlements – Important Local Countryside Gaps.

**13.0.9** Across the Area of Search, developments likely to reduce or remove the consideration of route options or preclude achievement of the road between the current end of Swale Way and the A2 will not be permitted in advance of the allocation of a precise route. Funding towards provision for the road will be sought from suitable sources of public and developer funding.




**Picture 13.0.1 Safeguarded Area of Search - Sittingbourne Northern Relief Road**

**Policy AS1 Safeguarded Area of Search**

**Sittingbourne Northern Relief Road - the A2 link**

## 13 Areas of Search - The Sittingbourne Northern Relief Road

The area shown on the Policies Map forms an 'Area of Search', within which a safeguarded route for the completion of the Sittingbourne Northern Relief Road to the A2 will be determined and allocated via a future Local Plan Review, or should earlier need and timing dictate, the preparation of a Development Plan Document (DPD). Development proposals likely to reduce or remove the consideration of route options or preclude achievement of the road will not be permitted. In determining its route, environmental mitigation issues associated with the route will be addressed, including the impact of the new road on the traffic flows and living environments along the A2 corridor to the east of Sittingbourne.

# 14 Sites Allocated in Neighbourhood Plans

**14.0.1** There are two neighbourhood plans recently made within the borough that contain sites for allocation. Those neighbourhood plan allocated sites are included in the housing land supply for the Local Plan. The first, Boughton-Under-Blean and Dunkirk Neighbourhood Plan (insert link to Plan) was made by the Council in February 2023 and allocates 1 site for up to 12 dwellings. The second, Faversham Neighbourhood Plan (insert link to plan) was made by the Council in December 2024 and allocates 11 sites for up to 251 dwellings.

**14.0.2** Whilst dwellings capacities are not provided for the Faversham neighbourhood plan allocated sites the Plan states that at a density of 45 dwellings as used by Swale Borough Council more than 250 dwellings can be achieved from the sites. This density approach has been used to determine the capacity of the Faversham sites for the Local Plan. The neighbourhood plan allocations considered in the Councils housing land supply are set out in table 14.0.1 Neighbourhood Plan Allocations. Due to the neighbourhood plans being up to date it has been considered unnecessary to duplicate the allocation of these sites within this Local Plan.

| Neighbourhood plan reference | Settlement | Address | Dwellings |
|---|---|---|---|
| BDNPH2 | Boughton-Under-Blean and Dunkirk | Land to the rear of 89 The Street, Boughton | 12 |
| FAV 17 | Faversham | Former Coach Depot, Abbey Street | 8 |
| FAV18 | Faversham | Ordnance Wharf, Brent Road | 4 |
| FAV19 | Faversham | Fentiman's Yard, New Creek Road | 6 |
| FAV20 | Faversham | The Railway Yard, Station Road | 27 |
| FAV21 | Faversham | Former White Horse Car Park Site, North Lane | 3 |
| FAV22 | Faversham | BMM Weston Ltd (parcel 1b) Land at Brent Road | 4 |
| FAV22 | Faversham | BMM Weston Ltd (parcel 1c) Land at Brent Road | 7 |
| FAV23 | Faversham | BMM Weston Ltd (parcel 2) land at Brent Road | 44 |
| FAV24 | Faversham | BMM Weston Ltd (parcel 3) land at Brent Road | 17 |
| FAV25 | Faversham | Kiln Court and Osbourne Court | 108 |
| FAV26 | Faversham | Land at Beaumont Davey Close, Ashford Road | 23 |

**Table 14.0.1 Neighbourhood Plan Allocations**

# 15 Development Management Policies - General Development Criteria

## 15.1 Policy G1 General Development Criteria

**15.1.1** As set out in paragraph 8 of the National Planning Policy Framework [88](NPPF) the overarching objectives of the planning system are to:

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

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

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

**15.1.4** The Town and Country Planning Association (TCPA) Healthy Homes campaign aims to transform the way that the built environment is regulated to ensure that all new homes promote the health and wellbeing of their residents. The Council signed the Healthy Homes pledge [89] in May 2024.

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

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

**15.1.7** The principles are:

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

**15.1.8** For details on each principle please see Healthy Homes Principles [90].

**Policy G1**

**General Development Criteria**

88 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
89 https://www.tcpa.org.uk/healthy-homes-pledge/
90 https://www.tcpa.org.uk/resources/healthy-homes-principles/

All development proposals will, as appropriate:

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

# 16 Development Management Policies - Good Design

## 16.1 Policy GD1 Local Design Principles

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

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

**16.1.3** The policy should be read in alongside all other policies in the Plan any associated national, regional or local design guidance, including Neighbourhood Plans, Design Codes, development briefs and Masterplans. Applicants should also have regard to the National Design Guide and National Model Design Code, or any subsequent replacement, as the national framework for design quality.

**16.1.4** The Council encourages use of its pre-application advice service prior to submission so that design and place making issues are addressed at an early stage. Where significant design implications are identified, proposals will be referred to the Design Review Panel in accordance with the Council's Design Review Protocol.

Density

**16.1.5** Development should use land efficiently while respecting the character and context of each site. Higher-density development is encouraged in sustainable, accessible locations, especially near transport hubs and in the towns of Faversham, Sittingbourne, and Sheerness, where it is appropriate. Lower-density development may be more suitable for smaller villages and rural areas, taking into account local character and infrastructure capacity.

Sense of Place and Mixed Uses

**16.1.6** Development should facilitate a sense of place through an appropriate mix of uses that supports the function and vitality of the area. Commercial and public facilities should be well integrated within the site and the wider locality. Social interaction, health and wellbeing, active environments, and travel choice are key objectives in achieving successful places. The layout and design of development should support these objectives.

Inclusive and Safe Design

**16.1.7** Inclusivity may be achieved by considering the needs of all community members, including young, elderly, disabled, and less mobile people. Safety and security can be integrated through the design of buildings and spaces, for example through active frontages, natural surveillance, and avoidance of inactive edges. Layout and design should encourage physical activity and healthy lifestyles, supporting social interaction and community cohesion. Applicants should have regard to Secured by Design standards.

Sustainable Design and Affordable Housing Quality

**16.1.8** Developments should consider sustainable design and construction principles, including energy efficiency, low-carbon measures, and other features that enhance environmental performance. Affordable housing should be designed to the same standard as market housing, avoiding visible differences in appearance, materials, layout, or access.

Materials and Local Character

In Swale, the use of locally characteristic materials and detailing, including traditional brick, weatherboarding, and flint, is encouraged where appropriate. Materials should be durable, high-quality, help create a sense of place and ownership, and complement and enhance local context and character.

Green and Blue Infrastructure

**16.1.9** Given Swale's extensive creek, coastal and estuarine environments, the integration of blue infrastructure alongside green infrastructure is particularly encouraged where it can contribute to quality of place, biodiversity net gain, water management and flood resilience. New green and blue infrastructure should incorporate and link to existing natural features and open spaces where appropriate to create a multifunctional network supporting climate change mitigation and adaptation.

**16.1.10** Trees make an important contribution to the character and quality of Swale's towns, villages and rural areas, and can help mitigate and adapt to climate change. Development should ensure new streets are tree-lined where appropriate, opportunities are taken to incorporate trees elsewhere, and existing trees are retained wherever possible. Applicants should work with the Council's arboricultural officers and KCC highways officers to ensure that the right trees are planted in the right places.

Streets and Movement

**16.1.11** Development should integrate well with surrounding streets and open spaces and provide a clear and legible hierarchy of streets, routes and spaces that are permeable and that prioritise safe, easy and direct pedestrian, cycle and public transport movement. Layouts that are isolated or disconnected and difficult to navigate will not be supported.

Long-term Adaptability

**16.1.12** Development should function well and add to the overall quality of the area not just for the short term but over the lifetime of the development. Buildings should be designed to be adaptable to future needs and changes in use, supporting long-term sustainability of Swale’s built environment.

## Policy GD1

**Local Design Principles**

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

1. Reinforcing and enhancing Swale's of local character and distinctive qualities, including coastal and creek, estuarine and downland environments (including the Kent Downs), open spaces, biodiversity assets, historic and tree coverage, taking opportunities to create distinctive, high-quality and attractive places while improving less successful areas, addressing movement barriers and responding to other local challenges;

2. Be of an appropriate density that combines efficient use of land with high quality design, respecting character and context. Higher density development will be encouraged in sustainable and accessible locations, such as around transport hubs or town centres particularly Faversham, Sittingbourne and Sheerness. Lower density development may be appropriate in smaller villages and rural areas;

3. Provide an appropriate mix of uses that supports the function and vitality of the area, with commercial and public facilities well integrated within the site and wider locality._Development should contribute to attractive, welcoming and distinctive places to live, work and visit.

4. Integrate well with surrounding streets and open spaces, providing a clear and legible hierarchy of streets, routes and spaces that are permeable and prioritise safe, direct pedestrian, cycle and public transport movement, while ensuring the safe, convenient movement of all users.

5. Provide high quality open spaces, public realm and landscaping that respect existing landscape, topography and Integrate new green and blue infrastructure that links to existing and new natural

features and open spaces to create a multifunctional network, supporting quality of place, biodiversity net gain, water management, flood resilience and climate change mitigation and adaption. New streets should be tree-lined where appropriate, opportunities to incorporate trees and soft landscaping elsewhere should be taken, and existing trees should be retained wherever possible.

6. The design of public and private spaces and buildings should be inclusive, safe, and accessible for all users. Development should promote health and well-being and reduce opportunities for crime;

7. Provide a high standard of housing across all tenures. Affordable housing should be equivalent in design, external appearance, materials, and layout to market housing, ensuring mixed and inclusive communities. Housing should also incorporate sustainable design and construction principles, including energy efficiency, low-carbon measures, and other features that enhance environmental performance and the quality of place. All housing should meet the minimum internal floor area, storage, and bedroom size requirements set out in the Nationally Described Space Standards (NDSS), or any equivalent subsequent document;

8. Development should be of an appropriate use, layout, building type, scale, height, mass, form and appearance for the site, context and neighbourhood. Buildings and spaces should be welcoming, attractive and integrate socially, environmentally and physically into their areas. Materials should be durable and appropriate to the intended function of the development, complementing and enhancing local context and character. In Swale, the use of locally characteristic materials, including brick, weatherboarding and flint is encouraged where appropriate. Outstanding or innovative design which helps raise design standards in the wider area will be supported on suitable sites.

9. Ensure a high standard of amenity for existing and future occupiers and avoid unacceptable harm to nearby occupiers or other sensitive uses. Any adverse impacts should be avoided or, where this is not possible, adequately mitigated; and

10. The NDSS (Nationally Described Space Standards) and addressing future occupiers are two separate but related responsibilities for a developer. Developers must ensure new housing meets the minimum internal floor area, storage, and bedroom size requirements set by the NDSS.

Where significant design implications are identified, having regards to scale, nature or sensitivity of the development and location, proposals will be referred to an independent Design Review Panel in accordance with the Council's Design Review protocol. Development proposals must provide evidence, through their design and access statements, to demonstrate how they have responded positively to the design policies in the Local Plan and associated national, regional and local design guidance, relevant Design Codes, development briefs and Masterplans.

## 16.2 Policy GD2 Alterations & Extensions

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

**16.2.2** Proposal should be read alongside all other policies in the Plan and any relevant and associated national, regional or local design guidance, including relevant Neighbourhood Plans. Applicants should also have regard to the National Design Guide and National Model Design Code, or any subsequent replacement, as the national framework for design quality.

### Policy GD2

**Alterations and Extensions**

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

1. Are of a design and quality which responds positively to the context, style and character of the building being altered and/or extended;

2. Are appropriately scaled in relation to the building and its surroundings;

3. Maintain or enhance the character of the street scene;

4. Reinforce or enhance local distinctiveness;

5. Preserve architectural, historic, landscape or nature conservation features of interest; and,

6. Protect residential amenity.

## 16.3 Policy GD3 Shop Fronts, Signs & Advertisements

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

**16.3.2** Advertisements and signs are a means of providing information to the public and can play a complementary role in supporting the local economy. Poorly sited, designed and maintained installations, however, can have an adverse impact on public health and safety, amenity and local character. Indeed, poor quality advertisements can have a harmful impact on the visual amenity and character of sensitive locations such as conservation areas or on listed buildings. Therefore, the Council will seek to ensure that adverts and signs are designed to a high-quality standard that secures safe, accessible and attractive environments. In sensitive locations, such as conservation areas or on listed buildings, hand-painted signs and appropriately designed external illumination will be encouraged. The Design of Shopfronts, Signs & Advertisements supplementary planning guidance [91] provides further advice.

### Policy GD3

**Shop fronts, signs and advertisements**

1. Development involving shopfronts will be supported where they are of a design which responds positively to the character and significance of the building and relates well to their context in terms of design, scale, material and colour. Proposals that remove, replace or substantially harm shop fronts of high-quality design or of historic interest will not be supported; and,

2. Development involving signs and/or advertisements will be supported where they are designed to a high-quality standard, appropriately sited, and adequately maintained throughout their operation to ensure:

a. there is no adverse impact on local character, amenity, appearance or visual amenity on the site or surrounding area;
b. heritage assets and their setting and amenity are preserved or enhanced;
c. there is no harm to public amenity, including by way of excessive illumination and visual intrusion of light pollution into adjoining or neighbouring properties, landscape and public spaces; and,
d. there is no adverse impact on public or highway safety.

91 https://services.swale.gov.uk/assets/Planning-Forms-and-Leaflets/The-Design-Of-Shopfronts-Signs-Advertisements-feb-2011.pdf

# 17 Development Management Policies - Housing

## 17.1 Policy H1 Affordable Housing

**17.1.1** The National Planning Policy Framework [92](NPPF) sets out that local planning authorities should use their evidence base to ensure local plans provide for the assessed needs for affordable housing and to set policies to achieve this need. To fully understand this need, the NPPF requires local authorities to prepare a Strategic Housing Market Assessment (SHMA) to fully assess what the housing needs are for the local area. The NPPF defines 'affordable housing' as a range of products including social rent, affordable rent, discounted market sales housing and other routes to home ownerships for example shared ownership.

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

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

**17.1.3** An Affordable Housing Emergency for Swale was declared at Full Council on 3rd April 2024 website [93]. The motion to declare the emergency set out that despite housing growth in the area, the delivery of affordable rented properties was falling far short of demand, and that the introduction of First Homes as part of the S106 affordable housing contribution has been catastrophic, and severely reduced the number of affordable/social rented and shared ownership homes available to registered providers of social housing. Whilst the First Homes requirement has been removed by the Government from the NPPF, securing affordable homes as part of the planning process remains challenging on viability matters.

**17.1.4** The Housing market Assessment update 2026(HMA) [94] states that there is a need for 28.4% of all new housing to be affordable and that a target of 30% for the Local Plan would be plausible. The HMA recognises that when setting the target, the full range of evidence, including the Whole Plan Viability Assessment May 2026 update note (WPVA update 2026) and the Whole Plan Viability Assessment(WPVA 2023), [95] needs to be considered.

**17.1.5** The WPVA update 2026 concludes that findings of the WPVA 2023 can be achieved and that affordable housing provision is viable at 30% on greenfield sites across the borough. The WPVA update 2026 reiterates that the viability of brownfield sites is challenging, and to enable affordable housing delivery on those types of site the recommendation from the WPVA 2023 of a 10% level of affordable housing provision across the borough remains appropriate. Where the site is a mix of greenfield and brownfield, the predominate land type should determine the affordable housing provision.

**17.1.6** Policy H1 aims, as far as possible, to meet the recommendations of the HMA update 2026. The viability evidence shows that the levels of affordable housing sought in this policy can realistically be achieved and development proposals at the appropriate threshold will be expected to deliver these levels.

**17.1.7** Based on the affordable housing evidence in the HMA update 2026 that includes recent changes in the NPPF 2024, the Council will seek an indicative target of 30% Affordable Home Ownership (as Shared

92 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
93 https://ws.swale.gov.uk/meetings/mgAi.aspx?ID=18125
94 https://swale.gov.uk/__data/assets/pdf_file/0010/532206/Housing-Market-Assessment-update-2026-final.pdf
95 https://swale.gov.uk/__data/assets/pdf_file/0005/510494/2024_Whole_Plan_Viability_Assessment.pdf

Ownership), 30% Social Rent, and 40% Affordable Rent. The Council does recognise that the evidence may change over the plan period and that the latest robust evidence of need should be considered in any planning application.

**17.1.8** The Council's preference is for affordable housing to be provided on site. In the very rare and exceptional circumstances where this is not possible, the Council may consider affordable housing provision to be provided off-site. In such cases, it may be possible to pay a commuted sum (or payment in lieu). This option might be appropriate where provision on alternative sites could be of higher quantum in order to attract the interest of a registered housing provider, or where improvements to the quality of the existing housing stock are considered more appropriate.

**17.1.9** Supplementary information will be set out in detail once national planning regulations and guidance have been published that replace Supplementary Planning documents. This will include setting out the various approaches for undertaking commuted sums and the methodology for its calculation. This will also cover how the Council will cascade or commute any provision for use by a registered provider, or other provider in the event that a registered provider cannot undertake responsibility for delivering and managing the provision and diversions to another scheme or pool until a registered provider is able to come forward to support an appropriate project.

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

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

**17.1.12** The provision of affordable housing throughout the borough will also help the Council to contribute to its Healthy Homes Pledge[96].

## Policy H1

### Affordable Housing

1. Residential development proposals will be required to make affordable housing provision as follows:

i. on sites of 10 or more dwellings on previously developed land, 10% of the total dwellings will be in the form of affordable housing; and

ii. on sites of 10 or more on greenfield land, 30% of the total dwellings will be in the form of affordable housing.

2. For sites of 10 or more dwellings, provision should be made on site in the first instance with a financial contribution being negotiated to make up the full requirement as appropriate;

3. In particular circumstances, and in accordance with the supplementary information to be prepared by the Council, where proposals fall short of the policy target as a result of viability considerations, an open-book approach will be taken and the onus will be on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution. If on-site affordable housing provision cannot be delivered, affordable housing provision may be commuted to a financial contribution to be used off-site, singly or in combination with other contributions;



96 https://www.tcpa.org.uk/healthy-homes-pledge/

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

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

## 17.2 Policy H2 Small and Medium sites for Housing Development

**17.2.1** The National Planning Policy Framework [97] (NPPF) sets out that small and medium sized sites can make an important contribution towards meeting the housing need for an area and are essential for maintaining Small and Medium Enterprise (SME) house builders. Swale has a strong record of delivering small sites with an active and successful SME community bringing forward a range of developments across the borough. These types of developer play a significant role in housing delivery and are of national importance to the government's commitment to delivering the homes needed across the country.

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

**17.2.3** The NPPF (para 68) requires the Council to ensure that a minimum of 10% of its housing requirement is met on sites no larger than one hectare. Whilst the Council will seek this through allocating sites of this size and through keeping an up-to-date Brownfield Land Register, there is also scope for further opportunities through support for windfall sites that can deliver sustainable development. [98] Development proposals will need to take into account the latest Kent County Council Developer Contributions guide.

**17.2.4** The Council seeks to support both SMEs and communities by providing parameters that would make small scale development acceptable on unallocated windfall sites in sustainable locations. To achieve this, the Council will:

1. Support local communities with the preparation of Neighbourhood Plans to identify a range of sites that can accommodate between 1 and 60 dwellings;
2. Maintain and publish annually an up-to-date Brownfield Land Register;
3. Take a flexible approach to delivery of affordable housing on a site-by-site basis to negotiate the most appropriate delivery to support viability and timely delivery of sites. This could include payment in lieu of on-site provision where it can be justified by the specific circumstances;
4. Provide opportunities for custom build, self-build and community-led housing projects on suitable sites, including as part of strategic sites where measures are in place to secure that the design, construction and occupation accords with the relevant definitions;

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

98 Windfall sites are sites that come forward for development and have not identified for allocation in the development plan.

5. Utilise Local Development Orders (LDOs) and Neighbourhood Development Orders (NDOs) to bring forward suitable sites; and
6. Prepare an SME Protocol process to allow for positive and productive discussions at the pre-application stage, with a clear expectation of material to be submitted, timescales, and ensuring sufficient resources are included.

### Policy H2

**Small and medium sites for housing development**

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

1. It can be demonstrated that the proposals will deliver sustainable development, following the Swale settlement hierarchy;

2. The site is being brought forward by an organisation or company that identifies itself as a SME developer or for self-build or for a community land trust initiative;

3. The site is not part of a larger site unless through specific proposals to sub-divide a larger site to speed up the delivery of homes and includes SME builders as part of that delivery mechanism;

4. The proposals are of an appropriate scale, is designed in a way that preserves residential amenity, designated heritage assets, environmental assets, and is landscape-led where appropriate, and;

5. Proposals include measures to achieve a biodiversity net gain of a minimum of 20% (insert link to policy B1);

6. All dwellings meet National Design Standards and deliver a range of carbon reduction design and construction techniques as set out in Policy C1 Sustainable design and adaptation principles and Policy C2 Net zero operational carbon in new build residential development;

7. The proposed development delivers a high quality design approach that is locally distinctive and sympathetic to the character of its location;

8. Affordable housing will be provided on site in accordance with Policy H1 Affordable Housing unless there is clear evidence (supported by a viability report) that an alternative form of recognised affordable housing provision as defined by the NPPF would be more appropriate to secure the viability and delivery of the site; and,

9. Proposals include a scheme of hard and soft landscaping incorporating predominantly native species trees and shrubs and reflecting good practice as set out in adopted Supplementary Planning Document Swale Landscape Character and Biodiversity Appraisal (2011)[99].

## 17.3 Policy H3 Rural Exception and Community-Led Housing Development

**17.3.1** The National Planning Policy Framework [100](NPPF) encourages local planning authorities to be responsive to local circumstances and to plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites, where appropriate. The NPPF describes rural exception sites as being small sites used for affordable housing in perpetuity where sites would not normally be used for housing. It explains that local planning authorities should consider whether allowing some market housing in rural areas could facilitate the provision of significant additional affordable housing to meet local needs. It makes clear that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

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

100 https://assets.publishing.service.gov.uk/media/67aafe6f3b41f783cca46251/NPPF_December_2024.pdf

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

**17.3.3** There may be circumstances where a rural exception site could provide affordable accommodation to meet the needs of a local community or those with a connection to the community. These types of scheme are often community led development where local people take a leading role in addressing housing needs and are seeking to create genuinely affordable homes. The housing need would still have to be evidence based but a flexible approach to meeting that particular housing need would be required.

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

1. An assessment of the benefits of any proposals focusing on the opportunities to deliver for local village/parish housing need. This will include evidence of the support of the local community or Parish Council through a statement of community involvement setting out how the Parish Council, residents, businesses, and other stakeholders participated in informing the assessment. 'Local person' for the purposes of this assessment and the implementation of Policy H3 means a person who meets any of the following criteria:
   a. currently a resident in the Parish;
   b. was previously resident in the Parish;
   c. is permanently employed in the Parish; or
   d. is connected by close family still living in the Parish.
2. A thorough assessment of the potential suitable, available and achievable sites, having regard to ST1 Delivering Sustainable Development in Swale and ST2 Swale Settlement Strategy and other relevant policies;
3. A robust and independently prepared and audited viability assessment, prepared on an 'open book' basis, to demonstrate why market housing is required to make the scheme viable; and
4. An assurance that those homes provided as affordable will remain available (in perpetuity) for local people and that this will be controlled via a legal agreement, a draft of which should accompany a planning application.

## Policy H3

**Rural exception and community-led housing development**

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

1. The site accords with ST1 Delivering Sustainable Development in Swale and ST2 Swale Settlement Strategy that considers development strategy and settlement hierarchy and/or is in a location where access to day-to-day services can be conveniently and easily achieved;

2. The site and proposed development would not have any significant adverse impacts upon the character of the settlement, the surrounding countryside and the amenity of the existing community;

3. A need for the scheme is clearly justified and evidenced by the applicant, to the satisfaction of the Council, by providing the following:

a. an assessment of the benefits of any proposals focusing on the opportunities to deliver for local village/parish housing need and evidence of the support of the local community or Parish Council towards such provision. including
b. a thorough site options appraisal;
c. an assessment of the benefits of the proposals to meet local housing need; and
d. a prepared statement of community involvement that has sought to include the significant input of the parish council.

4. In addition, for schemes including unrestricted market housing/plots for sale, justification will be provided by the applications to the number and type of dwellings proposed, which will be supported by the housing needs assessment and through an appraisal of viability to show the minimum provision of unrestricted market homes necessary to deliver a significantly greater proportion of local affordable homes for that site; and

5. Proposals will be subject to a legal agreement that provides for the permanent control and management of any affordable housing to ensure its long-term retention for local need.

## 17.4 Policy H4 Self-Build and Custom Build

**17.4.1** Self-build and custom housebuilding cover a wide spectrum, from projects where individuals are involved in building or managing the construction of their home from beginning to end, to projects where individuals commission their own home, making key design and layout decisions, but the home is built by others. Under the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)[101] both forms are recognised equally, provided the initial home owner has primary input into the final design and layout. Homes purchased off-plan without this input do not qualify as self-build and custom housebuilding.

**17.4.2** The Act mandates that relevant local authorities must establish and maintain a register of individuals and associations seeking serviced plots for self-build and custom housebuilding. Therefore, the Council identifies and provides for those who wish to build their own homes by keeping a self-build and custom housebuilding register of interested individuals and associations and reports the headline data every year in late Autumn on the Council's website[102]. Authorities must have regard to the register when fulfilling planning, housing, land disposal and regeneration functions present in their local planning processes.

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

**17.4.4** Planning applications for Self-Build and custom housebuilding are expected to include a proforma [103] setting out how the scheme meets the definition of Self build and custom housebuilding definition. The proforma sets out details required for the Council's monitoring and where exemption from Biodiversity Net Gain is being sought.

### Policy H4

**Self-build and custom build**

101 https://www.legislation.gov.uk/ukpga/2015/17/contents/enacted/data.htm
102 https://swale.gov.uk/planning-and-regeneration/self-build/view-the-register-headline-data#h2
103 https://swale.gov.uk/__data/assets/pdf_file/0003/72377/22-7610-BNG-proforma-for-schemes-that-are-self-or-custome-build-FINAL-AA.pdf

1. The Council supports the delivery of self and custom build housing as part of maximising the choice and mix of housing for residents, in order to meet the local demand. Sites of 20 or more homes will provide at least 5% serviced plots for sale to self-builders.
2. In rural areas and settlements, as defined via a Proposals Map, the threshold for providing self-build will be 10 homes and the percentage of provision should be rounded up to the nearest unit. These rural schemes should be considered as part of a rural exception site applications, to encourage choice in rural areas. Specific provision for self and custom build will be made on larger strategic allocations.
3. Plots must be made available and appropriately marketed for 12 months. Marketing should be agreed with the Council before it is commenced. If the plots have not been sold in the 12-month period, these plots will be reverted back to the developer to build.
4. Whilst it is required that plots be designed and laid out by the initial home owner, where plots are part of a larger development including other types of uses and forms of residential, it will be necessary to demonstrate that the self and custom build housing dwellings can sit comfortably within the wider development.

## 17.5 Policy H5 Park Homes

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

**17.5.2** Age UK, a network made up of independent charities providing crucial support for older people, defines park homes as typically prefabricated single-storey homes that are manufactured off-site and installed on land owned privately or by a local authority and that to be classed as a park home, the home must be capable of being moved from one place to another, either on its own wheels or by being towed or transported by another vehicle[104] .

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

**17.5.4** The Caravan Sites and Control of Development Act 1960 [105] sets out the provision for the licensing and control of caravan sites and to authorise local authorities to provide and operate caravan sites. The Act also sets out the requirements of manager of site to be fit and proper person. In the last decade, the industry has modernised and these types of homes are now required to be built to BS3632 standard that ensures properties have high specifications in terms of insulation, ventilation, sustainability, room sizes and design elements (e.g. larger kitchens). The relevant legal requirements, e.g. space standards, protections, etc are contained in the Mobile Homes Act (2013) [106]

**17.5.5** The Council's Housing Market Assessment update 2026(HMA update 2026) [107] identifies the Council's need for older persons accommodation during the plan period and the Housing market Assessment

104 https://www.ageuk.org.uk/siteassets/documents/factsheets/fs71_park_homes_fcs.pdf
105 https://www.legislation.gov.uk/ukpga/Eliz2/8-9/62
106 https://www.legislation.gov.uk/ukpga/2013/16/contents
107 https://swale.gov.uk/__data/assets/pdf_file/0019/532801/Housing-Market-Assessment-update-2026-final.pdf

2020 HMA 2020 [108]sets out that park homes can play an important role in delivering suitable accommodation to meet these needs. Park home sites are typically favoured by older persons looking to downsize from their family homes and as a result, these sites tend to have a lower impact on the highway network due to limited (or low) levels of commuting and a lower likelihood of school age children that need to access education facilities. However, their locations in more rural locations can make them car dependent developments.

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

**17.5.7** For Park Home proposals that are for general accommodation needs for the over 55 year olds as set out in the HMA 2020 at paragraph 6.17, the Council may take a more flexible approach to assessing the sustainability credentials of the location taking into consideration broadband speeds, supermarket delivery services and where the proposals have the potential to support existing shops and services that might otherwise be in decline. Development proposals for Park Homes will need to take into account the latest Kent County Council Developer Contributions guide.

## Policy H5

**Park Homes**

Proposals for Park Homes will be granted planning permission where:

1. The site is in a sustainable location with access to services and facilities;

2. The development must not be in an area incompatible with the risk of flooding, as set out in Table 2: Flood risk vulnerability and flood zone 'incompatibility' [109]of the Planning Practice Guidance. Any residual risk must be mitigated through design solutions to the satisfaction of the Environment Agency and these solutions will not lead to other material planning harm, e.g. unacceptable impacts on the amenity of others on the site;

3. The proposals are in accordance with Policy C6 Coastal Change Management and Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy relating to the coast and the coastal change management area;

4. Development is to meet the needs of older persons as set out in the HMA update 2026 and HMA 2020 and that the park is to be owned and managed by operators who will ensure the park and its operations serve that community;

5. Conversion of existing caravans/holiday homes to park homes will be reviewed on a case-by-case basis, having regard to the sustainability of the location and existing uses and supporting facilities. It will also take account of the cumulative, or one-off effect of the loss of holiday homes, in the context of supporting the tourist economy; and

6. The accommodation that is the subject of the application complies or will comply within 12 months of the granting of planning permission with standards BS3632 and meets the requirements of the Caravan sites and Control of Development Act 1960 (as amended) Caravan Sites and Control of Development Act 1960 (as amended) [110] and the Mobile Homes Act 2013 [111] in terms of both standard and condition of the unit and external layout within the context of surrounding area.

108 https://services.swale.gov.uk/assets/Planning%20Policy%202019/Housing%20Market%20Assessment%20for%20Swale.pdf
109 https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2
110 https://www.legislation.gov.uk/ukpga/Eliz2/8-9/62
111 https://www.legislation.gov.uk/ukpga/2013/14/contents

## 17.6 Policy H6 Gypsy, Traveller & Travelling Showpeople Accommodation

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

**17.6.2** The National Planning Policy Framework [112](NPPF para 61) requires that the housing needs for different groups in the community be assessed and reflected in planning policies. For the Gypsy and Travellers communities, the method for identifying need is set out within Planning Policy for Traveller Sites[113] (PPTS 2024) . The aim of the PPTS is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community. The PPTS requires local planning authorities to identify their own local need for pitches (in the case of Gypsies and Travellers) and plots (in the case of Travelling Showpeople) and their provision of that need as part of their overall housing requirement.

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

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

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

### Policy H6

**Gypsy, Traveller & Travelling Showpeople Accommodation**

Part A: Retention of existing sites

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

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

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

1. Provide a settled base where the site is well related to and within a reasonable distance of local services and facilities such as shops, public transport, schools, medical and social services and does not place undue pressure on those services;

2. Can achieve an integrated co-existence between all communities;

112 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
113 https://www.gov.uk/government/publications/planning-policy-for-traveller-sites
114 https://swale.gov.uk/__data/assets/pdf_file/0004/463027/Swale-GTAA-Final-Report-December-2023-AA.pdf

3. Are of an appropriate size to meet the accommodation need identified, do not introduce a scale of development that singly or cumulatively dominates the nearest settlement, and do not cause significant harm to the character of an area, its landscape, or the capacity of local services;

4. Can, where appropriate, accommodate living and working in the same location, either through a mixed-use site or on land nearby, whilst having regard to the safety and amenity of occupants and neighbouring residents;

5. Cause no significant harm to the health and wellbeing of occupants or neighbouring residents by noise, disturbance, vibration, air quality problems or other circumstances;

6. Cause no significant harm to the North Kent Downs National Landscape, national/local landscape or biodiversity designations and other natural or built environments that cannot be adequately mitigated;

7. Provide landscaping to enhance the environment in a way that increases openness and avoids exclusion and isolation from the rest of the community;

8. Provide for healthy lifestyles through open space, amenity areas for each pitch or plot and play areas;

9. Would be safe from flooding by meeting both the sequential and exceptions tests in accordance with national policy and Policy C8 Flood risk;

10. Achieve convenient pedestrian and/or vehicular access (including parking) without unacceptable impacts on highway safety or the landscape;

11. Where appropriate, include visitor or transit pitches and/or sufficient areas for future expansion. Planning conditions may be used to limit the length of time that caravans can stop at transit sites and on visitor pitches; and

12. Are inclusive of the requirements of all Gypsy and Travellers including those who have ceased to travel and all other persons with a cultural tradition of nomadism or of living in a caravan.

## 17.7 Policy H7 Dwellings for Rural Workers

**17.7.1** The National Planning Policy Framework[115] (NPPF) makes it clear that isolated homes in the countryside should be avoided except in certain circumstances. One of these being the existence of an essential need for a rural worker to live at, or near, their place of work in the countryside (NPPF para 84a). The aim of Policy H7 is to expand on this and set out the parameters in which such a scenario may be acceptable. Whether a new dwelling is essential will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved.

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

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

**17.7.4** There will also be a financial test in which proposals should provide evidence of the degree to which there is confidence that the enterprise will remain viable for the foreseeable future or that the provision



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

of an additional dwelling on site is essential for the continued vitality of a farming business through the farm succession process. Any new dwelling permitted will need to be of an appropriate siting, scale, appearance and design taking into account amenity and its countryside location.

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

**17.7.6** In the absence of further national guidance on this issue, the Council will continue to have regard to Annex A to the former Planning Policy Statement 7 [116] in the determination of planning applications.

### Policy H7

**Dwellings for rural workers**

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

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

2. It is not possible to convert or upgrade an existing building at the site;

3. There is confidence that the enterprise will remain viable for the foreseeable future and that the provision of a dwelling or an additional dwelling on site is essential for the continued vitality of a farming business through the farm succession process;

4. The business is able to demonstrate that it can support the cost of the workers dwelling; and

5. There is an evidenced, essential and functional need for a rural worker to be available on or near the enterprise at most times of the day.

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

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

## 17.8 Policy H8 Extensions to & the replacement of Dwellings in the Countryside

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

116 https://webarchive.nationalarchives.gov.uk/ukgwa/20120920042515/http://www.communities.gov.uk/documents/planningandbuilding/pdf/147402.pdf

**17.8.2** The Supplementary Planning Guidance entitled Designing an Extension: A Guide for Householders [117] remains a material consideration in the determination proposals. Planning permission will be granted for modest extensions (taking into account the cumulative impact of previous additions) which are of an appropriate scale, mass and appearance in relation to the original dwelling, its countryside location and any existing surrounding development.

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

### Policy H8

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

1. Extensions to dwellings in the countryside will be permitted, considering any previous additions, where they are of an appropriate scale, mass and appearance in relation to the original dwelling and location.

2. Replacement dwellings in the countryside will be permitted if the proposed new dwelling is of an appropriate scale, mass and appearance in the context of its location, neighbouring properties and the original building.

## 17.9 Policy H9 Extending the garden of a Dwelling in the Countryside

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

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

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

- **Policy B1 Biodiversity and geodiversity conservation and biodiversity net gain;**
- **Policy B2 Conserving & enhancing valued landscapes;**
- **Policy B3 Kent Downs National Landscape Management Plan;**
- **Policy B4 The separation of settlements – Important Local Countryside Gaps;**
- **Policy B5 Woodland, orchards, trees and hedgerows** ; and,
- Swale Landscape Character and Biodiversity Appraisal Supplementary Planning Document (SPD) which can be accessed in two parts - Part 1 [118]and Part 2 [119].

117 https://services.swale.gov.uk/assets/Planning-Forms-and-Leaflets/Designing-an-Extension-feb-2011.pdf
118 https://services.swale.gov.uk/assets/Planning%20Policy%202019/swale_lca_reva_nov_2011_Web_Part_1.pdf
119 https://services.swale.gov.uk/assets/Planning%20Policy%202019/swale_lca_reva_nov_2011_Web_Part_2.pdf

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

### Policy H9

**Extending the garden of a dwelling in the countryside**

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

1. It can be demonstrated that the proposal will not result in significant harm to landscape character, the form of a settlement, biodiversity or inhibit the appropriate management of land; and

2. A scheme of landscaping and/or land management is provided and implemented that will, as required, conserve, enhance or restore the biodiversity and character of the land concerned.

## 17.10 Policy H10 Houses in Multiple Occupation

**17.10.1** House in Multiple Occupation (HMOs), as defined by the Town and Country Planning (Use Classes) Order 1987, provide an important component of the Borough's housing supply. They can meet the needs of a range of households, including single persons, people unable to access market housing, and other groups requiring flexible rented accommodation. The council's evidence indicates that the amount of HMOs has increased with the Council HMO SPD adopted in June 2026, identifying a 68% increase in HMOs between 2021 and 2026.

**17.10.2** HMOs can have different impacts from single household dwellings. The HMO SPD identifies potential impacts through increased parking demand, refuse generation, pressure on infrastructure and public services, changes to housing balance and residential character, reduction in the supply of family homes, and poor living conditions for occupiers.

**17.10.3** The Councils planning committee on 18th June 2026 resolved to make a borough wide - Immediate Article 4 that is expected to be "made" in July (date to be added in once confirmed) subject to any call in from the Secretary of State whom may cancel or amend the article. Once made the Article 4 will remove permitted development rights for changes of use from dwellinghouses to small HMOs. This would then require planning permission for such changes and allow proposals to be assessed against this policy, the HMO SPD and other relevant development plan policies.

**17.10.4** The policy applies to development requiring planning permission for the creation, extension, intensification or alteration of HMOs, including small HMOs within Use Class C4 where planning permission is required and larger sui generis HMOs. It should be read alongside the council's HMO SPD, relevant neighbourhood plan policies, and the National Planning Policy Framework.

### Policy H10

**Houses in Multiple Occupation**

Proposals for the creation, conversion, extension, intensification or alteration of HMOs will be supported where they provide good quality accommodation, maintain an appropriate housing mix, safeguard local character, and avoid unacceptable impacts on residential amenity, highway safety and parking conditions.

Proposals will be permitted where:

1. The proposal would not result in an over-concentration of HMOs or undermine the housing mix and character of the area, having regard to:

(a) No more than 10% HMO concentration within 100 metres of the application property, measured from the front door, unless the site is in a commercial or mixed-use area with fewer than 10 residential properties, where a 30% threshold applies;

(b) No non-HMO dwelling should be sandwiched between HMOs, including horizontally or vertically within buildings containing flats.

2. The proposal would provide safe and suitable access and would not result in parking stress or severe highway impacts, having regard to any parking standards for HMOs that have been adopted by the Council.

3. The proposal would provide adequate, discreet and accessible storage for refuse and recycling, together with appropriate management arrangements where required. These provisions should accord with any supplementary guidance adopted by the Council;

4. Applications for HMOs must demonstrate that room sizes comply with the most generous applicable standard, including the National Standards, any replacement standards, or any local standards adopted by the Council's Private Sector Housing team.

# 18 Development Management Policies - Economic Development

## 18.1 Policy E1 Loss of Employment Floorspace & Land

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

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

**18.1.3** This policy aims to manage the stock of Swale's employment property and provide development management guidance; including setting out what is expected of applications where they promote a loss of employment floor space or undeveloped land within both allocated and non-allocated sites. The Council will seek to retain undeveloped, allocated employment land, from the adopted Local Plan 2017 [120], for future employment use.

**18.1.4** The National Planning Policy Framework [121] (NPPF) sets out that "significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."

**18.1.5** At the end of March 2021, the Housing Secretary announced changes to permitted development rules[122] in England. These changes, effective from 1st August 2021, allow the conversion of certain commercial properties to residential use without requiring full planning permission, subject to prior approval and specific conditions.

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

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

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

Marketing evidence should:

i. Demonstrate that both the land and the premises have been widely advertised and marketed for a wide range of economic uses for at least one continuous year immediately prior to submission of a relevant planning application;

ii. Include offering the site for both freehold and leasehold interest at values reflective of the current market. Information should be provided to demonstrate that the values sought are reflective of the market; including benchmarking with similar properties (or land) in the market area;

120 https://swale.gov.uk/planning-and-regeneration/local-plans/adopted-local-plan-for-swale
121 https://assets.publishing.service.gov.uk/media/67eafe2f3041f783cca46251/NPPF_December_2024.pdf
122 https://www.planningportal.co.uk/permission/common-projects/change-of-use/planning-permission

iii. Include information detailing any interest received from potential buyers or tenants since the marketing commenced. Where interest has been received, and that interest has not been pursued, this must be explained;

iv. Where sites are undeveloped, or property needs to be redeveloped, then viability testing of indicative schemes should be provided; and

v. Include relevant information on the quality and vacancy level of the premises, and why the location is considered inappropriate for economic uses.

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

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

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

**Mixed-use redevelopment and renewal**

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

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

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

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

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

## Policy E1

**Loss of employment floorspace & land**

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

## 18.2 Policy E2 The Rural Economy

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

**18.2.2** The National Planning Policy Framework [123] (NPPF) supports economic growth in rural areas to create jobs and prosperity by taking a positive approach to sustainable new development. Local planning authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas, promote the development and diversification of agricultural and other land-based rural



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

businesses, support sustainable rural tourism and leisure developments which respect the character of the countryside and promote the retention and development of accessible local services and community facilities. (NPPF, paragraph 88.)

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

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

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

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

**18.2.7** The success of rural businesses relies increasingly heavily on the availability and reliability of superfast broadband provision. The Council expects new developments, especially in the rural area, to provide broadband infrastructure that meets the Broadband Regulations [124] in England, which became effective from December 26, 2022, which require developers to install gigabit-ready infrastructure and gigabit-capable broadband connections in new homes.

**Rural Tourism**

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

**18.2.9** Indicators of such business credentials are likely to be:

- how it will manage and market itself and how it will make its purchasing choices;
- whether it communicates ideas via an environmental policy;
- its choice and use of resources and how energy, water and waste is managed;
- its relationship with local communities and its support of and contribution to the local economy;
- the transport opportunities and choices available and access to, from and between tourism sites;



124 https://www.gov.uk/guidance/new-build-connectivity-information-for-developers

- a spread of knowledge, management and awareness of the local environment and wider area, access, landscape and wildlife;
- how it will identify, address, promote and support the local distinctiveness of the area; and
- will it be developed at a scale appropriate to the local community and environment.

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

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

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

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

**Agricultural Sector**

**18.2.13** For the agriculture sector, the industry has highlighted the need for it to keep pace with the changing context brought about by climate change, food security, food miles, the decline in pollinators, global markets, major food retailers and changing legislation/guidance and Brexit. These may bring about demands for facilities such as large-scale crop storage facilities and new growing technologies. This Policy supports farmers to respond to these challenges. The Kent Downs Rural Advice Service Farm Diversification Toolkit [125] can help farmers take a balanced and integrated approach to making changes on their farm. The borough also has a significant woodland resource which brings with it opportunities in terms of development and diversification in respect of woodland products and renewable energy, sustainable woodland management and/or as a resource for sustainable leisure and green tourism activities.

**18.2.14** Key parts of rural economies, the vitality and viability of rural communities are their local services and community facilities, including local shops, meeting places, sports venues, cultural buildings, schools, public houses and places of worship. This Policy promotes and supports proposals for new services or the innovative diversification or expansion of existing provision. The Council will look to the retention and development of such services and facilities where they are, or can be made viable. Where development proposals threaten the continued future of such uses, the Council will look to applicants to submit substantial technical evidence to demonstrate the options that they have considered to retain the use, such as through sharing of services or diversification, which will also include details of its viability.

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

**18.2.16** Agricultural practices are changing and evolving but to achieve support from this Policy, this change must be sustainable, with proper regard to environmental considerations which will depend on the



125 https://kentdowns.org.uk/wp-content/uploads/2018/04/Farm-Diversification-Toolkit.pdf

type of development proposed. A specific aim to limit the impact of changes is a preference for new development proposals to use existing buildings, or where a new building is justified, on previously developed land as a first consideration.

**18.2.17** The Council will have to be satisfied that such options have been fully explored before well designed new buildings, appropriate to their context can be approved. For proposals to convert existing buildings, the Council's Supplementary Planning Guidance entitled The Conversion of Traditional Farm Buildings [126](or its successor) will remain a material consideration to the determination of some proposals.

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

## Policy E2

**The Rural Economy**

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

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

Development proposals for rural based employment will:

1. For all proposals:

a. firstly consider the appropriate re-use of existing buildings or the development of other previously developed land, unless such sites are not available or it is demonstrated that a particular location is necessary to support the needs of rural communities or the active and sustainable management of the countryside;
b. retain or enhance the rural services available to local communities and visitors without undermining or resulting in the loss of existing services, unless demonstrated to be unviable for the existing use or other employment/community use;
c. for new buildings and ancillary facilities, the design and layout will need to be sympathetic to the rural location and appropriate to their context;
d. result in no significant harm to the historical, architectural, biodiversity, landscape or rural character of the area;
e. avoid scales of traffic generation incompatible with the rural character of the area, having regard to Policy INF1 Managing transport demand & impact and Policy B8 Rural Lanes; and
f. provide capable broadband to the premises including gigabit-ready infrastructure and gigabit-capable broadband connections in new homes and to new business premises.

2. For tourism and leisure:

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

126 https://swale.gov.uk/your-council/publications/planning-and-planning-policy/the-conservation-of-traditional-farm-buildings

3. For the agricultural/forestry sectors:

a. enable the diversification of a farm; or
b. extend the growing season or improve the reliability and availability of local crops; or
c. provide for the storage, distribution or added value activities in central hubs located close to crop sources and the primary and secondary road networks; or
d. increase the availability of locally grown food sold direct to the consumer; or
e. increase the sustainable management of woodlands;
f. support the sustainable growth and expansion of agricultural and forestry sectors to enable regenerative agroecological practices (including agroforestry) where appropriate; or
g. increase the use of renewable energy sources in accordance with Policy C5 Renewable energy development and infrastructure.

## 18.3 Policy E3 Proposals for Main Town Centre Uses

**18.3.1** The National Planning Policy Framework [127](NPPF) requires planning policies to define a network and hierarchy of town centres and to take a positive approach to their growth, management and adaptation allowing for flexible, mixed use, characterful places and to recognise the important role that they play at the heart of the local communities they serve. Swale is fortunate to have three vibrant town centres that provide a range of services and facilities and other urban local centres and rural local service centres to meet the day-to-day needs of local communities.

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

**18.3.3** The focus for retail development is at the town centres. The Swale Retail & Leisure Needs Assessment (update) 2023[128] sets out that in particular Sittingbourne and Sheerness, that have identified additional capacity for convenience goods floorspace. Sittingbourne has seen significant investment in recent years as part of the delivery of regeneration activities including a new multi-storey car park and cinema complex with restaurants and public realm improvements. The Council sought to support further regeneration within Sittingbourne through the Sittingbourne Town Centre Supplementary Planning Document 2022 [129] that forms part of the Council's development and will shape and guide regeneration and heritage in the town centre over the next 10 to 15 years. In terms of comparison goods capacity, the updated needs assessment identifies reduced capacity in all three of the borough's centres. This is primarily due to changing consumer behaviour coupled with the impact of the Covid-19 pandemic and rising inflation.

**18.3.4** Arts and culture assets and clusters within town centres can help boost local economies by attracting visitors, creating jobs, boosting businesses, revitalising places, and developing talent. Cultural anchors such as libraries, theatres or museums can play a key role in hosting events, attracting additional footfall, underpinning regeneration and boosting the evening economy. By creating vibrant events and experiences in town centre locations, it can boost wellbeing, improve mental health and tackle isolation. The Council will support these uses where they meet the tests of the Policy.

127 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
128 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/economy-and-employment#h2
129 https://swale.gov.uk/your-council/publications/planning-and-planning-policy/adopted-sittingbourne-town-centre-supplementary-planning-document-spd

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

**18.3.6** Proposals for retail use that cannot be accommodated within the town centre will require the submission of an impact assessment that will set out the impacts the proposals are likely to have on the vitality and viability of the town centre in the catchment area of the proposal. The impact assessment is required to demonstrate how negative impacts on a town centre can be mitigated for. A local threshold of 500 sq.m for assessing retail proposals on the edge of town centres or out of centre has been set as recommended by the Retail and Leisure Needs Assessment 2018 [130]

**Primary Shopping Areas and active shop frontages**

**18.3.7** The NPPF sets out that planning policies are required to identify the 'Primary Shopping Areas' for town centres where retail development is concentrated and make clear the range of uses that are permitted. The Primary Shopping Area will be illustrated on the Policies Map.

**18.3.8** The borough's town centres are facing considerable challenges at present, and it is the Council's approach to be flexible and adaptable in the range of uses that are provided in these shopping areas and where it supports local economies. Particularly encouraging the unexpected opportunities that may occur on the fringes of the primary shopping areas. Allowing for a wide range of uses can potentially have a key role in maintaining a diverse and commercially prosperous centre without undermining their primary retail function. This flexible approach will help enhance the vitality and viability of the borough's town centres and maximise their contribution to the local economy.

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

## Policy E3

**Proposals for Main Town Centre Uses**

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

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

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

**Table 18.3.1**

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

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

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

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

a. it is demonstrated by an impact assessment (when the proposal is for retail and leisure above 500 sq. m) that it would not individually, or cumulatively with those trading or proposed, undermine the vitality and viability of existing town centres, or of other local centres and the facilities and services of other locations;
b. it does not materially prejudice the provision of other land uses, particularly the supply of land for economic land uses, housing, community use and open space; and
c. it is well located in relation to the main road network and easily accessible by public.

5. Elsewhere, proposals will be permitted where they address the tests set out in national policy and accord with criteria 4a to 4c.

Primary Shopping Areas and active frontages

6. The Council will support the concentration of retail uses in the Primary Shopping Area as identified on the Policies Map. Shop frontages within the Primary Shopping Area and secondary shopping frontages as identified on the Policies Map (to be illustrated in later stages of the Local Plan) must be well designed in line with Policy GD3 on shop fronts, signs & advertisements. They will be active frontages in that they will be outward looking onto their street and enhance the vitality and natural surveillance of the street.

7. Proposals for development within the Primary Shopping Areas will be permitted where they can demonstrate that the proposed use and design will enhance the vitality and viability of the town centre.

8. Given the likelihood of more residential development in our town centres, developers should be mindful of the 'Agent of change principle' set out in the NPPF, and be prepared to undertake any necessary mitigation in order to attain a suitable living environment.

## 18.4 Policy E4 New Holiday Parks or extensions to existing parks & the occupancy of Holiday Parks

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

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

**18.4.3** Given the scale of existing holiday park provision on the Isle of Sheppey and its contribution to the current poor condition and appearance of local landscapes, the Local Plan Review does not seek to allocate any new sites. The expansion of existing sites outside defined holiday areas will also not be

permitted due to the landscape and visual impacts likely to arise. Exceptionally, extensions to existing sites will be permitted in specific local circumstances, such as where land on a site is being physically lost due to coastal processes and where its replacement can be assimilated successfully into the landscape.

**The occupancy of holiday parks**

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

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

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

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

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

## Policy E4

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

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

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

Planning permission will not be granted for any new static holiday caravans and chalets, or extensions, outside of the Holiday Park areas on the Isle of Sheppey as shown on the Policies Map.

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

a. the proposal is in accordance with Policy C6 Coastal Change Management and Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy where it applies relating to the coast and the coastal change management area;
b. it is demonstrated that on-site upgrading and improvement is not practical or viable;
c. there is no overall increase in the existing number of accommodation units;
d. it is part of a scheme to upgrade and improve the quality of tourist accommodation and other amenities on the site;
e. it results in a significant and comprehensive improvement to the layout, design and appearance of the site, together with an integrated landscape strategy that creates a landscape framework

for both the existing and proposed sites that will reduce their overall impact within the landscape in accordance with Policy B2 Conserving & enhancing valued landscapes;

f. in accordance with policy criteria set out below on the occupancy of holiday parks; and

g. there is no unacceptable impact on the local environment in accordance with 21.1 Policy B1 Biodiversity & Geodiversity Conservation & BNG.

3. Where new or improved facilities are proposed within the existing boundaries of the Holiday Park areas, as shown on the Proposals Map, planning permission will be granted provided they are:

a. of a type and scale appropriate to the site or park they are intended to serve;

b. where feasible, made available for use by the local resident population;

c. in accordance with policy set out below on occupancy of holiday parks; and

d. there is no unacceptable impact on the local environment in accordance with 21.1 Policy B1 Biodiversity & Geodiversity Conservation & BNG.

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

a. the site is not at risk of flooding, unless, exceptionally, applications accompanied by a Flood Risk Assessment (FRA) can satisfactorily demonstrate that the proposals would not result in a greater risk to life or property and where an appropriate flood evacuation plan would be put in place;

b. the amenity and tranquillity of the countryside and residential areas are safeguarded;

c. the proposals are in accordance with Policy C6 Coastal Change Management and Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy where it applies relating to the coast and the coastal change management area;

d. where located within 6km of, adjacent to, or in close proximity of the North Kent Special Protection Areas (SPAs), an assessment has been undertaken to determine the level of disturbance to over-wintering birds and identified mitigation measures, including securing financial contribution to the Strategic Access Management and Monitoring Strategy (SAMMS), where appropriate; and

e. the extension of a 10 month occupancy is subject to planning conditions safeguarding the holiday accommodation from being used as a sole or main residences.

# 19 Development Management Policies - Infrastructure

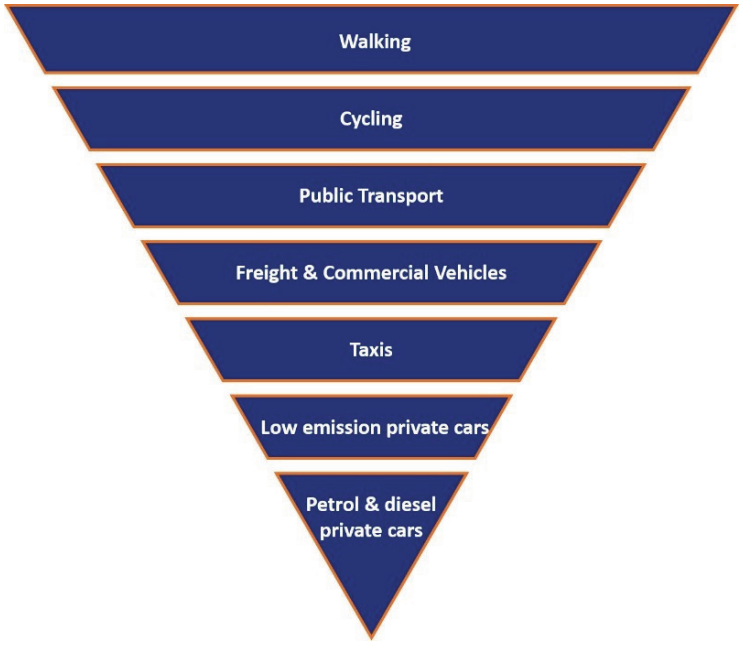
## 19.1 Policy INF1 Managing Transport Demand & Impact

**19.1.1** The need to prioritise sustainable transport and active travel above private use is becoming increasingly urgent. On 26th June 2019, the Council declared a Swale Climate and Ecological Emergency. Some of the intentions set out by the Council in the document include an approach to spatial and transport planning that makes fewer journeys necessary, as well as improving public transport and encouraging active travel. The Council's Climate and Ecological Emergency Action Plan 2025 [131] includes Air Quality and Sustainable Transport as one of the seven focus areas. Development in the borough now needs to contribute towards providing an efficient and sustainable transport system and promote modal shifts toward public transport and active travel.

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

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

**19.1.4** This policy aims to ensure that development proposals maximise opportunities for access and sustainable transport, responds to the emerging technological advances and is designed to support transport modes in line with the Picture 19.1.1 Transport Hierarchy below:




**Picture 19.1.1 Transport Hierarchy**

**19.1.5** This policy also aims to ensure that developers submit an appropriate level of assessment to enable the Council to assess the transport conditions before and after a development. Development proposals should take all the appropriate steps to safely and efficiently integrate a development to the transport network within its capacity, and/or to secure measures to enable access and capacity before a development comes into use.

**19.1.6** This policy supports the core objectives of the National Planning Policy Framework (NPPF) [132] for promoting sustainable transport by managing patterns of development at a site-specific level. The NPPF

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

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

states that transport issues should be considered from the earliest stages of plan-making and development proposals, and significant development should be focused in areas that are, or can be made to be, sustainable through limiting the need to travel and offering a genuine choice of transport modes.

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

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

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

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

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

**19.1.11 Transport Assessment:**

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

**19.1.12 Transport Statements:**

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

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

**19.1.14** Developers should demonstrate that a proposal will meet the needs of users in accordance with the transport hierarchy in Picture 19.1.1 Transport Hierarchy, and that the transport network (both highway and public transport) has sufficient capacity to accommodate additional movements from the development.

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

**19.1.16** Following application of the above processes, NPPF (paragraph 116) states that development should only be prevented or refused on highways grounds if the residual cumulative impacts of development are 'severe'. Whilst 'severe' is not defined by the NPPF, DfT Circular 01/2022 [133] seeks alignment that



133 https://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development

leads to safe operation and long-term integrity of the strategic road network. The policies and allocations that result from plan-making must also not compromise the SRN's prime function of enabling the long-distance movement of people and goods.

**19.1.17** DfT Circular 01/2022 [134] Introduces a shift from the Predict and Provide process of transport planning for infrastructure to a vision and validate model. The Transport Decarbonisation Plan (2021)Transport decarbonisation plan [135] emphasise the need to move to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes. The vision led approach include 'vision and validate,' 'decide and provide' or 'monitor and manage' and National highways is committed to supporting local authorities in achieving the aim. The Council's approach to achieving this is further set out in the Infrastructure delivery plan and 6.11 Policy ST10 Promoting Sustainable Transport and Active Travel.

**19.1.18** New development should be located to minimise the need to travel for employment and services, and to facilitate sustainable transport in accordance with 6.11 Policy ST10 Promoting Sustainable Transport and Active Travel.

**19.1.19** Development proposals will be expected to assist with the delivery of the Faversham LCWIP [136] 2024 (update [137]drafted, becomes definitive version once approved), the Kent Cycling and Walking Infrastructure Plan (KCWIP, August 2024 [138]) and Swale LCWIP [139] which underwent public consultation in Autumn 2025 and was adopted in March 2026. The plans have been designed to enable a long-term approach to developing local cycling, walking and wheeling networks over a 10-year period.

**19.1.20** Development should be designed with active travel, especially walking and cycling at the forefront and should be located within walkable distances to services and amenities. Development sites that lack existing local services and amenities should incorporate proposals for such where the scale of development warrants it. Mixed-use development or sites that have access to employment or community facilities without the need for vehicular trips will be favoured to support this policy and 6.11 Policy ST10 Promoting Sustainable Transport and Active Travel as well as principles of minimising the need to travel.

**19.1.21** Integration of walking and cycling not only requires consideration within the site layout, but also requires comprehensive and cohesive links to the surrounding network, services and facilities. Development layouts should be designed to be fully permeable to pedestrians and cyclists, and measures to reduce traffic speed in residential areas should be integral to the design and layout. Existing public rights of way through a development site should in the first instance be enhanced to improve connectivity to the wider network and recreational value, or be retained on their established routes within green, overlooked corridors. Local Transport Note 1/20[140] must be used as the standard for new cycle route design. Any proposed changes to routes must be demonstrated to the satisfaction of the Council and Kent County Council Public Rights of Way Access that change to the network would enhance its recreational value.

134 https://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development
135 https://www.gov.uk/government/publications/transport-decarbonisation-plan
136 https://favershamtowncouncil.gov.uk/active-travel/
137 https://favershamtowncouncil.gov.uk/wp-content/uploads/2025/09/Faversham-LCWIP-Aug-25.pdf
138 https://letstalk.kent.gov.uk/kent-cycling-and-walking-infrastructure-plan
139 https://services.swale.gov.uk/assets/Active%20Travel/Swale%20LCWIP%20Executive%20Summary%20Report%20Optimised%20Final%20%5BFor%20Issue%5D.pdf
140 https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120

**19.1.22** Developments should take full advantage of public transport services in their vicinity. Sites that have high public transport accessibility, or the ability to provide it, will be strongly favoured. Site layouts should be designed to promote access to public transport, increase the attractiveness of these modes, and capitalise on opportunities to strengthen transport interchanges. In line with a strategic policy 6.11 Policy ST10 Promoting Sustainable Transport and Active Travel, developers will be required to integrate improved public transport facilities where appropriate, such as access to bus stops, shelters, passenger seating, waiting areas, signage and timetable information.

**19.1.23** Developers should demonstrate through appropriate assessment that scheme proposals can be accommodated within the existing or committed public transport capacity. Where capacity constraints are predicted, developers should mitigate this through appropriate means, such as contributions towards new or improved services in accordance with 6.11 Policy ST10 Promoting Sustainable Transport and Active Travel.




**Picture 19.1.2 Cycle Route marker at Conyer**

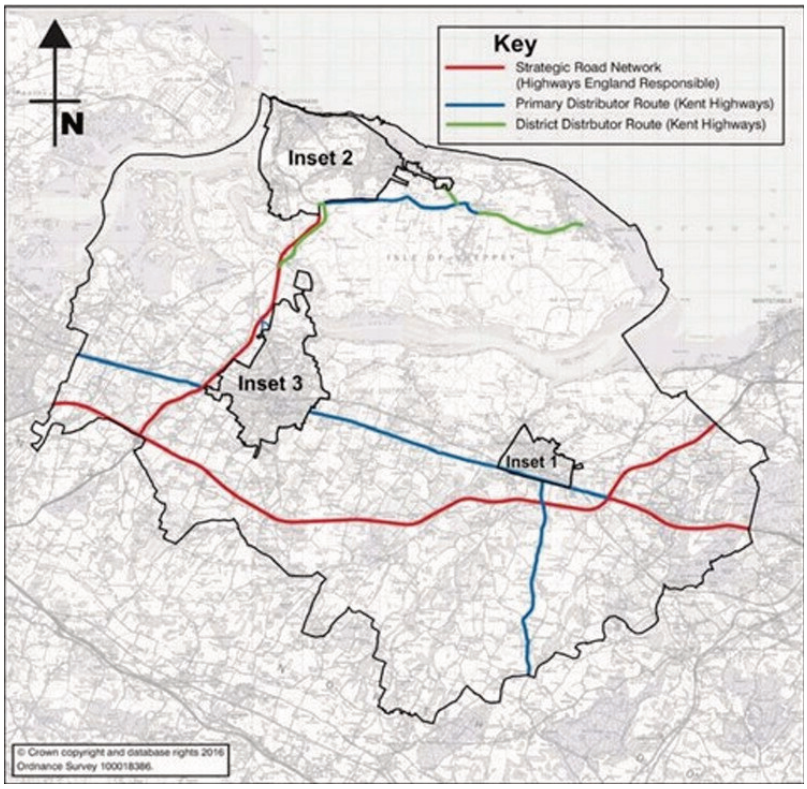
**19.1.24** The Council recognises the important role of rail and water transport in the movement of freight and commercial use. Indeed, the Kent Minerals and Waste Local Plan 2024-39 (Adopted 2025) (Policy CSM 12) [141] supports in principle development proposals for new wharf and rail depots for importation operations, and this policy requires that emissions associated with minerals and waste road transport movements are minimised as far as practicable and by preference being given to non-road modes of transport. The Council is keen to encourage greater use of rail and water transport and will usually support development which proposes this.

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

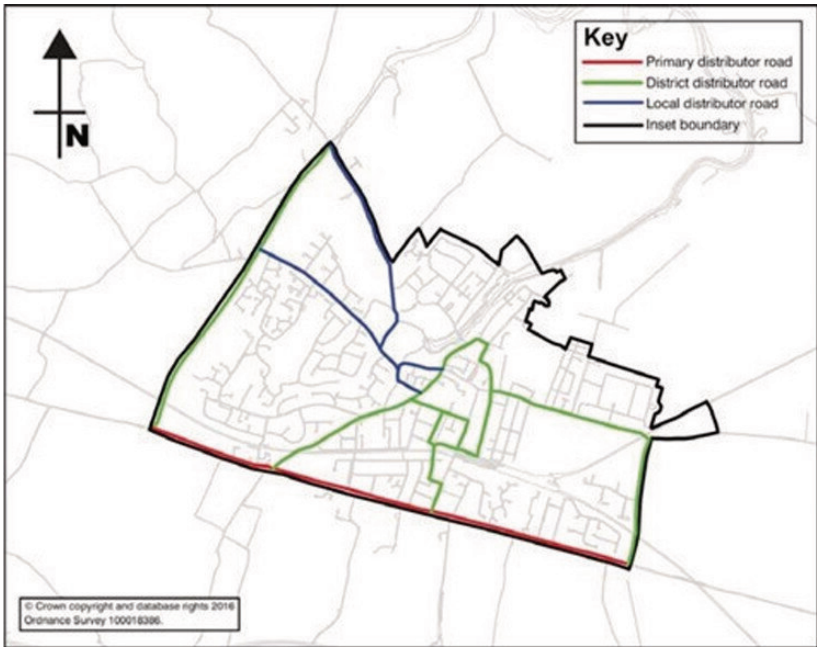
**19.1.26** Direct access to the strategic road network and primary road network shown on Picture 19.1.3 Swale Urban Hierarchy.jpg will not be supported in most cases. New direct access to the strategic road network will only be considered in cases of strategic development, proposed through a local plan review, and only where appropriate access arrangements can be achieved without detriment to network capacity or safety.

**19.1.27** The Insets (Picture 19.1.3 Swale Urban Hierarchy.jpg - Picture 19.1.6 Sittingbourne Urban Hierarchy) show the Urban Road Hierarchy for Faversham, the Sheerness area and Sittingbourne respectively.

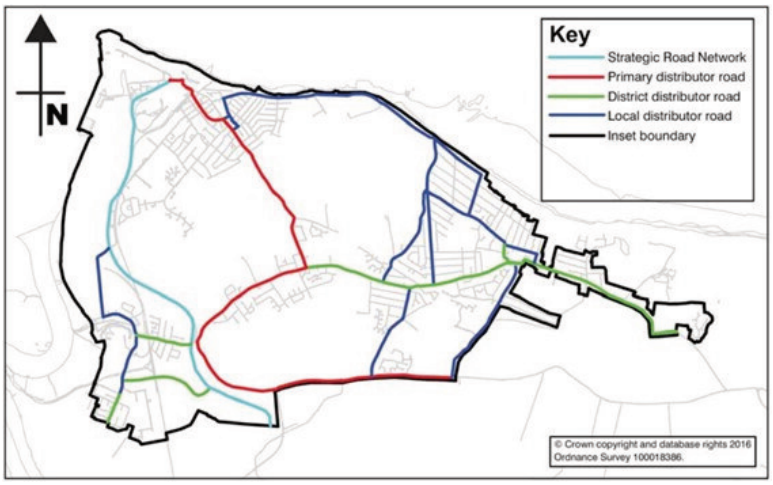
141 https://www.kent.gov.uk/__data/assets/pdf_file/0019/205767/Kent-minerals-and-waste-local-plan-2024-to-2039.pdf



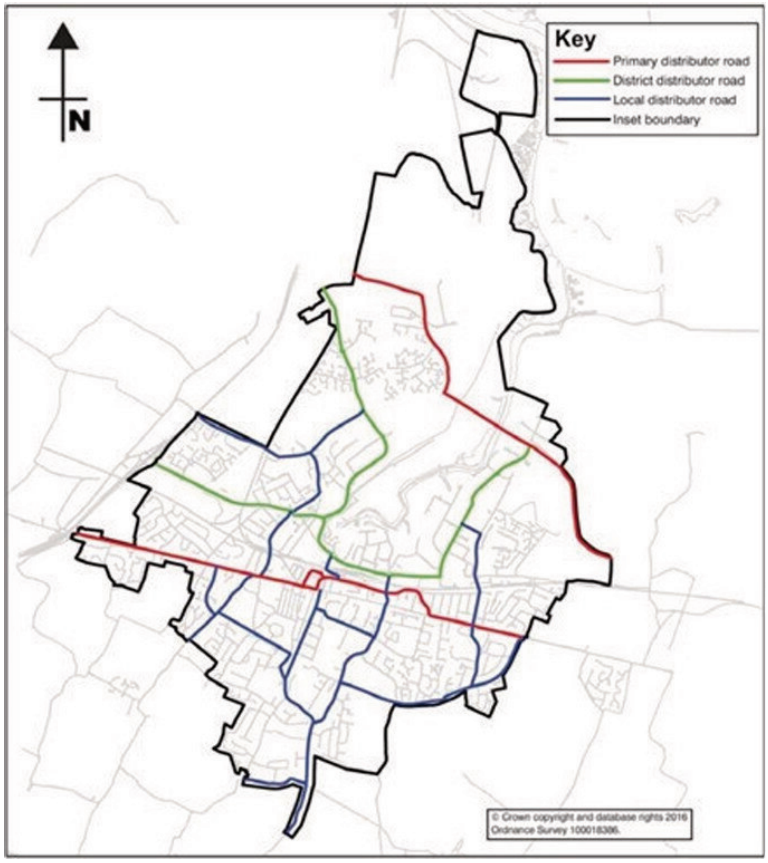

**Picture 19.1.3 Swale Urban Hierarchy.jpg**




**Picture 19.1.4 Faversham Urban Hierarchy**




**Picture 19.1.5 Sheerness Urban Hierarchy**




**Picture 19.1.6 Sittingbourne Urban Hierarchy**

## Policy INF1

### Managing transport demand & impact

1. All developments that have the potential to generate significant amounts of movement by any mode should be supported by a Transport Statement or Transport Assessment. Where recommended as mitigation, a draft Travel Plan should be submitted, and a Full Travel Plan secured by planning condition;
2. Development that has the potential to impact the strategic road network will require a Transport Assessment regardless of level of trip generation;

3. All trip generating development proposals must prioritise sustainable transport and 'active travel' by:
   a. Minimising demand for private car journeys;
   b. Demonstrating that sustainable transport modes have been prioritised in the design in accordance with the Development Transport Hierarchy (Picture 19.1.1 Transport Hierarchy);
   c. Providing a fully permeable and connected development for walking, cycling and public transport;
   d. Creating an accessible development accommodating the needs of all users, including those who are disabled or are mobility impaired;
   e. Ensuring existing public rights of way including the King Charles III England Coast Path are protected and enhanced, or where public rights of way are diverted that new routes are created in appropriate locations;
   f. Realising all opportunities to enhance access by sustainable modes, appropriate to the scale of development; for example, on strategic sites, look for opportunities to provide car clubs or cycle hire schemes, where possible, integrated into 'mobility hubs' which may also include a new bus stop or other element of sustainable transport. Car club cars should be provided on developments of 100 cars or above. Mobility hubs (with more than one type of active/sustainable travel element in one place) should be provided in developments larger than 250 dwellings;
   g. Having due regards to relevant adopted Local Cycling and Walking Infrastructure Plans; and
   h. Demonstrating that the public transport network has sufficient capacity to accommodate the development, taking into account the cumulative impact of local committed development.
4. All trip generating development proposals must consider highway impacts by:
   a. Demonstrating that the road network has sufficient capacity to support the development, considering the cumulative impact of local committed development;
   b. Ensuring that, where mitigation is required, environmentally acceptable improvements to the network are agreed by the Council and the Highway Authority and provided in advance of severe safety or capacity highway issues being identified;
   c. Demonstrating access arrangements can be achieved, accommodating the predicted level of use and vehicle types, and without severe residual cumulative impacts to network capacity or impacting upon highway safety; and
   d. Avoid the formation of a new direct access onto the strategic or primary distributor route network where possible, or unless identified by the Local Plan. Other proposals for new access onto the networks will need to demonstrate that they can be created in a location acceptable to the Council and appropriate Highway Authority.
5. Development proposals must support safe and sustainable freight and commercial operations by:
   a. Not resulting in the loss of usable wharfage or rail facilities;
   b. Ensuring safe and efficient delivery and servicing that minimises the number of motor vehicle journeys;
   c. Providing supporting evidence that demonstrates the promotion or use of wharfs or rail facilities when requested by the Planning Authority; and
   d. Providing layouts that accommodate emergency and utility vehicles.
6. Where the residual cumulative impacts of development are severe following mitigation works, or where a development will impact the continued safe and efficient operation of the local transport network, the development will be refused;
7. All proposals for strategic development or where otherwise advised must demonstrate that they are able to respond to emerging technologies by:

a. Including facilities for charging plug-in and other ultra-low emission vehicles in line with Policy INF1 Managing transport demand & impact and Policy INF2 Vehicle parking;
b. Supporting intelligent priority for sustainable modes of travel;
c. Facilitating "on demand" public transport or car club facilities and/or alternative measures that reduce the need for private car ownership;
d. Providing Broadband/connected communities infrastructure and house design that supports Working from Home; and
e. Providing flexible parking arrangements that can be easily adapted into community open space should demand for parking fall.

## 19.2 Policy INF2 Vehicle Parking

**19.2.1** The Council is aiming for walkable neighbourhoods within sustainable communities by ensuring that there is integrated employment, residential and community uses and by providing access to sustainable modes of transport into and around the towns and neighbourhoods. Research has shown there are fewer young people owning a driving licence[142] and that older people are driving less [143]. In addition, home working had been steadily increasing and saw a substantial increase during and after the COVID19 pandemic and is a trend that is likely to remain. However, car ownership, although variable across different parts of the borough, is still a reality. Therefore there is a need to park, not only cars but, all types of vehicles, so the provision of well-designed parking set in the context of attractive public realm is an important requirement.

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

**19.2.3** The National Planning Policy Framework (NPPF para 109)[144] requires that transport issues, including parking, are considered from the earliest stages in the planning process as a means to create well-designed, sustainable and popular places. In addition, the NPPF (para 112 and 113) sets out that residential and non-residential parking standards can be determined locally where there is a clear and compelling justification. This could include local transport conditions, type and mix of land uses, electric vehicle needs and vehicle ownership. Whilst there is also the requirement for prioritising pedestrians, people with disabilities and cyclists/wheelers with the provision of safe, secure and attractive environments (para 117). The Council has published a Supplementary Planning Document setting out the local context on transport issues and providing guidance on car and cycle parking standards and design, including the requirements for electric vehicle charging Swale Parking SPD[145].

142 Chatterjee, K., Goodwin, P., Schwanen, T., Clark, B., Jain, J., Melia, S., Middleton, J., Plyushteva, A., Ricci, M., Santos, G. and Stokes, G. (2018). Young People's Travel – What's Changed and Why? Review and Analysis. Report to Department for Transport. UWE Bristol, UK. https://www.gov.uk/government/publications/young-peoples-travel-whats-changed-and-why

143 Marsden, G. et al. (2018) All Change? The future of travel demand and the implications for policy and planning, First Report of the Commission on Travel Demand, ISBN: 978-1-899650-83-5

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

145 https://services.swale.gov.uk/assets/Planning-Forms-and-Leaflets/Supplementary-Planning-Documents/SBC-Parking-Standards-May-2020.pdf

**19.2.4** Design of parking provision in residential areas will be steered by the Swale Parking SPD, research into residential car parking in Kent made available by ''Space to Park' [146], and design criteria relevant to parking within both the National Design Guide [147] and the Building for a healthy life tool[148].

### Policy INF2

**Vehicle parking**

Development proposals will, as appropriate:

1. Accord with the adopted Swale Parking SPD, Building Regulations 2021 Parts S, the National Design Guide, Building for a Healthy Life and Space to Park. Updated Part S covers electric vehicle parking and where there are repeated requirements with the Swale Parking SPD, developers should comply with whichever requirement delivers more electric vehicle charging provision;

2. For residential development proposals will:

a. take into account the type, size and mix of dwellings and the need for visitor parking;
b. provide efficient and attractive layout of development whilst ensuring that appropriate provision for vehicle parking is integrated within an attractive, tree shaded public realm; and
c. be aware of the caveat in the Swale Parking SPD that allows for a reduction in vehicle parking where appropriate.

3. For non-residential uses, development proposals will take into account:

a. the accessibility of the development and availability of public transport;
b. the type, mix and use of the development proposed;
c. the need to maintain an adequate level of car parking within town centres to ensure that viability of the centres is not compromised; and
d. to ensure appropriate provision for vehicle parking is integrated within an attractive, tree shaded public realm.

4. Cycle parking facilities on new developments will be of an appropriate design and in a convenient/easily accessible, safe, secure and sheltered location;

5. Development should make the following provision for electric vehicle charging points:

a. all new houses with dedicated off-street parking should provide charging points; and
b. within communal car parks for residential or non-residential developments of at least 10 spaces, a minimum of 10% of spaces should provide an active charging point.

## 19.3 Policy INF3 Open Space, Sport and Recreation Provision

**19.3.1** The National Planning Policy Framework[149](NPPF para 103) recognises that having access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of our communities. This policy aims to protect, enhance & provide strategic recommendations and objectives for open space, sport and recreation in the borough.

**19.3.2** The NPPF advises that robust and up-to-date assessments of the need for these facilities, including quantitative or qualitative deficits or surpluses, should be used in the preparation of planning policies. The

146 http://www.spacetopark.org/
147 https://www.gov.uk/government/publications/national-design-guide
148 https://www.udg.org.uk/publications/othermanuals/building-healthy-life
149 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

Council's adopted Open Spaces and Play Area Strategy (2018-2022) [150], with a new Open Spaces and Play Area Strategy currently being progressed with new standards that will be inserted into the Local Plan at submission stage, and the up-to-date Playing Pitch Strategy (2024-2040) [151] will continue to be supported by an Open Spaces Technical Assessment, a Playing Pitch Assessment and the Swale Built Facility Assessment and Strategy 2024-2038 [152].

**19.3.3** All three of these strategies seek to identify key opportunities and strategic imperatives, plan for the delivery of new facilities triggered by development, make improvements to existing facilities and provide working documents that set standards for provision in terms of quantity, quality and accessibility. Other linked strategies include the Swale Active Lives Framework (2017-2022)[153] and the Swale Green and Blue Infrastructure Strategy (2020) [154] and Swale Green Grid Strategy [155](2016), which aims to create a network of multi-functional green and blue spaces across the borough.

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

**19.3.5** The actual type and amount of provision required will be determined at planning application stage, in the context of the specific details of the proposed development, and in consideration of the Council's wider strategic aims. However, Policy INF3 seeks to ensure that amounts do not fall below current standards. Finally, in order to integrate such provision into the green and blue infrastructure network, Policy INF3 advocates for the multi-use and functioning of spaces to achieve benefits to communities and to biodiversity (through the creation of natural habitats) in accordance with 6.12 Policy ST11 Protecting and Enhancing the Natural Environment.

## Policy INF3

**Open space, sport and recreation provision**

Proposals for residential and other development will, as appropriate:

1. Safeguard existing open space, sport and recreation provision;
2. Make provision for open space and recreation facilities in accordance with Table 19.3.1 to ensure that amounts do not fall below current standards whilst ensuring that the location of new provision does not result in increased levels of recreational pressure on internationally designated sites;
3. Make provision for sports facilities in accordance with the needs identified by the Council's Open Spaces and Play Area Strategy (2018-2022)[156], Playing Pitch Strategy (2024-2040) [157]and Swale Built Facilities Study[158];

150 https://services.swale.gov.uk/assets/Planning%20Policy%202019/Open%20Spaces%20and%20Play%20Area%20Strategy%202018-2022.pdf
151 https://swale.gov.uk/your-council/strategies-and-policies/play-pitch-strategy
152 https://swale.gov.uk/your-council/strategies-and-policies/built-facilities-strategy
153 https://ws.swale.gov.uk/meetings/documents/s8794/Active-Lives-Framework-2017-2022-Final-Draft-Dec17.pdf
154 https://services.swale.gov.uk/assets/Planning%20Policy%202019/7659.012%20Swale%20GBI%20Strategy%20MERGED%20LR.pdf
155 https://ws.swale.gov.uk/meetings/documents/s6079/Green%20Grid%20Strategy%202016%20proof%20Aug%202016.pdf
156 https://services.swale.gov.uk/assets/Planning%20Policy%202019/Open%20Spaces%20and%20Play%20Area%20Strategy%202018-2022.pdf
157 https://swale.gov.uk/your-council/strategies-and-policies/play-pitch-strategy
158 https://swale.gov.uk/__data/assets/pdf_file/0008/173280/2024_SBC_Built_Facilities_Assessment_Final_V7_Feb_2024.pdf

4. Ensure that the location of new provision does not result in increased levels of recreational pressure on internationally designated sites;
5. Where it is not appropriate to make new provision on-site, make contributions to the off-site funding of facilities to meet local deficiencies or to the qualitative or quantitative improvement of existing provision; and
6. Provide for the multi-use of open space, sports and recreation facilities as appropriate, in accordance with Natural England's Green Infrastructure Framework and with particular emphasis on contributing towards the Green and Blue Infrastructure Strategy (2020)[159], set out in 6.12 Policy ST11 Protecting and Enhancing the Natural Environment, so as to achieve benefits for both communities and biodiversity.

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

**Table 19.3.1 Open space and recreation standards, subject to change pending the new Open Spaces and Play Area Strategy during the submission stage.**

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

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

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

## 19.4 Policy INF4 Local Green Spaces

**19.4.1** The National Planning Policy Framework[160](NPPF para 106) states that Local (and Neighbourhood) Plans should allow communities to identify and protect green areas of particular importance to them. The aim of this policy is to ensure that Local Green Space (LGS) designations are protected from inappropriate development and retained for enjoyment by local communities.

159 https://services.swale.gov.uk/assets/Planning%20Policy%202019/7659.012%20Swale%20GBI%20Strategy%20MERGED%20LR.pdf
160 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

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

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

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

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

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

### Policy INF4

**Local Green Spaces**

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

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

# 20 Development Management Policies - Climate Change, Pollution & The Water Environment

## 20.1 Policy C1 Sustainable Design and Adaptation Principles

**20.1.1** The preamble to Policy 6.4 Policy ST3 Climate Change sets out the need for ambitious climate change policies in Swale, including international obligations and national legislation. Policy ST 3 itself sets out the strategic requirements and is the umbrella policy for Policies C1 to C5.

**20.1.2** Whilst international treaties and national legislation are clear, it is noted that the Committee on Climate Change's analysis and High Court Rulings from 2022 [161] and 2024 [162] show that national government's current policies and plans will not deliver the Climate Change Act goals.

**20.1.3** As a result of this shortfall, the Council commissioned an evidence base for ambitious climate change policies. The evidence comprises three main elements:

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

These can be found at: Local Plans - Local Plan Review Evidence [163].

**20.1.4** Some of the challenges set out in the evidence base include:

- Building Regulations:
  - won't deliver net zero carbon buildings (including the Future Homes Standard);
  - don't count unregulated energy (eg appliances) so don't count all energy; and
  - are inaccurate and underestimate actual energy use (as they measure approximate carbon emissions, rather than actual energy use).
- Lack of clarity from successive governments:
  - despite having the legislative framework, national policy is not explicit on what is required for the UK to reach net zero by 2050;
  - a number of Written Ministerial Statements have further clouded the water, resulting in confusion for local authorities and subsequent legal challenges. The evidence base documents set out detail related to the legal challenges.

**20.1.5** Despite these challenges many local authorities have adopted policies that will ensure new development is zero carbon and truly mitigates and adapt to climate change. The Council sought to follow these leads and adopt policy that enables the fulfilment of their legal duties.

**Key Principals for net zero development**

i. New development's energy demand must be minimised;
ii. New development should not use fossil fuels;
iii. New development should come with enough new renewable energy generation to 'meet the energy used on site';
iv. New development should use energy-based metrics which assess actual energy use (rather than approximate carbon emissions) - that is, true net zero operational carbon and adopt absolute targets for space heat demand, total energy use intensity per square metre; and
v. Climate mitigation should include mandatory reporting and targets for embodied carbon.

**20.1.6** These principles have fed into policies C1-C5 in this chapter, the benefits of which include:

161 https://www.judiciary.uk/wp-content/uploads/2022/07/FoE-v-BEIS-judgment-180722.pdf
162 https://caselaw.nationalarchives.gov.uk/ewhc/admin/2024/2057?query=friends+of+the+earth
163 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence

- Ensuring new buildings in Swale are net zero and support the local and national net zero targets of 2045 and 2050 respectively;
- Buildings that are fit for the long term and avoid future costly retrofits;
- Ensuring new buildings have reduced energy costs and carbon taxes;
- Creating buildings and communities that contribute to healthier and more comfortable environments;
- Improving air quality associated with fossil fuel combustion;
- Minimising the need for new energy generation and grid reinforcement whilst contributing to enhanced energy resilience and security;
- Closing the performance gap between the design and operation of new buildings;
- Creating demand for high value jobs and skills; and
- Supporting innovative supply chains and the transition to a green economy;

**Costs and feasibility**

**20.1.7** Policies need to be deliverable if they are to be found sound. Assessing the costs and feasibility of ambitious climate change policies has been an important element in both the climate change evidence base and the Whole Plan Viability Assessment. Details of costs and feasibility are provided in the evidence base documents. [163].

**C1 Sustainable design and adaptation principles**

**20.1.8** The Sustainable design, construction and adaptation principles policy is part of a suite of policies in this Local Plan Review which seek to mitigate and adapt to climate change and enable the Local Plan Review to play its part in local and national efforts to mitigate and adapt to climate change. It sets out the Council's aspiration for sustainable design, construction and adaptation principles for development in the borough. It should be read against the other policies in this chapter.

**20.1.9** Before adoption of this policy, the Council aims to produce Planning Guidance to assist in its interpretation and application. Until that time, the climate change evidence base, [163] which informed this policy, should be consulted.

**20.1.10** The Building Research Establishment (BRE) runs the Building Research Establishment Environmental Assessment Method (BREEAM)[164]. A range of BREEAM ratings are relevant for Swale and are included in Policy C1, in particular, with regard to water efficiency.

**20.1.11** Applicants for planning permission are expected to demonstrate the elements set out in policy C1 have been considered and evidenced where appropriate by the corresponding assessment methodology, in a Climate, Energy and Waste Statement, to accompany planning applications.

## Policy C1

**Sustainable design and adaptation principles**

Principles of sustainable design and construction, and climate adaptation, must be considered from the very earliest stages of design development.

All residential and non-residential buildings must mitigate against, and adapt to, climate change by employing sustainable design and construction principles, in line with the criteria below, and any future Planning Guidance or Planning Documents.

1. Applicants are expected to demonstrate how these elements have been incorporated via a Climate, Energy and Waste Statement. The following measures will be set out:

   a. Sustainable design and construction - all new developments must minimise their carbon footprint and energy impact through sustainable design and construction practices. Proposals



164 https://breeam.com/about

will demonstrate efforts to reduce greenhouse gas emissions by factors such as site selection and location, linkages to other sites and infrastructure, land use/mix, site layout, building orientation, design, landscaping and tree planting strategies, while prioritising a “fabric-first” approach and nature-based solutions. Where development of existing sites takes place, it should be recognised that retaining and upgrading existing structures is generally more sustainable than building new;

b. Sustainable choices – all new development will demonstrate that it makes sustainable living the easiest choice, for instance by providing: mixed uses/communities so people can live close to where they work, learn, socialise and relax; homes that are comfortable to work from, with space for flexible uses, including play and hobbies; have easy access, safe and dry bicycle parking; have space for storage, including for waste and recycling; have internal space to dry laundry; have easy access to public transport and good quality active travel infrastructure; and have safe and easy access to green and blue infrastructure and outdoor recreation - as well as supporting the TCPA's Healthy Homes Principles as set out in Policy G1 General Development Criteria;

c. Cooling hierarchy - all development proposals must show how designs have optimised the internal and solar heat gains, to balance the need to minimise space heating demand with the need to passively maintain comfortable temperatures during hot summers. The Climate, Energy and Waste Statement should set out how overheating risk measures have been incorporated in accordance with the following cooling hierarchy:

i. Minimise internal heat generation through energy-efficient design and equipment selection;

ii. Reduce and manage the amount of heat entering the building in summer using:

- Building orientation;
- Shading;
- Albedo/Reflectivity;
- Fenestration and external shutters; and
- Insulation.

ii. Manage heat within the building through exposed internal thermal mass and high ceilings;

iii. Passive ventilation, including cross ventilation through a building wherever possible. Passive stack and wind-driven ventilation, night purging and designing windows to allow effective and secure ventilation. Single aspect developments are discouraged;

iv. Natural cooling measures including green and blue infrastructure;

v. Use of mixed-mode cooling such as low-energy mechanical cooling (fan-powered ventilation); and

vi. Mechanical ventilation (which, if it has a heat recovery function, should also have a summer bypass mode).

d. Overheating assessment:

i. all major residential developments must complete CIBSE TM59 overheating assessment as their route to compliance with Building Regulations Part O (or future equivalent assessment methodology). The simplified Part O route will not be considered acceptable; or

ii. all major non-residential developments must complete CIBSE TM52 overheating assessment (or future equivalent assessment methodology).

(Certain aspects of building design intended to increase energy efficiency and reduce heat demand, such as increased glazing and airtightness, can also exacerbate heat risk and cause

uncomfortable living conditions. The inclusion of CIBSE TM52/59 overheating assessments provides the flexibility needed to manage this balance, as these assessments allow for more detailed design solutions compared to the simplified approach in Part O of Building Regulations.)

e. Resilience and adaptation to climate change - all development must incorporate measures that increase resilience to extreme weather events and demonstrate adaptation to a changing climate, including increasing temperatures and frequency and intensity of rainfall. All developments will demonstrate, where relevant, how they will:

i. Reduce the risk of flooding and conserve water and accord with policies Policy C8 Flood risk and Policy C10 Water Quality and Water Resources ;

ii. Employ sustainable drainage and accord with Policy C9 Sustainable Drainage;

iii. Ensure cool streets and paths, through green and blue infrastructure (such as tree planting) and nature-based solutions, including the enhancement of existing water features;

iv. Reduce the 'heat island' effect through the use of cool materials and green and blue infrastructure within the development;

v. Be designed to enhance resilience to the anticipated effects of climate change. Proposals must incorporate measures to adapt to changing climate conditions, including resilience to extreme weather events, rising temperatures, stronger winds, droughts, heavy rainfall, and snow. Water conservation and storage measures should also be integrated into designs, taking into account best practices and future climate projections and accord with Policy C10 Water Quality and Water Resources ; and

f. BREEAM – all new non-residential developments (including Use Classes C1, C2, C2a and C5) are required to achieve BREEAM 'Very Good' standard as a minimum. New major non-residential developments (including Use Classes C1, C2, C2a and C5) of 1,000sqm or more are required to achieve BREEAM 'Excellent' standard as a minimum.

## 20.2 Policy C2 Net Zero Operational Carbon in New-Build Residential Development

**20.2.1** Policy C2 is aligned with:

- national policy goals which aim to achieve the legally-binding UK target of net zero by 2050, as set out in the Climate Change Act 2008 [165];
- carbon budgets legislated under the aegis of that Act and linked to the Climate Change Committee's (CCC) Balanced Pathway to Net Zero in the Sixth Carbon Budget report[166], which sets out that all new buildings should be zero carbon from 2025, with high levels of energy efficiency and low-carbon heat over gas boilers/fossil fuels. The CCC also recommends a heat demand between 15-20 kWh/m2/year;
- the Planning and Energy Act 2008 [167] which sets out that local standards for energy efficiency in new homes are able to exceed those set in Building Regulations
- the approach to fossil fuels as set out in the Future Homes Standard (which seeks to end fossil fuel boilers); and
- the borough wide net-zero target of 2045.

**Policy application**

**20.2.2** Before adoption of this policy, the Council aims to produce Planning Guidance to assist in its interpretation and application and set out details of a future potential carbon offsetting scheme. Until that time, the Climate change evidence base [168] which informed this policy, should be consulted.

165 https://www.legislation.gov.uk/ukpga/2008/27/contents
166 https://www.theccc.org.uk/publication/sixth-carbon-budget/
167 https://www.legislation.gov.uk/ukpga/2008/27/section/1
168 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence#h2

**20.2.3** Compliance with this policy should be demonstrated at the planning application stage through submission of a Climate, Energy and Waste Statement, which should include associated output reports from energy modelling software (e.g. PHPP, or HEM when available for general use).

**20.2.4** Policy C2 sets a requirement for total energy use (or Energy Use Intensity) per m2 per year, and such covers both regulated and unregulated energy use within a dwelling. The policy acts as a limit on the energy consumed within a building on an annual basis. It also sets a requirement for space heating demand using the same metric. Space heating demand is the number of units of heat required to sufficiently heat spaces within the building. Aside from stipulating no use of fossil fuels, the policy is agnostic to any technology in the building for heating and is determined by the level of insulation and air tightness specified for the building, it is therefore driving up fabric efficiency to ensure that demand for heat is minimised in the first place.

**20.2.5** The policy aims to deliver an on-site energy balance on an annual basis, by providing enough renewable energy generation to equal the total energy use value. The secondary requirement (point 3a), using the kWh/m2projected building footprint/year, acts as a mechanism to ensure that on-site renewable energy generation is maximised where an on-site net zero energy balance is not feasible (eg taller flatted buildings or where overshadowing significantly impacts solar PV output). The value set is aligned to roughly 70% of roof space being covered by high efficiency solar PV panels.

**20.2.6** Points 1, 2 and 3 of the policy are to be addressed at the design and post-completion stages, to ensure that the development has been built to intended standards. Post-completion resubmission of the original energy statement including energy performance calculations, informed by the relevant tests to systems and fabric, will be required as a condition as part of the planning application process.

**20.2.7** With reference to point 4 the energy offset price is based on the cost of solar PV data from the Department for Energy Security and Net Zero, and includes inflation and a 10% margin to enable administration of the offset fund to deliver off-site solar PV by the Council or its appointed partners. The price from September 2024 was £2.31/kWh. This figure is revised annually. The Council's intention is that the applicable offset price is the latest published figure at the point the relevant planning obligation is agreed, unless future Planning Guidance specifies otherwise.

**20.2.8** Points 5 and 7, of policy C2, on compliance, will also need to be demonstrated post-completion through the satisfaction of planning conditions.

**20.2.9** Please see the evidence base documentation (Output iii, under A. Net zero operational carbon in new build residential development), or future Planning Guidance, for detail on:

- Renewable energy provision;
- Offsetting (including circumstances when it may be applied flexibly);
- Assured performance methods; and
- Applicability to outline applications.

**20.2.10** This policy applies to use classes C3 and C4. Please see Policy C3 Net zero operational carbon in new build non-domestic development for requirements for use classes C1, C2, C2a and C5.

## Policy C2

**Net zero operational carbon in new build residential development**

All new build dwellings are required to submit a Climate, Energy and Waste Statement demonstrating that the development meets the following requirements:

1. Total energy use of ≤ 35 kWh/m2/year GIA;

2. Space heating demand of ≤ 15 kWh/m2/year GIA (or <20kWh/m2/year in bungalows only);

    a. The use of fossil fuels and connection to the gas grid will not be considered acceptable.

3. On-site annual renewable energy generation capacity to at least equal the predicted annual total energy use;

a. Where an on-site net zero energy balance is not possible, it must be demonstrated that the amount of on-site renewable energy generation equates to ≥120 kWh/m2projected building footprint/year.

b. Where a building in a multi-building development cannot individually achieve the requirements of point 3., this shortfall is to be made up across other units on-site before energy offsetting (point 4) is considered.

c. Large-scale development (50 residential units or more) should demonstrate that opportunities for on-site renewable energy infrastructure (on-site but not on or attached to individual dwellings), such as solar PV canopies on car parks, have been explored.

d. Renewable energy output should be calculated in line with Microgeneration Certification Scheme guidance for the relevant technology (expected to be photovoltaics in most cases).

4. Energy offsetting will only be acceptable in exceptional circumstances, and as a last resort, where it is demonstrably unfeasible to achieve an on-site net zero regulated and unregulated energy balance. Any shortfall in on-site renewable energy generation that does not match energy use will be offset via a S106 financial contribution, reflecting the cost of the solar PV that will need to be delivered off-site;

a. The energy offset price is based on cost of solar PV data at the date of the S106 agreement. The price is set by the Department for Energy Security and Net Zero, and includes inflation and a 10% margin to enable administration of the offset fund to deliver off-site solar PV by the Council or its appointed partners. This is set as a one-off payment, where the shortfall in annual on-site renewable energy generation is multiplied by the energy offset price.

5. Reduced performance gap - to ensure operational energy in practice performs to predicted levels from the design stage, an assured performance method must be implemented throughout all phases of construction;

6. Smart energy systems - all new build proposals will demonstrate how they have considered the difference (in scale and time) of renewable energy generation and the on-site energy demand, with a view to maximising on-site consumption of energy generated on site and minimising the need for wider grid infrastructure reinforcement. This may include smart local grids, energy sharing, energy and thermal storage, demand-side response, vehicle-to-grid charging provision, and/or solutions that combine elements of the above; and

7. Post-occupancy evaluation - large-scale development (50 units or more) is to monitor and report total energy use and renewable energy generation values to the Council on an annual basis and for 5 years upon occupation. An outline plan for the implementation of this must be submitted with the planning application.

## 20.3 Policy C3 Net Zero Operational Carbon in New-Build Non-Domestic Development

**20.3.1** Policy C3 is aligned with:

- national policy goals which aim to achieve the legally-binding UK target of net zero by 2050, as set out in the Climate Change Act 2008 [169];
- carbon budgets legislated under the aegis of that Act and linked to the Climate Change Committee's Balanced Pathway to Net Zero in the Sixth Carbon Budget report [170], which sets out that all new buildings should be zero carbon from 2025, with high levels of energy efficiency and low-carbon heat over gas boilers/fossil fuels;

169 https://www.legislation.gov.uk/ukpga/2008/27/contents
170 https://www.theccc.org.uk/publication/sixth-carbon-budget/

- the Planning Practice Guidance [171] (PPG) which sets out that 'local authorities are not restricted or limited in setting energy performance standards above the building regulations for non-housing developments';
- the borough wide net-zero target of 2045.

**20.3.2** For more detail on the justification for the suite of climate change policies, the benefits and co-benefits, costs and feasibility please see the preamble to Policy C1 Sustainable design and adaptation principles.

**20.3.3** Before adoption of this policy, the Council aims to produce Planning Guidance to assist in its interpretation and application and set out details of a future potential carbon offsetting schemes. Until that time, the Climate change evidence base [172] which informed this policy, should be consulted.

**20.3.4** Compliance with this policy should be demonstrated at the planning application stage through submission of a Climate, Energy and Waste Statement, which should include associated output reports from energy modelling software (e.g. PHPP, or HEM when available for general use).

**20.3.5** Policy C3 sets a requirement for total energy use (or Energy Use Intensity) per m2 per year, and such covers both regulated and unregulated energy use within buildings. The policy acts as a limit on the energy consumed within a building on an annual basis. It also sets a requirement for space heating demand using the same metric. Space heating demand is the number of units of heat required to sufficiently heat spaces within the building. Aside from stipulating no use of fossil fuels, the policy is agnostic to any technology in the building for heating and is determined by the level of insulation and air tightness specified for the building, it is therefore driving up fabric efficiency to ensure that demand for heat is minimised in the first place.

**20.3.6** Due to high variability of potential unregulated energy loads in non-residential buildings, the policy includes a regulated-only energy use limit to ensure that this scope of energy is limited to best practice levels, whilst high unregulated loads can be justified according to the specific use. This ensures that the core energy use of a building (from heating, cooling and lighting) is limited whilst not prohibiting non-residential applications that naturally have high unregulated energy loads, such as a hotel with a significant amount of estimated electrical plug-in equipment.

**20.3.7** The purpose of point 3 is to deliver an on-site energy balance on an annual basis, by providing enough renewable energy generation to equal the total energy use value in point 1. The secondary requirement, using the kWh/m2projected building footprint/year, acts as a mechanism to ensure that on-site renewable energy generation is maximised where an on-site net zero energy balance is not feasible. The value set is aligned to roughly 70% of roof space being covered by high efficiency solar PV panels.

**20.3.8** Points 1, 2 and 3 of the policy are to be addressed at the design and post-completion stages, to ensure that the development has been built to intended standards. Post-completion resubmission of the original energy statement including energy performance calculations, informed by the relevant tests to systems and fabric, should be required as a condition as part of the planning application process.

**20.3.9** With reference to point 4, the energy offset price is based on the cost of solar PV data from the Department for Energy Security and Net Zero, and includes inflation and a 10% margin to enable administration of the offset fund to deliver off-site solar PV by the Council or its appointed partners. The price from September 2024 was £2.31/kWh. This figure is revised annually. The Council's intention is that the applicable offset price is the latest published figure at the point the relevant planning obligation is agreed, unless future Planning Guidance specifies otherwise.

**20.3.10** Points 5 and 7, of policy C3, on compliance, should also be demonstrated post-completion through planning conditions.

**20.3.11** Please see the evidence base documentation (Output iii under B. Net zero operational carbon in new build non-domestic development), or future Planning Guidance, for detail on:

171 https://www.gov.uk/guidance/climate-change
172 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence#h2

- Renewable energy provision;
- Offsetting (including circumstances when it may be applied flexibly);
- Assured performance methods; and
- Applicability to outline applications.

## Policy C3

**Net zero operational carbon in new build non-domestic development**

All new build non-domestic development (including C1, C2, C2a and C5) are required to submit a Climate, Energy and Waste Statement demonstrating that the development meets the following requirements:

1. Total energy use:

    a) The total energy use for the following building uses should be as follows:

        i. Warehouses and light industrial: ≤ 35 kWh/m2/year GIA;

        ii. Offices: ≤ 55 kWh/m2/year GIA;

        iii. Schools: ≤ 55 kWh/m2/year GIA;

        iv. Retail: ≤ 35 kWh/m2/year GIA.

    b) It is accepted that in some circumstances, unregulated energy loads for the specific use of a non-residential building may result in a total energy use that exceeds the limits set out above. In these cases, applicants are required to demonstrate that regulated energy is limited to 30 kWh/m2/year. Unregulated loads must be justified in the Climate, Energy and Waste Statement;

    c) Other building types (e.g. heavy industry, data centres etc.) or uses not listed are required to demonstrate that regulated energy is limited to 40 kWh/m2/year. Unregulated loads must be justified in the Climate, Energy and Waste Statement.

2. Space heating demand for all building types and uses of ≤ 15 kWh/m2/year GIA:

    a) The use of fossil fuels and connection to the gas grid will not be considered acceptable.

3. On-site annual renewable energy generation capacity to at least equal the annual total energy use:

    a) Where an on-site net zero energy balance is not possible, it must be demonstrated that the amount of on-site renewable energy generation equates to ≥120 kWh/m2projected building footprint/year. Where this is not achieved, it must be demonstrated to the satisfaction of the Council that this is due to unavoidable design issues such as natural lighting and utility space;

    b) Where a building in a multi-building development cannot individually achieve the requirements of point 3., this shortfall is to be made up across other units on-site before energy offsetting (point 4) is considered; and

    c) Large-scale development (5000m2 non-residential floorspace or more) must demonstrate that opportunities for on-site renewable energy infrastructure (on-site but not on or attached to individual buildings), such as solar PV canopies on car parks, have been explored.

4. Energy offsetting:

    a) Only in exceptional circumstances, and as a last resort, where it is demonstrably unfeasible to achieve an on-site net zero energy balance, any shortfall in on-site renewable energy generation that does not match regulated and unregulated energy use will be offset via S106 financial contribution, reflecting the cost of the solar PV delivered off-site; and

    b) The energy offset price is based on cost of solar PV data at the date of the S106 agreement. The price is set by the Department for Energy Security and Net Zero, and includes inflation and

a 10% margin to enable administration of the offset fund to deliver off-site solar PV by the Council or its appointed partners. This is set as a one-off payment, where the shortfall in annual on-site renewable energy generation is multiplied by the energy offset price.

5. Reduced performance gap:

a) An assured performance method must be implemented throughout all phases of construction to ensure operational energy in practice performs to predicted levels from the design stage.

6. Smart energy systems:

a) All new build development will demonstrate how they have considered the difference (in scale and time) of renewable energy generation and the on-site energy demand, with a view to maximising on-site consumption of energy generated on site and minimising the need for wider grid infrastructure reinforcement. This may include smart local grids, energy sharing, energy and thermal storage, demand-side response, vehicle-to-grid charging provision, and/or solutions that combine elements of the above.

7. Post-occupancy evaluation:

a) Large-scale development (over 5000 m2 floorspace) is to monitor and report total energy use and renewable energy generation values on an annual basis. An outline plan for the implementation of this must be submitted with the planning application. The monitored in-use data must be reported to the local planning authority for 5 years upon occupation.

## 20.4 Policy C4 Embodied Carbon and Waste

**20.4.1** Embodied carbon is carbon that is emitted during the production, transport and assembly of a building, infrastructure or product, before, and after the product is in use. This is opposed to 'operational carbon' that is emitted when buildings, infrastructure and products are in use, or 'operating'. Together, embodied carbon and operational carbon form part of the building's whole of life carbon emissions. As such, in conjunction with Policy C2 Net zero operational carbon in new build residential development and Policy C3 Net zero operational carbon in new build non-domestic development, Policy C4 seeks to ensure that carbon emissions are limited across the whole life cycle of new development.

**20.4.2** As set out in the Government's 2022 response [173] to the Environment Audit Committee 'Building to net zero: costing carbon in construction', *there is no Government policy requiring the assessment or control of embodied carbon emissions from buildings. As a result, no progress has been made in reducing these emissions within the built environment. This inaction remains despite the built environment making up 25 per cent of the UK's total greenhouse gas emissions and the UK's Nationally Determined Contribution, made at COP26, committing the UK to achieve a 68% reduction in the UK's carbon emissions by 2030... This is an extremely short time frame within which to start assessing and substantially reducing embodied carbon emissions. The first step must be a requirement to undertake whole-life carbon assessments for buildings so the industry can start measuring and then controlling for this carbon'.*

**20.4.3** Following this, in 2025, MHCLG, set out [174] that: '*the construction and use of buildings creates both embodied and operational carbon emissions. Historically, government policies and voluntary efforts from the industry have primarily focused on the reduction of operational carbon emissions of buildings. However, for the UK to reach its 2050 net zero target, focusing efforts on reducing the embodied carbon of buildings is also critical*'.

173 https://committees.parliament.uk/publications/30124/documents/174271/default/

174 https://www.gov.uk/government/publications/consideration-of-embodied-carbon-in-new-buildings/the-practical-technical-and-economic-impacts-of-measuring-and-reducing-embodied-carbon-in-new-buildings-executive-summary#fn:1

**20.4.4** As progress is made in reducing operational carbon and decarbonising the grid, the relative significance of embodied carbon [175] is increasing. In some cases, embodied carbon can account for more than 50% of a new project's whole life carbon footprint.

**20.4.5** The Committee on Climate Change, in its Seventh Carbon Budget has set out [176] that amongst the key actions to deliver the balanced pathway to net zero by 2050 is the 'set minimum standards for the whole-life carbon impact of products, which could include rules to measure and limit the embodied carbon of buildings'.

**20.4.6** Whilst there is no explicit reference to embodied carbon in the NPPF, the NPPF's references to 'low carbon economy' could implicitly include embodied carbon as part of the equation. Additionally, embodied carbon is a design issue and therefore should logically fall under the NPPF's instruction that "New development should be planned for in ways that … can help to reduce greenhouse gas emissions, such as through its … design".

**20.4.7** Embodied carbon is not covered by Building Regulations.

**20.4.8** As such there is now widespread agreement across government and industry that embodied carbon needs to be effectively measured and assessed if the built environment is to play its part in meeting the UK's net zero by 2050 target.

**20.4.9** Waste, in this policy, refers to a material resource which is unwanted at that point in time and space. The policy seeks to help the borough move towards a Circular Economy (where material never becomes waste), avoid and reduce construction waste associated with the building of new development through the avoidance of unnecessary demolition, material reuse and recycling, resource-efficient construction, building adaptability/flexibility and end of life disassembly all of which can reduce waste and cut costs. It also seeks to enhance opportunities for recycling.

**20.4.10** The National Planning Policy Framework [177] (NPPF) includes minimising waste as part of the environmental objective of sustainable development (para 8c). Furthermore (para 4), it explains that it should be read in conjunction with the Government's planning policy for waste [178] . This in turn sets out the government's ambition to work towards a more sustainable and efficient approach to resource use and management, including through: driving waste management up the waste hierarchy (prevention – reuse – recycling – recovery – disposal); helping secure the re-use, recovery or disposal of waste without endangering human health or the environment; and ensuring the design and layout of new development and infrastructure complements sustainable waste management (including the provision of appropriate storage and segregation facilities to enable high quality collections of waste).

**20.4.11** Planning Practice Guidance [179] (PPG) on Waste explains that 'non-waste' planning authorities must have regard to National Planning Policy for Waste [180] and are expected to deliver the waste hierarchy (para 10). This involves:

- working with waste planning authorities to identify and protect sites;
- integrating waste management opportunities in proposed new development;
- considering the impact of development on existing and future waste management sites;
- promoting sound management of waste from proposed development;

175 https://www.arup.com/globalassets/downloads/insights/net-zero-buildings-halving-construction-missions-today.pdf
176 https://www.theccc.org.uk/publication/the-seventh-carbon-budget/
177 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
178 https://www.gov.uk/government/publications/national-planning-policy-for-waste/national-planning-policy-for-waste#introduction
179 https://www.gov.uk/guidance/waste
180 https://assets.publishing.service.gov.uk/media/5a7af534e5274a2e8ab4946c/141015_National_Planning_Policy_for_Waste.pdf

- including planning conditions promoting sustainable design of development through recycled products, recovery of on-site material and the provision of facilities for the storage and regular collection of waste; and
- ensuring waste collections help towards achieving the higher levels of the waste hierarchy.

**20.4.12** As such there is clear justification for local authorities to require embodied carbon assessments and limit emissions arising from the construction of new development, to seek to prevent and reduce waste associated with construction and facilitate reuse and recycling.

**20.4.13** The evidence base for this policy, including industry capability, costs and feasibility, is set out in in the references in this chapter as well as in our Climate change evidence base on our website[181].

**Climate, Energy and Waste Statement and Planning Guidance**

**20.4.14** Details of how applications will comply with the requirements of this policy should be included in a Climate, Energy and Waste Statement.

**20.4.15** Before adoption of this policy, the Council aims to produce Planning Guidance to assist in its interpretation and application and set out details of what will be required of embodied carbon/waste assessments.

**20.4.16** For point 3. of policy C4 it is accepted that the level of detail will be lower the smaller the development proposal. The aim is to ensure applicants explore the topic of embodied carbon, but without setting requirements that are impractical or excessively costly for small sites. Narrative could include, but is not limited to:

- Reuse of existing buildings, features and materials on site, where present;
- Design for material efficiency (reducing the amount of material needed) such as through structural design or use of space and layouts to avoid unnecessary material use;
- Substitution of higher-carbon materials (such as steel, aluminium, and Portland cement) with low-embodied-carbon materials (such as timber);
- Material sourcing for reduced 'product miles' or from manufacturers with low-carbon manufacturing credentials; and
- Construction processes that reduce the typical rates of material wastage.

**20.4.17** For point 7. of the policy, best practice approaches to managing construction waste include Improving waste management on construction sites | Zero Waste Scotland [182] , » Create a Site Waste Management Plan Best Practice Hub[183] ,Construction Environmental Management Plans (CEMP) | CHAS [184]and Sustainable construction and waste management in new development guidance 2023 - Surrey County Council [185].

## Policy C4

**Embodied carbon and waste**

Proposed residential and non-residential developments (thresholds given below) must meet the following requirements, which should be set out in a Climate, Energy and Waste Statement:

1. All new development will demonstrate that adequate space (both internal and external) has been set aside for the accessible segregation and storage of waste, including recyclable materials. Waste storage should be well designed and not impact the street scene;

181 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence#h2
182 https://www.zerowastescotland.org.uk/resources/improving-waste-management-construction-sites
183 https://ccsbestpractice.org.uk/topic/create-a-site-waste-management-plan/
184 https://www.chas.co.uk/blog/construction-environmental-management-plan/
185 https://www.surreycc.gov.uk/land-planning-and-development/minerals-and-waste/policy-guidance-notes/new-developments

2. Building end-of-life - all new buildings are to be designed to enable adaptation, disassembly and material re-use, subsequently reducing the need for end-of-life demolition and making material re-use easier when it is absolutely necessary;
3. Embodied carbon in minor development - proposals for new development of 1 or more homes or ≥100m2 non-domestic floor space, but below the size thresholds for embodied carbon reporting and targets (below), will demonstrate how the embodied carbon of the proposed development has been minimised (including narrative on options considered and decisions made);
4. Embodied carbon reporting - all major new residential (10 dwellings or more) and non-residential (1000m2 floorspace or more) developments are required to complete a whole-life carbon assessment in accordance with RICS Whole Life Carbon Assessment guidance and the BS EN 15978 standard;
5. Limiting embodied carbon - all large-scale major development (50 dwellings or more; 5000m2 non-residential floor space or more) is required to limit embodied carbon (RICS/BS 15978 modules A1 – A5) to 600 kgCO2e/m2 GIA; and, or
6. All new development should seek to retain and retrofit/upgrade existing built development wherever possible, avoid demolition, and follow the waste hierarchy. Where demolition is absolutely necessary, pre-demolition audits will be required:
    a. all major development sites that contain existing buildings or structures of 1000m2 or more, must carry out a pre-redevelopment and/or pre-demolition audit, following an established industry best practice method (e.g. BRE), for larger structures or significant demolitions;
    a. for smaller-scale demolitions, such as individual walls or small outbuildings, developers are required to consider material re-use where feasible, without the need for a full audit. A simplified, proportionate approach should be taken to assess potential material recovery and reuse, details of which should be included in the Climate, Energy and Waste Statement.
7. All new development shall set out how they will follow best practice approaches to managing waste on site, in accordance with the waste hierarchy, to the satisfaction of the Council.

## 20.5 Policy C5 Renewable Energy Development and Infrastructure

**20.5.1** The UK grid is becoming increasingly powered by renewable energy, primarily through solar and wind technologies. Renewable energy is a key component of the fulfilment of the Climate Change Act 2008 [186] and associated 2050 net zero target. If the UK it to successfully transition to net zero, renewable energy opportunities must be maximised.

**20.5.2** Enabling renewable energy development and infrastructure is a vital part of the UK's carbon reduction trajectory, which, according to the Committee on Climate Change [187] will need near-total grid decarbonisation by 2035 and a mix that includes 80% renewables by 2050 while catering for a doubling of electricity demand between 2020 and 2050. It is also essential in contributing to energy security and affordability.

**20.5.3** It is important to ensure that the future energy network is resilient to increasingly variable weather patterns, which will require a balanced mix of generation and storage technologies. Without resilient energy networks at local and national levels, a reliance on fossil fuels will remain when solar and wind power generation is low due to weather constraints.

**20.5.4** Partly due to the current rise in large-scale renewable energy installations, some local grid substations are at risk of reaching full capacity in coming years without infrastructure reinforcement investments. As the industrial, commercial, domestic and transport sectors continue to electrify (switching

186 https://www.legislation.gov.uk/ukpga/2008/27/contents
187 https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf#page=134

from gas, coal and oil) at increasing rates, local policy must support as best it can the development of smart grids and energy sharing networks to relieve pressure on local areas at risk of reaching full grid electricity capacity. On-site energy management systems will play an important role in achieving this, through the provision of battery storage alongside solar PV generation and enabling peak-demand response management systems throughout new buildings. A permissive policy approach towards applications for standalone grid-connected battery storage can also play a role in readying the energy system for the UK's renewable-heavy, electricity-led future.

**20.5.5** As local renewable energy generation schemes become more prominent and take up a larger proportion of land, it is also important to ensure that adverse impacts are addressed for local communities. Therefore, whilst local policy should support appropriate renewable energy generation schemes as much as possible, it should also set criteria that mitigates potential negative impacts, such as addressing community co-benefits, loss of agricultural land, landscape concerns and improving biodiversity on-site.

**20.5.6** The National Planning Policy Framework [188](NPPF) paragraph 161 states that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts.

**20.5.7** Paragraph 165 sets out that to help increase the use and supply of renewable and low carbon energy and heat, plans should:

- Provide a positive strategy for energy from these sources that maximises the potential for suitable development, future re-powering and life extension, whilst ensuring impacts are adequately addressed;
- Consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure; and
- Identify opportunities for development to draw its energy from decentralised, renewable or low carbon energy systems and for co-locating potential heat customers and supplies.

**20.5.8** Paragraphs 167 and 168 set out that when determining planning applications, local planning authorities should:

- Expect new development to comply with any development plan policies on local requirements for decentralised energy supply, unless it can be demonstrated by the applicant, that this is not feasible or viable;
- Not require applicants to demonstrate the overall need for renewable or low carbon energy;
- Give significant weight to the benefits associated with these forms of energy and their contribution towards a net zero future;
- Recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions; and
- In the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site.

**20.5.9** Planning Practice Guidance [189] (PPG) supplements the NPPF in explaining how strategies for renewable and low carbon energy can be developed, the particular planning considerations for different types of renewable energy infrastructure, including solar and wind turbines, and guidance on battery energy storage systems. It also sets out details of compulsory pre-application consultation with the local community.

**20.5.10** The Government's Land Use Framework [190] seeks to manage land as a finite resource, needed for more homes, to generate clean energy, maintain food production and restore nature.

**20.5.11** In 2019 the Council declared a Climate and Ecological Emergency. It recently established targets for the Council's own operations to be carbon neutral by 2035 and to facilitate the action required to make the borough of Swale carbon neutral by 2045. Point 6 of the declaration includes the commitment to deploy 'renewable energy at every opportunity'. The subsequent Climate and Ecological Emergency Action Plan

188 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
189 https://www.gov.uk/guidance/renewable-and-low-carbon-energy
190 https://defraenvironment.blog.gov.uk/2026/03/18/planning-for-the-future-englands-first-land-use-framework/

2025 [191] includes actions to 'support sustainable building practices and development', with homes and businesses being run from renewable technologies. As well as responding to the climate challenge, the Action Plan recognises that supporting renewable technologies has co-benefits in terms of expanding local markets, supporting job opportunities and improving energy security.

**20.5.12** This policy works alongside the other policies in this chapter, in particular, Policy C2 Net zero operational carbon in new build residential development and Policy C3 Net zero operational carbon in new build non-domestic development as well as policies6.4 Policy ST3 Climate Change, 6.12 Policy ST11 Protecting and Enhancing the Natural Environment, 21.1 Policy B1 Biodiversity & Geodiversity Conservation & BNG, 21.2 Policy B2 Conserving & Enhancing Valued Landscapes and 21.6 Policy B6 Agricultural Land. Policies C2 and C3 seek to ensure that new build development is net zero carbon, including through the use of on-site renewable energy. This policy seeks to support the use of wider renewable energy development and infrastructure to support grid decarbonisation and existing development that is not net zero carbon. This wider use of renewable energy infrastructure is essential in order to meet the national 2050 net zero target and the Council's 2045 carbon neutral target.

**Other guidance**

**20.5.13** Regen has partnered with the Department for Energy Security and Net Zero (DESNZ), Great British Energy (GBE) and the Local Net Zero Hubs to provide new guidance and training to support planners (as well as communities and applicants) in assessing onshore wind, ground-mounted solar, battery storage and electricity network infrastructure applications. Included on their website is guidance and training [192].

1. Assessing on-shore wind applications
2. Assessing ground-mounted solar applications
3. Assessing battery energy storage systems applications
4. Assessing electricity network infrastructure applications
5. Fire safety information for planners on battery energy storage systems

**20.5.14** The Kent Downs National Landscape have recently updated their Renewable Energy Position Statement to assist all those who are considering, involved in or determining proposals to generate renewable energy developments within the National Landscape and its setting. Renewable-Energy-Position-Statement-FINAL-June-2026.pdf [193]

**20.5.15** The Kent Design Guide [194] also provides guidance on renewable energy development for Kent.

**20.5.16** Solar Energy UK, with assistance from the National Farmers Union have published a Factsheet FactSheet: Solar Farms and Agricultural Land 2024 | Final[195] which sets out the considerations that should be given to assessing the impacts of solar farms on agricultural land and how solar farms can coexist and give intensively farmed land the opportunity to recover.

**20.5.17** Research by the RSPB and Cambridge University has shown how solar farms can be managed for nature[196].

191 https://swale.gov.uk/__data/assets/pdf_file/0011/494219/2025-Climate-and-Ecological-Emergency-Action-Plan.pdf
192 https://www.regen.co.uk/insights/new-guidance-for-assessing-clean-energy-projects-supports-planners-in-delivering-the-transition#content
193 https://kentdowns.org.uk/wp-content/uploads/2026/06/Renewable-Energy-Position-Statement-FINAL-June-2026.pdf
194 https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/regeneration-policies/kent-design-guide
195 https://solarenergyuk.org/wp-content/uploads/2024/06/FactSheet-Solar-Farms-and-Agricultural-Land-2024.pdf
196 https://www.rspb.org.uk/whats-happening/news/solar-farms-managed-for-nature-boost-bird-numbers-and-biodiversity

**Climate, Energy and Waste Statement**

**20.5.18** Details of how applications will comply with the requirements of this policy should be included in a Climate, Energy and Waste Statement.

**20.5.19** It should be noted that the heat network feasibility study referenced in Policy C5, should assess the potential for implementing low or zero carbon heat networks, which should include assessment of 4th and 5th generation networks that can offer higher efficiency and flexibility (4th and 5th networks operate at lower temperatures than conventional systems, reduce heat losses and combine other energy sources , local energy storage and offer potential for energy exchanges amongst users). Feasibility studies should cover:

**20.5.20** Technical assessment:

- Evaluation of heat sources (renewable and waste);
- Carbon reduction optioneering between alternative heating options;
- Infrastructure requirements (piping, storage etc.);
- Capacity for future connection and expansion;
- Alignment with local or national carbon targets.

**20.5.21** Economic viability and assessment:

- Cost analysis – including capital expenditure, operational expenses, and maintenance;
- Projected savings in energy costs and emission reductions over time;
- Comparison of the cost of alternative heating options.

**20.5.22** Policy C5 is directly aligned to the national policy position on heat networks as the UK government has introduced a regulatory framework for heat networks through the Energy Security Bill. This includes the establishment of heat network zones and the regulation of prices to ensure fair costs for consumers. The UK aims to increase the share of heat provided by heat networks from the current 2% to around 18% by 2050. This expansion is part of the broader Heat Network Transformation Programme, which includes significant investment to scale up low-carbon heat network deployment.

**20.5.23** For further details on the evidence which supports this policy, please see the evidence base pages of the Council website. Local Plans - Local Plan Review Evidence [197]

## Policy C5

**Renewable energy development and infrastructure**

1. The justification for renewable energy development and infrastructure will be set out in a Climate, Energy and Waste Statement. Development proposals for the generation of renewable energy development and infrastructure will be supported where:

a. The scale, siting, design and nature of any proposal is demonstrated to be appropriate for its location, taking account of impacts set out in 1b.

b. Analysis of impacts, including cumulative impacts, and methods to avoid, mitigate and compensate harm from these impacts is fully addressed in any proposal, to the satisfaction of the Borough Council. Analysis must include impacts on:

i. the built environment;

ii. biodiversity, and sites designated for their ecological value, as well as how schemes will contribute to biodiversity net gain and the Kent Landscape Nature Recovery Strategy;



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

iii. heritage assets, historic landscapes and townscape - through the use of Heritage Impact Assessments;

iv. national and local landscape designations and valued landscapes including seascapes and landscape character and visual amenity - through the use of Landscape and Visual Impact Assessments;

v. agricultural land, avoiding best and most versatile agricultural land wherever possible;

vi. residential amenity and communities;

vii. geology, soils and flood risk;

viii. noise, dust, odour, air quality, tranquillity, vibration, shadow flicker;

ix. health and safety, including battery fire risk;

x. traffic and transport, including highways and rail safety; and

xi. aviation and defence navigation systems/communications.

2. Smart site allocation, grid reinforcement and grid capacity:

a. Support will be given to proposals for standalone electrical grid capacity upgrades, local smart grids, and development of grid-connected energy storage especially if co-located with large-scale renewable energy generation installations.

b. All development for renewable energy generation, or development that includes renewable energy generation, is to demonstrate how options for energy storage, smart grids, phasing, private wire and energy sharing networks have been explored to manage grid impacts and reduce the need for grid capacity upgrades.

c. Proposals for large-scale renewable energy development (≤ 10MW) will be accompanied by a Grid Connection Feasibility Statement which should demonstrate that a site is well supported by sufficient grid capacity and;

i. identify the likely point(s) of connection to the electricity network;
ii. demonstrate early engagement has taken place with the Distribution Network Operator and what this has demonstrated;
iii. outline the technical, environmental, and land requirements for the connection route;
iv. set out a realistic programme for securing and delivering the connection in line with the operational start date of the development.

3. Energy storage:

a. Support will be given to appropriate proposals that form part of the transition to a net zero carbon district, and which need to involve a range of renewable energy storage technologies. This could include energy storage facilities (e.g. battery and thermal storage) and upgraded or new electricity facilities;

b. Battery storage is essential to provide local grid resilience during periods of peak demand and helps to ensure that renewable energy is not wasted during periods of high generation. Battery storage facilities will be accompanied by health and safety assessments to the satisfaction of the Council and the Emergency Services to ensure no unacceptable fire risk is posed to nearby communities. The details of any health and safety assessment should be prepared in consultation with the Emergency Services and Emergency Planners and must be agreed by the Council in the earliest stages of any planning application;

c. Proposals for renewable energy generation are encouraged to provide at least an additional 10% of energy storage (e.g. battery storage) of the overall energy generation;

4. Co-benefits:

a. Proposals for renewable energy generation over 20MW are required to provide an option to offer 5% community ownership to the local community (e.g. Parish Council area);

b. Positive weight will be given to schemes led by the community and community energy groups;

c. All proposals are to:

i. undertake community engagement sessions with the local community, at an early stage of site assessment;

ii. work with and update the community throughout the project; and

iii. mitigate any potential impacts to the community as a result of the development;

d. All proposals for temporary permissions are to demonstrate how the renewable energy generation site can be restored to its original, or an improved state, following end-of-life removal of technologies and mitigate any biodiversity loss, as follows:

i. Proposals will be subject to a condition requiring the submission of an end-of-life removal scheme setting out how the impacts of decommissioning will be mitigated; and

ii. The removal scheme should demonstrate how any biodiversity net gain that has arisen on the site will be protected or enhanced further, and how materials to be removed would be re-used, recycled, recovered or at last resort, disposed of.

5. Refusal of fossil fuels:

a. Applications for exploration and extraction of fossil fuels will not be supported.

6. Support for innovative energy generation:

a. Where appropriate and justified, support will be given to innovative renewable energy generation approaches, such as 'agrivoltaics' – the inherently combined use of land for solar PV generation and agriculture.

7. Protecting infrastructure - development should not significantly harm:

a. Technical performance of any existing or approved renewable energy facility;

b. Potential for optimisation of strategic renewable energy installations; and

c. Availability of the resource, where the operation is dependent on uninterrupted flow of energy to the installation.

8. Heat networks and masterplans - developments must demonstrate that connection to, or development of, heat networks has been considered according to the following hierarchy:

a. Connection to heat networks:

i. Connect to an existing or new low or zero-carbon heat network from the point of occupation, where it can be demonstrated that the heat network results in lower energy demand and carbon emissions than an individual heating system approach.

ii. Use communal or individual renewable heating systems that are fossil fuel-free where connection to a heat network is not feasible.

b. Future-proofing:

i. Major developments in areas where a low or zero-carbon heat network is planned but cannot be connected from the point of occupation must, where feasible, include infrastructure for future connection to the district heat network.

c. Creation of new heat networks:

i. For large-scale development proposals involving more than 50 homes or 5,000m² of floorspace within or adjacent to strategic scale sites coming forward in the borough, a

feasibility study should be conducted to determine the potential for establishing a new low- or zero-carbon heat network. If feasible, a heat network should be included in the development proposals.

Under each stage of the above hierarchy, it is essential that any connection or development of heat networks must demonstrate that they result in a lower on-site energy demand and carbon emissions than an individual renewable heating system approach, and do not negatively impact affordability for end users.

## 20.6 Policy C6 Coastal Change Management

**20.6.1** As a coastal borough, Swale is at significant risk of coastal change from erosion, coastal landslip and permanent inundation, all of which impacts people, property, communities and the environment. The aim of this policy is to reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast.

**20.6.2** The National Planning Policy Framework [198] (NPPF) specifies that the planning system should take full account of coastal change (NPPF para 161). The NPPF requires local plans to identify as Coastal Change Management Areas (CCMAs) any area likely to be affected by physical changes to the coast as well as be clear as to what development will be appropriate in such areas, and in what circumstances, and make provision for development and infrastructure that needs to be relocated away from CCMAs. The NPPF also sets out when development may be appropriate in CCMAs (ie it needs to be safe for its lifetime, not impact on coastal change, not compromise the character of the coast, provides wider sustainability benefits and does not hinder the development of the England coastal path) and explains when the lifetime of the planned development should be limited (NPPF paras 184-186).

**20.6.3** Planning Practice Guidance [199] (PPG) also gives advice on what a CCMA is, including the considerations for defining CCMAs, what development would be appropriate within a CCMA as well as guidance on when vulnerability assessments are required and what they should include, limiting the planned lifetime of development, the relocating of development away from CCMAs and permitted development rights in a CCMA.

**How has the CCMA been defined in Swale and what do the different erosion zones mean?**

**20.6.4** The CCMA has been described as the areas of coastline likely to be affected by physical changes to the coast, such as erosion, coastal landslip, permanent inundation (i.e. land likely to be lost permanently to the sea) and accretion (land increasing due to addition of sediment). The methodology for setting out the CCMA is explained in the Swale Strategic Flood Risk Assessment (SFRA), which is available on the Council's website, as part of the evidence base which has informed the Local Plan. The CCMA has been defined using evidence gathered through the Swale SFRA, the Environment Agency's (EA) North Kent Coast Model, the EA's Medway Estuary and Swale flood and coastal risk management strategy (MEAS), the Department of Environment, Food & Rural Affairs (DEFRA)/EA Shoreline Management Plans/Explore Coastal Erosion Risk data [200], the 2017 Adopted Local Plan Built Up Area Boundaries and through discussions with the Council's engineering team and the EA. The boundary is part of the Local Plan's Proposals Map.

**20.6.5** The boundary of the Coastal Change Management Area will be reviewed periodically and updated when evidence suggests this is necessary. Developers should always make sure they are using the most up to date data on flood risk and coastal change when preparing their applications.

**20.6.6** Areas within the CCMA that are subject to erosion are divided into two separate zones:

198 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
199 https://www.gov.uk/guidance/flood-risk-and-coastal-change#Integrated-Coastal-Zone-Management
200 https://environment.data.gov.uk/shoreline-planning/coastal-erosion

- Erosion Zone 1 (defined as the Environment Agency's Coastal Erosion Climate Change (Upper End) to 2055 zone; and
- Erosion Zone 2 (defined as the Environment Agency's Coastal Erosion Climate Change (Upper End) to 2105 zone).

**20.6.7** As mentioned, the CCMA extents have been informed by the DEFRA/EA Shoreline Management Plan/Coastal Erosion Risk data and the latest flood risk modelling (the North Kent Coast Model and SFRA) and the policies in the MEAS. It should be noted that the erosion and inundation extents have increased substantially since the original Swale CCMA was published in the 2017 Adopted Swale Local Plan, in particular around Warden, significant parts of which are now included within the CCMA boundary.

**20.6.8** The definition of the erosion boundaries of the CCMA have been relatively high level in nature. In cases where more detailed technical evidence is provided, for example, as part of a planning application, the Council will consider new evidence in consultation with the Environment Agency.

**20.6.9** For applications within the CCMA, a Coastal Change Vulnerability Assessment (CCVA) will need to accompany planning applications. For areas at risk of inundation only, this could largely be satisfied by the submission of a Flood Risk Assessment. All CCVAs should include, as relevant, the requirements set out in Planning Practice Guidance for vulnerability assessments (PPG, 2022, Paragraph: 074) as well as:

- the level of vulnerability to coastal erosion (as assessed through site history, site inspection and site investigation) and how this will be mitigated;
- the predicted lifetime of the development and the impact of coastal change on the development and the service it provides;
- plans for managing the cessation or relocation of the development, including clearing the site;
- details of responsible parties and what role they will play; and
- costs for managing the impact of coastal change on the site and who will be responsible for these.

**20.6.10** As set out in the PPG it would be advisable for the developer to agree the scope of a coastal change vulnerability assessment (which should be appropriate to the degree of risk and the scale, nature and location of the development) in advance with the local planning authority and in consultation with the Borough's coastal engineering team, the Environment Agency (where flood risk is also an issue) and any other relevant stakeholders.

**20.6.11** Some essential infrastructure and water-compatible development may be permitted within the CCMA, along with some Ministry of Defence installations. For the purposes of this policy essential infrastructure and water-compatible development are defined as set out in NPPF Annex 3: Flood risk vulnerability classification [201].

**20.6.12** This policy sets out criteria for when provision needs to be made for development and infrastructure to be relocated away from Coastal Change Management Area. A 25 year horizon is considered to be reasonable for this, to take account of the period need to receive planning permission, build a site out, and also to take account of the unpredictable nature of coastal erosion. The policy also ensures that development in a CCMA is not impacted by coastal change by limiting the planned lifetime of the proposed development through temporary permission and restoration conditions where necessary, to reduce the risk to the environment, people and the development.

**Policy C6**

**Coastal Change Management**



201 https://www.gov.uk/guidance/national-planning-policy-framework/annex-3-flood-risk-vulnerability-classification

Within the Coastal Change Management Area (CCMA), as defined on the Proposals Map, planning permission will not be granted for permanent new residential development (including through change of use). Planning permission will only be granted for other development proposals subject to the following clearly defined criteria:

1. It being demonstrated that the proposal will:

a. be safe over its planned lifetime and not have an unacceptable impact on costal change;
b. not compromise the character of the coast, including its designations;
c. provide wider sustainability benefits and not result in a significant risk to property;
d. not hinder the creation of the King Charles III England Coast Path, and where rollback has been identified, avoid these areas;
e. provide clear plans as to how the proposal will manage the impacts of coastal change on it, and ensure the proposal will not have any adverse impacts on rates of coastal change elsewhere; and
f. seek, where necessary, a temporary planning permission, together with, as appropriate, a legal agreement to secure the long-term management, and/or restoration, of the site.

2. The proposal comprising:

a. essential infrastructure;
b. Ministry of Defence installations (in line with the requirements set out in the PPG);
c. water-compatible development; or
d. (within Erosion Zones 1 and 2) a use as defined by criterion 3 or 4, below, as appropriate.

3. Proposals within Erosion Zone 1 (which are at risk of erosion now) being directly related to the coast, short-term and temporary in nature, construction and value (such as beach huts, cafes/tea rooms, car parks and sites used for holiday or short-let caravans and camping). Proposals will need to be time limited, with specific time limits informed by a Coastal Change Vulnerability Assessment and agreed by the Council; or

4. Proposals within Erosion Zone 2 (which are at risk of erosion from 2055-2105) may additionally be permitted when comprising commercial or leisure activities requiring a coastal location and providing substantial economic, social and environmental benefits to the community. Proposals will need to be time limited, with specific time limits informed by a Coastal Change Vulnerability Assessment and agreed by the Council:

a. other significant development, such as key community infrastructure, is unlikely to be appropriate unless it has been demonstrated as needing to be sited within the CCMA to provide the intended benefit to the wider community and there are clear, costed, plans to manage the impact of coastal change on it and the service it provides; and
b. domestic extensions to residential properties will only be permitted where the lifetime of the proposed development (taking account of erosion risk) can be demonstrated to be longer than 50 years from the date of the planning application.

5. Proposals within the CCMA, submitting a Coastal Change Vulnerability Assessment, demonstrating (as set out in the preamble to this policy): the risks of coastal change; that the development will be safe throughout its planned lifetime; that the development will not increase risk to life or property on site or elsewhere without the need for new or improved coastal defences; as well as clear plans as to how the site will be managed into the future; and

6. Proposals seeking to relocate development away from the CCMA will:

a. be forecast to be affected by erosion, landslip or permanent inundation within 25 years from the date of the planning application, as determined by a Coastal Erosion Vulnerability Assessment or Flood Risk Assessment;

b. be of a similar scale, nature and character as the development it is replacing and be of a scale and design appropriate to its new context;
c. be located at an appropriate location inland from the CCMA and, where possible, remaining close to the coastal community from which it was displaced;
d. demonstrate that no suitable site is available within a built-up area boundary or on previously developed land; and
e. at its current site, ensure that it is cleared to an agreed standard, made safe, or put to a temporary use beneficial to the local community who will take long term responsibility for it.

## 20.7 Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy

**20.7.1** Many areas around the Medway estuary and Swale are low-lying and at significant risk of flooding. Over the next 100 years this risk will increase due to ageing flood defences (much of the existing flood defence network was built between the 1950s and 1970s), rising sea levels and climate change (the area has already experienced over 18cm of sea level rise since 1990). As a result, there will be a greater risk of tidal flooding to properties, agricultural land, infrastructure and the local community.

**20.7.2** Furthermore, much of the Medway Estuary and Swale is covered by national and international designations that protect important species and habitats. As sea levels rise, some of this important habitat will be lost as it is 'squeezed' against the existing flood defences ('coastal squeeze') Terrestrial and freshwater habitats behind seawalls that can no longer be sustainably protected in-situ will also be lost.

**20.7.3** The Medway Estuary and Swale (MEAS) Flood and Coastal Erosion Risk Management (FCERM) strategy (2019) [202] is an evidence-based strategy that looked at future flooding over the short, medium and long-term and builds on the policies established in the Shoreline Management Plans (SMPs) [203] (see Policy B7 The Coast and Policy C6 Coastal Change Management). It has measured the technical, economic, environmental and social value of areas at flood risk against the costs of protecting them into the future. In this way, and through consultation with partners and the community, it has determined the most sustainable approach for each section of the coastline, through implementation of the following policies, either:

- hold the line (HTL) - build or maintain artificial defences so that the position of the shoreline remains;
- managed realignment (MR) - allowing the shoreline to move naturally, but managing the process; and
- no active intervention (NAI) or sustainable asset management - no planned investment to defend against flooding or erosion.

**20.7.4** As well as reducing flood risk to over 14,000 properties, commercial and industrial sites, critical infrastructure, agricultural land and conservation sites in the implementation plan, the MEAS strategy also includes actions to create new intertidal and freshwater habitat to address the loss of designated habitats due to the need to sustainably manage flood and coastal risk. These will replace lost habitats and make sure the area's nature can continue to thrive.

**20.7.5** Flood and Coastal Risk Management projects are prioritised by their benefit-to-cost ratios to drive value for money, with partnership contributions boosting a project's prioritisation. This approach uses government funding to unlock investment from public, private and charitable sources. It makes every £1 of government investment go further while also encouraging the joined-up partnership working that improves project quality. Collaboration across organisations and sectors is needed to effectively deliver the investment that will reduce the risk of flooding and coastal erosion.

202 https://www.gov.uk/government/publications/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy
203 https://environment.data.gov.uk/shoreline-planning

**20.7.6** The MEAS schemes can only be implemented if sufficient funding can be found. The current funding process means that eligible schemes are given a portion of their funding from government. However, contributions are often required from third parties, to enable and prioritise schemes to go forward, including from local authorities, developers, infrastructure providers and flood levies.

**20.7.7** If funding cannot be found, projects identified in the strategy may not be fully taken forward. This could lead to increased flooding and erosion.

**20.7.8** The MEAS study area has been broken down into a series of Benefit Areas and sub-areas based on individual flood areas and land use as well as the Shoreline Management Plan policy units. Whilst there are common risks and vulnerabilities that apply throughout the MEAS area, each Benefit Area has its own specific requirements, and the assessment has taken these into account.

**20.7.9** For each Benefit Area, the strategy sets out the agreed preferred option (for the short, medium and longer term) along with a justification, as well as the preferred option costs (which is broken down into costs, benefits, and partnership contribution needs).

**20.7.10** In April 2026 Defra updated its guidance on flood and coastal erosion risk management funding. Flood and coastal erosion risk management funding policy guidance - GOV.UK [204]

**Contributions to MEAS**

**20.7.11** As set out above, the MEAS strategy aims to reduce flood risk to over 14,000 properties, commercial and industrial sites, infrastructure (including the A249, the road connecting the Isle of Sheppey to the mainland), regeneration areas, agricultural land and conservation sites. It will also provide habitat compensation.

**20.7.12** Development that benefits from these works is therefore being asked to contribute to their funding. This is to ensure funds are adequate and to ensure the works meet funding tests. Contributions will be sought through planning obligations and potentially also through a future Infrastructure Levy.

**20.7.13** The National Planning Policy Framework [205] (NPPF) (para 35), explains that plans should set out the contributions expected from development, including setting out the level of contribution for infrastructure, including flood and water management.

**20.7.14** As the Planning Practice Guidance [206](PPG) sets out 'planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms'. The NPPF and PPG explain that they need to meet three tests:

a. necessary to make the development acceptable in planning terms;
b. directly related to the development; and
c. fairly and reasonably related in scale and kind to the development.

**20.7.15** The use of planning obligations to collect contributions to the MEAS is justified for the following reasons, which relate to the three tests for planning obligations set out in paragraph 58 of the NPPF:

i. The MEAS strategy is designed to protect the Medway Estuary and Swale from future flood risk. It supports and implements the Shoreline Management Plans. Both the SMPs and the MEAS strategy have been subject to widespread and ongoing consultation. It is reasonable to argue that development that will benefit from flood defence infrastructure should make a contribution towards that infrastructure. In this way it can help make development acceptable in planning terms (test one) as it can be 'made safe for its lifetime without increasing flood risk elsewhere' (NPPF para 170);
ii. The MEAS strategy has been designed as a series of interdependent benefit areas. As such it can be seen as one overarching flood protection entity for the Medway and Swale, where policy

204 https://www.gov.uk/government/publications/flood-and-coastal-erosion-risk-management-funding-policy-guidance/flood-and-coastal-erosion-risk-management-funding-policy-guidance
205 https://assets.publishing.service.gov.uk/media/67eafe3f241f783cca46251/NPPF_December_2024.pdf
206 https://www.gov.uk/guidance/use-of-planning-conditions

implementation in one area, could be interdependent on policy implementation in another area, some distance away. Furthermore, due to the inherent uncertainties around where flooding will occur it is reasonable for contributions from one area within the MEAS to be seen as benefitting the whole strategy. In this way, contributions to the MEAS strategy, from across the strategy area, can be seen to be directly related to the development of specific sites (test two); and

iii. The third planning obligations test relates to contributions being fair and reasonable in terms of scale and kind. The MEAS Contributions Zone Advice Note *https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/flood-risk#h2* , 2026 (and updates)sets out the level of contribution expected, which has been tested as part of the Local Plan's Whole Plan Viability Assessment (WPVA) [207].

**20.7.16** Contributions towards the MEAS strategy will be required from:

- MEAS Strategy Contribution Zone 1 - all new development within the area covered by the Flood Map for Planning combined undefended 1% AEP (1 in 100-year) and 0.1% AEP (1 in 1000-year), with climate change allowance for the year 2125, area Map – Flood map for planning – GOV.UK (Flood Zones 2 and 3 with climate change)[208]; and/or;
- MEAS Strategy Contribution Zone 2 - all new development on the Isle of Sheppey. This is due to the importance to the Isle of Sheppey's security of the road and rail infrastructure onto the island, which is at tidal flood risk and is due to be protected through the MEAS schemes (eg the A249).

**20.7.17** These areas, and the rates within them, will be set out in a MEAS Strategy Contributions Zone Advice Note in 2026, and updates. The zones are also set out on the Local Plan's Proposals Map.

### Policy C7

**Implementing the Medway Estuary & Swale Coastal Risk Management Strategy**

Within the Contributions Zone for the Medway Estuary and Swale Flood and Coastal Risk Management Strategy, applicants will:

1. Liaise with the Environment Agency and the Council to identify and deliver flood risk management schemes to manage flood risk and coastal erosion to existing communities and future development sites, in line with the Medway Estuary and Swale Flood and Coastal Risk Management Strategy;

2. Identify how this infrastructure will be funded, operated and maintained for the lifetime of the development;

3. Identify, and satisfy, where relevant, the legal requirement under the Habitats Regulations to provide compensatory habitat associated with sea level rise and coastal squeeze; and

4. Through planning obligations, and in line with the approach set out in a *MEAS Contributions Advice Note 2026* and updates, contribute towards the Environment Agency's flood and coastal risk management programme through the delivery of, or financial contribution to, flood risk management schemes which support the Medway Estuary and Swale Flood and Coastal Risk Management Strategy.

## 20.8 Policy C8 Flood Risk

**20.8.1** As a coastal borough, Swale has the potential to flood from all sources of flooding, in particular from rivers and the sea, surface water and sewers. This policy seeks to ensure that inappropriate development in areas of flood risk is avoided and that where risks do exist, that development should be made safe for its lifetime, without increasing flood risk elsewhere, taking into account the impacts of climate

207 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/viability#h2
208 https://flood-map-for-planning.service.gov.uk/map?seg=fz,fzcl&cz=592462.7,167541.7,12.842593

change. It should be read alongside Policy B7 The Coast, Policy C6 Coastal Change Management, Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy, Policy C10 Water Quality and Water Resources and in particular, Policy C9 Sustainable Drainage.

**20.8.2** New development offers the opportunity to offer multifunctional benefits – using nature-based solutions to link flood risk management with biodiversity, amenity and recreational improvements, climate change mitigation and adaptation as well as improved water quality and water resources. This policy advocates this multifunctional approach.

**20.8.3** The National Planning Policy Framework [209] (NPPF, para 162) explains that plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating and drought in line with the objectives of the Climate Change Act 2008[210].

**20.8.4** The NPPF's 'Planning and flood risk' section (paras 170-171) explains that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future), but where development is necessary in such areas it should be made safe for its lifetime without increasing flood risk elsewhere. Strategic policies should be supported by strategic flood risk assessments and manage flood risk from all sources, considering cumulative impacts and taking the advice of the other relevant bodies including the Environment Agency (EA), the lead local flood authorities and internal drainage boards.

**20.8.5** The NPPF paragraph 172 explains how all plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, if possible, flood risk to people and property. It sets out how to do this, and manage residual risk through; the application of the sequential and exception tests; the need to safeguard land for flood management; when to use opportunities from new development and infrastructure to reduce the causes and impacts of flooding; and where necessary seek opportunities to relocate development in unsustainable locations (due to flood risk caused by climate change) to more sustainable locations.

**20.8.6** The NPPF (paras 173-180) also sets out the role local planning authorities should play when determining planning applications. It explains:

- The approach to the sequential test for planning applications – with the express aim of steering new development to areas with the lowest risk of flooding from any source. It clearly explains that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding, and that the strategic flood risk assessment will be the basis for performing this test;
- When the sequential test should be used, and when it is not required;
- When the exception test may have to be applied and the criteria that need to be demonstrated;
- The importance of new development ensuring that flood risk is not increased elsewhere;
- The role of site-specific flood-risk assessments (FRAs);
- The importance of the sequential approach at site level;
- That development is appropriately flood resistant and resilient;
- That sustainable drainage is incorporated wherever appropriate;
- That residual risk can be safely managed; and
- Safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

**20.8.7** Annex 3 of the NPPF sets out the Flood risk vulnerability classification (essential infrastructure/ highly vulnerable/ more vulnerable/ less vulnerable and water-compatible) for a range of land uses.

209 https://assets.publishing.service.gov.uk/media/67aafe2f2041f783cca46251/NPPF_December_2024.pdf
210 https://www.legislation.gov.uk/ukpga/2008/27/contents

**20.8.8** Alongside the NPPF sits the Planning Practice Guidance [211]. This sets out in greater detail than the NPPF how planning can take account of the risks associated with flooding and coastal change in plan-making and the application process. It explains what is expected of site-specific flood risk assessments, the sequential approach and the Sequential and Exceptions tests that applicants and local authorities should follow, including information on search areas, reasonably available alternative sites, 5-year housing land supply and the role of the Sequential Test in the planning balance. It also explains the role of the relevant bodies (including the EA and the Lead Local Flood Authorities (LLFAs)) in assessing planning applications and the processes involved, as well as approaches to addressing residual flood risk (including emergency planning), addressing cumulative impacts, floodplain storage, where it's appropriate to limit the planned lifetime of development, the issues associated with minor development and changes of use, permitted development rights, proximity to watercourses and flood risk activity permits, sustainable drainage systems and seeking opportunities to reduce the cause and impact of flooding, including through natural flood management. The PPG also contains information on flood resistance and resilience, and coastal change (see Policy C6 Coastal Change Management) as well as important information on flood zones, links to Annex 3 of the NPPF (above), a table on flood risk vulnerability and flood zone compatibility and a checklist for site-specific flood risk assessments.

**20.8.9** The Environment Agency has also produced guidance on Applying for Planning Permission [212] (including when you need a Flood Risk Assessment and a Sustainable Drainage Strategy) and guidance on Flood risk assessment: Flood Zones 1, 2, 3 and 3b [213] which includes detail on:

- how to carry out flood risk assessments for planning applications;
- details on the Sequential and Exceptions tests; and
- other consents/permissions which may be needed alongside planning permission (see also, Consents and Permissions, below).

**20.8.10** The government has recently published updated evidence on flood risk and erosion in the form of National Flood Risk Assessment [214] (NaFRA) and National Coastal Erosion Risk Map [215] (NCERM). NaFRA provides a picture of current and future flood risk from rivers, the sea and surface water for England and NCERM provides the most up to date national picture of current and future coastal erosion risk for England, accounting for Shoreline Management Plans (SMPs) (see below).

**20.8.11** NaFRA and NCERM data, and information including mapping of flood zones 2 and 3, with climate change, and mapping for surface water, is available as open access data at GOV.UK and through the following websites:

- Check your long-term flood risk[216]
- Flood map for planning [217]
- Find a Shoreline Management Plan [218]
- Explore Coastal Erosion Risk [219]

This policy, C8, advocates natural flood management and nature-based solutions. Natural flood management uses natural approaches (which slow and store flows) to mimic natural processes to reduce the risk of flooding and nature-based solutions put nature at the heart of addressing challenges. Government, Environment Agency and Kent Downs National Landscape advice can be found on the following websites:

211 https://www.gov.uk/guidance/flood-risk-and-coastal-change
212 https://www.gov.uk/guidance/flood-risk-assessments-applying-for-planning-permission
213 https://www.gov.uk/guidance/flood-risk-assessment-flood-zones-1-2-3-and-3b
214 https://www.gov.uk/government/publications/national-assessment-of-flood-and-coastal-erosion-risk-in-england-2024/national-assessment-of-flood-and-coastal-erosion-risk-in-england-2024
215 https://environment.data.gov.uk/dataset/9fede91f-5acd-4fd2-9bd8-98153fa3c2ff
216 https://www.gov.uk/check-long-term-flood-risk
217 https://flood-map-for-planning.service.gov.uk/
218 https://environment.data.gov.uk/shoreline-planning
219 https://environment.data.gov.uk/shoreline-planning/coastal-erosion

- Natural flood management programme - GOV.UK [220]
- Nature-based solutions: Environment Agency position statement - GOV.UK [221]
- Natural Flood Management, Kent Downs Areas of Outstanding Natural Beauty [222]

**Locally relevant bodies, policies, guidance and studies**

**20.8.12** The South East Coastal Group is a grouping of local authorities, the EA and other maritime operating organisations who work together to achieve co-ordinated strategic management of the shoreline between the Thames Barrier and Selsey Bill. They have prepared the Shoreline Management Plans (SMPs) for Swale, which identify long-term management policies for the coast. For Swale the SMPS are the River Medway Swale Estuary (SMP9) [223] and the Isle of Grain to South Foreland (SMP10) [224].

**20.8.13** Further to the Shoreline Management Plans, and as explained in more detail in Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy, the EA's Medway Estuary and Swale flood and coastal risk management strategy (MEAS) [225] looks at future flooding and across the estuaries and has determined the most sustainable approach for each section of the coastline.

**20.8.14** The Marine Plan relevant to Swale is the The South East Inshore Marine Plan [226], adopted in 2021. Further details on this are provided in 21.1 Policy B1 Biodiversity & Geodiversity Conservation & BNG

**20.8.15** For Swale, Kent County Council (KCC) is the Lead Local Flood Authority (LLFA) and has an overview role for local flooding (surface runoff, ordinary watercourses and groundwater). KCC have prepared:

- The Swale Surface Water Management Plan (SWMP), 2012, [227] identifies what the local flood risk issues are, what options there may be to alleviate the risks and who should take these options forward. Plans are produced in partnership with internal drainage boards, sewerage companies and the EA.
- Kent local flood risk management strategy, 2024-2034, [228] also a partnership document, it sets out the flood risk in the county, the roles and responsibilities of risk management authorities, the aims of the strategy, progress, challenges, delivery and monitoring.
- Drainage and Planning Policy: Local flood risk management strategy guidance, 2019, sets out KCC's policy requirements for sustainable drainage [229].

**20.8.16** Water Level Management Boards (Internal Drainage Boards) manage water levels in low-lying areas and supervise land drainage and flood defence works to ordinary watercourses in their district. The North Kent Marshes Water Level Management Board [230]is the relevant internal drainage board for Swale.

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220 https://www.gov.uk/guidance/natural-flood-management-programme
221 Nature-based solutions: Environment Agency position statement - GOV.UK
222 https://kentdowns.org.uk/wp-content/uploads/2022/10/0.-NFM-Final-Report.pdf
223 https://environment.data.gov.uk/shoreline-planning/shoreline-management-plan/SMP9
224 https://environment.data.gov.uk/shoreline-planning/shoreline-management-plan/SMP10
225 https://www.gov.uk/government/publications/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy
226 https://www.gov.uk/government/publications/the-south-east-marine-plan-documents
227 https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/planning-policies/flooding-drainage-and-water-management-policies-and-guidance/surface-water-management-plans/swale-surface-water-management-plan#:~:text=The%20study%20identified%20a%20number%20of%20generic%20and,Stage%201%20SWMP%20-%20Report%20%28PDF%2C%201.1%20MB%29
228 https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/planning-policies/flooding-drainage-and-water-management-policies-and-guidance/local-flood-risk-management-strategy
229 https://democracy.kent.gov.uk/documents/s95051/1900088%20-%20Drainage%20and%20Planning%20Policy%20Statement.pdf#:~:text=This%20policy%20sets%20out%20how%20Kent%20County%20Council,management%20provisions%20associated%20with%20applications%20for%20major%20development
230 https://northkentwlmb.org.uk/about/about-us

**20.8.17** The Swale Strategic Flood Risk Assessment 2026[231](SFRA) has been prepared to inform the Local Plan's policies and planning applications. It has assessed flood risk from all sources, now and in the future (with climate change) and from cumulative change. It has defined the functional floodplain. It has assessed surface water management issues and the application of Sustainable Drainage Systems. It gives guidance on the sequential approach, the sequential and exception tests and sets out requirements for site-specific flood risk assessments, as well as guidance on emergency planning, helping to prioritise and target improvements to flood defences and consider opportunities to reduce flood risk to existing communities. It sets out strategic flood risk solutions, including natural flood management. Comprehensive mapping [232]and high level site screening of proposed development sites has been prepared and, along with the report and appendices itself, is available on the Council's website.

**20.8.18** The SFRA identifies that:

- there have been several recorded flood incidents across the borough, with tidal flooding resulting in the most severe consequences (1953, 1978, 2013);
- surface water flood risk is the most frequent cause of flooding, and there have also been a smaller number of recorded flood incidents involving fluvial, groundwater and sewer flooding;
- sources of flooding have occurred in combination, causing a cumulative effect;
- coastal flood risk will potentially increase in areas of the Local Plan where coastal erosion threatens the stability of the coastline and tidal flood defences;
- there are currently three Flood Alert Areas and five Flood Warning Areas in the borough; and
- there are tidal, coastal and fluvial flood defences along the coastline and tidal watercourses of the borough. The SFRA gives detail of the variable standard of protection and the condition of these assets.

**20.8.19** The latest published SFRA should be referred to by applicants in the preparation of site-specific flood risk assessments.

**20.8.20** In parallel to the SFRA, and to supplement the NPPF, PPG and EA policy and guidance, the Council has prepared local guidance on the Application of the Sequential & Exception Tests for Planning Applications in Swale. [233]. This should be read alongside national guidance and can be found on the SFRA pages of the Council website [234].

**Flood designations in Faversham Creek**

**20.8.21** In consultation with the Environment Agency, and as part of the preparation of the Faversham Creek Neighbourhood Plan, in 2010 the Council made provision for consideration of Flood Zone 3a(i). Within this area (previously developed land located at Faversham Creek having a 1 in 20 (5%) or greater annual probability of sea flooding in a defended scenario) it was agreed that, whilst there was an acknowledgement of the high flood risk in this area, the strict national policy restrictions associated with functional floodplain (Flood Zone 3b) did not automatically apply.

**20.8.22** Since 2010 the NPPF has been updated and Flood Zone 3b (which used to be land as having a 1 in 20/5% chance of flooding) is now defined as land having a 1 in 30/3.3% or greater annual probability of flooding.

**20.8.23** Flood Zone 3a(i) has been reviewed as part of the 2026 SFRA update. The Environment Agency have advised that, due to changes to national guidance, the latest modelling approaches and outputs, updated surveys and evidence of increasing impacts and frequency of flooding events over the last 15 years, they can no longer support the designation of Faversham Flood Zone 3a(i). As such, and unless evidence is presented to counter this view, Flood Zone 3a(i) no longer applies in Faversham Creek.

**20.8.24** Details of this change of designation are set out in the SFRA.

231 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/flood-risk#h2
232 http://services.swale.gov.uk/maps/iShare5.6.WebSwaleLive/atMyCouncil.aspx
233 https://services.swale.gov.uk/assets/Planning%20Policy%202019/Sequential%20Test%202020.pdf
234 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/flood-risk#h2

**20.8.25** This change in designation will impact planning applications along the creek, including allocations made in the Faversham Neighbourhood Plan. Developers of sites in this area should consult the Council and the Environment Agency before progressing any applications in this area.

**Consents and Permits**

**20.8.26** To ensure that development does not increase the risk of flooding or cause harm to the water environment, Land Drainage Consent or Flood Risk Activity Environmental Permits and other consents may be required for works, for example, within 16 metres of a tidal main river/sea defence or within 8 metres of a non-tidal main river/flood defence structure, on top of planning permission. The relevant authorities are:

- Environment Agency - for main rivers;
- North Kent Marshes Water Level Management Board - for proposals that introduce water to, or affect flows or volumes within ordinary watercourses within their boundaries;
- Kent County Council - for ordinary watercourses that are outside the boundary of the water level management board; and
- Marine Management Organisation - for works including construction and dredging in English inshore and offshore areas, including waters up to mean high water spring.

**Pre-application Advice**

**20.8.27** As highlighted, this policy should be read alongside the policy and guidance in the NPPF and the PPG as well as Policy B7 The Coast, Policy C6 Coastal Change Management, Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy, Policy C10 Water Quality and Water Resources , and most importantly, Policy C9 Sustainable Drainage.

**20.8.28** As set out above, the Lead Local Flood Authority/Highway Authority for Swale is Kent County Council and the Drainage Board (for part of Swale) is the North Kent Marshes Water Level Management Board. Other relevant bodies/teams include: Southern Water and South East Water as the water and sewerage companies (see Policy C10 Water Quality and Water Resources ); the Council and County Council's emergency planning functions and The Kent and Medway Resilience Forum (a partnership across Kent Police, Kent Fire and Rescue and Kent County Council, which includes emergency planning). Along with the Environment Agency, and as appropriate, any or all of these bodies may be consulted on planning applications with regard to flood risk and the determination of planning applications.

**20.8.29** Applications for development must consider and respond to the policies and guidance set out in the documents these organisations have produced, alongside national policy and guidance, the guidance in the SFRA and guidance produced by the Council.

**20.8.30** The Council advises that applicants consider flood risk in the early stages of development, in liaison with the relevant bodies, who provide pre-application advice as required.

**Flood Risk Emergency Plans**

**20.8.31** Site Specific Flood Risk Assessments should be prepared in line with requirements set out in the NPPF, PPG, EA guidance and the SFRA and where relevant, should include Flood Risk Emergency Plans. These should set out:

- An analysis of flood risk;
- Flood warning procedures and hazard prevention;
- An analysis of safe access and egress;
- A proposed evacuation route (mapped);
- Evacuation procedures;
- Details of safe evacuation on site and safe refuge procedures;
- Details of flood resilient and resistant building techniques/materials and details and calculations relating to the structural stability of buildings during a flood;

- How applications have responded to guidance on preparing prior to flood events, as set out in Personal flood plan - GOV.UK [235] Business flood plan checklists - GOV.UK [236]; and
- Advice and information for the site owner/residents, including whether insurance can be gained or not.

**20.8.32** Furthermore, Flood Risk Emergency Plans should reflect the guidance set out in ADEPT & EA Flood risk emergency plans for new development [237]

**The lifetime of development**

**20.8.33** In accordance with the PPG, the lifetime of residential development is considered to be a minimum of 100 years, and the lifetime of non-residential development, whilst depending on the characteristics of that development, is considered to be a minimum of 75 years.

## Policy C8

**Flood risk**

Development proposals must:

1. Prioritise and seek opportunities to provide natural flood management, Sustainable Drainage Systems (SuDS) and multifunctional benefits, linking flood risk management to nature-based solutions and strategies for green and blue infrastructure, biodiversity net gain and ecological connectivity, improved health and wellbeing and mitigation and adaptation to climate change;

2. Avoid inappropriate development in areas at risk of flooding, in accordance with the NPPF, PPG and local guidance. Where development is necessary in areas of flood risk, the sequential approach must be applied, the development must be made safe for its lifetime, not increase flood risk elsewhere and seek opportunities to reduce the causes and impacts of flooding;

3. Apply the Sequential Test to the location of development and the Exception Test where required, as well as a sequential approach at site level, in accordance with the NPPF, PPG, EA guidance, as well as guidance in the Council's Strategic Flood Risk Assessment and the latest version of the Council's document *The Application of the Sequential & Exception Tests for Planning Applications in Swale*, taking account of all forms of flooding, now and in the future;

4. Provide site specific flood risk assessments (FRAs), where required. These should be prepared in line with the NPPF, the PPG, Environment Agency guidance and mapping, KCC policy as well as guidance set out in the Council's Strategic Flood Risk Assessment, and should address risks from all forms of flooding, cumulative and long-term impacts for the lifetime of the development. FRAs must include:

a. details of how development will be made safe from flooding for the lifetime of the development and not increase flood risk elsewhere;
b. details of what flood mitigation, flood defences, resilience and resistance measures are to be installed and details of how these will be maintained and managed for the lifetime of the development, taking account of climate change;
c. details of how residual risk will be safely managed and mitigated; and
d. consideration of all forms of flood risk, including groundwater and the potential for diverting existing groundwater flows.

235 https://www.gov.uk/government/publications/personal-flood-plan/personal-flood-plan
236 https://www.gov.uk/government/publications/preparing-your-business-for-flooding/business-flood-plan-checklists
237 https://www.adeptnet.org.uk/system/files/documents/ADEPT%20%26%20EA%20Flood%20risk%20emergency%20plans%20for%20new%20development%20September%202019....pdf

5. Provide Flood Risk Emergency Plans, where required. These should be prepared in line with the NPPF and PPG, Environment Agency advice, advice set out in the preamble to this policy, guidance set out in the Council's Strategic Flood Risk Assessment and the ADEPT & Environment Agency guidance on Flood risk emergency plans for new development, and updates;

6. Accord, in particular, with Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy and Policy C9 Sustainable Drainage and generally, provide details of any necessary contributions to new flood defence or mitigation measures off site, following liaison with the relevant authorities;

7. Take account of the policies and proposals of the relevant Shoreline Management Plans, the Medway Estuary & Swale Flood and Coastal Erosion Risk Management Strategy and the South East Inshore Marine Plan;

8. Ensure there is appropriate space, and safeguard land from development that is required, or likely to be required, for future maintenance and new flood risk management infrastructure and comply with other consenting regimes (eg Land Drainage Consent and Flood Risk Environmental Permits); and

9. Provide, as necessary, details of any adoption arrangements secured with the relevant public authority or statutory undertaker.

## 20.9 Policy C9 Sustainable Drainage

**20.9.1** Over time, the expansion of urban settlements, as well as urban creep ( for example, home extensions, conservatories and paving over of front gardens for parking), have incrementally added to the amount of rainwater being diverted from its natural course, entering sewers and frequently resulting in increased flooding, poorer water quality and loss of water as a precious resource. The issues associated with this cumulative development are compounded by the impacts of climate change, in particular the increased frequency of high intensity rainfall events. Sustainable drainage systems (SuDS) seek to mitigate such impacts of development and climate change by mimicking natural drainage processes, separating rainwater from waste water and reducing the effect of surface water runoff from developments. SuDS can provide multifunctional benefits including reducing flood risk, improving water quality, recharging groundwater, rainwater harvesting, opportunities for biodiversity, climate change adaptation, urban cooling, carbon sequestration, contribution to a green and blue infrastructure network, enhanced landscaping, improving health and wellbeing as well as recreational and educational advantages. This policy seeks to maximise the opportunities for sustainable drainage within the borough with the aim of reducing flood risk whilst achieving multifunctional benefits. It should be read, and used, in conjunction with 6.12 Policy ST11 Protecting and Enhancing the Natural Environment, Policy C8 Flood risk and Policy C10 Water Quality and Water Resources .

**20.9.2** The National Planning Policy Framework [238](NPPF) highlights the priority that should be given to sustainable drainage systems. It explains how developments are required to incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate and it sets out the requirements for these systems. Paragraph 182 of the NPPF states that sustainable drainage systems should be incorporated within applications that could affect drainage, to control flow rates and reduce runoff volumes proportionate to the nature and scale of the proposal. Specifically paragraph 182 (c) states that SuDS provided as part of proposals for major development sites should "have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development". Whenever possible, multifunctional benefits should be provided through facilitating improvements in water quality, biodiversity and amenity benefits.

**20.9.3** Planning Practice Guidance [239] (PPG) makes clear that for new developments the layout and function of drainage systems needs to be considered at the start of the design process to ensure better

238 https://assets.publishing.service.gov.uk/media/67eafe2f2d41f783cca46251/NPPF_December_2024.pdf
239 https://www.gov.uk/guidance/flood-risk-and-coastal-change

integration with road networks and other infrastructure and reduce land-take. The appropriateness of the type of sustainable drainage system considered will depend upon a number of factors including the proposed development and its location, however, preference should be given to multi-functional sustainable drainage systems and solutions that allow surface water discharge, accordingly to the hierarchy of drainage options: water re-use; into the ground; to a surface water body; to a surface water sewer; and lastly to a combined sewer.

**20.9.4** When considering major development, with surface water drainage, the local authority must consult the Lead Local Flood Authority (LLFA) on proposed drainage arrangements. In addition, and as appropriate, the local authority is also advised to consult the relevant sewerage undertaker, The Environment Agency, the relevant highway authority and the Internal Drainage (Water Level Management) Board.

**20.9.5** The guidance explains that local planning authorities will need to be satisfied that sustainable drainage systems are appropriate and there are clear arrangements for ongoing maintenance.

**20.9.6** For reference, the sewerage undertaker for Swale is Southern Water, the highway authority is Kent Highways, the Lead Local Flood Authority is Kent County Council (KCC) and the internal drainage/water level management board is the North Kent Marshes Water Level Management Board.

**National standards for sustainable drainage systems**

**20.9.7** In June 2025 the Department for Environment, Food and Rural Affairs (DEFRA) released the National standards for sustainable drainage systems [240] The standards apply to the management of surface water runoff that is uncontaminated and consists predominantly of rainwater, noting that if there is a risk of pollution the Environment Agency should be consulted. The standards provide guidance relating to the design, maintenance and operation of sustainable drainage systems. The standards aim to reflect and reinforce good practice and use of SuDS and should be referenced for all planning applications and decisions where drainage is a material consideration. There are two types of standards:

- the hierarchy standard (standard 1) gives criteria for prioritising the choice of final runoff destination, and
- fixed standards (standards 2 to 7) state the minimum design criteria that all surface water drainage systems should satisfy and how they should be built, maintained and operated.

**20.9.8** A number of principles underpin the standards. These relate to: natural approaches to managing water; early and integrated design; and links with development planning, the latter which sets out that:

- Developers should demonstrate compliance with the National standards from the conceptual stage of the planning application process and that a 'SuDS Approach' has been integrated throughout the development and its landscape design;
- All appropriate planning applications should demonstrate how the National standards have been met in the site design; and
- Where a development is phased, the design of the surface water drainage system should ensure that each of the standards will be delivered for each phase of the development. The proposals should consider the effects of each stage of site development, as well as the performance of the surface water drainage system. This is to ensure risks are mitigated and both short-term and long-term benefits are maximised.

**20.9.9** As set out in more detail in the preamble to 20.10 Policy C10 Water Quality and Water Resources, water is a defining feature of Swale. Surface water flooding is the most frequent cause of flooding in the borough. The Flood map for planning [241] sets out flood risk information for planning applications and is a useful illustration of the surface water flooding risks across the borough. When surface water flooding occurs the impacts go beyond the immediate harm to property and people and include damage to water quality and habitats across Swale including, surface water bodies (some of which are rare chalk streams) and sensitive groundwater aquifers.

240 https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems
241 https://flood-map-for-planning.service.gov.uk/

**20.9.10** As such, in order to reduce surface water flooding and maximise the opportunities for sustainable drainage and mitigate harm to the environment and amenity, sustainable drainage must be considered at the earliest stages of the development process, to ensure that the most sustainable option can be delivered in all cases.

**The Strategic Flood Risk Assessment**

**20.9.11** The Strategic Flood Risk Assessment for Swale (2026) includes detail on flood risk in Swale (including surface water flood risk) and sustainable drainage systems, guidance (including KCC's and DEFRA's National standards), the role of the LLFA in the planning process, the four pillars of SuDS design (water quantity; water quality; biodiversity; amenity), types of SuDS systems, considerations, constraints and possible solutions, groundwater vulnerability zones, groundwater source protection zones and nitrate vulnerable zones. It also considers the cumulative impact of flood risk across the borough and sets out the catchments in the borough where cumulative impacts of development on flood risk could be greatest and the requirements for Flood Risk Assessments for sites within these areas.

**The Lead Local Flood Authority**

**20.9.12** The LLFA (Kent County Council (KCC) for Swale) is responsible for managing local flood risk, including from surface water, ground water and ordinary watercourses, and for preparing local flood risk management strategies. They are a statutory consultee and will review drainage strategies and surface water management provisions associated with applications for major development in Swale. The document Drainage and Planning Policy – a Local Flood Risk Management Strategy Document [242] sets out the policy requirements KCC has for sustainable drainage and should be referred to by all applicants where drainage is an issue. It should be noted, however, that at the time of writing (Summer 2026), KCC are updating this document. Until that update is published, KCC advise that all applicants submitting drainage strategies should reflect the latest National standards (DEFRA, 2025).

**20.9.13** Development has the potential to change surface water and groundwater flows, depending upon how the surface water is managed within the development proposed. Applications for major development must be accompanied by specific drainage strategies that should demonstrate the drainage scheme is in compliance with KCC's drainage policies/National standards. The drainage strategy must also demonstrate that the proposed surface water management proposal is consistent and integrated with any other appropriate planning policy and flood risk management measures that are required. Incorporating sustainable drainage is easier if planned at an early stage and as such KCC welcomes pre-application consultation.[243]

**20.9.14** On occasion, the Council may chose to consult with KCC as the LLFA on a minor application when there are known matters relating to flood risk or within areas that are within 5 metres of an ordinary watercourse. Consultation on flood risk could also occur with other risk management authorities including the Environment Agency (tidal and fluvial flood risk). If a drainage scheme requires connection to a public sewer, additional approval will be required from the appropriate sewerage undertaker.

**20.9.15** Whilst consultation is not generally undertaken with KCC for minor development, applicants should be aware that the NPPF priorities for sustainable drainage apply to all development, irrespective of scale. Developers of sites for minor development are encouraged to consider the policies outlined in KCC's forthcoming, updated Drainage and Planning Policy [244], as well as DEFRA's new National standards (2025). Applicants for these smaller developments are also directed to guidance and standing advice, set out in the SFRA and best practice, to help minimise flood risk.

242 https://democracy.kent.gov.uk/documents/s107027/Item%20F1%20-%20Appendix%202%20Drainage-and-Planning-policy-statement%202019.pdf

243 https://www.kent.gov.uk/environment-waste-and-planning/flooding-and-drainage/flooding-and-drainage-developer-support/sustainable-drainage-in-planning/pre-application-guidance

244 https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/planning-policies/flooding-drainage-and-water-management-policies-and-guidance

**Where are SuDS appropriate?**

**20.9.16** Sustainable drainage schemes are generally appropriate for all sites, including contaminated sites, sites at risk of coastal or fluvial flooding or with high groundwater, if considered early enough in scheme design. Natural solutions are sought, where water is returned to where it would naturally go if the development did not exist. Source control techniques are welcomed including the use of rainwater harvesting and green roofs which can help manage small rainfall events, help conserve water as a resource and bring opportunities for biodiversity net gain. KCC advise that the DEFRA's National standards:

- require all proposals to demonstrate interception of the first 5mm of any surface water rainfall on site as close to source as possible;
- place emphasis on the pepper potting of SuDS features throughout any development proposals;
- explain that the use of pipe to large basin designs is no longer acceptable; and
- make clear that it is not acceptable to disregard, in permeable geologies, the use of infiltration due to the layout proposed conflicting with the required exclusion zones associated with infiltrating features;
- require non-potable water re-use to be considered for all developments going forward;
- specifically state that 'higher cost alone shall not be a reason to utilise lower priority final destinations'[245].

**20.9.17** It should also be noted that SuDS schemes can impact on heritage such as archaeology, building foundations and historic drainage ditches. Therefore, when SuDS are planned it is important that any potential impact on the historic environment is fully considered and any unavoidable damage mitigated. Kent County Council's Heritage Conservation group can offer further guidance.

**Environment Agency advice**

**20.9.18** The Environment Agency advocate the use of sustainable drainage systems and have issued the following advice, to be taken into account in planning applications:

- The collection and dispersal of clean surface water to ground to recharge aquifer units and prevent localised drainage or surface systems flooding in heavy rainfall is encouraged. However, dispersal into the ground through soakaways will always require a site-specific investigation and risk assessment;
- There are areas where, due to shallow groundwater depths, infiltration to the ground might not be possible. This is connected to the need to avoid any direct discharge to groundwater, which must not be done. If direct discharge is unavoidable, an alternative method of surface water drainage should be sought; and
- In addition, there should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made (artificial) ground. Sites impacted, or potentially impacted, by contamination should be suitably assessed prior to any infiltration to the ground being approved.

**20.9.19** The Environment Agency have set out their approach to ground water protection in their document Groundwater protection statements [246]. Of particular relevance to this policy are the protection position statements:

- C4 - Transport developments;
- G10 - Developments posing an unacceptable risk of pollution;
- G11 - Discharges from areas subject to contamination;
- G12 - Discharges of clean roof water to ground; and
- G13 - Sustainable drainage systems.

**Natural England Advice**

**20.9.20** Natural England support natural solutions and source control solutions to sustainable drainage and the multifunctional benefits SuDS can bring. As set out in the preamble to 20.10 Policy C10 Water

245 https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems/national-standards-for-sustainable-drainage-systems-suds
246 https://www.gov.uk/government/publications/groundwater-protection-position-statements

Quality and Water Resources a small area of Swale is within an area subject to nutrient neutrality advice. Guidance on dealing with surface water runoff in nutrient neutrality catchments have been prepared and should be followed within those areas:

- Using SuDS to reduce phosphorous in surface water runoff (C808F) [247]; and
- Using SuDS to reduce nitrogen in surface water runoff (C815F) [248].

**20.9.21** Pollution associated with phosphorous and nitrogen is prevalent across the borough and it should be noted that the design principles set out within these documents are equally relevant to catchments that do not fall under nutrient neutrality requirements.

**Permissions and pre-application advice**

**20.9.22** It should be noted that permission from Southern Water is required for any connection of surface water to any type of water company owned and operated sewer. In line with the National Standards, Southern Water not permit connections of surface water to foul sewers.

**20.9.23** Southern Water offer a pre-application service which developers are encouraged to make use of.

**20.9.24** As set out above, when planning, or specifying SuDS, early consideration of the potential multifunctional benefits and opportunities will help deliver cost effective SuDS scheme with the best results. KCC, the Environment Agency, the Internal Drainage Board and Southern Water, where relevant, should be contacted in the early stages of scheme design, pre-application, to inform the design process.

**20.9.25** Details of other consents and permits related to land drainage and flooding are set out in the preamble to 20.8 Policy C8 Flood Risk.

**Local Water Statements and Site Specific Drainage Strategies**

**20.9.26** Applicants for planning permission for new residential and non-residential development are expected to demonstrate the elements set out in 20.9 Policy C9 Sustainable Drainage, and 20.10 Policy C10 Water Quality and Water Resources have been considered and evidenced, where appropriate, in an Local Water Statement to accompany planning applications. Local Water Statements should be proportional to the scale of the development proposed and should address the impacts of the development in terms of their water quality and water resource implications. Site Specific Drainage Strategies, where required, should be part of the Local Water Statement.

**20.9.27** Local Water Statements should include evidence of engagement with water companies and demonstrate that there is capacity in the wastewater systems for the development at the time it is anticipated to come online.

**20.9.28** It should be noted that planning permission will not be granted unless adequate capacity to fully address all impacts of the development can be demonstrated (including details of funding, delivery and programme of necessary mitigation or infrastructure upgrades), are secured and operational prior to occupation. The Council will use pre-commencement conditions where necessary.

**Definitions**

- Betterment refers to the percentage reduction in surface water runoff from a developed site compared to its previous (brownfield) or natural (greenfield) rate.
- Management train is the sequence of drainage features that collect, convey, store and manage quality of surface water runoff as it drains through the development.

247 https://www.ciria.org/ItemDetail?iProductCode=C808F&Category=FREEPUBS&WebsiteKey=3f18c87a-d62b-4eca-8ef4-9b09309c1c91

248 https://www.ciria.org/CIRIA/CIRIA/Item_Detail.aspx?iProductCode=C815F&Category=FREEPUBS

**20.9.29** Definitions of other technical terms referenced in the policy can be found in the KCC Drainage and Planning Policy document, referenced above, or in National standards (DEFRA, 2025). The Council also aims to produce Planning Guidance to assist in the interpretation and application of climate and water related policies and this should be referred to by applicants once published.

## Policy C9

**Sustainable Drainage**

1. All new residential and non-residential development shall set out, in an Local Water Statement, to the satisfaction of the Council, the Environment Agency, Natural England and the Lead Local Flood Authority, as relevant, how:

a. development proposals will consider sustainable drainage alongside other policies in the plan, in particular 6.12 Policy ST11 Protecting and Enhancing the Natural Environment, 20.8 Policy C8 Flood Risk and 20.10 Policy C10 Water Quality and Water Resources;
b. demonstrate that sustainable drainage has been considered from the earliest stages of scheme development and that schemes seek to provide multifunctional benefits to the environment and communities in terms of reducing the causes and impacts of flooding, improving water quality (removing pollutants from run-off) and improving water resources (water reuse, recharge to groundwater), adapting to climate change and enhancing biodiversity and amenity, as appropriate;
c. comply with DEFRA's (2025 and updates) National standards for sustainable drainage systems (SuDS) and KCC's forthcoming, updated Drainage and planning policy statement;
d. use a sustainable drainage management train – that is, use drainage components in series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to surface water bodies and/or groundwater;
e. demonstrate how they link to the objective to provide 20% biodiversity net gain and enhance the green & blue infrastructure network, in line with the objectives of 6.12 Policy ST11 Protecting and Enhancing the Natural Environment and Policy B1 Biodiversity and geodiversity conservation and biodiversity net gain;
f. demonstrate that post development run-off rates account for the latest climate change allowances as set by the EA and are in line with DEFRA's National Standards (which set limitations in relation to rates of runoff inclusive of climate change adjustments - Standard 3), for the lifetime of development, unless it can be demonstrated to the satisfaction of the Lead Local Flood Authority that site specific run off rates are more appropriate. Run-off rates will require a betterment value as agreed by the Lead Local Flood Authority;
g. demonstrate, including to the satisfaction of the Lead Local Flood Authority where relevant, how an acceptable standard of ongoing management and maintenance will be ensured for the lifetime of the development, taking account of climate change;
h. provide, as relevant, details of the adoption arrangements secured with the relevant public authority or statutory undertaker; and
i. comply with the requirements of any relevant Planning Guidance produced by the Council.

2. In line with Environment Agency statements, new development should ensure that there is no discharge into land impacted by contamination, land previously identified as being contaminated or made (artificial) ground. For those areas where infiltration SuDs are proposed for anything other than clean roof drainage in a Source Protection Zone 1, a hydrogeological risk assessment should be undertaken to ensure that the system does not pose an unacceptable risk to the source of supply;

3. Planning applications for major development must be accompanied by site-specific drainage strategies to be approved by Kent County Council as the Lead Local Flood Authority. In particular proposed drainage strategies should:

a. be in accordance with the standard run off hierarchy as set out in paragraph 1.2 of the National standards; and
b. minimise the risk of sewer flooding and protect water quality by providing SuDS designed to the National standards.

4. Planning applications for proposed development sites that meet with any of the following conditions:

a. are situated in a high cumulative impact catchment area as defined within the Cumulative Impact Assessment of the Swale Strategic Flood Risk Assessment;
b. where the surface water currently discharges to a sewer (either surface water, combined, or highway); or
c. where the surface water currently discharges to a watercourse that is culverted either at the point of discharge or downstream of the discharge point,

- shall only discharge at a rate equivalent to the 2 year rainfall event. Compliance with this requirement will need to be demonstrated to the satisfaction of the Lead Local Flood Authority. Discharge of surface water from new development to a foul sewer will not be permitted. Discharge of surface water to a combined sewer will only be allowed in exceptional circumstances, where fully justified.

## 20.10 Policy C10 Water Quality and Water Resources

**20.10.1** Clean and plentiful water is essential to our health, the economy and the wider environment and is a fundamental element of our natural capital. Water quality and water resources are intertwined issues and are under increased pressure as a result of population growth and development's increased demand for water, unsustainable levels of abstraction, urban and rural pollution, poor land management and the impacts of climate change. The aim of this policy is to ensure that new development does not negatively impact the water environment and takes opportunities to improve the water resource and water quality of Swale to benefit its economy, society and environment. It should be read in conjunction with Policy C8 Flood risk, Policy C9 Sustainable Drainage and Policy C12 Pollution & Land Instability.

**20.10.2** The National Planning Policy Framework (NPPF) [249] explains that 'planning policies and decisions should contribute to and enhance the natural and local environment', including by 'recognising…the wider benefits from natural capital and ecosystem services' and by 'preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of …water…pollution…Development should, wherever possible help to improve local environmental conditions such as ..water quality, taking into account relevant information such as river basin management plans' (para 187).

**20.10.3** It also states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely affects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development' (para 196).

**20.10.4** The Planning Practice Guidance [250] Water supply, Wastewater and Water Quality chapter, sets out the legal and policy framework for the water environment and explains how the planning system can plan positively for water supply, wastewater and water quality. It explains the considerations that may need to be made as part of plan making and planning applications and how impacts should be assessed. It includes details of where to find information on the water environment. The PPG makes clear (para 20 Water supply, Wastewater and Water Quality chapter) that the preparation of plans should be the focus for ensuring that investments plans of water and sewerage companies align with development needs and when there are concerns arising from a planning application about the capacity of wastewater infrastructure,

249 https://assets.publishing.service.gov.uk/media/67eafe2f041f783cca46251/NPPF_December_2024.pdf
250 https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality

applicants can be asked to provide information about how the proposed development will be drained and wastewater dealt with. It later explains that where timescales for works to be carried out by sewerage companies do not fit with development needs, local planning authorities will want to consider how new development can be phased, so it is not occupied until any necessary improvements to the public sewage system have been carried out.

**20.10.5** The PPG also sets out that applications for development relying on anything other than connection to a public sewage treatment plant will need to be supported by sufficient information to understand the potential implications for the water environment. The PPG sets out the considerations which need to be made in these cases where connection to a public sewage treatment plant is not feasible.

**20.10.6** The PPG also sets out the hierarchy of drainage options that must be considered and discounted in the following order:

- Connection to the public sewer;
- Package sewage treatments plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation; and
- Septic Tank.

**20.10.7** The PPG sets out detail with regard to these approaches, which should be adhered to, along with Environment Agency advice.

**20.10.8** The Government's 25 Year Environment Plan [251] sets out what the government intends to do to improve the environment and includes a goal to see 'clean and plentiful water', to 'improve water quality', 'reverse the deterioration of groundwater', see water use fall and achieve best practice improvement in leakage reduction.

**20.10.9** The Independent Water Commission Review [252] (the Cunliffe Review) was published in July 2025. It includes 88 recommendations aimed at reshaping regulation of water in England and Wales. The government initially accepted 4 recommendations (abolish Ofwat; integrate the functions of the Environment Agency and Natural England; create a water ombudsman; stricter oversight). The Government published 'A New Vision for Water [253] - an 'action plan' for water in January 2026.

**20.10.10** The National Framework for Water Resources 2025: *water for growth* [254], nature and a resilient future sets out the increasing pressures on water resources from population growth and climate change and identifies actions needed to meet the challenge.

**The Water Framework Directive and River Basin Management Plans**

**20.10.11** The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 [255] sets out how developments must not cause deterioration in the waterbody status of waterbodies classified under these regulations (WFD waterbodies). Wherever possible, developments should actively contribute to the enhancement of the water environment, such as through habitat creation or improved water quality, and wherever relevant, work should be undertaken to complete actions set out within the appropriate River Basin Management Plan (RBMP).

**20.10.12** River basin management plans [256] (RBMPs) set the foundation for delivering the government's 25 Year Environment Plan 'clean and plentiful water' goal. The Environment Agency (EA) prepares RBMPs

251 https://www.gov.uk/government/publications/25-year-environment-plan
252 https://assets.publishing.service.gov.uk/media/687dfcc4312ee8a5f0806be6/Independent_Water_Commission_-_Final_Report_-_21_July.pdf
253 https://assets.publishing.service.gov.uk/media/698dd6c67149b335a315b348/Defra_Water_White_Paper_2026__with_correction_slip_.pdf
254 https://www.gov.uk/government/publications/national-framework-for-water-resources-2025-water-for-growth-nature-and-a-resilient-future/forewords-executive-summary-and-structure-national-framework-for-water-resources-2025
255 https://www.legislation.gov.uk/uksi/2017/407/contents
256 https://www.gov.uk/guidance/river-basin-management-plans-updated-2022

for each river basin district (RBD). The river basin districts relevant to Swale are the Thames Basin RBD and, for a very small area of the borough, the South East RBD (which contains the Stour Catchment, and for example, the Sarre Penn and Whitehall Dyke). Data for each river basin district, the management and the operational catchments and the water bodies within them, can be best accessed through the Catchment Data Explorer, [257]or through [258] the GOV.UK website on River Basin Management Plans [259].

**20.10.13** The Environment Agency have identified a range of measures for water bodies in Swale. These works are necessary for improving water bodies. Developers should work with the EA to confirm the details of the works that need to be undertaken and ensure they are carried out to a good environmental standard.

**20.10.14** The EA are currently reviewing their water body measures. Once created and published alongside the fourth River Basin Management Plan, the Programme of Measures for each water body should be used to identify suitable measures that could take place to improve the water environment for people and wildlife. The Draft Programme of Measures is due to be published in December 2026 and the final version in December 2027.

**20.10.15** A number of the draft measures identified by the EA relate to the White Drain water body in the Kent North Management Catchment. They include:

- methods to improve fish and eel passage;
- deculverting;
- creation of meanders and riparian buffers with tree planting; and
- re-naturalising river bed , reprofiling banks, making pond/lakes offline.

**20.10.16** Some of the measures on the White Drain are outside the borough of Swale. Measures related to Scrapsgate Drain, in the Tidal Thames catchment, are also included.

**20.10.17** Water is a defining feature of the environment and landscape of Swale. The borough is named after the principal water feature in the area - The Swale, a strip of sea that separates the mainland from the Isle of Sheppey. There are tidal creeks at Queenborough, Halstow, Funton, Milton, Conyer, Oare and Faversham and across the local marshes. As well as The Swale there are a series of spring-fed and surface water streams that flow from the North Downs into the low-lying land of the Swale and Medway marshes, into the Swale. These streams are groundwater dependent, so increases in water abstraction from the North Downs Chalk aquifer can negatively affect stream flow, water and habitat quality. A number of these streams [260] , including the Bapchild Stream, the Downswell Stream and the Westbrook are chalk streams [261], a globally rare habitat. Before abstraction levels increased in the 1960s, for example, the Westbrook stream in Faversham ran from Painter's Forstal, in the North Downs, through Ospringe village to Faversham Creek. Now it is only visible within the town of Faversham itself. Studies into the causes and impacts of abstraction locally are ongoing and will be added to the Local Plan evidence base once published.

**20.10.18** There are also a multitude of streams and ditches on the Isle of Sheppey - many draining south to The Swale (eg Windmill Creek and Elmley and Spitend Fleets) and some to the island's north coast, such as Hen's Brook, Barrows Brook and Warden Bay Stream.

**20.10.19** Reduced flow, pollution from agricultural sources and surface water runoff, physical modifications, sewage pollution and invasive species are negatively affecting the environmental quality of streams across

257 https://environment.data.gov.uk/catchment-planning/v/c3-plan
258 GOV.UKhttps://www.gov.uk/government/publications/river-basin-management-plans-updated-2022-introduction/river-basin-management-plans-updated-2022-introduction
259 https://www.gov.uk/government/publications/river-basin-management-plans-updated-2022-introduction/river-basin-management-plans-updated-2022-introduction
260 https://friendsofthewestbrook.wordpress.com/wp-content/uploads/2023/11/final-no-mark-ups-reduced-size-sert-north-kent-chalk-streams-survey-october-2023.pdf
261 https://engageenvironmentagency.uk.engagementhq.com/chalk-streams

the borough, including precious chalk streams and their habitats. A World Wildlife Fund report [262] into chalk streams reports that more than three-quarters are failing to meet the required Water Framework Directive 'Good status'. Within the borough, the White Drain is of particular concern, due to its poor ecological status.

**20.10.20** Much of the land adjacent to The Swale is comprised of low-lying land drained for agriculture (grazing marshes) or kept as wetlands (inter-tidal mud flats), designated internationally for their biodiversity value. The habitat value of these designations depends on adequate water resource and quality aligned with careful surface water management.

**20.10.21** As set out in the Endangered Landscapes and Seascapes Programme, this environment is currently also threatened[263] by:

- Pollution, including agricultural, urban and industrial run-off, sewage and microplastics, which leads to poor water quality and eutrophication;
- Fragmentation (and subsequent) degradation of natural habitats;
- Climate change, where impacts include rising sea levels, flooding and inundation and coastal erosion; and
- Invasive species.

**Catchment Based Approach**

**20.10.22** The government encourages a Catchment Based Approach [264](CaBA) to improving the quality of the water environment in the UK. This encourages a wider adoption of an integrated approach to river basin management, focusing on collaborative working at a catchment scale. In north Kent this work is coordinated by the North Kent Catchment Improvement Group[265] , hosted by the Medway Swale Estuary Partnership and the South East Rivers Trust.

**20.10.23** The partnership has an action plan that covers:

- Transitional and Coastal Waters;
- The White Drain;
- The Westbrook and Stonebridge Pond (part of the dry valley south of Faversham);
- The Iwade Stream; and
- The Swale Tributary at Lower Halstow/the Libbet.

**Groundwater**

**20.10.24** Groundwater provides the overwhelming majority of Swale's drinking water and is needed to keep springs, streams and ditches across the borough healthy and flowing. The Environment Agency (EA) recognises that over-abstraction is a critical pressure on chalk streams and that the sustainability of abstraction from chalk aquifers needs to be assessed and managed to ensure water supply resilience is balanced against the needs of a healthy environment. (Policy Paper - Taking action: water for the environment: National Framework for Water Resources 2025) [266] .

**20.10.25** The EA protects groundwater sources (eg wells, boreholes and springs) used to supply drinking water from pollution. The EA have defined Groundwater source protection zones [267] (SPZs) which show the level of risk to the source from contamination, following the principle that the closer the activity to the water source, the greater the risk of pollution: inner zones (SPZ1) have a 50 day travel time of pollutant to source, outer zones (SPZ2) have 400 day travel times and SPZ3 shows the total catchment - the area

262 https://www.wwf.org.uk/our-reports/state-englands-chalk-streams-report
263 https://www.endangeredlandscapes.org/news/restored-reconnected-and-resilient-the-future-of-the-thames-estuary/
264 https://catchmentbasedapproach.org/
265 https://msep.org.uk/our-work/north-kent-catchment-improvement-group/
266 https://www.gov.uk/government/publications/national-framework-for-water-resources-2025-water-for-growth-nature-and-a-resilient-future/5-taking-action-water-for-the-environment-national-framework-for-water-resources-2025
267 https://www.gov.uk/guidance/groundwater-source-protection-zones-spzs

around a supply source within which all groundwater ends at the abstraction point. The approach to protecting groundwater is set out by the Environment Agency in their guidance Groundwater protection in England [268].

**20.10.26** Southern Water also provides guidance on protection of drinking water quality in Source Protection Zones suds-in-spz-guidance.pdf [269] which should be responded to in applications.

**20.10.27** Nitrate Vulnerable Zones [270] (NVZs) are areas designated as being at risk from agricultural nitrate pollution. Certain rules must be followed in relation to these areas. The Environment Agency produce maps of NVZs along with drinking water safeguard zones: Check for Drinking Water Safeguard Zones and NVZs [271].

**Disposal of foul drainage**

**20.10.28** As set out above with reference to the PPG, foul drainage connected to the main sewer is at the top of the drainage hierarchy and all development should aim to connect to the existing mains drainage network. The use of private sewage treatment works or New Appointments and Variations (NAVs) should be avoided.

**20.10.29** Where foul drainage is not connected to the main sewer, under the Environmental Permitting Regulations 2016 [272], any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

**20.10.30** The EA do not encourage the use of cesspool or cesspits, other than in exceptional circumstances. There must be no discharge to the environment. Poorly managed cesspools and cesspits present a considerable risk of causing pollution, which can be difficult to monitor and correct. This is supported by position G6 in the Environment Agency's advice on Groundwater protection in England (Groundwater protection position statements) (above).

**Nutrient neutrality**

**20.10.31** Nutrient neutrality is a concept that aims to ensure that any land use or development in proximity to a vulnerable water body does not cause an increase in harmful nutrient levels (nutrient pollution). When phosphates and nitrates enter the water and reach a certain level it can cause eutrophication which will lead to algae growth. Dense algae can have effects on the balance of plants and invertebrates as it can deplete oxygen levels, harm water and air quality, food resources and habitats.

**20.10.32** The Stodmarsh National Nature Reserve is in the Stour valley near Canterbury. It is protected as a National Nature Reserve (NNR), a Site of Special Scientific Interest and a Ramsar site as well as a Special Protection Area and Special Area of Conservation under the Habitats Directive. It is managed by Natural England. A review during 2017/18 identified that some of the lakes there had raised nitrogen and phosphorus levels. As a consequence, in July 2020, Natural England advised competent authorities (including Swale Borough Council) that mitigation measures forming part of a Habitats Regulations Assessment [273] must demonstrate no adverse effect 'beyond reasonable scientific doubt' on the designated site and that the benefits of the mitigation measures must be 'certain at the time of the Assessment' before planning permission can be given. Any development that will have an adverse effect on the designated site will need to provide suitable mitigation.

268 https://www.gov.uk/government/collections/groundwater-protection-in-england
269 https://www.southernwater.co.uk/media/ooubtggs/suds-in-spz-guidance.pdf
270 https://www.gov.uk/government/collections/nitrate-vulnerable-zones
271 https://environment.data.gov.uk/farmers/
272 https://www.legislation.gov.uk/uksi/2016/1154/contents
273 https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site

**20.10.33** It should be noted that the NNR forms only part of the Stodmarsh designated site. The NNR covers 241 hectares, and the full designated area extends to 623 hectares, most of which is privately owned and managed.

**20.10.34** The catchment area of Stodmarsh designated sites impacts a small part of Swale east and south of Dunkirk and east of Oversland.

**20.10.35** In response to the issue of nutrient neutrality, Kent County Council (KCC), Natural England and local authorities in the Stour Catchment have been working on the Stodmarsh Catchment Nutrient Mitigation Strategy 2025 [274]. This identifies the main programme of works to achieve mitigation, with flexibility to deliver different components and seek innovation.

**20.10.36** To complement this, has been the formation of Stour Environmental Credits (SEC), an organisation formed through a collaboration between Ashford Borough Council and Canterbury City Council. SEC are a platform whereby developers can purchase nutrient neutrality credits for phosphorus and nitrogen for use in developments within the Stour Catchment. As a not-for-profit, the proceeds from these sales will be invested in local initiatives that further mitigate nutrient pollution in the catchment, in line with Kent County Council's Stodmarsh Catchment Nutrient Mitigation Strategy.

**20.10.37** In line with Natural England advice, development proposals for new overnight accommodation within the Stour Catchment, or proposals where sewage from a development would be treated at a wastewater treatment works that discharges into the River Stour or its tributaries, should utilise the current best practice nutrient neutrality guidance, including most up to date discharge guidance available on the Environment Agency's website, and nutrient budget calculator.

**20.10.38** The Council is taking a precautionary approach and will require Appropriate Assessments (AA) [275] for all relevant development.

**20.10.39** Natural England advise that:

- potential mitigation could include the provision of credits from agreed strategic mitigation schemes (such as credits available from the Stour Environmental Credits Ltd trading platform), and/or provision of onsite mitigation for larger development sites where appropriate. On or offsite mitigation should seek to generate maximum gains for both people and nature, for example, by giving consideration to measures in the Kent and Medway Local Nature Recovery Strategy (LNRS) and provision of Biodiversity Net Gain (BNG) units;
- there are opportunities to 'stack' additional environmental benefits (such as BNG) with nutrient mitigation measures. Further guidance on stacking other environmental benefits with nutrient mitigation is available on the GOV.UK (Combining environmental payments: biodiversity net gain and nutrient mitigation [276]) and on British Standards Institution (BSI Nature Markets [277]) websites; and
- further information on nutrient neutrality can be found on the Natural England website:
  - Natural England Water Quality and Nutrient Neutrality Advice [278];
  - NECR544 Nutrient Mitigation Tool [279];
  - NBS2024 Information on Nature Based Solutions as Nutrient Mitigation [280];
  - NECR590 Enhanced Drainage Ditch Management [281]; and

274 https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/planning-policies/flooding-drainage-and-water-management-policies-and-guidance/stodmarsh-catchment-nutrient-mitigation-strategy
275 https://www.gov.uk/guidance/appropriate-assessment
276 Combining environmental payments: biodiversity net gain (BNG) and nutrient mitigation - GOV.UK
277 https://www.bsigroup.com/en-GB/insights-and-media/insights/brochures/bsi-flex-701-nature-markets-overarching-principles-and-framework/
278 https://publications.naturalengland.org.uk/publication/4792131352002560
279 https://publications.naturalengland.org.uk/publication/6308925960617984
280 https://publications.naturalengland.org.uk/publication/6683215300509696
281 https://publications.naturalengland.org.uk/publication/5530993254203392

- NECR591 Enhanced Drainage Ditch Management (Annex A) [282].

**20.10.40** Please see the preamble to 20.9 Policy C9 Sustainable Drainage on the use of Sustainable Drainage systems in the nutrient neutrality catchment.

**20.10.41** In December 2025, Natural England notified the Secretary of State that it has decided to prepare 23 Environmental Delivery Plans (EDPs) in England. Of the 23, 16 EDPs relate to catchments of Habitat Sites which are being adversely affected by nutrient pollution (often referred to as 'nutrient neutrality catchments'). The Council are working with Natural England to prepare an Environmental Delivery Plan (EDP) for the Stodmarsh Catchment area.

**Mapping**

**20.10.42** Mapping showing areas impacted by nutrient neutrality, source protection zones, nitrate vulnerable zones and drinking water safeguard zones can be found at Defra's Magic Interactive mapping website[283]. The area impacted by nutrient neutrality, is also shown on the Local Plan's Policies Map.

**Wastewater**

**20.10.43** Southern Water provide wastewater treatment across Swale. New development sites have a legal right to connect to the surface and foul water sewers, but if there is a risk of flooding this is material consideration in planning decisions. The closest point of contact from development sites to the sewage system may not always have adequate capacity. If new development connects where capacity is insufficient, both new and existing customers may experience problems such as poor drainage and/or foul water flooding.

**20.10.44** Drainage and Wastewater Management Plans (DWMPs) are amongst the tools used by water companies to plan for future climates and population, who also have duties to reduce storm overflows, flooding and pollution and protect and improve the water environment. Southern Water have prepared the DWMPs [284] relevant to Swale, the majority of which is within the North Kent River Basin Catchment. There are five wastewater treatment plants within the North Kent Catchment (and Swale Borough), at Sittingbourne; Faversham; Queenborough; Teynham and Eastchurch. Other wastewater treatments plants relevant to Swale, but outside the district, include Motney Hill wastewater treatment works in the Medway River Basin Catchment, and Swalecliffe and Canterbury WwTws in the Stour catchment.

**20.10.45** Southern Water's analysis has identified challenges for the North Kent Catchment, highlights of which include:

- additional homes and businesses increase the risks of non-compliance in three wastewater systems: Sittingbourne, Queenborough and Faversham. This means further investment will be needed;
- new development in the North Kent Catchment might put additional pressure on internationally designated habitat sites at the Medway and Swale Estuaries. Solutions will need to be found to ensure that development is nutrient neutral;
- climate change will bring greater variability of our weather with warmer wetter winters and hotter drier summers as well as intense summer storms that could exceed the capacity of the drainage and wastewater networks and cause localised flooding;
- wastewater systems need to adapt to future climates. There will be an increasing need to 'slow the flow' entering our sewer networks so the systems can carry the water without flooding homes and businesses and/or without causing discharges from storm overflows. Preventing additional rainfall entering foul sewer networks, including combined sewer networks, could delay the need to upgrade and enlarge the underground network of sewers; and
- climate change is expected to have an impact on the risk of flooding in several wastewater systems, especially Queenborough. Risk will increase by 2050 across all wastewater systems unless measures are taken. The risk of storm overflow discharges for four systems, Sittingbourne, Queenborough,

282 https://publications.naturalengland.org.uk/publication/5945233119117312
283 https://magic.defra.gov.uk/
284 https://www.southernwater.co.uk/about-us/our-plans/drainage-and-wastewater-management-plans/

Faversham and Eastchurch already have a very significant risk in 2020 and will increase without further actions.

**20.10.46** DWMPs, along with water company Business Plans, are developed in cycles to inform investments needs in response to these challenges which have informed the current water industry investment period AMP8 (Asset Management Plan 8 2025-2030). Further DWMP development, and growth coming forward from adopted local plans, will inform the next AMP (AMP9, 2030-2035).

**20.10.47** When new housing is progressed outside of local plans (windfalls), Southern Water assess capacity to serve individual development sites at the planning application stage. Where assessments identify constraints they plan the work necessary to serve the development, working with developers on timings. It is the granting of planning permission, and the developer applications to connect, that confirms and funds the more detailed planning of local interventions that may be needed.

**20.10.48** Water companies are not currently statutory consultees for planning applications, however, Southern Water does offer capacity checks to support local planning authorities and developers.

**20.10.49** To avoid issues arising around inadequate capacity and phasing, further to these pre-application discussions with Southern Water, applicants should evidence wastewater treatment capacity, storm overflow resilience and how phasing is aligned with the most up to date DWMP/AMPs. Where issues of capacity and phasing exist the Local Planning Authority can impose planning conditions on development, for instance, requirements that development is not occupied until necessary works relating to sewerage have been implemented.

**Water quality and Water Quality Assessments**

**20.10.50** The PPG (para 16 Water supply, Wastewater and Water Quality chapter) sets out that where water quality has the potential to be a significant planning concern, an applicant should be able to explain how the proposed development would affect a relevant water body in a river basin management plan or designated sites of importance for biodiversity, and how they propose to mitigate the impacts.

**20.10.51** Where it is likely that a proposal would have a significant adverse impact on water quality then a more detailed Water Quality Assessment will be required. It should include:

- likely impacts of the proposed development (including physical modifications) on water quantity and flow, river continuity and groundwater connectivity, and biological elements (flora and fauna);
- how the proposed development will affect measures in the relevant river basin management plan to achieve good status in water bodies (to ensure local authorities discharge their duty to have regard to river basin management plans when exercising their duties, including making planning decisions); Note: this applies to all water bodies in Swale subject to the Water Environment (Water Framework Directive) Regulations 2017 (see the England Catchment Data Explorer [285] for details); and
- how it is intended the development will comply with other relevant regulatory requirements relating to the water environment (such as those relating to bathing waters, shellfish waters, freshwater fish, drinking water, internationally and nationally designated sites of importance for biodiversity) bearing in mind compliance will be secured through the Environment Agency's permitting responsibilities.

**Water resources and water efficiency targets**

**20.10.52** Swale lies within an area of serious water stress as classified by the Environment Agency [286]. Without adequate planning, water resources and consequent pressures on the environment are likely to become more stretched within Swale as the population continues to grow.

**20.10.53** The companies relevant to water supply in Swale are South East Water and Southern Water. Southern Water supplies water to the Isle of Sheppey and the west of the borough. South East Water provides water to Faversham and the more easterly parts of the borough. Water companies prepare Water Resources Management Plans and are required to put in place the necessary mechanisms to support the

285 https://environment.data.gov.uk/catchment-planning
286 https://www.gov.uk/government/publications/water-stressed-areas-2021-classification

development proposed by the Local Plan. The water companies in the South East of England work collaboratively as Water Resources South East (WRSE) to take a regional approach to planning water resources and have produced a regional plan.

**20.10.54** The Water Resources Management Plans for South East Water [287] and Southern Water [288] , along with the Water Resource South East's Regional Plan, identify challenges to water resources from population growth, the need to protect the environment, dry weather/drought resilience and climate change. These factors are leading to needing an extra 188 and 587 million litres of water a day in South East Water and Southern Water's supply areas respectively, by 2075. The water companies intend to address this deficit through a combination of demand management (reducing leakage, improving efficiency) and new water supply options (eg the Butler Treatment Works in Aylesford), (transferring and storing water (e.g. the Broad Oak Reservoir near Canterbury, proposed for the early 2030s) and finding new sources, for example through water recycling and possibly desalination).

**20.10.55** All new development has a responsibility to seek to manage demand for water and make efficient use of this resource. New development also offers the ideal opportunity to include water saving and water efficiency measures - such as installing water efficient fittings and white goods, smart metering, rainwater harvesting and greywater recycling – and thereby contribute to the challenge of water efficiency across the region.

**20.10.56** The Good Homes Alliance [289](GHA), in partnership with industry leaders and supported by the Enabling Water Smart Communities project and the UK Water Efficiency Collaborative Fund, has launched a publication – 'Water Efficiency and Reuse in Housing: Design Guide for a Changing Climate'[290] . The guide sets out a fittings-based approach to water, and related energy, efficiency and provides design guidance, case studies and stakeholder accounts.

**20.10.57** Policy DM 21 of Bearing Fruits, the Swale Borough Local Plan 2017 [291], promoted water efficiency (water consumption standards) in new development, requiring new homes to be designed to achieve a minimum water efficiency of 110 litres per person per day (l/p/d), the most efficient level of the government's Housing: Optional Technical Standards and a standard endorsed at the time by the two water companies within Swale, the Environment Agency and the Catchment Partnership (the North Kent Catchment Improvement Group).

**20.10.58** Due to the government's commitment to creating environmental headroom for growth, it is has consulted [292](autumn 2025) on increasing water efficiency targets. In areas where the optional technical standard applies (including Swale) this could mean that this optional national standard is tightened from 110 l/p/d to 100 l/p/d. At the time of writing, the results of this consultation are not published.

**20.10.59** As mentioned above, Swale is within an area of serious water stress. The reality of this designation is borne out in Temporary Use Bans, the visible drying out of internationally designated wetlands and globally rare chalk streams across the borough as well as increasing incidents of customers being without water at all when demand is high. Through previous local plan consultations, both Natural England and Southern Water have advocated a stricter water efficiency standard for new dwellings in Swale of 100l/p/d and these ambitious water efficiency standards have been factored into the Whole Plan Viability Assessment[293]. Indeed, according to the above referenced DEFRA consultation evidence, while new water efficiency fittings 'could result in increased new development costs …. this cost would be minor in comparison

287 https://www.southeastwater.co.uk/about/resources/publications/water-resources-management-plan-2024/
288 https://www.southernwater.co.uk/about-us/our-plans/water-resources-management-plan/
289 https://goodhomes.org.uk/
290 https://kb.goodhomes.org.uk/wp-content/uploads/2025/07/Water-Guide-GHA-July-2025_FINAL.pdf
291 https://services.swale.gov.uk/media/files/localplan/adoptedlocalplanfinalwebversion.pdf
292 https://consult.defra.gov.uk/water-efficiency-demand/review-of-water-efficiency-standards/
293 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/viability#h2

to overall building costs' (para 34 Reviewing the Water Efficiency Standard in the Building Regulations 2010 [294]). Furthermore, integrating water efficiency into new build saves the costs and difficulties of needing to retrofit schemes in the future, as water efficiency becomes an even more pressing concern.

**20.10.60** Water efficiency in non-residential developments should be dealt with via the BREEAM water efficiency standards, also referenced in Policy C1 Sustainable design and adaptation principles.

**20.10.61** Alongside water efficiency measures, policy requirements for new development to not reduce groundwater levels or watercourse flow (in particular in chalk streams) will help the Council achieve its statutory obligations under the Water Framework Directive to have regard to local River Basin Management Plans. The Council recommends applicants use the Government's advice on Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive [295] .

**Private water supplies**

**20.10.62** A private water supply is a supply that is not provided by a water company, such as South East Water or Southern Water. It can serve more than one property and can include features such as wells, springs, boreholes, streams, surface water features and ponds. A private distribution system is a system that occurs when mains water is supplied to a site or property which is then distributed to other buildings not owned by that organisation or person. Users of private distribution systems, pay a landlord directly for the water instead of the water company.

**20.10.63** The Council is responsible for the registration, risk assessment, sampling and enforcement of private water supplies and private distribution systems to ensure they are suitable for use and meet the standards set by current legislation, The Water Industry Act 1991 [296], Private Water Supplies (England) Regulations 2016 [297] and Private Water Supplies (England) (Amendment) Regulations 2018 [298]. These regulations safeguard public health by ensuring that private water supplies are 'wholesome' and 'safe' to drink, setting quality standards similar to those for mains water supplies. The regulations cover all private supplies, although those serving a single dwelling will only be risk assessed and sampled upon request of the owner or occupier.

**Early engagement**

**20.10.64** Whilst water companies have general duties to enable new development to connect to the water supply and treatment network, it is very important that early engagement with the appropriate water company takes place to ascertain any water supply, drainage and treatment issues which may affect a site are accounted for. This includes:

- phasing of works - including confirmation that there is sufficient capacity in the supply, drainage and treatment network to accommodate the proposed development at timings proposed; and
- ensuring that development proposals allow future access to drainage, sewerage and water supply infrastructure for maintenance and up-sizing purposes.

**20.10.65** Details of the pre-application service the water companies offer can be found using these links:

Southern Water:

- Southern Water | Pre-planning enquiries https://www.southernwater.co.uk/building-and-developing/pre-planning-enquiries/;[299]and

South East Water:

294 https://consult.defra.gov.uk/water-efficiency-demand/review-of-water-efficiency-standards/supporting_documents/consultation-call-for-evidence-review-of-building-regulations-part-g2pdf
295 https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-the-water-framework-directive
296 https://www.legislation.gov.uk/ukpga/1991/56/contents
297 https://www.legislation.gov.uk/uksi/2016/618/contents
298 https://www.legislation.gov.uk/uksi/2018/707/contents/made
299 https://www.southernwater.co.uk/building-and-developing/pre-planning-enquiries/

- https://www.developers.southeastwater.co.uk/application-form-portal/?form=pre-development [300] and
- South East Water - Application for new permanent household and no | South East Water [301]

**20.10.66** Equally early pre-application engagement with the local planning authority, the Council's Environmental Health team, the Environment Agency, Natural England and the Lead Local Flood Authority is also recommended to provide greater certainty for applicants, to ensure that water quality and water resource issues are considered early in the planning process and to ensure integration with other permitting regimes.

**Local Water Statements**

**20.10.67** Applicants for planning permission for new residential and non-residential development are expected to demonstrate the elements set out in this 20.10 Policy C10 Water Quality and Water Resources, and 20.9 Policy C9 Sustainable Drainage have been considered and evidenced, where appropriate, in an Local Water Statement to accompany planning applications. Local Water Statements should be proportional to the scale of the development proposed and should address the impacts of the development in terms of their water quality and water resource implications.

**20.10.68** Local Water Statements should include evidence of engagement with water companies and demonstrate that there is capacity in the supply and wastewater systems for the development at the time it is anticipated to come online.

**20.10.69** It should be noted that planning permission will not be granted unless adequate water supply, sewerage network capacity, and wastewater treatment capacity to fully address all impacts of the development can be demonstrated (including details of funding, delivery and programme of necessary mitigation or infrastructure upgrades), and are secured and operational prior to occupation. The Council will use pre-commencement conditions where necessary.

## Policy C10

**Water Quality and Water Resources**

This policy should be applied alongside other policies in the plan, in particular, 20.8 Policy C8 Flood Risk, 20.9 Policy C9 Sustainable Drainage and 20.12 Policy C12 Pollution & Land Instability.

1. All new residential and non-residential development shall set out, in an Local Water Statement, to the satisfaction of the Council, the Environment Agency, Natural England and the Lead Local Flood Authority, as relevant, how it will:

a. take a catchment-based approach to protecting water quality and water resources, prioritising nature-based solutions;
b. follow the drainage hierarchy;
c. make efficient use of water resources, recycle water wherever possible (including recharging the aquifer) and protect the yield and quality of public water supplies;
d. protect the management catchments, the operational catchments and the water bodies across the borough as well as all groundwater and surface water, including chalk streams;
e. demonstrate no deterioration in Water Framework Directive status, support the delivery of relevant River Basin Management Plans measures and provide detailed Water Quality Assessments where hydrological or ecological receptors maybe be effected, including chalk streams, groundwater Source Protection Zone and sensitive estuarine habitats;
f. set out how they contribute positively towards achieving 'good' status under the Water Framework Directive for waterbodies impacted by development within the borough;

300 https://www.developers.southeastwater.co.uk/application-form-portal/?form=pre-development
301 https://www.developers.southeastwater.co.uk/application-form-portal/?form=household-and-non-supply

g. demonstrate no reduction in groundwater levels or reduced flows in any watercourses, including chalk streams;
h. ensure long-term benefits to the water environment and habitats it supports; and
i. protect groundwater through design and construction and ensure a watertight foul system.

2. Where it is likely that a proposal is deemed to have a significant impact on water resources or water quality a detailed Water Quality Assessment will be required as part of the Local Water Statement, as explained in the preamble to this policy and set out in Planning Practice Guidance, to the satisfaction of the borough's Environmental Protection Team, the Environment Agency and the Lead Local Flood Authority, as appropriate. The Assessment should consider how the proposed development would affect any of the relevant water bodies in a River Basin Management Plan. This applies to all water bodies in Swale subject to the Water Environment (Water Framework Directive) Regulations 2017;

3. All new residential and non-residential development must demonstrate, in the Local Water Statement that:

a. there is adequate water supply, drainage and sewerage network capacity, and wastewater treatment infrastructure, to serve the whole development over its lifetime;
b. that these details have been approved by the relevant water company, and, as appropriate, the Environment Agency, and, where relevant, funded by the development; and
c. that necessary works are secured and phased to ensure no occupation will take place until all necessary works relating to water and wastewater are fully operational.

It should be noted that planning permission will not be granted where adequate water supply, drainage and sewerage network capacity, and wastewater treatment capacity cannot be demonstrated, unless funded and deliverable mitigation or infrastructure upgrades are secured and operational prior to occupation. The Council will use pre-commencement conditions where necessary.

4. All development will safeguard groundwater, in particular, Groundwater Source Protection Zones from pollution, to the satisfaction of the Environment Agency:

a. proposals for development within Groundwater Source Protection Zones will only be permitted if there is no risk of contamination to groundwater sources. If a risk is identified, development will only be permitted if adequate mitigation measures can be implemented;
b. proposals for piled foundations must take account of disturbance to ground and threats to water supply and prevent the creation of pathways from contaminated material to groundwater;
c. developments will not be supported unless they contain details of the measures that will be taken in the construction phase to ensure that polluted runoff (including suspended sediment) does not leave the site. Temporary trade effluent consents can be granted by the appropriate wastewater service provider to help ensure lawful discharge from building sites; and
d. following Environment Agency guidance to protect groundwater.

5. All development connecting to mains drainage and wastewater system must ensure connection at the nearest point of capacity, following advice from the service provider;

6. Utility network infrastructure should be protected. Proposals must demonstrate that future unconstrained access to existing and future drainage, sewerage and water supply infrastructure for maintenance and up-sizing purposes has been allowed for, to the satisfaction of the relevant water company;

7. All development that cannot connect to surface water drainage and/or the sewerage system (such as in some rural and isolated locations) should provide details of how it will effectively treat and dispose of its water prior to commencement of development, to the satisfaction of the Council and the Environment Agency;

8. Package treatment plants and other non-mains drainage (including New Appointments and Variations (NAVs) should be avoided. Where onsite package treatment works are the only remaining option to

deal with foul sewage after discounting connection to the main sewerage network, it should be noted that any discharge from them to a surrounding waterbody will have to consider this discharge rate alongside the discharge rate proposed for the surface water drainage design – the combined rate should then be considered against the required greenfield run off rate and it demonstrated this is not exceeded for the cumulative discharge rate. Discharge to dry ditches should be avoided wherever possible and there should be full consideration of the effects of discharge on vulnerable water bodies, particularly chalk streams;

9. Proposed development for new overnight accommodation within the Stour Catchment, or where sewage from a development will be treated at a Wastewater Treatment Works that discharges into the River Stour or its tributaries will need to ensure that it will not have an adverse effect on the integrity of the Stodmarsh designated site. Applicants will be required to comply with the Stodmarsh Catchment Nutrient Mitigation Strategy 2025 (and updates) and demonstrate that the requirements of the Habitats Regulations will be met, such as by applying the most up to date advice on Nutrient Neutrality issued by Natural England. In areas within the Stour catchment, development will only be permitted where it can be demonstrated that it will be achieve nutrient neutrality through appropriate mitigation measures.

10. Water efficiency and water recycling:

a. all residential development will achieve a minimum water efficiency of 100 litres per person per day;
b. as set out in 20.1 Policy C1 Sustainable Design and Adaptation Principles , all new non-residential developments (including C1, C2, C2a and C5 uses) are required to achieve water efficiency credits for BREEAM 'Very Good' standard as a minimum. New major non-residential developments (including C1, C2, C2a and C5 uses) of 1,000sqm or more are required to achieve water efficiency credits for BREEAM 'Excellent' standard as a minimum;
c. all development to consider best practice approaches to water recycling, and, as a minimum, all residential proposals shall include water collection and recycling facilities such as a rainwater butt; and
d. in order to assist aquifer recharge, proposed new hard standing should be permeable, where appropriate.

11. Private Water Supplies for new developments:

a. developers shall ensure any new private water supplies they install are safe and wholesome;
b. proposals must not cause an inadequate supply or poor water quality for existing users of shared sources; and
c. any proposed developments with private water supplies should inform the Council's Environmental Health team and include a description within their application.

## 20.11 Policy C11 Air Quality

**20.11.1** Air pollution poses significant risk to human health and the environment and is an issue of concern globally, as well as to residents, businesses and the Council within Swale. The Council is committed to improving air quality and protecting the health and amenity of the borough's current and future generations and its environment.

**20.11.2** Land-use planning plays an important role in improving local air quality, strategically by setting out the broad location for development and locally through individual planning applications. Air quality is a material planning consideration in relevant planning decisions to ensure future problems are prevented. There is also a synergy between efforts to address air quality and those to address climate change.

**20.11.3** This policy, a sister policy to Policy C12 Pollution & Land Instability and Policy C10 Water Quality and Water Resources , aims to ensure that development within Swale does not lead to a detrimental impact on air quality and that where air quality is affected, that development is not permitted unless appropriate

mitigation is provided and opportunities for improvements are sought. All applications and decisions on air quality in the borough should take account of national guidance and best practice, the presence of any Air Quality Management Areas, Clean Air Zones (if declared), the borough's Air Quality Action Plan, 2023 [302] and the Swale Air Quality and Planning - Technical Guidance 2024 [303] and updates to these documents.

**20.11.4** Air quality in the UK is co-ordinated by the Department for Environment, Food and Rural Affairs (Defra). The Air Quality Strategy, 2023 [304] for England, Scotland, Wales and Northern Ireland, 2023, provides an over-arching strategic framework for air quality management. The strategy includes national Air Quality Objectives (AQOs) and limit values for nitrogen dioxide ($NO_2$) and particulates ($PM_{10}$ and $PM_{2.5}$), along with several other pollutants prescribed in the [305] Regulations 2010.

**20.11.5** The Clean Air Strategy 2019 [306] sets out the actions required across government and society to improve air quality to protect health, the environment, secure clean growth, reduce emissions and monitor progress. It complements other UK government strategies including the Clean Growth Strategy and the 25 Year Environment Plan.

**20.11.6** UK Air [307] is Defra's Air Information Resource and is a free to use database of air quality information for the country which contains information on national air quality objectives, monitoring data and networks. It also holds a comprehensive library of air quality information. Kent Air [308] website is a useful resource for air quality in Kent.

**20.11.7** The Institute of Air Quality Management's document Land-Use Planning & Development Control: Planning For Air Quality, 2017 [309] has been prepared to ensure that air quality is adequately considered in the land-use planning and development control process and provides guidance as to how to reach sound decisions on air quality and planning matters.

**20.11.8** The National Planning Policy Framework [310] (NPPF) sets the scene for planning for air quality in England. Paragraph 110 states that 'Significant development should be focused on locations that are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health'.

**20.11.9** Paragraph 187 of the NPPF goes on to say: 'Planning policies and decisions should contribute to and enhance the natural and local environment by:...e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality..'.

**20.11.10** Paragraph 198 states 'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development'. Importantly, paragraph 199 goes on to say that 'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be

302 https://swale.gov.uk/__data/assets/pdf_file/0019/451432/AQAP-2023-to-2028_-updated-2025-AAA.pdf
303 https://swale.gov.uk/__data/assets/pdf_file/0008/474182/AQPT-Guidance_-2024-update_PDF_2-002-AA.pdf
304 https://www.gov.uk/government/publications/the-air-quality-strategy-for-england/air-quality-strategy-framework-for-local-authority-delivery
305 Air Quality Standards https://www.legislation.gov.uk/uksi/2010
306 https://www.gov.uk/government/publications/clean-air-strategy-2019
307 https://uk-air.defra.gov.uk/
308 https://www.kentair.org.uk/
309 https://iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf
310 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan'. Paragraph 200 seeks to ensure that new development can be integrated with existing, as follows: '*existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.*'

**20.11.11** Planning Practice Guidance [311] (PPG) sets out the air quality considerations that planning needs to address, with regard to public health, habitats and biodiversity and the formation of ozone. It notes that odour and dust can also be a planning concern, due to effects on local amenity. The guidance sets out Defra's national assessment of air quality and the local air quality management (LAQM) regime which requires each local authority to review and assess local air quality and explains when it is necessary to declare Air Quality Management Areas (AQMAs). The guidance also explains that air quality considerations may also be relevant to habitats and species.

**20.11.12** The PPG also sets out the role of plan-making with regard to air quality recognising that all development plans can influence air quality, for example through what development is proposed and where, and the provision for sustainable transport. Consideration of air quality issues at the plan-making stage can ensure a strategic approach to air quality and help secure net improvements in overall air quality. The guidance makes it clear that it is important to take into account AQMAs, Clean Air Zones and areas such as sensitive habitats or designated sites of importance for biodiversity. Air quality is also an important consideration in habitats assessment, strategic environmental assessment and sustainability appraisal and can help shape an appropriate strategy for a local plan.

**20.11.13** The PPG also contains information on:

- where information on air quality can be found;
- when air quality considerations could be relevant to the development management process and how to assess impacts;
- the importance of engaging at an early stage with the planning and environmental health departments;
- when the Environment Agency might need to be involved;
- the specific issues that may need to be considered;
- information on the detail required in an air quality assessment; and
- detail on how air quality can be mitigated.

**Natural England's role and the significance of ecological receptors**

**20.11.14** Natural England's interest in air quality focuses on ecological receptors (as opposed to human health, which is the focus of the Council's Environmental Protection Team's work), including designated or protected sites ('Sites of Special Scientific Interest' (SSSIs) and 'Habitats Sites' (also called 'European sites'), where Habitats Sites are Special Areas of Conservation (SACs), possible SACs, Special Protection Areas (SPAs), Potential SPAs, Ramsar sites, and sites identified, or required, as compensatory measures for adverse effects on Habitats Sites). They provide standing advice (Air pollution and development: advice for local authorities [312]) on the impacts of air pollution on protected sites. This is a material consideration when making planning decisions, as set out in 20.11 Policy C11 Air Quality. The UK Air Pollution Information System (APIS)[313] provides a searchable database of critical loads and levels for designated sites.

311 https://www.gov.uk/guidance/air-quality--3
312 https://www.gov.uk/guidance/air-pollution-and-development-advice-for-local-authorities
313 https://www.apis.ac.uk/

### Air Quality in Swale

**20.11.15** The Council has a statutory obligation to ensure air quality is reviewed and assessed. If levels of air pollution exceed, or are likely to exceed, national Air Quality Objectives (AQOs), the Local Authority (Environmental Protection Team) is required to declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) [314], which sets out the intended measures in pursuit of the AQOs. The emissions of particular concern in Swale are nitrogen dioxide ($NO_2$) and particulate matter ($PM_{10}$), associated with traffic and congestion.

**20.11.16** The Council has a comprehensive monitoring network. Monitoring has identified locations within the borough that exceed the annual Air Quality Objective (AQO) levels for $NO_2$ and $PM_{10}$ and subsequently declared AQMAs at these locations. Details on AQMAs can be found on the air quality pages of the Council's website [315]

**20.11.17** The Council is required to revoke an AQMA if it demonstrated that air quality objectives are being met and will continue to do so. Revoked AQMAs are still considered Air Quality Sensitive Areas (AQSA), and the Council will continue to monitor these locations. As referenced in the AQAP and relevant guidance [316] where there are no longer any AQMAs, an Air Quality Strategy (AQS) will be created to ensure air quality remains a high-profile issue and to ensure the Council is able to respond quickly should there be any deterioration in condition of the revoked AQMAs.

**20.11.18** The declaration of an AQMA does not mean that there will be no new development within that area. Rather, it means that greater weight must be given to air quality impacts and their mitigation.

**20.11.19** Swale's AQAP sets both strategic and local measures targeted at improving air quality in the designated AQMAs and across the borough as a whole. The AQAP may evolve in response to funding, adaptation of measures and policy changes. Applicants should refer to the latest, relevant AQAPs in their applications.

### Local Air Quality Modelling/Assessment

**20.11.20** Air Quality Modelling [317] for the emerging local plan was prepared to inform the Swale Local Plan Review in 2020. An Air Quality Assessment/Modelling of the Regulation 19 Local Plan has been carried alongside Traffic Modelling and as part of the Habitats Regulations Assessment and is available on the Local Plan's evidence page (link to be inserted when published).

**20.11.21** The Council's Air Quality and Planning - Technical Guidance (July, 2024) [318] and updates has been adapted from the Kent and Medway Air Quality Partnership's Air Quality Planning Guidance (December 2015) [319] in response to changes in national planning policy and guidance and the increased number of planning applications in Swale in which air quality has been a specific issue. The document:

- Explains how air quality is dealt with in planning applications in Swale, providing clarity and consistency for officers within the local authority, and developers and consultants involved in the preparation of development proposals and planning applications, as well as local communities;
- Recommends a range of mitigation measures and explains that standard mitigation is expected for all development;
- Sets out when an Air Quality Assessment (AQA) is required, how this should be undertaken and how it will be used to determine the air quality impacts of planning applications;

314 https://swale.gov.uk/__data/assets/pdf_file/0019/451432/AQAP-2023-to-2028_-updated-2025-AAA.pdf
315 https://swale.gov.uk/bins-littering-and-the-environment/air-quality/monitoring.
316 https://laqm.defra.gov.uk/air-quality/featured/england-exc-london-policy-guidance/
317 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence#h2
318 https://swale.gov.uk/__data/assets/pdf_file/0008/274182/AQPP-Guidance_-2024-update_PDF_2-002-AA.pdf
319 https://www.kentair.org.uk/air-quality-planning-guidance

- Explains the emissions mitigation assessment (including damage cost calculations) expected for development with potential air quality impacts; and
- Emphasises the importance of applying good design and 'best-practice' measures to all developments, to reduce both pollutant emissions and human exposure.

**20.11.22** The guidance primarily focuses on air quality impacts from traffic emissions; however, dust also contributes airborne particulate matter. It should be noted that the Institute of Air Quality Management (IAQM) document Guidance on the assessment of dust from demolition and construction (January 2024, Version 2.2) [320] and updates is the recommended text to refer to ensure dust generation is minimised where possible. The Environmental Protection Team will recommend conditions to an application on a case-by-case basis to ensure dust from all potential sources is addressed (eg a Dust Management Plan).

**20.11.23** The Council's Parking Standards SPD, 2020, [321] and updates, sets out local standards and design aspirations for vehicle and cycle parking for new development in Swale. This document includes requirements for parking for ultra-low emission vehicles with the objective of improving air quality. It should be used alongside current Building Regulations on Infrastructure for charging electric vehicles: Approved Document S[322]

**20.11.24** Good site choice and quality design can beneficially influence air quality. Applicants for proposed development in Swale should demonstrate how their proposals have considered air quality in terms of site location, linkages to other sites and infrastructure, layout, land-use, landscaping and building design.

**Pre-application advice and guidance**

**20.11.25** Early engagement with Swale's Development Management and Environmental Protection Teams as part of the pre-application process is recommended for all schemes that may have air quality impacts.

**20.11.26** Applicants should review the Air Quality and Planning Technical Guidance [323] to determine the significance of their development and whether an Air Quality Assessment (AQA) is required.

**20.11.27** Where required, AQAs should be carried out in line with guidance in the Air Quality and Planning - Technical Guidance [303] and the most up to date industry-prepared best guidance documents including IAQM's Land-Use Planning & Development Control: Planning for Air Quality[309] and Defra's Local Air Quality Management (LAQM) guidance [324].

**20.11.28** AQAs may be incorporated into the full Environmental Statement if required for an Environmental Impact Assessment.

**Air Quality Mitigation**

**20.11.29** The Air Quality and Planning - Technical Guidance, sets out the mitigation measures that are likely to be required. Mitigation may need to include measures that support and encourage sustainable travel such as car clubs and investment in sustainable transport. Mitigation measures should be site specific, where possible, discussed with the borough's Environmental Protection Team and reference local air quality concerns, policies and Action Plans.

**20.11.30** Where mitigation is not integrated into a scheme, the Council will generally require mitigation through a planning condition(s). If on-site mitigation/the use of planning conditions is not possible then the Council may seek contribution to wider air quality mitigation measures through the damage cost value

320 https://iaqm.co.uk/wp-content/uploads/2013/02/Construction-Dust-Guidance-Jan-2024.pdf
321 https://services.swale.gov.uk/assets/Planning-Forms-and-Leaflets/Supplementary-Planning-Documents/SBC-Parking-Standards-May-2020.pdf
322 https://www.gov.uk/government/publications/infrastructure-for-charging-electric-vehicles-approved-document-s
323 https://swale.gov.uk/your-council/publications/planning-and-planning-policy/air-quality-and-planning-technical-guidance
324 https://laqm.defra.gov.uk/guidance/

and/or section 106 agreement. If the development is within or close to an AQMA and is considered a non-major development, then it will be at the discretion of Swale's Environmental Protection Team to suggest reasonable mitigation options.

**20.11.31** An emissions mitigation assessment (also known as a Damage Cost Calculation) is required for all major developments. The purpose of an emissions mitigation assessment is to assess the local emissions from a development and to determine the appropriate level of mitigation (a damage cost value) required to help reduce the potential effect on health and/or the local environment. As well as guidance within Swale's Air Quality and Planning – Technical Guidance, Defra's Air quality appraisal: damage cost guidance [325]also provides guidance on how to carry out an emission mitigation assessment.

**Updates, receptors, Transport Assessments and other guidance**

**It should be noted that guidance may be updated to reflect changes in Government policy, good practice and advances in air quality mitigation; the latest version of the relevant guidance should be consulted.**

**20.11.32** For the purposes of this policy sensitive uses or receptors includes nurseries, schools, hospitals, care facilities, residential uses and other similar uses and their users.

**20.11.33** All major development, or any development where air quality is likely to be a significant issue, is also required to undertake a Transport Assessment and prepare a Travel Plan as set out in **19.1 Policy INF1 Managing Transport Demand & Impact**.

**20.11.34** 20.11 Policy C11 Air Quality references Supplementary Planning Documents and guidance, which, if prepared, should inform the approach to air quality in the borough.

## Policy C11

**Air Quality**

1. Air quality must be considered in the early stages of a development in consultation with the borough's Environmental Protection Team and with reference to Swale's Air Quality and Planning - Technical Guidance 2024 and updates, the latest best practice guidance and any relevant Supplementary Planning Documents;

2. Proposed development will (to the satisfaction of the Council's Environmental Protection Team):

a. demonstrate they include measures to improve air quality through the location of the site, linkages to other sites, site layout, land-use, landscaping and building design;
b. provide standard mitigation for air quality impacts in line with Swale's Air Quality and Planning Technical Guidance; and
c. carry out an Air Quality Assessment in line with the requirements set out in the Council's Air Quality and Planning - Technical Guidance.

3. All major development must carry out an Emissions Mitigation Assessment (also known as a Damage Cost Calculation) and demonstrate that the appropriate level of mitigation has been incorporated into the proposed development, to the satisfaction of the Council's Environmental Protection Team;

4. Proposals which would introduce or intensify sensitive receptors' exposure to poor air quality (including odour) should demonstrate measures that mitigate air quality impacts and ensure the ongoing viability of existing surroundings uses is not compromised;

**Protected Sites**



325 https://www.gov.uk/government/publications/assess-air-quality-impacts/air-quality-appraisal-damage-cost-guidance

6. Consideration will be given to Natural England's standing advice on the impacts of air pollution on protected sites. This advice will be taken into account as a material consideration in relevant planning applications;

7. Proposals should not significantly delay the date for compliance with environmental thresholds for air pollutants for Habitats Sites or SSSIs that are currently in exceedance of environmental benchmarks (critical levels and loads);

8. Proposals emitting air pollutants which impact Habitats Sites must rule out adverse effects on the integrity of such sites. Where this is not possible the derogations route of the Habitats Regulations should be followed; and

9. To avoid and minimise air pollution impacts any development requiring Habitats Regulations Assessment, Environmental Impact Assessment (EIA) or impacts to SSSIs unrelated to EIA development should consider:

a. the measures included which will minimise air pollution impacts on SSSIs and Habitats Sites during the design process of the development: and
b. how air quality improvements have informed the design choices made about the location of the development, its layout, and distribution of buildings, on-site activities, amenity spaces and infrastructure.

## 20.12 Policy C12 Pollution & Land Instability

**20.12.1** This is a sister policy to Policy C10 Water Quality and Water Resources and Policy C11 Air Quality and seeks to ensure that new development is appropriate for its location, doesn't contribute to pollution and land instability and seeks to improve environmental conditions and, where appropriate, bring land back to productive use.

**20.12.2** Minimising pollution is one of the National Planning Policy Framework's [326] environmental objectives, a key aspect of sustainable development. The NPPF (para 187) sets out that planning policies and decisions should contribute to and enhance the natural and local environment by 'preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.' as well as 'remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate'. The NPPF goes on to explain how planning policies and decisions should ensure that sites are suitable for proposed uses, taking account of ground conditions, land instability and contamination, are remediated to an established standard and that adequate site investigation information is available to inform these assessments. It makes clear that responsibility for securing safe development rests with the developer/landowner.

**20.12.3** The NPPF states that planning should ensure that new development is appropriate for its location, taking into account likely, including cumulative, effects of pollution on health, living conditions and the natural environment as well as the potential sensitivity of the site or wider area to development impacts. It sets out that planning policies and decisions should address noise, tranquillity and light pollution and ensure that new development can be appropriately integrated into existing businesses and community facilities, highlighting that planning is about the acceptable use of land and should not duplicate other permitting regimes.

**20.12.4** Pollution, land contamination and unstable land issues are relevant within Swale, particularly due to the legacy of past industrial uses and its economic strengths in manufacturing and distribution. Pollution can be site specific, but is impacts can also be widespread, for instance downstream of sources, effecting sites designated for their environmental quality. Pollution is also an important concern of residents.



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

### Hazardous substances

**20.12.5** Planning Practice Guidance (PPG)[327] explains planning controls relating to the storage of hazardous substances and how to handle development proposals around hazardous establishments and the hazardous substances consent process and regulatory framework. The Council holds a register of relevant sites.

### Land contamination

**20.12.6** Contamination can harm human health, property, water resources and the wider environment. Planning Practice Guidance sets out where planning can deal with contamination where not dealt with by other regimes. The guidance explains the role of site-specific investigations and explains where sources of information as to whether a site might be contaminated can be found. Applications should check whether an environmental permit is required.

**20.12.7** PPG also explains the role to which local plans will need to consider contamination including through sustainability appraisal and the choice of land allocations. The PPG sets out what contamination risk assessments should include. PPG also sets out the level of detail required for applications for outline planning permission and when planning permission should be refused on grounds of land contamination. It also includes detail on planning conditions and planning obligations and detail on unacceptable risk. PPG makes clear that as a minimum and after remediation, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990[328].

**20.12.8** All aspects of investigation into possible land contamination should follow the Environment Agency guidelines within Land contamination risk management [329] (LCRM) guidance. The government's LCRM also gives guidance on the assessment of unacceptable risk, decisions on options to manage risk and implement remediation where needed. It should be remembered that some site investigations themselves may require planning permission. The Council's Contaminated Land Strategy (2021-2026) [330]should also be referred to by developers.

**20.12.9** Where development is approved on previously developed land and made subject to a land contamination condition, the risk assessment undertaken should follow guidance contained in Land contamination risk management guidance, mentioned in the above paragraph and on the government website.

### Light pollution

**20.12.10** The NPPF (para 198) and the PPG[331] advises how to consider light within the planning system. The NPPF (para 189 and 193) gives great weight to conserving and enhancing landscape and planning decisions should contribute to and enhance the natural environment. The guidance explains what light pollution considerations planning needs to address and when artificial lighting can become light pollution which can harm people, wildlife and the night sky. Light pollution is particularly harmful in intrinsically dark landscapes including nature reserves which support native nocturnal animals and can impact on tranquillity. It is important to consider design of lighting schemes early in scheme development as it can be expensive to rectify later on.

**20.12.11** The PPG also gives advice on what factors can be considered when assessing whether a proposal might have implications for light pollution. These include the impact of existing development on proposed development, the impact of new development on existing sites and impacts on specialist facilities/intrinsically dark landscapes, safety concerns, impacts on species and habitats and use of smooth, reflective buildings (which can affect wildlife). If these impacts are likely the PPG advises that the local planning authority and applicant should consider:

327 https://www.gov.uk/guidance/hazardous-substances
328 https://www.legislation.gov.uk/ukpga/1990/43/contents
329 https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm
330 https://swale.gov.uk/__data/assets/pdf_file/0003/[illegible]Contaminated-Land-Strategy-2021-2026-AA.pdf
331 https://www.gov.uk/guidance/light-pollution

- where the light shines;
- when the light shines;
- how much light shines; and
- possible ecological impacts.

**20.12.12** The PPG gives details of how to do this and links to best practice, including advice from the Bat Conservation Trust and the Chartered Institution of Building Services Engineers.

**20.12.13** The impact of lighting from development can have a significant effect on tranquillity. The Institute of Lighting Professionals has produced free resources to enable lighting to be sympathetically integrated into development, such as Guidance Notes for the reduction of obtrusive light [332] which should be referenced in relevant applications. The Department for Environment, Food and Rural Affairs, the Campaign to Protect Rural England, the Campaign for Dark Skies and the Institute of Lighting Professionals has collaborated to produce an information leaflet, Getting Light Right [333], designed to demonstrate how to install security lights effectively to reduce pollution.

**Noise and vibration**

**20.12.14** New development may create additional noise or could be sensitive to existing noise and as such needs to be considered early on in the planning process. The NPPF (para 198) and PPG[334]advises how planning can determine and manage potential noise impacts in new development, seeking specialist assistance where necessary. It explains what 'observed effect levels' are and how it can be established if noise is a concern (citing the noise exposure hierarchy table), the factors involved (including cumulative impacts, timing and effect on wildlife). It sets out how the risk of conflict between new and existing development can be addressed, how to address effects (engineering, layout, conditions, mitigation) and where other information can be found.

**20.12.15** Assessing developments for noise and vibration - both from noise generated from new developments affecting existing development and new development close to existing noise sources - can be complex. The relevant British Standards and guidance, including BS8233 need to be considered. The Council's Environmental Protection Team has published a guidance document, Noise and Vibration: Planning Technical Guidance Document (2020) [335]. Developers should refer to this guidance, as well as the latest revised British Standards, in their planning applications.

**Land instability**

**20.12.16** Land instability can result in landslides, subsidence or ground heave and failure to deal with this issue could cause harm to health, property, infrastructure and the environment. PPG[336] sets out advice on how to ensure that development is suitable to its ground condition and how to avoid risks caused by unstable land or subsidence, explaining why planning authorities should be concerned about land stability (minimising risk, ensuring development does not occur in unstable locations, and bringing unstable land back to productive use) and the other regimes involved (eg Building Regulations). PPG explains the role of plans in planning for land instability, where information on land instability can be found, the planning mechanism that can be used to mitigate and minimise risks and the steps applicants should take if they suspect land instability (including a flow chart), what a slope stability report and land stability risk assessment report should contain and who should prepare them and the role of the Coal Authority.

**20.12.17** Planning matters related to pollution prevention and land instability in Swale will be dealt with via reference to the NPPF, PPG, all of the guidance listed above and other relevant policies within this

332 https://theilp.org.uk/resource/gn01-ilp-guidance-note-1-the-reduction-of-obtrusive-light-2021.html
333 https://theilp.org.uk/publication/getting-light-right-defra/
334 https://www.gov.uk/guidance/noise--2
335 https://swale.gov.uk/your-council/publications/planning-and-planning-policy/noise-and-vibration-planning-technical-guidance
336 https://www.gov.uk/guidance/land-stability

Plan, informed by the technical advice of the Council's Environmental Protection Team and the Environment Agency. Applicants should refer to the advice in PPG, as outlined above, and seek the advice of the Council's Environmental Protection Team at the pre-application stage.

## Policy C12

**Pollution & Land Instability**

1. The responsibility for securing development which is safe from the risks of all forms of pollution and land instability rests with the developer and or landowner.

2. Development will only be permitted where:

a. appropriate assessment of all risks has been carried out by competent persons and to the satisfaction of the Council's Environmental Health Team, the Environment Agency or Natural England, whether the risk is to human health or the environment;

b. it can be demonstrated that development is appropriate for its location and its layout, design, and construction (including demolition) would not be damaging or cause significant harm to the natural environment and biodiversity including designated sites, wildlife, groundwater environment, National Landscapes, property and sensitive receptors as a result of hazardous substances, land contamination, noise, vibration or light pollution. Where adverse effects arise, appropriate mitigation should be secured;

c. on land affected by contamination, it can be demonstrated that the contamination and land gas can be satisfactorily managed or remediated so that it is suitable for the proposed end use and will not impact on the groundwater environment, human health, buildings and the wider environment, during demolition and construction phases as well as during the future use of the site. Verification of remedial works will need to be provided post work; and

d. on unstable land, it can be demonstrated that it will be safe for its lifetime, will not lead to risk to property, infrastructure, the public or wider environment and will seek to bring land back into productive use.

# 21 Development Management Policies - Biodiversity and Landscapes

## 21.1 Policy B1 Biodiversity & Geodiversity Conservation & BNG

**21.1.1** Swale has an extremely diverse natural environment, but nationally, the Council is faced with its unprecedented decline. The conservation and enhancement of the natural environment is therefore at the core of the Local Plan strategy with further guidance to be set out in a strategic policy on Conserving and Enhancing the Natural Environment at the Reg 19 stage of the plan making process. The aim of this policy is to focus on the conservation and enhancement of biodiversity and geodiversity elements of the strategy.

**21.1.2** In seeking to achieve this, the National Planning Policy Framework [337] (NPPF) states that plans should consider the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and the connections between them, and areas identified for habitat management, enhancement, restoration or creation. Plans should also promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species (NPPF 192).

**21.1.3** Furthermore, along with the NPPF which promotes seeking net gains for biodiversity, the Environment Act strengthens this and introduces a mandatory approach to biodiversity net gain. A measurable increase in habitat value will be required, at an absolute minimum of 10%, compared with a pre-development baseline. The Environment Act also requires the production of a Local Nature Recovery Strategy (LNRS) [338] which should identify opportunities for promoting nature recovery and enhancement and should be integrated within a National Nature Recovery Network.

**Biodiversity and geodiversity within designated sites**

**21.1.4** Large areas of Swale are designated because they contain special habitats or support species which are rare and/or threatened. Designation provides long term protection as well as opportunities to introduce management measures to conserve features of particular importance. The hierarchy of designations within Swale is set out below. Further detail on the range of sites, their statutory obligations, and their impact on the planning system can be found in Circular 06/2005: Biodiversity and Geological Conservation [339]

**Internationally designated sites**

**21.1.5** The most important sites for biodiversity have statutory protection under international legislation and comprise Ramsar sites, Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). The NPPF also states that potential SPAs and SACs, listed or proposed Ramsar sites and sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential SPAs and SACs and listed or proposed Ramsar sites should be given the same protection (NPPF para 194).

**21.1.6** Ramsar sites are wetlands of international importance designated under the Ramsar Convention. The designation provides for the conservation and good use of wetlands and for Swale, comprise *The* Swale and the Medway Estuary and Marshes. They are designated for their high plant and invertebrate species diversity and internationally important bird species.

**21.1.7** Special Areas of Conservation are areas which have been given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of wild animals, plants and habitats. SACs are designated at Queendown Warren and The Blean Complex. Queendown Warren is designated for its chalk grassland and due to it supporting a number of orchid species. The Blean is designated due to its ancient oak and hornbeam woodland and because it supports a good population of the rare heath fritillary butterfly.

**21.1.8** Special Protection Areas are areas classified under Directive 79/409 on the Conservation of Wild Birds, also in accordance with Birds Directive of 1979. They are identified as being of international importance

337 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
338 https://www.legislation.gov.uk/ukpga/2021/30/part/6/crossheading/local-nature-recovery-strategies
339 https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005

for the breeding, wintering or migration of rare and vulnerable species of birds. For Swale, they comprise The Swale SPA and Medway Estuary and Marshes SPA (both designated for overwintering, on-passage and breeding birds) as well as the Outer Thames Estuary SPA (designated for the red-throat diver).

**The North Kent Strategic Access Management and Monitoring Strategy**

**21.1.9** In 2011, Local Authorities and conservation organisations across north Kent joined together within the North Kent Environment Planning Group to identify the impacts of recreational disturbance on wintering birds within the SPAs. Following a Visitor and Bird Disturbance Survey, a Strategic Access Management and Monitoring Strategy (SAMMS) [340] is now in place, which sets out a range of measures to mitigate any disturbance to birds caused by increasing numbers of recreational visitors.

**21.1.10** These strategic measures are funded by developer contributions, applied to all residential development within 6km of the SPAs (the area mostly likely to result in increased recreational pressure on them). These contributions are collected via Section 106 agreements, or, if implemented in the future, a Community Infrastructure Levy. Some larger developments beyond the 6km radius, or those particularly close to the SPA, may require additional mitigation.

**21.1.11** Alternatively, developers can gather their own evidence and complete a Habitats Regulations Assessment and implement bespoke mitigation measures. Such an assessment would have to consider the impact of the proposal in combination with other proposed developments, the cost of which is likely to be higher than making a contribution to the implementation of the SAMMS. In most cases, it will not be viable for a development to provide its own bespoke mitigation package. For further information, see Bird Wise[341].

**21.1.12** If a development proposal is considered likely to have a significant effect on a protected habitats site (either individually or cumulatively) then an Appropriate Assessment of the implications for the site will be required under the Conservation of Habitats and Species Regulations 2017[342]. If the Council, in consultation with other bodies, is unable to conclude that the proposal will not adversely affect the integrity of the site, then it will have to be refused. Applicants will therefore need to provide sufficient information as may be required to undertake the assessment, including implementation of the mitigation hierarchy.

**21.1.13** More generally, the Council will take a precautionary approach in requiring Habitats Regulations Assessments to be prepared for individual development proposals until a strategic solution has been prepared or where effects of a proposal are deemed to be uncertain. The Council will consider the need for Habitats Regulations Assessments to be undertaken at the reserved matters stage for sites where outline planning permission has already been granted.

**Nationally designated sites**

**21.1.14** For Swale, nationally designated sites include Sites of Special Scientific Interest (SSSIs), National Nature Reserves (*NNR*) and Marine Conservation Zones (MCZ).

**21.1.15** Sites of Special Scientific Interest are the country's best wildlife and geological sites and are legally protected under the Wildlife and Countryside Act 1981 (as amended). For Swale, they comprise The Swale and The Medway Estuary and Marshes, Sheppey Cliffs and Foreshore (for geological as well as nature conservation), Church Woods (Blean), Queendown Warren (Hartlip) and a small section of nearby Purple Hill.

**21.1.16** National Nature Reserves represent many of the finest wildlife and geological sites in the country. They are used to manage some of the most pristine habitats, rarest species and most significant geology as well as promote public access to natural heritage. For Swale, they comprise the Swale, Elmley and Blean Woods.

340 https://northkent.birdwise.org.uk/wp-content/uploads/2018/02/Mitigation-Strategy.pdf
341 https://northkent.birdwise.org.uk/
342 https://www.legislation.gov.uk/uksi/2017/1012/contents/made

**21.1.17** Marine Conservation Zones are a type of marine protected area, which exist alongside other international and national designations to form an ecologically coherent network of marine protected areas. The Medway Estuary was designated as an MCZ in 2013 and the Swale Estuary was designated as an MCZ in 2016.

**21.1.18** Development proposals within these nationally designated sites will only be permitted where they are not likely to have an adverse effect on the site or its interests, either individually or in combination with other developments, unless the benefits of the development clearly outweigh both the impacts it is likely to have on the features of the designated site and its wider environmental network of sites.

**Locally designated sites**

**21.1.19** Local Nature Reserves (LNR) are for both people and wildlife. They are places with wildlife or geological features that are of special interest locally. They offer people opportunities to study or learn about nature or simply to enjoy it. For Swale, these include Oare Marshes, the South Bank of the Swale, Seasalter Levels and Queendown Warren.

**21.1.20** Local Wildlife Sites (LWS) are identified by the Kent Nature Partnership and are administered and monitored by Kent Wildlife Trust on behalf of the partnership. Site selection takes into account the most important, distinctive and threatened species and habitats within a national, regional and local context, making LWSs some of Kent's most valuable urban and rural wildlife areas. There are 32 LWSs within Swale, the majority of which contain habitats and species that are priorities under the county or UK Biodiversity Action Plans (BAP) and/or Biodiversity Strategies.

**21.1.21** Roadside Nature Reserves (RNR) are roadside verges that have been specially designated because they contain a scarce or declining Kent habitat or the presence of a rare or notable species. Roadside nature reserves can link existing wildlife areas, helping to reconnect and restore landscape so that wildlife is no longer struggling to survive in isolation. There are currently 13 in Swale, managed by Kent County Council Highways and monitored by Kent Wildlife Trust.

**Biodiversity and geodiversity outside of designated sites**

**21.1.22** Although the hierarchy of formally designated sites is of critical importance to the conservation and enhancement of biodiversity and geodiversity, it must be recognised that important habitats and protected species are not confined to them, and can be found on almost any site. The Council will therefore seek their conservation and enhancement across the whole borough.

**Protected species**

**21.1.23** A series of international conventions, European directives and national laws protect species of animals and plants in the UK, notably the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation of Habitats and Species Regulations 2017. The status of species on development sites must be assessed through appropriate surveys undertaken to clarify the constraints and requirements that could apply to development on these sites.

**21.1.24** The decline of pollinators is a global issue, but of particular importance to Swale given the reliance placed upon them by its fruit industry. The Council will support the National Pollinator Strategy [343] and look for opportunities through development proposals to enhance foraging habitat.

**Landscape scale biodiversity networks**

**21.1.25** The NPPF in Paragraph 187 encourages local plans to plan for the enhancement of natural capital at a landscape scale. This is important as it enables wildlife to move through the landscape and species to colonise new areas, increase their genetic diversity and adapt better to climate change. Designated sites contain the most valuable habitats and species but links between these sites and the wider countryside are also imperative as they enable larger areas of habitat to be restored and enhanced as well as allowing

343 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794706/national-pollinator-strategy.pdf

fragmented habitats to be connected. Landscape scale biodiversity networks also secure natural habitat which can be accessed by the local community. Research has shown that that access to the natural environment increases mental and physical wellbeing.

**21.1.26** The Supplementary Planning Document (SPD) entitled Swale Landscape Character and Biodiversity Appraisal, which can be accessed in two parts - Part 1 and Part 2 [344] includes an assessment of the current distribution of priority habitats and identifies opportunities for linking these areas to form a more coherent, extended and enhanced biodiversity network to better cope with future environmental change.

**Biodiversity Action Plans, Biodiversity Opportunity Areas, and the Kent Biodiversity Strategy**

**21.1.27** Biodiversity Action Plans (BAPs), for key habitats and species within Swale, were prepared at the national, county and local levels (see Statement 6). They covered both designated and non-designated sites and habitats and species populations outside these areas. Of these BAP habitats, Swale is particularly important for its mudflats, sandflats, wetlands and grazing marsh. The Swale Biodiversity Action Plan [345] provides a basis for local action to conserve, protect and enhance the biodiversity of the borough and focuses on a number of BAP habitats of importance to the borough.

## Statement 8

**Biodiversity Action Plan habitats in Swale**

**UK Biodiversity Action Plan Habitats**: chalk grassland, acid grassland, neutral grassland, wood-pasture and parkland, vegetated shingle, maritime cliffs, reedbeds, arable field margins, coastal and floodplain grazing marsh, intertidal mudflats (littoral sediment), saltmarsh, ponds, traditional orchards and hedgerows.

**Kent Biodiversity Action Plan Habitats**: ancient and/or species rich hedgerows, built-up areas and gardens, cereal field margins, coastal and floodplain grazing marsh, coastal saltmarsh, coastal vegetated shingle, standing open water, wet woodland, lowland calcareous grassland, maritime cliff and slope, mixed broadleaved woodland and plantations, lowland wood-pasture and parkland, mudflats, old orchards, reedbeds, and lowland meadow.

**Swale Biodiversity Action Plan Habitats**: orchards, estuary habitats, woodlands, wildflower grassland, farmland, built-up areas and gardens.

**21.1.28** The Kent Nature Partnership is now working towards the Kent Biodiversity Strategy (2020-2045) [346] targets which supersede the BAPs, however the BAP habitats remain relevant. The targets of the previous Kent Biodiversity Strategy (2015) were expressed spatially through Biodiversity Opportunity Areas (BOAs). Although now superseded by the latest strategy, BOAs remain a useful indicator of where the greatest gains can be made from habitat enhancement, restoration and recreation as these areas still offer the best opportunities for establishing large habitat areas and/or networks of wildlife habitats. As such, they are useful for the development and delivery of green and blue infrastructure and resilient ecological networks. The BOAs are likely to be updated or superseded once the Kent Nature Partnership has adopted a new countywide Nature Recovery Network which is currently in development. Four BOAs are identified for Swale:

- Medway Gap and North Kent Downs;
- North Kent Marshes;

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

345 https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Evidence-Base/Swale-Biodiversity-Action-Plan.pdf

346 https://kentnature.org.uk/wp-content/uploads/2022/01/Kent-Biodiversity-Strategy-2020.pdf

- Mid Kent Downs Wood and Scarp; and
- The Blean.

**Biodiversity net gain**

**21.1.29** Biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. If a development has an impact on biodiversity, it encourages developers to provide an increase in appropriate natural habitat and ecological features over and above that being affected in such a way that the current loss of biodiversity through development will be halted and ecological networks can be restored.

**21.1.30** The Government's 25 Year Environment Plan [347] made a commitment to embed a 'net environmental gain' principle for development to deliver environmental improvements locally and nationally. In 2019, following consultation, the Government announced it would mandate net gains for biodiversity in the then Environment Bill. The now Environment Act 2021 [348] mandates that all development, with limited exceptions for small applications and brownfield sites, will be required to provide a measurable minimum of 10% biodiversity net gain (BNG). This will be measured against a baseline value of biodiversity and will be calculated using the DEFRA Biodiversity Metric. Developers will be required to provide a BNG plan with supporting calculations from the Metric, which should be accommodated within the rules of the existing mitigation hierarchy, and offsite compensation should be considered as a last resort.

**21.1.31** It should be noted that in May 2025, the government consulted on 'Improving the implementation of biodiversity net gain for minor, medium and brownfield development' and the Council awaits the feedback resulting from this consultation.

**21.1.32** The Kent Nature Partnership are proposing adopting a 20% target across Kent. This is because Kent has a wonderfully rich and varied biodiversity resource, the pressures on which are specific to Kent's location, such as its proximity to London, being a gateway to Europe, and the resulting significant and unprecedented levels of growth it faces. The Council wholeheartedly supports this approach and will be seeking a 20% BNG through this policy. The Council will continue to work with the Kent Nature Partnership on the evidence base to support the 20% requirement. Viability evidence thus far indicates that a target of 20% rather than 10% has a minimal additional impact upon viability. A Biodiversity Baseline Study (2020)[349] has also been prepared which will help guide developers in their approach.

**Local Nature Recovery Strategy**

**21.1.33** Local authorities are required by the Environment act to produce a Local Nature Recovery Strategy (LNRS), The Kent and Medway LNRS [350] is integrated within the National Nature Recovery Network. It includes a biodiversity statement and map which:

- Describe, identify and map biodiversity features within the Local Authority Boundary, including nationally designated sites, other nature reserves and wider areas of importance for biodiversity; and
- Describe, identify and map priorities and opportunities for promoting nature recovery and enhancement.

**21.1.34** The Environment Act does not explicitly link Local Nature Recovery Strategies and biodiversity net gain, however it is implied in the 25 Year Environment [351] biodiversity net gain should be used to contribute to meeting the objectives of the National Nature Recovery network and therefore also local ones.

347 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf
348 https://www.legislation.gov.uk/ukpga/2021/30/contents
349 https://services.swale.gov.uk/assets/Planning%20Policy%202019/Biodiversity%20Baseline%20Study.pdf
350 https://naturerecoverykent.org.uk/local-nature-recovery-strategy-document-and-mapping/
351 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf

**21.1.35** The Council has worked as a Supporting Authority, in partnership with Kent County Council, the Responsible Authority, to input into the Kent and Medway LNRS, [352] which was published in November 2025.

**Local supplementary planning documents**

**21.1.36** The following adopted supplementary planning documents should be taken into account when formulating development proposals:

- The Swale Landscape Character and Biodiversity Appraisal (2011), which can be accessed in two parts - Part 1 and Part 2 [353] presents guidelines on a character area basis for improvements to biodiversity; and
- The Kent Design Guide [354], specifically the appendix 'Making it happen – landscaping', demonstrates how developments can create features such as bird roosting/nesting places, aids to hibernation, green and brown roofs, habitats on railways, road and cycle path verges, connected hedgerows, wildlife underpasses and green bridges.

**21.1.37** When submitting planning applications, the Council will, as appropriate, require the submission of ecological assessments to determine the extent and importance of habitats and species present and to make recommendations for their avoidance, mitigation and, as a last resort, compensation.

**Other initiatives and resources**

**21.1.38** The Medway Swale Estuary Partnership [355] is a not-for-profit organisation whose work is centred around the understanding, conservation and promotion of the estuary's natural and historic environments. It hosts the North Kent Catchment Improvement Group which is developing catchment improvement plans for North Kent (estuarine and freshwater).

**21.1.39** Local Nature Partnerships [356] (LNPs) were set up through the Environment White Paper (2011). Their purpose is to drive strategic and positive change to the local natural environment to benefit nature, people and the economy. LNPs play a specific role in achieving the Government's environmental objectives locally, including identifying local ecological networks and in being local champions influencing local decision-making. There are two LNP's relevant to Swale, the Thames Gateway Local Nature Partnership and the Kent Nature Partnership [357].

**21.1.40** The Kent Biodiversity Net Gain Site Register [358] provides evidence of potential supply of 'off-site' biodiversity units. It is a register of prospective (yet to be surveyed) and surveyed sites for 'off-site' BNG delivery and facilitates contacts between land owners and developers.

**21.1.41** There are a number of resources available which applicants should use in developing their planning applications. These include:

- The ARCH Kent Habitat Survey 2012 [359] presents data on the extent of natural habitats in Kent, identifies areas of importance for wildlife and measures habitat changes since the Kent Habitat Survey of 2003. Other out puts of the ARCH project were a Planning Screening tool to establish whether planning applications require further ecological investigation, and a software tool which identifies where work

352 https://www.makingspacefornaturekent.org.uk/
353 https://swale.gov.uk/your-council/publications/planning-and-planning-policy/swale-landscape-character-and-biodiversity-appraisal-supplementary-planning-document-spd-2011
354 https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/regeneration-policies/kent-design-guide
355 https://msep.org.uk/
356 https://www.gov.uk/government/publications/map-of-local-nature-partnerships
357 https://kentnature.org.uk/
358 https://www.makingspacefornaturekent.org.uk/biodiversity-net-gain-site-register/
359 https://kentnature.org.uk/publications/kent-habitat-survey-2012/

should take place to re-connect fragmented habitats. An online data portal on the ARCH website gives access to the habitat data and enables queries by location or by habitat.

- The Kent Landscape Information System (K-LIS) [360] is a web-based map system that sits alongside ARCH's data portal and aims to enable better informed decision-making by providing detailed information on Kent's landscape and biodiversity. It contains details on countryside access, landscape character and opportunities for habitat creation and landscape restoration and the 2012 Kent habitat survey as well as areas designated for their conservation value.
- The MAGIC website [361] ,managed by Natural England, provides authoritative geographic information about the natural environment from across government. Using an interactive, it presents information on rural, urban, coastal and marine environments.

## Policy B1

**Biodiversity and geodiversity conservation and biodiversity net gain**

Part A – For designated sites

Development proposals that have a direct or indirect effect on designated sites, which will be shown on the Proposals Map, will conserve and enhance them in a manner equal to the significance of their biodiversity and geodiversity status as follows:

1. Within internationally designated sites (including candidate sites), the highest level of protection will apply. The Council will ensure that development proposals only proceed when in accordance with relevant Directives, Conventions and Regulations. Where the proposed development will have an adverse effect on the integrity of a European site, planning permission will only be granted in exceptional circumstances, where there are no less ecologically damaging alternatives, there are imperative reasons of overriding public interest and where the damage can be fully compensated;
2. Within nationally designated sites (including candidate sites) development will only be permitted where it is not likely to have adverse effect on the site or its interests unless the benefits clearly outweigh both the impacts it is likely to have on the features of the site and the wider environmental network of sites and where compensation can be sought for any loss or damage; and
3. Within locally designated sites (including candidate sites) development likely to have an adverse effect will only be permitted where the damage can be avoided or adequately mitigated or when its need outweighs the ecological interest of the site. Compensation will be sought for loss or damage to locally designated sites.

Part B – For all sites

Development proposals will:

1. Apply national planning policy in respect of the conservation and enhancement of:

    a. the habitats, species and targets in UK and local Biodiversity Action Plans and Biodiversity Strategies;

    b. linear and continuous landscape features or those acting as stepping-stones for biodiversity; and

    c. ancient or veteran trees and irreplaceable habitat, including ancient woodland and traditional orchards.

360 https://webapps.kent.gov.uk/KCC.KLIS.WebSites.Public/Default.aspx
361 https://magic.defra.gov.uk/home.htm

2. Be informed by, and further the guidelines and biodiversity network potential of The Swale Landscape Character and Biodiversity Appraisal (2011), which can be accessed in two parts - Part 1 and Part 2[362];
3. Support, where appropriate, the vision and objectives of the relevant environmental and biodiversity management and action plans *including the* Local Nature Recovery Strategy;
4. Be accompanied by appropriate surveys undertaken to clarify constraints or requirements that may apply to development, especially where it is known or likely that the development sites are used by species and/or contain habitats that are subject to UK or European law;
5. When significant harm cannot be avoided through consideration of alternative sites or adequate mitigated provided on-site or within the immediate locality, compensatory measures will be achieved within the relevant Biodiversity Opportunity Area, or other location as agreed by the Council; and
6. Actively promote the expansion of biodiversity within the design of new development and with reference to the Green and Blue Infrastructure Strategy to be set in strategic policy on Conserving and enhancing the natural environment.

BNG

The local authority will ensure the following steps are taken to secure BNG:

1. Unless exempt, provide a minimum 20% net gain in biodiversity against a pre-development baseline;
2. Enable the optimal outcome to be achieved in accordance with the following hierarchy:
   a. Within the site; or adjacent to, or in close proximity to the development site;
   b. Next to, or in close proximity to the settlement or locality accommodating the development; or
   c. In an area identified for environmental improvement by the Council or other statutory body.
3. Consult the BNG Site Register for Kent where 20% BNG cannot be provided on site; and
4. Impose conditions or secure planning obligations to ensure that appropriate management regimes remain in place for at least 30 years after the completion of works.

## 21.2 Policy B2 Conserving & Enhancing Valued Landscapes

**21.2.1** The National Planning Policy Framework [363](NPPF) states that the planning system should contribute to enhancing the natural and local environment by protecting and enhancing valued landscapes and recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services. It requires plans to distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value, take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries[364].

**21.2.2** The NPPF stresses the great weight that should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest level of protection and where the scale and extent of development should be limited[365].

362 https://swale.gov.uk/your-council/publications/planning-and-planning-policy/swale-landscape-character-and-biodiversity-appraisal-supplementary-planning-document-spd-2011
363 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
364 NPPF MHCLG. Paragraph 187-188 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
365 National Planning Policy Framework. MHCLG. Paragraph 189 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

**21.2.3** Planning Practice Guidance [366](PPG) explains how planning policies can conserve and enhance landscapes, including nationally and locally designated landscapes and the wider countryside. It explains that where landscapes have a particular local value policies should identify their special characteristics and be supported by evidence. PPG provides guidance on criteria, avoidance, mitigation and cumulative impacts. It explains the role of Management Plans in designated landscapes, landscape character assessments, Natural England's National Character Area profiles, landscape sensitivity assessments and landscape and visual impact assessments.

**21.2.4** The PPG also sets out the statutory duties of local planning authorities in relation to nationally designated landscapes and how planning policies and decisions need to take account of their management plans. It explains how development within these areas should be limited and located and designed in a way that reflects their status as landscapes of the highest quality.

**21.2.5** Government guidance on National Landscapes [367] explains that local authorities must make sure that all decisions have regard for the purpose of conserving and enhancing the natural beauty of the National Landscapes, the potential effect within the National Landscapes and the land outside its boundary. It explains where Natural England should be consulted and the role of the National Landscapes Management Plan and gives links to other government guidance on how to review planning applications in protected sites and areas.

**21.2.6** Natural England's National Character Areas (NCAs) [368] divide England into 159 distinct natural areas each defined by their unique combination of:

- Landscape;
- Biodiversity;
- Geodiversity;
- History; and
- Cultural and economic activity.

**21.2.7** Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision-making framework for the natural environment. Within these NCAs, the borough's varied landscape is reflected in three distinct broad character types - the flat, open marshland of the Greater Thames Estuary [369] , the orchards, arable land, woodland and dry valleys of the North Kent Plain [370] and the dipping slope, valleys and woodland of the North Downs [371]. Each National Character Area profile contains Statements of Environmental Opportunity which should be reflected in the aspirations of planning applications.

**21.2.8** The modern landscape of Swale is also a product of man-made influences over a long period of time. The Kent Historic Landscape Characterisation Final Report (2001) [372] has identified a number of key character areas in Swale:

- Central North Downs: a zone at the highest point of the borough with a mixed character of fields and other types and a general north-east to south-west alignment;
- Northern Horticultural Belt: a large wide area crossing the north Kent plain primarily defined by horticultural activity with a predominance of orchards;
- The Forest of Blean and areas that were formerly part of the Forest, and remains mostly woodland today but where fields encroach into woodland;

366 https://www.gov.uk/guidance/natural-environment
367 https://www.gov.uk/guidance/areas-of-outstanding-natural-beauty-aonbs-designation-and-management#local-authority-responsibilities
368 https://www.gov.uk/guidance/national-character-area-profiles-information-for-local-decision-making#ncas-in-south-east-england-and-london
369 https://publications.naturalengland.org.uk/publication/4531632073605120?category=587130
370 https://publications.naturalengland.org.uk/publication/2900242?category=587130
371 https://publications.naturalengland.org.uk/publication/2036466?category=587130
372 Kent Historic Landscape Characterisation: Downloads

- The Northern Coast and Marshland: a visually distinctive area consisting of a relatively balanced mix of reclaimed marsh and coastal landscape; and
- The Isle of Sheppey: itself broken into three sub-areas consisting of reclaimed marsh, post-medieval field systems and urban and industrial development.

**21.2.9** The 2004 Landscape Character Assessment of Kent [373] mapped the County's landscape according to its surviving historic character, looking at aspect of the landscape such as patterns of roads, paths and trackways, hedges and field boundaries and changing vegetation and land-use.

**The appraisal of landscape character and biodiversity**

**21.2.10** The NPPF outlines the importance of protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. Natural England's approach to landscape is that all landscapes matter and that many are highly valued by local people, both those that have historical significance to the community and those that are newly created or recognised. Natural England advocate the use of a landscape character approach, which not only helps us to understand our landscapes, but also assists in informing judgements and decisions concerning the management of change [374]. Natural England also publish guidance on how to carry out and use landscape and seascape character assessments [375].

**21.2.11** The Council has an adopted Swale Landscape Character and Biodiversity Appraisal (2011) [376] Supplementary Planning Document to ensure the protection and enhancement of the whole of the borough's landscapes and habitats. It has identified and assessed the condition and sensitivity of 42 landscape character areas and sets out guidelines for action for all countryside across the borough. It will be used to determine whether development is appropriate and, if so, how it might be accommodated within the landscape and mitigated sensitively. The Swale Landscape Character and Biodiversity Appraisal values all landscapes in the borough and gives guidance for improvement and enhancement, including habitat enhancements – providing a positive approach to the restoration and enhancement of landscapes. Planning applications should take this document into account when preparing development proposals, in particular emphasising the link between landscapes and biodiversity. The use of this document is a key element in determining planning applications, in accordance with 21.2 Policy B2 Conserving & Enhancing Valued Landscapes.

**21.2.12** The Swale Landscape Sensitivity Assessment (2019) [377] examined 46 landscape sensitivity assessment areas around the built up areas of Sittingbourne, Faversham, Sheerness/Queenborough, Minster, Iwade, Teynham, Leysdown and Warden, Upchurch, Lower Halstow, Eastchurch, Bredgar, Newington and Boughton and Dunkirk. Through an analysis of factors (topography and scale, natural character, sense of time depth/historic landscape character, visual character, perceptual and experiential qualities and character and setting of existing settlement) overall assessments of landscape sensitivity to residential and employment development were made, ranging from low, through low-moderate, moderate, moderate-high to high sensitivity. Alongside the overall assessment commentary was given and spatial variations identified. The study also included general guidance for development within each area. The findings and guidelines of this study should be referenced and taken into account for any development within the assessment areas.

**Landscape Designations**

**21.2.13** The NPPF expects to Local Plan to distinguish between the hierarchy of national and locally designated sites. In Swale, there are both national and local landscape designations.

373 https://www.kent.gov.uk/__data/assets/pdf_file/0010/182368/Landscape-Assessment-of-Kent.pdf
374 Natural England. An Approach to Landscape Character Assessment. October 2014 https://www.gov.uk/guidance/landscape-and-seascape-character-assessments
375 https://www.gov.uk/guidance/landscape-and-seascape-character-assessments
376 https://swale.gov.uk/your-council/publications/planning-and-planning-policy/swale-landscape-character-and-biodiversity-appraisal-supplementary-planning-document-spd-2011
377 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/landscape#h2,

**21.2.14** These areas have been formally designated because they are landscapes of great value and/or scenic beauty and because they have a particular value for the conservation of selected species, habitats, historic and cultural assets. Within these designations priority will be given to the long-term conservation and enhancement of these landscapes relative to their status, whilst having regard to the economic and social wellbeing of their communities.

**Local Landscape Designations**

**21.2.15** Local Landscape designations in Swale were first designated around 40 years ago (as a Kent-wide Strategic Landscape Areas) and their boundaries defined by successive Local Plans. In Swale, the Local Plan of 2000 also identified Local Landscape Areas. These were reviewed by a 2003 landscape assessment and were carried forward into the 2008 Swale Local Plan. Bearing Fruits, the 2017 adopted Local Plan for Swale named these two levels of designation, Areas of High Landscape Value – Kent Level and Areas of High Landscape Value – Swale Level respectively. In 2018 Swale commissioned the **Swale Local Landscape Designation**: Review and Recommendations [378] to review the two tiers of local landscape designation, to develop criteria and examine all locally designated landscapes across the borough, to assess a Valued Landscape consultation, to consider the designation of new areas, to recommend boundary changes to local landscape designations and describe and evaluate their special qualities and significance in a set of Statements of Significance.

**21.2.16** The Swale Local Landscape Designation review recommended that one level of local designation is retained for the borough covering the former Kent Level and Swale Level areas. This gives an equal level of protection through planning policy and development management.

**21.2.17** The Local Landscape Designations (each with their own Statement of Significance) in Swale are:

- North Kent Marshes: Medway Marshes [379];
- North Kent Marshes: North Swale (Sheppey) Marshes [380];
- North Kent Marshes: South Swale Marshes [381];
- Kent Downs: Rodmersham, Milstead and Highsted Dry Valley [382];
- Kent Downs: Syndale Valley [383];
- Kent Downs: North Street Dip Slope [384];
- The Blean [385];
- Lower Halstow Iwade Ridge [386];

378 https://services.swale.gov.uk/assets/Planning-General/Planning-Policy/Local%20Landscape%20Review/Swale%20Local%20Landscape%20Designations%20Final%20May20%20LRV3_REDUCED.pdf
379 https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Medway-Marshes-Statement-of-significance-FinalV3.pdf
380 https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/North-Swale-Sheppey-Marshes-Statement-of-significance-FinalV3.pdf
381 https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/South-Swale-Marshes-Statement-of-significance-FinalV3.pdf
382 https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Rodmersham-Milstead-and-Highsted-dry-valley-Statement-of-significance-FinalV3.pdf
383 https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Syndale-valley-Statement-of-significance-FinalV3.pdf
384 https://services.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/North-Street-dip-slope-Statement-of-significance-FinalV3.pdf
385 https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/The-Blean-Statement-of-significance-FinalV3.pdf
386 https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Lower-Halstow-Iwade-Ridge-Statement-of-significance-FinalV3.pdf

- Blean Edge Fruit Belt [387]; and
- Sheppey Court, Diggs Marshes and Barton's Point [388].

**21.2.18** These local landscape designations will be shown on the Proposals Map when it is prepared later on in the plan making process and identified as Areas of High Landscape Value.

**21.2.19** Within these Local Landscape Areas, 21.2 Policy B2 Conserving & Enhancing Valued Landscapes requires development proposals to be considered in relation to the extent to which they would protect the local landscape and enhance the future appearance of the designated landscape and, where relevant, its nature conservation interest. The qualities and recommendations in the Statement of Significance should be referenced and incorporated into any development proposals. If, after adverse landscape impacts have been minimised/mitigated and compensated for, further adverse impacts still remain, the Policy requires the social and/or economic benefits of a proposal to significantly and demonstrably outweigh the local status of the designation for planning permission to be granted.

**Tranquillity**

**21.2.20** The NPPF explains that planning policies and decisions should identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason as well as limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation[389].

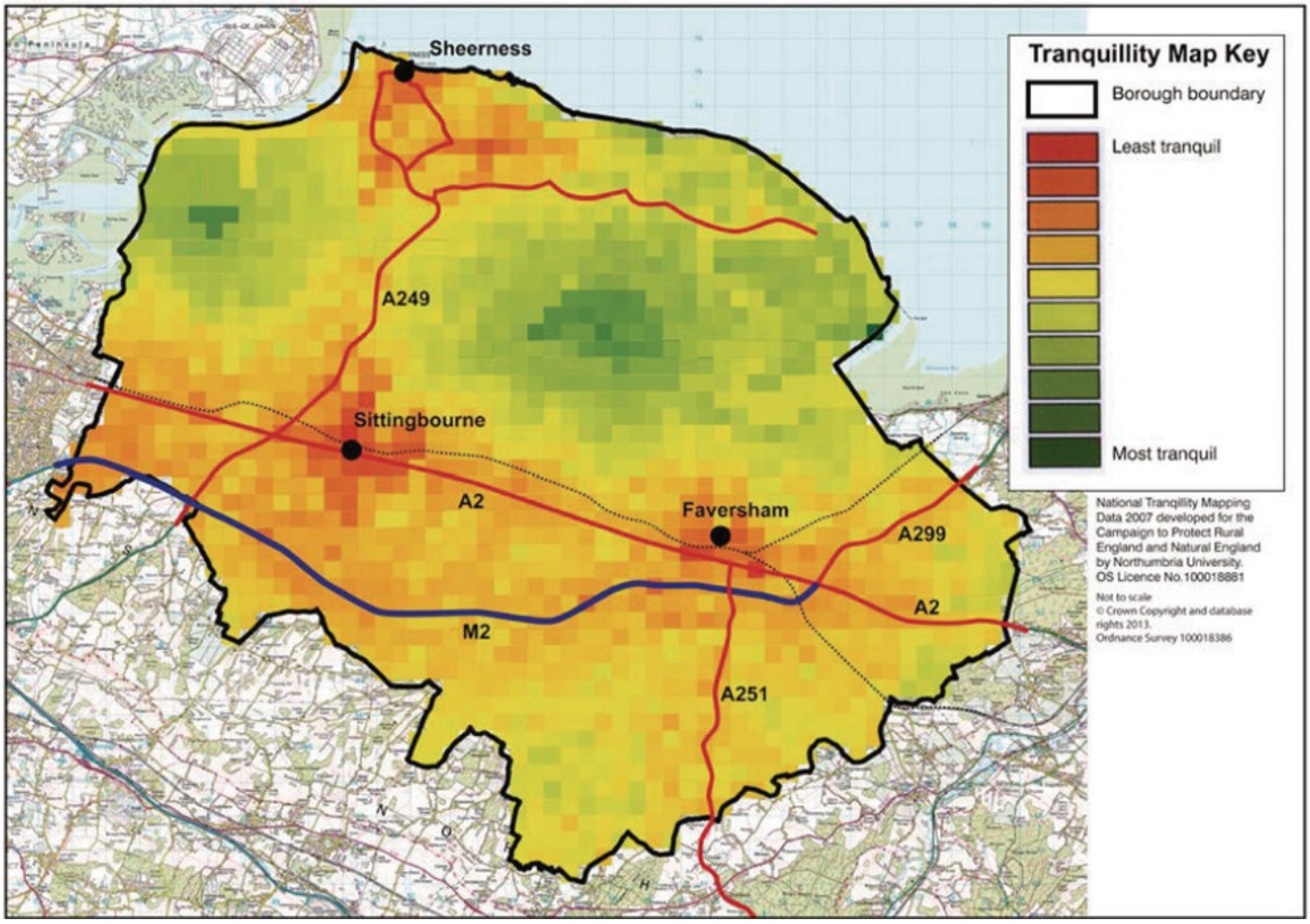
**21.2.21** Tranquillity is a valuable resource that once lost is difficult to regain it, having benefits to health and well-being as well as to green infrastructure and biodiversity. It is associated with quiet places, surrounded by elements of nature and is most commonly found in an uncluttered and peaceful countryside, but also within urban areas – for instance in a leafy urban square or park where birdsong is audible. Tranquillity is also often associated with dark skies and the absence of light pollution from roads and built-up areas.

**21.2.22** The Swale Landscape Character and Biodiversity Appraisal 2011 highlighted tranquillity as a feature of several areas of the borough. The Local Landscape Designation's Statements of Significance also highlight tranquillity as a quality within local landscape designations. The Campaign to Protect Rural England has drawn up a Tranquillity Map for Kent and using this data a Swale section of this map has been developed as a pictorial guide to areas of relative tranquillity in Swale (see below - CPRE Map localised by the Council. Although tranquillity exists in a broad- brush fashion within the greener areas on the map, it will not be locally uniform; likewise it may also be present locally beyond the identified more tranquil areas. Applicants should demonstrate how development will affect tranquillity and aim to improve it when seeking to comply both with national planning policy and 21.2 Policy B2 Conserving & Enhancing Valued Landscapes.

387 https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Blean-Edge-Statement-of-significance-FinalV3.pdf

388 https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Local-Landscape-Review-2017/Sheppey-Court-Diggs-Marshes-and-Barton-Point-Statement-of-significance-FinalV3.pdf

389 National Planning Policy Framework. MHCLG. Paragraph 198 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf




**Picture 21.2.1 Tranquillity Map**

## Policy B2

### Conserving & enhancing valued landscapes

The value, character, amenity and tranquillity of the borough's landscapes will be protected, enhanced and managed.

Part A. For all landscapes:

1. The scale, layout, build and landscape design of development that will have significant impact, will be informed by landscape and visual impact assessment having regard to the Council's Landscape Sensitivity Assessment and the Landscape Character and Biodiversity Appraisal SPD, including, as appropriate, their guidelines, and the key characteristics, sensitivity, condition and capacity of character area(s)/landscapes, taking opportunities to enhance the landscape where possible, including the removal of visually intrusive features;
2. Development proposals will demonstrate the link between landscape protection and enhancement and biodiversity protection and enhancement in all schemes; and
3. Landscape and visual impact assessments will consider the cumulative impacts of both built and permitted development, including impact from noise, lighting and traffic on tranquillity.

Part B. For Areas of High Landscape Value:

Within the boundaries of designated landscape areas to be shown on the Proposals Map, the status given to their protection, enhancement and management in development decisions will be equal with the significance of their landscape value as follows:

1. The Areas of High Landscape Value are designated as being of significance to Swale, where planning permission will only be granted subject to:
   a. conservation and enhancement of the qualities of the landscape, as outlined in their Statements of Significance, being demonstrated;
   b. demonstration of how proposals will meet the requirements for these designations, as outlined in their Statements of Significance;
   c. avoidance, minimisation, mitigating and compensating adverse landscape impacts as appropriate; and
   d. when significant adverse impacts remain, that the social and or economic benefits of the proposal significantly and demonstrably outweigh harm to the landscape value of the designation.

Part C. For the settings of designated landscapes:

The impact on the setting of Areas of High Landscape Value will be fully assessed, where relevant, and protected and enhanced commensurate with the status of the designation.

## 21.3 Policy B3 Kent Downs National Landscape

**21.3.1** Paragraph 189 of the National Planning Policy Framework [390] (NPPF) states that great weight should be given to conserving and enhancing the landscape and scenic beauty within the National Landscape. In addition, the Countryside and Rights of Way (CROW) Act 2000 [391], seeks to further the purpose of conserving and enhancing the natural beauty of the National Landscape. The borough of Swale contains part of the Kent Downs National Landscape - an area designated for its national landscape importance. For the Kent Downs, the management plan has been adopted by the Council as a material consideration for decision-taking on planning applications and therefore development proposals will be required to have regard to the policies in the Kent Downs Management Plan 2021 - 2026. [392] The existing management plan is currently in the very early stages of review, by the Kent Downs Joint Advisory Committee.

**21.3.2** National Landscapes are nationally designated and as such have the highest status of landscape protection. The extent of the National Landscape are illustrated on the Proposals Map for this Local Plan.

**21.3.3** In 1968 a large part of the North Downs within the borough was designated as part of the Kent Downs National Landscape. The aim of this national designation was to conserve and enhance the natural beauty of the landscape. The aim of the Kent Downs National Landscape Management Plan [393] adopted in November 2021is to secure conservation and enhancement within the National Landscape while supporting local communities. The plan is adopted by the relevant Kent Districts and London boroughs as a material consideration in planning applications with similar weight to a Supplementary Planning Document. Section 85 of the CRoW Act was amended in 2023 to create a new duty on relevant authorities where they now "must seek to further the purpose of conserving and enhancing the natural beauty of the area" when discharging their functions.

**21.3.4** Accompanying the National Landscape management plan are a number of supporting guidance documents [394] which should be taken into account in relevant cases. These include the National Landscape's: Guidance on the selection of and use of colour in development; Farm Diversification Toolkit; Kent Downs Farmsteads Guidance; Managing Land for Horses; Rural Streets and Lanes - A Design Handbook; Position

390 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
391 https://www.legislation.gov.uk/ukpga/2000/37/contents
392 https://kentdowns.org.uk/management-plan-2021-2026/
393 https://kentdowns.org.uk/landscape-management/management-plan/
394 https://kentdowns.org.uk/planning/planning-publications/

Statement on Renewable Energy and its Companion Report as well as the Landscape Design Handbook. The National Landscape Unit also publish guidance on specific aspects of land management, for example, chalk grassland, orchard, woodland and hedgerow management.

**21.3.5** The landscape of the Kent Downs is made up of 13 character areas. The character area of most relevance to Swale is the Mid Kent Downs. Key characteristics and objectives for the Mid Kent Downs have been defined by the Kent Downs National Landscape Unit and should be reflected in relevant planning applications.

**21.3.6** In accordance with the NPPF paragraph 190 [395] the Council will refuse proposals for major development within the National Landscape unless in exceptional circumstances, and where it can be demonstrated that they are in the public interest and based on an assessment of:

a. the need for the development, including national considerations, and the impact of permitting it, or refusing it, on the local economy;
b. the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
c. any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

**21.3.7** In terms of what may constitute 'major development', for the purposes of this Local Plan, it will be a matter of judgement based on relevant circumstances, it will not be made by reference to the definition of major development in the Development Management Procedure Order 2015 [396] or for purposes of determining whether an Environmental Impact Assessment is required.

**21.3.8** The importance of the setting of the Kent Downs has been emphasised by the National Landscape management plan and in development management decisions taken in Kent. Where there is a reference to National Landscape in this document, this includes its setting. The setting is broadly speaking the land outside the designated area that is visible from the National Landscape, and from which the National Landscape can be seen, but may be wider when affected by intrusive features including noise and light. Proposals that would affect the setting of the National Landscape are not subject to the same level of constraint as those that would affect the National Landscape itself. The weight to be afforded to setting issues will depend on the significance of the impact. Matters such as the size of proposals, their distance from the National Landscape, incompatibility with their surroundings, movement, reflectivity and colour are likely to affect impact. Where the qualities of the National Landscape, which were instrumental in reasons for its designation are affected, then the impacts should be given considerable weight in decisions[397].

**21.3.9** Planning Practice Guidance explains how land within the setting of the National Landscape often makes an important contribution to the maintenance of the designation's natural beauty and that poorly located or designed development can do significant harm, especially where there are long views or where the landscape character within and adjoining the designated area is complementary. It stresses the need for sensitive handling that takes potential impacts into account.

**21.3.10** The Kent Downs National Landscape Joint Advisory Committee have produced a Setting Position Statement [398]. An advisory document that provides guidance on issues of setting, focusing on ensuring avoidance of harm and the conservation and enhancement of the setting of the National Landscape through good design and mitigation measures. It looks at:

- the legislative and policy background (NPPF, PPG and Natural England guidance), and High Court and appeal decisions;
- defining the setting (which may vary with different type of development, topography and height);

395 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
396 https://www.legislation.gov.uk/uksi/2015/595/contents
397 Kent Downs National Landscape. Management Plan 2021-2026. Page 29 https://kentdowns.org.uk/wp-content/uploads/2021/11/The-Kent-Downs-AONB-Management-Plan-2021-2026-Adopted.pdf
398 https://kentdowns.org.uk/wp-content/uploads/2022/02/Setting-Position-Statement-FINAL-Updated-2022.pdf

- development likely to affect the setting (including impact on views, loss of tranquillity, increased traffic flows and recreational pressure);
- cumulative impacts; and
- conserving and enhancing the setting of the National Landscape.

**21.3.11** Within Swale, the dry valleys of the North Downs which share many of the special qualities of the National Landscape, along with land adjacent to the National Landscape, are likely to be included within the setting of the North Downs National Landscape.

**21.3.12** To ensure impacts of development within the National Landscape and its setting are considered and addressed from the earliest stages the National Landscape Unit welcome pre-application discussions.

### Policy B3

**Kent Downs National Landscape Management Plan**

Within the National Landscape area, the goal of the plan is to ensure the natural beauty and special character of the landscape and vitality of the communities are recognised, valued, enhanced and strengthened well beyond the plan period. Major development within the National Landscape area will only be permitted in exceptional circumstances and where it can be demonstrated that it is in the public interest. Consideration of such applications should include an assessment as set out in the NPPF, that considers applications for development in these areas.

Minor development within the National Landscape and its setting will be permitted provided that:

1. The location, form, scale, materials and design will conserve or enhance the character of the landscape and rural settlements;
2. The development would conserve or enhance the special qualities and condition of the distinctive character and tranquillity of the National Landscape;
3. The development supports the adopted National Landscape Management Plan and any associated guidance; and
4. Unless allocated by the Local Plan Review, should avoid the loss of high-quality agricultural land.

## 21.4 Policy B4 The Separation of Settlements – Important Local Countryside Gaps

**21.4.1** With the focus of much of the development pressure at the major settlements in the borough through windfall and Plan led development, there is the need to prevent coalescence and the erosion of the intrinsic character of the settlements close by. Resultantly, the purposes of this Important Local Countryside Gaps (ILCG) policy are to:

i. maintain the separate identities and character of settlements by preventing their merging and safeguarding the open and undeveloped character of the areas around them;
ii. prevent encroachment and piecemeal erosion by built development that can change the rural open character of an area; and
iii. influence decisions on the longer-term development of settlements through the preparation and review of the Council's Local Plan.

**21.4.2** The National Planning Policy Framework [399](NPPF para 187) makes clear that planning policies and decisions should contribute to and enhance the natural and local environment …recognising the intrinsic character and beauty of the countryside. This is reinforced in Planning Practice Guidance Natural Environment [400](PPG Natural environment para 036) that makes clear this approach applies to the wider countryside, as well as to designated landscapes.

399 https://assets.publishing.service.gov.uk/media/67[illegible]3cca46251/NPPF_December_2024.pdf
400 https://www.gov.uk/guidance/natural-environment

**21.4.3** The identity, character, and setting of settlements are formed, in part, by their physical separation from one another. Whilst the use of Landscape Character Assessments assists in safeguarding the intrinsic character and beauty of the countryside, in areas where development pressures could lead to coalescence or erosion of settlement separation, defining gaps provides additional emphasis when considering allocations and development management issues.

**21.4.4** Within Swale, ILCGs were defined and set out in the 2008 Local Plan and confirmed, with amendments to reflect allocation boundaries, in Bearing Fruits, the 2017 adopted Swale Local Plan. Those gaps were reviewed again in the Swale Important Gaps Review 2025 [401] to determine whether they continued to serve their purpose as a result of development and particularly windfall development and to align with the gap assessment methodology carried out in 2021 to identify if there was a need for new gaps at Teynham and Faversham . With the exception of the gap known as Sittingbourne and the satellite village of Bobbing, all gaps were recommended to be retained with some amendments as a result of development. Whilst the review recommends the gap Sittingbourne and the satellite village of Bobbing be removed [402] an alternative new gap immediately to the west was suggested by the evidence to retain separation between Bobbing and Keycol. Including this new gap the following gaps from the 2025 review are considered appropriate:

- Sittingbourne and the satellite villages of Tunstall, Borden, Chestnut Street;
- Queenborough, Sheerness, Minster and Halfway;
- Upchurch and the administrative boundary with Medway Council;
- Keycol and Bobbing;
- Sittingbourne and the satellite villages of Bobbing and Iwade; and
- Sittingbourne and the satellite villages of Bapchild and Rodmersham Green.

**21.4.5** In addition to the existing gaps, a study Swale Important Gaps 2021[403] was undertaken as a result of the Local Plan Review seeing further development pressures across the borough. The review concluded that it was necessary to consider the need for gaps around the settlements of Teynham and Faversham. The following gaps from the 2021 review are considered appropriate:

- Teynham to Lynsted;
- Teynham to Bapchild;
- Faversham to Goodnestone;
- Faversham to Oare; and
- Faversham to Ospringe.

**21.4.6** The boundaries of ILCGs will be illustrated on the Proposals Map, which will be available in later stages of the Local Plan, and they follow recognisable physical features, defined built-up area boundaries, boundaries of existing allocations, and consented development.

**21.4.7** Not all forms of development are discouraged within the gaps. For example, agriculture, waste management and mineral recycling facilities, public open space, community woodland, nature reserves, recreation, allotments and burial grounds are all uses that could be conducted providing their purposes do not undermine or require the need to protect the countryside being compromised. However, there may be instances within the gaps where even modest development could impact upon their purpose, particularly where there may be:

i. actual (or the perception of) coalescence;
ii. the loss of a critical part of the gap and its function;

401 https://swale.gov.uk/__data/assets/pdf_file/0006/496581/Swale-Important-Gaps-Review-final-February-2025.pd
402 Reason for removal: Existing recreational and educational land uses to the east of the A249, and the strong boundary feature of the road itself reinforced by mature vegetation, provide clear separation between the edge of Sittingbourne and Bobbing, which lies north of the railway line. The gap is dominated by the A249 which does not provide a 'countryside' character.
403 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/landscape#h2

iii. resultant pressure arising from a development or an allocation that would be difficult to contain; or
iv. where the extent of the land remaining undeveloped would not function as maintaining the sense of separation.

**Policy B4**

**The separation of settlements – Important Local Countryside Gaps**

To retain the individual character and setting of settlements, the following Important Local Countryside Gaps are defined on the Proposals Map as gaps between:

i. Sittingbourne and the satellite villages of Tunstall, Borden, Chestnut Street;
ii. Queenborough, Sheerness, Minster and Halfway;
iii. Upchurch and the administrative boundary with Medway Council;
iv. Keycol and Bobbing;
v. Sittingbourne and the satellite villages of Bobbing and Iwade;
vi. Sittingbourne and the satellite villages of Bapchild and Rodmersham Green;
vii. Teynham to Lynsted;
viii. Teynham to Bapchild;
ix. Faversham to Goodnestone;
x. Faversham to Oare; and
xi. Faversham to Ospringe.

Within these gaps, unless allocated for development by the Local Plan, planning permission will not be granted for development that would undermine one or more of their purposes.

## 21.5 Policy B5 Woodland, Orchards, Trees and Hedgerows

**21.5.1** Swale's tree population in particular ancient woodland, traditional orchards, veteran trees and hedgerows contribute greatly to the borough's character, local distinctiveness and beauty. The benefits of trees, woodlands and hedgerows are extensive. They address the effects of climate change, increase biodiversity, provide habitats, boost the local economy, improve air, water and soil quality, regulate temperature, alleviate flooding, preserve heritage and historical value, and improve the health and well-being of local communities. The broad range of benefits provided by trees offer nature-based solutions to the challenges of modern life. They contribute to the quality and character of Swale's urban and rural environments, boost local natural capital and contribute to the wider climate change and ecological emergency agenda, whilst ultimately, improving the lives of residents.

**21.5.2** Tree planting is recognised by the Government as being one of the main ways the UK can achieve Net Zero by 2050 [404]. The Environment Act (2021) [405] and Government's Environmental Improvement Plan (2023) [406] commit to increase tree canopy and woodland cover from 14.5% to 16.5% of total land area in England by 2050, with an interim target to increase this by 0.26% (equivalent to 34,000 hectares) by 31 January 2028.

**21.5.3** Kent County Council's (KCC) Tree Establishment Strategy[407] has an ambition that the county's tree cover will be extended by 1.5 million, establishing one new tree for every resident living in the county

404 https://www.gov.uk/government/publications/committee-on-climate-changes-2019-progress-reports-government-responses
405 https://www.legislation.gov.uk/ukpga/2021/30/contents
406 https://www.gov.uk/government/publications/environmental-improvement-plan
407 https://www.kent.gov.uk/environment-waste-and-planning/landscape-and-biodiversity/trees/kent-plan-tree-our-tree-establishment-strategy

and increasing the tree canopy and woodland cover by 2%. This is in line with the 16.5% target recommended by DEFRA [408].This commitment is part of a wider strategy for the protection, restoration and creation of natural solutions to mitigate and adapt to climate change, reach net zero and support biodiversity.

**21.5.4** Given the many and varied benefits trees provide, and aspirations to increase planting, it is important future development protects existing trees, woodlands and hedgerows and take the opportunity to plant more. Planting woodland, trees and hedges in new development will help to integrate development into its context and enhance quality and character. It also provides habitats, improve air quality, provide rainwater attenuation and shade – thereby playing an important role in adapting to climate change. New developments should set aside space for tree planting and hedgerows in the open spaces, on the boundaries, on the streets and within the gardens and this should be incorporated into applications. Trees and hedgerows should primarily be native trees of local provenance, disease and climate change resilient, and should, where possible, include large tree species.

**21.5.5** The development potential of a site should be optimised in a way that does not result in tree, woodland, orchard or hedgerow loss. Where loss is proposed this will only be supported in exceptional circumstances, where the benefit of a development substantially outweighs retention and where there are no feasible alternative including engineering solutions or arboriculture techniques (such as root or canopy pruning) to mitigate any issues. Appropriate mitigation and compensatory tree planting for any loss will be required.

**21.5.6** When development proposals are submitted that may affect woodland, orchards, trees and hedgerows the Council will require the submission of a tree survey in accordance with British Standards. Major development schemes shall also submit detailed landscaping scheme and landscape management plan to demonstrate that landscaping and other greening measures are appropriate to the site, can be implemented effectively and will be suitably managed and maintained over the lifetime of the development.

**21.5.7** Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) will be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. Should there be an ancient or veteran tree(s) on the site please see the Natural England and the Forestry Commission for additional advice [409]

**21.5.8** Development within or close to an ancient woodland must consider that a minimum 15m buffer between the tree and any development is recommended to protect against root damage, but a larger buffer is often needed to account for other impacts like air pollution or disturbance.

**21.5.9** The Council also maintains authority over the statutory protection of trees and hedgerows and will continue to use Tree Preservation and Hedgerow Retention Notices, where necessary, to protect specific trees, groups of trees, woodlands or hedgerows, in the interests of amenity and biodiversity. It is a criminal offence to prune, fell or damage protected trees, including those in conservation areas, without appropriate consent and the Council will enforce breaches in accordance with relevant policy and legislation.

**21.5.10** For further information and guidance on how trees can be included in development proposals, including design parameters for the placement of street trees, please refer to the National Design Guide [410] and National Model Design Code [411].

**Policy B5**

**Woodland, orchards, trees and hedgerows**

408 https://www.gov.uk/government/publications/environmental-improvement-plan
409 https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions
410 https://www.gov.uk/government/publications/national-design-guide
411 https://www.gov.uk/government/publications/national-model-design-code

The Council supports the conservation, enhancement and sustainable management of existing woodland, trees, orchards and hedgerows. Development proposals will be supported where:

1. Existing trees, groups of trees, woodland, old orchard and hedgerow are retained, and landscaping and public realm schemes maximise opportunities for additional planting within the design and layout. New planting will be at sufficient scale to maintain and enhance the borough's tree and canopy cover, character of the locality and provide for an attractive living and working environment that includes tree lined streets and enhances biodiversity. New planting on development sites should:

   a. be suitable for the site location and conditions;

   b. use appropriate tree pit sizes and soil volumes;

   c. provide suitable, preferably native, species resilient to climate change and from bio-secure sources;

   d. achieve a net increase in trees and planting;

   e. be informed by and contribute to local character;

   f. enhance or create new habitat connectivity, wildlife habitats and refuges;

   g. be positioned to avoid negative impacts on new and existing buildings, highway safety or disruption to underground utilities taking account of future sustainable growth;

   h. ensure appropriate long-term management and maintenance using best practice in tree care and woodland management; and

   i. protect retained trees, groups of trees, hedgerows and woodland prior to, during and after construction.

2. Major development schemes shall submit an Arboriculture Survey that is BS5837 compliant, detailed landscaping scheme and landscape management plan to demonstrate that landscaping and other greening measures are appropriate to the site, can be implemented effectively and will be suitably managed and maintained over the lifetime of the development;
3. Minor and Other applications need to be accompanied by an Arboriculture Survey where there are existing trees on site;
4. Development that would lead to the loss or deterioration of an irreplaceable habitat (including ancient woodland, ancient and veteran trees) will be refused, unless there are wholly exceptional reasons, where the need for, and public benefits of, the development in that location clearly outweigh the loss and a suitable compensation strategy is provided;
5. The loss or deterioration of protected trees, groups of trees, woodland or important hedgerows will only be permitted in exceptional circumstances and in accordance with the relevant legislation, policy and good practice recommendations. In such circumstances, a replacement of an appropriate number, species, size and location will be required together with appropriate measures to secure their long-term management and maintenance;
6. Where loss or damage of non-protected trees, woodland or hedgerows is unavoidable, appropriate replacement or compensation planting including appropriate measures to secure their long-term management and maintenance will be required;
7. The Council will support carefully planned appropriate development, the intended purpose of which is to further the sustainable management of woodland/old orchards; and
8. The Council will use Tree Preservation and Hedgerow Retention Notices, where necessary, to protect specific trees, groups of trees, woodlands or hedgerows, in the interests of amenity and biodiversity.

## 21.6 Policy B6 Agricultural Land

**21.6.1** Swale has some of the highest quality agricultural land in England and the aim of this policy is to ensure that it is only developed when there is an overriding need, when alternative options have been examined first and whilst having regard to other sustainability considerations.

**21.6.2** Agricultural land is classified by a grading system of 1-5, with Grade 1 being of the highest quality. Grades 1, 2 and 3a are defined as the best and most versatile(BMV) [412]. The National Planning Policy Framework[413] (NPPF, para 187b) states that planning policies should take into account the economic and other benefits of best and most versatile agricultural land. Where significant development of agricultural land can be demonstrated as being necessary, areas of poorer quality land should be preferred to those of higher quality (NPPF, footnote 65).

**21.6.3** The Swale Agricultural Land Report - Stage 1: Baseline Information (September 2024) [414] shows it is difficult to avoid loss on BMV Land (Grades 1 to 3a) when allocating sites when other important constraints are considered.

**21.6.4** Swale is one of the most productive agricultural areas in Kent due to the soils and favourable climatic conditions. There is a broad belt of Grades 1 and 2 agricultural land running east to west around the A2, with a large area of Grade 3 south of the M2 and smaller areas of Grades 2 and 3 on the Isle of Sheppey. Around 80% of Swale's land is classified as being suitable for some form of agriculture (grades 1-5), with the borough containing approximately 17% of Kent's Grades 1 and 2 resource.

**21.6.5** Agriculture in Swale therefore continues to shape the nature and character of the countryside and remains associated with a long history of fruit production as well as the wider mixture of arable crops and livestock that we see today. As of 2016, more than 24,000 hectares of land is farmed in Swale [415] and this shapes much of the diversity of the borough's environment, including internationally important estuarine and coastal habitats in the North Kent Marshes, the central plain of orchards and arable land, the wooded clay outcrop of The Blean and the southern woodlands and dry chalk valleys of the North Downs dip-slope.

**21.6.6** 21.6 Policy B6 Agricultural Land, in recognition of the importance of the agricultural sector to the borough in terms of its identity, environment and economy, looks to safeguard one of its most important resources – its soils, and in particular, the proportion of best and most versatile land that is present here. Soil is an essential natural capital asset that provides important ecosystem services, not just for agriculture, but also as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution.

**21.6.7** Development of agricultural land should be avoided in the first instance, but where this is demonstrated as being an overriding necessity, and having examined alternative options first, it should be directed to areas of lower quality land in preference to that of a higher quality. Therefore, the presence of best and most versatile land on a site should have a strong influence on whether development should be permitted.

## Policy B6

### Agricultural land

Development on agricultural land will only be permitted when there is an overriding need that cannot be met on land within the defined built-up area boundaries as shown on the Proposals Map. Development on best and most versatile agricultural land will only be permitted if:

412 Guide to assessing development proposals on agricultural land (February 2021), Natural England https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land

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

414 https://services.swale.gov.uk/assets/Planning%20Policy%202019/2024%20Agricultural%20Land%20Report%20-%20Final.pdf

415 Farming Statistics (December 2017), Defra https://www.gov.uk/government/statistics/farming-statistics-livestock-populations-at-1-december-2017-uk

1. The site is allocated for development by the Local Plan; or
2. There is no alternative site on land of a lower grade than 3a or the use of land of a lower grade would significantly and demonstrably work against the achievement of sustainable development. On sites over 1ha in size, where Grade 3 land is not split into 3a and b, an Agricultural Land Classification assessment should be undertaken to identify areas of 3a and 3b;
3. The development would not result in the remainder of the agricultural holding becoming not viable; and
4. There is clear, justifiable overriding need when proposals will lead to cumulative significant loss of best and most versatile agricultural land.

## 21.7 Policy B7 The Coast

**21.7.1** Swale's 111 km coastline is the longest of any Kent district. It is also one of the borough's defining features and an essential part of its Green & Blue Infrastructure network. The coast combines a wide range of assets that include:

- Seaside resorts at Sheerness, Minster, Warden & Leysdown;
- Swathes of wetlands and marshes along The Swale and The Medway, designated internationally and nationally for their biodiversity interest and representing a distinctive proportion of Kent's ecological sites;
- Marine Conservation Zones at the Medway and the Swale Estuaries;
- Geologically important cliffs on the north coast of Sheppey;
- Locally valued and designated, tranquil, remote and wild landscapes along the Swale and Medway Estuaries;
- Creeks at Queenborough, Halstow, Funton, Milton, Conyer, Oare and Faversham;
- A Country Park at Milton Creek, Sittingbourne and Coastal Parks at Barton's Point, Sheerness and Leysdown;
- A long and rich history and built heritage, in particular at Queenborough, Sheerness and Faversham;
- A natural deep-water harbour and historic former naval dockyard at Sheerness Docks;
- A fishing port at Queenborough;
- Docks at Ridham with connections to the road and rail network;
- Quays and/or marinas at Queenborough, Otterham, Lower Halstow, Conyer, Oare and Faversham;
- Landing stages at Oare and Harty;
- Water sports along the north Sheppey coast and the borough's creeks; and
- The Saxon Shore Way and English Coastal Path.

**21.7.2** Swale's coast faces particular threats, including from climate change (with issues such as coastal squeeze of habitats, flooding and erosion) as well as the pressures of development generally. The policy aims to balance the needs of development with those of the coast's sensitive and changing environment, within the context of a wide range of plans and policies at work along the coast. It is also important in meeting the Local Plan's vision of coastal rejuvenation.

**The legal, policy and local context**

**21.7.3** The Marine Strategy Framework has been transposed into UK law, via the Marine Strategy Regulations 2010 [416]. These regulations require the UK to take necessary measures to achieve or maintain Good Environmental Status (GES) of our seas by 2020 through the development of a Marine Strategy. The Marine Strategy, including the characteristics of Good Environmental Status, how they are monitored and the programme of measures to achieve GES has to be reviewed every six years.



416 https://www.legislation.gov.uk/uksi/2010/1627/contents/made

**21.7.4** The Water Environment (Water Directive Framework) (England and Wales) 2017 Regulations[417] establishes a legal framework to protect and restore clean water and ensure long-term and sustainable use.

**21.7.5** The Marine and Coastal Access Act 2009 [418]:

1. requires a publicly accessible long-distance route and land for open-air recreation around the coast of England;
2. designates and protects Marine Conservation Zones (MCZs) which exist alongside European sites (Special Areas of Conservation (SACs) and Special Protected Areas (SPAs)), SSSIs and Ramsar sites. The Marine Conservation Zones of within the borough are The Swale Estuary MCZ [419] and The Medway Estuary MCZ [420]; and
3. defines arrangements for the system of marine management and planning in the UK and the creation of the Marine Management Organisation (MMO).

**21.7.6** The UK Marine Policy Statement [421](MPS, 2011) is the framework for the marine planning system. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine areas must do so in accordance with the Marine and Coastal Access Act 2009 and any relevant adopted Marine Plan (in Swale the South East Inshore Marine Plan [422]– see below) or the UK Marine Policy Statement unless relevant considerations indicate otherwise.

**21.7.7** The National Planning Policy Framework [423] (NPPF, para 187) requires planning policies and decisions to contribute to and enhance the natural and local environment through maintaining the character of the undeveloped coast, whilst improving public access to it where appropriate. It explains how policies and decisions should take account of the UK Marine Policy Statement and marine plans and apply Integrated Coastal Zone Management across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial and marine planning regimes [424] (NPPF, para 183). Integrated Coastal Zone Management is described in Planning Practice Guidance [425] (PPG) as a process to allow a joined up and participative approach towards the planning and management of different elements in coastal areas, following key principles, including: a long term view; a holistic approach working with relevant bodies; working with natural processes and reflecting local characteristics. The PPG sets out how local planning authorities should collaborate with the Marine Management Organisation.

**21.7.8** Work is well underway on the King Charles III England Coast Path [426] ,a new National Trail around all of England's Coast. The sections relevant to Swale and their status are in Table 21.7.1. Additional accessibility information on the sections with the status "Open the public" and updates on the status of other sections in the table are available on the England Coast Path website[427]:

| | Section | Stage |
|---|---|---|
| 1 | Isle of Sheppey (28) | • Open to the public<br>• Stage 5: Open (Not yet completed - work to establish the route is currently taking place)<br>• Stage 4: awaiting approval |

417 https://www.legislation.gov.uk/uksi/2017/407/contents/made
418 https://www.legislation.gov.uk/ukpga/2009/23/contents
419 https://www.gov.uk/government/publications/marine-conservation-zones-the-swale-estuary
420 https://www.gov.uk/government/publications/marine-conservation-zone-2013-designation-medway-estuary
421 https://www.gov.uk/government/publications/uk-marine-policy-statement
422 https://www.gov.uk/government/collections/south-east-marine-plan#the-south-east-marine-plan-documents
423 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
424 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
425 https://www.gov.uk/guidance/flood-risk-and-coastal-change
426 https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast
427 -https://www.gov.uk/government/publications/england-coast-path-in-the-south-east-of-england

| | Section | Stage |
|---|---|---|
| 2 | Whitstable to Iwade (29) | • Open to the public |
| 3 | Iwade to Grain (30) | • Open to the public<br>• Stage 5: Open (not yet available for public use - work to establish the route is currently taking place) |

**Table 21.7.1 England Coast Path in Swale**

**21.7.9** The Government's A Green Future: Our 25 Year Environment Plan to Improve the Environment (2018) [428] seeks to achieve good environmental status of our seas whilst allowing marine industries to thrive, as well as to complete an ecologically coherent network of well-managed marine protected areas (MPAs). It aims to improve 'at least three quarters of our waters to be close to their natural state as soon as practical by…reaching or exceeding objectives for rivers, lakes, coastal and groundwaters…whether for biodiversity or drinking water… '[429] It seeks to reduce the risk of harm to people, the environment and the economy from natural hazards including flooding, drought and coastal erosion including by making sure everyone is able to access the information they need to assess any risks to their lives and livelihoods, health and prosperity posed by flooding and coastal erosion. It also promotes action to reduce the risk of harm from flooding and coastal erosion including through the greater use of natural flood management solutions.

**21.7.10** The Marine Management Organisation (MMO) delivers UK marine policy objectives for English waters through statutory Marine Plans and other measures. Swale is within the South East Inshore Marine Plan area. The South East Inshore Marine Plan [430] was adopted in June 2021, becoming a statutory document for planning decisions. Under the Marine and Coastal Access Act, any authorisation or enforcement decisions must be made in accordance with the marine plan. Any other decisions which may impact the marine area must have regard to the marine plan. The East Inshore and East Offshore Marine Plans and the South Inshore and Offshore Marine Plans are the adjacent plans to the South East Inshore Marine Plan and should be considered where appropriate.

**21.7.11** The MMO is also responsible for issuing marine licences [431] which may be needed for activities ranging from mooring private jetties to nuclear power plants and offshore windfarms. These may also require consideration under The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)[432]. The MMO also issue consents under the Electricity Act 1989 (as amended) [433] for offshore generating stations (1-100 megawatts) and are a statutory consultee to the Planning Inspectorate for relevant nationally significant infrastructure projects.

**21.7.12** Early consultation with the MMO is advised to ensure the effect on coastal processes are minimised or mitigated.

**21.7.13** It should be noted that the boundary for marine plans extends up to the level of the mean high water spring tide mark and therefore there will be overlap with terrestrial plans, which generally extend to the mean low water springs mark. The coastal concordat [434]sets out the process of consenting coastal developments in England and how Local Authorities and regulators like the MMO collaborate.

428 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf

429 25 Year Environment Plan 2018. HM Government. Page 25

430 https://assets.publishing.service.gov.uk/media/60f6f6dde90e0764ccfbd836/FINAL_South_East_Marine_Plan__1_.pdf

431 https://www.gov.uk/government/collections/planning-and-development-marine-licences

432 https://www.legislation.gov.uk/uksi/2007/1518/contents

433 https://www.legislation.gov.uk/ukpga/1989/29/contents

434 https://www.gov.uk/government/publications/a-coastal-concordat-for-england

**21.7.14** The explore marine plans [435] formerly known as Marine Information System Please note that Google Chrome is recommended when using this system. is a new digital mapping service of plans, policies and information relating to the marine environment.

**21.7.15** The River Medway and Swale Estuary Shoreline Management Plan (SMP9)[436]and The Isle of Grain to South Foreland Shoreline Management Plan (SMP10)[437] have been prepared by the South East Coastal Group and identify sustainable long-term management policies for Swale's coast in the face of climate change and sea-level rise. Following on from these, the Environment Agency (EA) has now finalised and adopted the Medway Estuary and Swale Flood and Coastal Erosion Risk Management Strategy (MEASS) [438]. This strategy sets out the economic, environmental and technical approach to managing flood and coastal erosion risk over the next 100 years. The principal objectives of the strategy are to reduce flood and erosion risk to properties and infrastructure in light of coastal change over the next 100 years and maintain the integrity of the Natura 2000 nature protection sites at risk of coastal squeeze *and inundation by saline water*.

**21.7.16** The Swale Strategic Flood Risk Assessment 2020 [439](SFRA) and updates determine the extent of flood risk in Swale. More detail on this can be found in Policy C8 Flood risk.

**21.7.17** Erosion is predicted to increase significantly over the next 100 years as a result of climate change, particularly impacting the north coast of The Isle of Sheppey. The North Sheppey Erosion Study 2011 [440] assessed cliff erosion along the North Sheppey coast from Minster to Leysdown, in particular the undefended frontage where the Shoreline Management Policy is for 'no active intervention'. This study was used to inform the development of the Coastal Change Management Area in the 2017 Adopted Local Plan.

**21.7.18** The Environment Agency have recently published the National coastal erosion risk map [441] (NCERM) which aims to improve public access to the latest knowledge on coastal erosion via an online information tool. The NCERM provides the most up to date national picture of current and future areas of coastal erosion risk for England, using the best available evidence [442] from the National Network of Regional Coastal Monitoring Programmes. Along with data from the SFRA, this data is being used to inform updates to the Coastal Change Management Area, Policy C6 Coastal Change Management.

**21.7.19** The North Kent Bird Disturbance Study [443] examined the combined effects of development across north Kent districts for their effects on the Special Protection Areas (SPA), with a particular focus on wintering waterfowl, and established a mechanism to provide funding from development contributions for mitigation along the north Kent Marshes. More details on this in Strategic Policy 6.12 Policy ST11 Protecting and Enhancing the Natural Environment.

435 https://www.gov.uk/guidance/explore-marine-plans
436 https://environment.data.gov.uk/shoreline-planning/shoreline-management-plan/SMP9
437 https://environment.data.gov.uk/shoreline-planning/shoreline-management-plan/SMP10
438 https://www.gov.uk/government/publications/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy/medway-estuary-and-swale-flood-and-coastal-risk-management-strategy
439 https://swale.gov.uk/planning-and-regeneration/strategic-flood-risk-assessment-completed
440 https://services.swale.gov.uk/assets/Planning-General/Planning-Policy/Sheppey-Coastal-Erosion-Study/Sheppey-study-report-V3-for-web-Chapters-1-to-8.pdf
441 https://www.gov.uk/guidance/updates-to-national-flood-and-coastal-erosion-risk-information
442 https://www.gov.uk/government/publications/national-assessment-of-flood-and-coastal-erosion-risk-in-england-2024/national-assessment-of-flood-and-coastal-erosion-risk-in-england-2024#coastal-erosion-how-our-assessment-of-coastal-erosion-risk-is-changing
443 https://northkent.birdwise.org.uk/research-and-strategy-reports/

**21.7.20** The conservation objectives, published by Natural England[444] , for the internationally [445] and nationally [446] designated biodiversity sites which stretch along the borough's coast are a fundamental objective to be considered in any development proposal along the coast. More detail on these designations is set out in 21.1 Policy B1 Biodiversity & Geodiversity Conservation & BNG.

**21.7.21** The coastline of Swale lies within Natural England's National Character Area profile 81. Greater Thames Estuary[447] In summary, the environmental opportunities identified for this area are:

- maintain and enhance the expansive, remote coastal landscape, maintain internationally important habitats and their wildlife and underlying geodiversity, while addressing climate change and coastal processes;
- work with landowners and managers to improve environmental quality, climate adaptation, prevention of soil erosion and maintain historic character;
- maintain the tranquil and remote character of the estuary, whilst increasing opportunities for recreation and enjoyment of the landscape; and
- encourage a strategic approach to development that is informed by and makes a positive contribution to local character, incorporates green infrastructure, promotes recreation and addresses climate change while maintaining habitats, historic and geological features.

**21.7.22** Three of the borough's Local Landscape Designations (the North Kent Marshes: Medway Marshes, the North Kent Marshes: South Swale and the North Kent Marshes: North Swale) run along the coast of the borough. The Statements of Significance [448] outline the qualities and attributes of these areas and the requirements going forward – in essence to conserve and enhance the rich biodiversity, sense of remoteness and wildness. These statements should be responded to in any development proposals for Swale's coastline along with other requirements for the landscapes of Swale, as outlined in 21.2 Policy B2 Conserving & Enhancing Valued Landscapes

**21.7.23** The Swale Landscape Character and Biodiversity Appraisal Supplementary Planning Document 2011 [449] is a key resource in ensuring the protection and enhancement of the whole of the borough's landscapes and habitats, including at the coast. More detail on this can also be found in Policy B2 Conserving & enhancing valued landscapes.

**21.7.24** The Swale Green and Blue Infrastructure Strategy 2020 [450] looks at Swale's current Green and Blue Infrastructure(GBI) resource, priorities for GBI, the multi-functionality of GBI and the opportunities in the borough for both existing GBI and new GBI provision.

**21.7.25** The Swale Visitor Economy Framework [451] and Action Plan [452] has been developed by the Council in consultation with stakeholders. The Action Plan contains specific 'deliverables' to improve the coastline, sea front and estuary offer across the borough – working with artists, the community, hospitality and leisure providers. It seeks to promote the England Coast Path within the borough, for instance by encouraging locals to take an entrepreneurial approach to initiatives that support increased coastal access. It aims to

444 https://www.gov.uk/environment/protected-sites-species
445 https://publications.naturalengland.org.uk/category/6528471664689152
446 https://designatedsites.naturalengland.org.uk/SiteSearch.aspx
447 https://publications.naturalengland.org.uk/publication/4531632073605120#:~:text=National%20Character%20Areas%20The%20Greater%20Thames%20Estuary%20National,the%20North%20Sea%20and%20the%20rising%20ground%20inland.
448 https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review-evidence/landscape#h2
449 https://swale.gov.uk/your-council/publications/planning-and-planning-policy/swale-landscape-character-and-biodiversity-appraisal-supplementary-planning-document-spd-2011
450 https://services.swale.gov.uk/assets/Planning%20Policy%202019/7659.012%20Swale%20GBI%20Strategy%20MERGED%20LR.pdf
451 https://swalemeansbusiness.co.uk/home/why-swale/the-swale-visitor-economy
452 https://services.swale.gov.uk/meetings/documents/s15518/FINAL%20Swale%20Visitor%20Economy%20Framework%20Action%20Plan.pdf

improve cycle and walking infrastructure and opportunities including 'Wildlife and Heritage Trails' linking the Downs to the Coast. It also seeks to develop water activities such as sailing, wind surfing, wild swimming, boat tours and increased moorings at Milton Creek, as part of that specific area's wider regeneration.

**Policy application**

**21.7.26** Any development proposal for the coast in Swale should demonstrate how it has responded to the plans, policies and studies outlined above.

**21.7.27** This policy applies to both the developed and undeveloped coasts. The developed coast is represented by that inside the defined built up area boundaries shown on the Proposals Map, whilst the undeveloped coast is that beyond it, and its hinterland is defined as the land that directly relates to this coastline in terms of landscape or land use.

**21.7.28** The policy also references seascape and coastal processes. Seascape is defined in the Marine Policy Statement 2011 [453], as landscapes with views of the coast or seas, and coasts and the adjacent marine environment with cultural, historical and archaeological links with each other. Coastal processes can be described as the processes of erosion, transportation and deposition in which coasts are shaped by the sea and the action of waves.

## Policy B7

**The Coast**

Planning permission will be granted for development proposals at or near the coast subject to:

1. Demonstrating the protection, management and enhancement, as appropriate, of biodiversity, landscape, seascape and coastal processes;
2. Maintaining or enhancing access to the coast where it can be appropriately managed;
3. Enabling wildlife to build resilience and adapt to the effects of climate change and contribute towards the Local Plan's Green and Blue Infrastructure Plan and ensuring Biodiversity Net Gain as required by 6.12 Policy ST11 Protecting and Enhancing the Natural Environment and 21.1 Policy B1 Biodiversity & Geodiversity Conservation & BNG;
4. Supporting, where appropriate, sustainable and healthy fisheries and protection and enhancement of the marine and coastal environment in line with the objectives of the South East Inshore Marine Plan, the Marine Conservation Zones and the other relevant international and national biodiversity designations;
5. Maintaining the character of the undeveloped coast; demonstrating conformity with the opportunities identified in Natural England's Greater Thames Estuary 'Statements of Environmental Opportunity' and the requirements set out in Swale's Local Landscape Designation's Statements of Significance for the relevant coastal designation as well as the guidelines within the Swale Landscape Character and Biodiversity Appraisal SPD;
6. Taking account of the policies and proposals of the Shoreline Management Plans, the Medway Estuary and Swale Flooding and Coastal Erosion Risk Management Strategy and the South East Inshore Marine Plan;
7. Proposals within the built-up area boundaries as defined on the Proposals Map, contributing to the rejuvenation of the developed coast, particularly where enhancing either existing industrial and maritime infrastructure, coastal heritage, tourism or environmental management;
8. Proposals outside the built-up area boundaries, at the undeveloped coast and its hinterland, supporting conservation, enhancement and Biodiversity net gain;
9. Compliance with Policy C6 Coastal Change Management for the Coastal Change Management Area.

453 https://assets.publishing.service.gov.uk/media/5a795209ed915d042206795b/pb3654-marine-policy-statement-110316.pdf

## 21.8 Policy B8 Rural Lanes

**21.8.1** Swale possesses a rich heritage of rural lanes that contribute to rural amenity, nature conservation and the character of the landscape. Many are experiencing pressures from the rapid rise in rural traffic, urbanisation and changes in the management of verges and the Council want to limit the effects of these. A study undertaken in 1997 by Kent County Council identified the top 20% of these lanes against environmental criteria, and these are shown on the Proposals Map. Only the top 20% are shown on the Proposals Map but this policy applies to all lanes in rural Swale.

**21.8.2** In order to safeguard these lanes, the Council will not permit development that would harm their identified qualities, and will implement traffic restraints, speed restrictions, routing agreements with businesses, and tree and hedgerow preservation orders. Development proposals may similarly bring forward such proposals as mitigation of adverse impacts, together with measures such as landscape or historic features restoration.

**21.8.3** Given the age of the rural lanes study, applicants may be required to provide further evidence as to the landscape, amenity, biodiversity, historic and archaeological importance of the lane(s) in question. The Council will, when resources permit, update the Rural Lanes Study for Swale.

**21.8.4** The Kent Downs National Landscape unit have published Rural Streets and Lanes: A Design Handbook (2009) [454] which identifies the characteristics of the rural road network and promotes its conservation and maintenance through detailed design guidance and case studies. This guide has been adopted by Kent County Council and should be referenced for all relevant applications both within and outside the Kent Downs National Landscape.

**Quiet Lanes**

**21.8.5** The Council would like to designate some of Swale's rural lanes as 'Quiet Lanes'. Quiet Lanes are defined as minor rural roads or networks of minor rural roads appropriate for shared use by walkers, cyclists, horse riders and other vehicles. The aim of Quiet Lanes is to maintain the character of minor rural roads by seeking to contain rising traffic growth. They must be rural in character, carry fewer than 1,000 vehicles per day and the 85th percentile traffic speed should be less than 35 mph. Narrow, single–track roads are the most suitable to be designated. The process for designating Quiet Lanes involves community involvement to help to define what lanes should be considered and then a formal consultation similar to that required to introduce a Traffic Regulation Order. The Council aim to progress work, in conjunction with Town and Parish Councils, to designate a number of Quiet Lanes within Swale. They require investment therefore implementation will be phased.

### Policy B8

**Rural Lanes**

Planning permission will not be granted for development that would either physically, or as a result of traffic levels, significantly harm the character of rural lanes. For those rural lanes shown on the Proposals Map, development proposals should have particular regard to their landscape, amenity, biodiversity, and historic or archaeological importance.

## 21.9 Policy B9 The Keeping & Grazing of Horses

**21.9.1** The borough of Swale is a popular location for equestrian activities and has become a source of income to farmers and others in parts of the borough. Whilst these activities can bring economic benefits to the rural areas, they can, individually or cumulatively, adversely change the rural character of the area with stables, paddocks, fencing, on-site riding facilities and other visual clutter.



454 https://kentdowns.org.uk/wp-content/uploads/2018/04/Rural-Streets-and-Lanes-a-design-handbook.pdf

**21.9.2** In many parts of the borough, such as between Newington, Upchurch, Lower Halstow and the borough boundary with Medway and between Chestnut Street and Oad Street, within the setting of The Blean and around the north coasts of Sheppey, the levels of equestrian activity has had a negative impact upon the landscape. Further proposals will only be allowed where additional cumulative harm would not occur. Landscapes with an open character are less likely to be capable of accommodating such development. The use of higher standards of design of stable buildings, fencing, landscaping and parking that has been achieved in some locations will enable proposals to better reflect and enhance the character of the area.

**21.9.3** Should new equestrian enterprises, particularly those of a commercial nature, come forward for consideration, traditional farm buildings should be utilised as a base for their development in the first instance. New equestrian enterprises should be located in or based on buildings of this kind, both to help ensure new uses for traditional buildings and reduce the pressure for new structures in the countryside.

**21.9.4** The Council's Landscape Character and Biodiversity and Biodiversity Appraisal Supplementary Planning Document 2011 [455] will be used to guide the acceptability of proposals in terms of their individual or cumulative impacts upon the landscape along with the Council's adopted Supplementary Planning Guidance The Erection of Stables and Keeping of Horses [456] , which is a material consideration. Applicants should reference these documents in applications. Within the Kent Downs National Landscape, the Kent Downs National Landscape Unit's management guidance document Managing Land for Horses [457] will be a further consideration.

## Policy B9

### The keeping and grazing of horses

Planning permission will only be granted for development involving the use of land for the keeping or grazing of horses and ponies in connection with riding or other non-agricultural purposes, if they are of high quality design and of a scale and intensity that is acceptable in landscape character, biodiversity, type/locations of any sensitive groundwater zones (source protection zones in particular), amenity and highway terms, in accordance with 21.1 Policy B1 Biodiversity & Geodiversity Conservation & BNG , 21.2 Policy B2 Conserving & Enhancing Valued Landscapes and 21.3 Policy B3 Kent Downs National Landscape. In considering proposals, the Council will have regard to the cumulative effect of such uses in the local area, the site's accessibility to the bridleway network (having regard to potential conflicts with other path users), or the ability to provide on-site riding facilities.

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

456 https://swale.gov.uk/your-council/publications/planning-and-planning-policy/the-erection-of-stables-and-keeping-of-horses

457 https://kentdowns.org.uk/wp-content/uploads/2018/04/ManagingLandforHorses.pdf

# 22 Development Management Policies - Historic Environment

## 22.1 Policy HE1 Development involving Listed Buildings

**22.1.1** Listed buildings are irreplaceable heritage assets that are recognised as being of special architectural or historic interest in the national context. They are identified on the National Heritage List. Buildings on the list enjoy statutory protection through the Planning (Listed Buildings and Conservation Areas) Act 1990 [458] Protection extends to the whole building, inside and outside, its curtilage and certain structures within its domain. The majority of works to listed buildings require listed building consent (in addition to any other consent required through planning legislation), including fittings, attachments and any decorative schemes of special significance.

**22.1.2** Applicants must prepare a heritage statement and a design & access statement for any proposals for listed building consent or for planning permission for development within the curtilage of a listed building. The statements will be required to justify the proposals, demonstrating why works and/or development that would affect the significance of a listed building are necessary or desirable. In all cases the policy seeks to safeguard, and where possible, enhance the special interest and setting of listed buildings.

**22.1.3** There is a presumption in favour of preserving listed buildings, and consent will only be given in very exceptional circumstances for their demolition. Poor condition is no justification for demolition, and where a building is redundant, every effort must be made to find a viable new use, which should be consistent with the character, appearance, and fabric of the building. The Council will use its statutory powers to ensure that listed buildings at risk from neglect or decay are appropriately maintained and repaired.

**22.1.4** Extensions and alterations should be sympathetic and not dominate the listed building in scale, material, or situation. Often a building's immediate setting is important to its character, so gardens, yards, other spaces, and boundary details are of value in their own right. Proposals to create off-street parking provision can frequently be damaging to the setting of a listed building.

**22.1.5** The significance of a listed building can be harmed by inappropriate repair, alteration or extension. Proposals to repair, alter or extend a listed building must be justified and appropriate. Consequently, a high level of professional skill and craftsmanship will be required in both the design and execution of any scheme. Proposals to repair, alter or extend a listed building that harm its significance will not be permitted unless there is a clear and convincing justification. Substantial harm to, or the loss of a listed building will be firmly resisted in all but the most exceptional of cases.

**22.1.6** New development within the setting of a listed building may not always be appropriate if the setting is particularly important to the significance of it. However, in all other instances, new development within the setting of a listed building is required to be of good quality, contextually sensitive in design. Proposed new development within the setting of a listed building that would harm its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.

**22.1.7** The best use for a listed building is usually the use for which it was originally designed, but the overriding consideration is securing the future upkeep and conservation of the building. Subsequently, the Council will support necessary and appropriate changes in use. Particular attention will be paid to ensuring that the proposed use will not be harmful to the significance of the listed building and its surroundings, including a careful assessment of any alterations associated with its proposed change of use.

**22.1.8** Building recording is an important mechanism to advance understanding of an asset's significance. Recording should be carried out following professional standards. Any resulting archive should be deposited with the relevant historic environment record and, where appropriate, a local museum or other public depository. The requirement to record the asset should not be taken as a justification for permitting the harm.



458 https://www.legislation.gov.uk/ukpga/1990/9/contents

### Climate change

**22.1.9** The borough's historic buildings are inherently sustainable. They are durable, adaptable, and constructed using materials that can be repaired and maintained, allowing their lifespan to be extended indefinitely. They also embody a significant amount of carbon from their original construction.

**22.1.10** However, as these buildings evolve, they must remain suitable for the people who live in, use, and care for them, while also contributing to a greener, more sustainable future. The Council therefore supports thoughtful and sensitive measures that both preserve heritage significance and address climate change by reducing energy demand, strengthening resilience, and mitigating climate impacts.

**22.1.11** There are many ways to improve the energy efficiency and climate resilience of historic or traditional buildings. However, the need and opportunity to do so will vary depending on the building's context. A whole-building approach is therefore recommended when considering adaptations. This approach assesses the building in its entirety to identify effective solutions that reduce energy use and carbon emissions, sustain heritage significance, and provide a safe and comfortable indoor environment.

**22.1.12** Further guidance is provided in Historic England Advice Note 18: Adapting Historic Buildings for Energy and Carbon Efficiency. Where proposed works would affect the significance of a heritage asset, a Heritage Statement should be submitted to explain the impact. The benefits of climate-sensitive measures will be carefully weighed against any harm to heritage significance, in accordance with the National Planning Policy Framework (NPPF).

## Policy HE1

**Development involving Listed Buildings**

Development proposals, including any change of use, affecting a listed building, and/or its setting, will be supported where:

1. The listed building's special architectural or historic interest, its setting and any features of special architectural or historic interest which contribute to its significance, are preserved or enhanced, paying special attention to the:

a. design, including scale, materials, situation and detailing;
b. appropriateness of the proposed use of the building;
c. desirability of removing unsightly or negative features or restoring or reinstating historic features; and,
d. protection of important views, both of and from, the Listed Building.

2. Where applicable, proposals should help secure a sustainable future for heritage assets, particularly those identified as being at risk;

3. When considering the impact of proposed works and/or a proposed development on the significance of a listed building, great weight will be given to the building's conservation (and the more important the listed building, the greater the weight will be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance;

4. Where a development proposal would lead to less than substantial harm to the significance of a Listed Building or its setting, this harm will be weighed against the public benefits of the proposal, including, where appropriate, securing the optimum viable use of the building.

Development will not be permitted where it would result in the total loss of significance of, or substantial harm to, a Listed Building unless it can be demonstrated that the harm or loss is necessary to deliver substantial public benefits that outweigh that harm or loss.

a. the nature of the heritage asset prevents all reasonable uses of the site;
b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;

c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and

d. the harm or loss is outweighed by the benefit of bringing the site back into use.

5. Where proposals would harm a Listed Building, building recording will, where necessary, be secured in a manner proportionate to the level of harm and its significance, to advance understanding of the asset; and

6. Applications should be accompanied by an appropriate, evidence-based heritage statement, sufficient to understand the potential impact of the proposal on the significance of the building.

## 22.2 Policy HE2 Development affecting a Conservation Area

**22.2.1** Conservation areas are areas of special architectural or historic interest, the character, or appearance of which it is desirable to preserve or enhance. They play an important role in defining local identity, reinforcing a sense of place, and supporting local pride and community cohesion. The character of conservation areas can be fragile, and their distinctive qualities can be damaged by new development, and by other more subtle means such as increased traffic, car parking, signs and noise, or piecemeal changes to key architectural elements such as doors and windows. They are not, though, areas where change will not occur. Development that makes a positive contribution to Swale's local character and distinctiveness will be encouraged. New development within, or affecting the setting of, a conservation area, where appropriate, will be expected to be of an appropriate use, of a high standard of design, and respond positively to the character, appearance and setting of the area.

**22.2.2** Applicants must prepare a heritage statement and a design & access statement for any proposals in or adjoining a conservation area that will need to include an objective assessment on the likely impact of their proposals on the significance of any heritage assets or their settings.

**22.2.3** The Council will use its statutory powers to ensure that buildings and spaces within conservation areas that are at risk from neglect or decay are appropriately maintained and repaired.

**22.2.4** A list of conservation areas, along with their boundary maps, character appraisals and management plans, is available at Heritage and Landscape- Conservation [459]. The appraisals and management plans provide useful guidance for applicants, borough residents, and public bodies. Swales Heritage Strategy Action Plan [460] prioritises the delivery of new and updated conservation area appraisals across the borough.

**22.2.5** Whilst it is the quality and interest of an area as a whole that is recognised through designation, it is often the cumulative impacts of small changes over time that erode the special qualities and significance of a place. Where necessary, and with public support, Article 4 Directions will be introduced to help to control potentially damaging alterations.

### Spaces and settings

**22.2.6** The spaces and settings around and between buildings, together with views to and from the area, are important and should be protected from unsympathetic changes and, where possible, enhanced.

**22.2.7** Many buildings and features in a conservation area are not listed as being of special architectural or historic interest. Nevertheless, they may make a valuable contribution to the character of a conservation area individually, or as part of a group. In such cases, their demolition will only be permitted in exceptional circumstances.

**22.2.8** In reaching such a decision, the Council will examine the cost of maintaining and repairing the building or feature in relation to its importance and the value derived from its use, the adequacy of efforts

459 https://swale.gov.uk/planning-and-regeneration/heritage-and-landscape/conservation-areashttps://swale.gov.uk/planning-and-regeneration/heritage-and-landscape/conservation-areas

460 https://swale.gov.uk/your-council/strategies-and-policies/swales-heritage-strategy

to maintain the building in an acceptable use, and the merits of alternative proposals for the building. These must demonstrably preserve or enhance the character and appearance of the area in a way that the former building did not. Fundamentally, consent will normally only be given for demolition when a detailed scheme for redevelopment has been agreed. Planning conditions and/or legal agreements will ensure that demolition does not take place without the certainty of timely redevelopment.

**Highway features**

**22.2.9** Highway features including street furniture, surfacing materials, bridges, retaining walls, signs, footpaths, kerb lines, and milestones help to tell the story of the borough's development over time. Poorly designed highway or traffic management interventions, including signage, lighting and other alterations, can have adverse impacts. Proposals must ensure that the protection of the character and setting of historic highway features is given due weight, where they form a key positive element of a conservation area.

### Policy HE2

**Development affecting a Conservation Area**

1. Development proposals within, affecting the setting of, or views into and out of a conservation area, will be supported where they are designed to preserve or enhance the elements that contribute positively to the area's special character or appearance;

2. Development should be of high-quality contextual design so that they preserve or enhance a conservation area's significance and will be expected to respond positively to:

a. conservation area character appraisal & management plan documents where these have been prepared;
b. townscape, buildings, rooflines and the relationships between buildings;
c. plot coverage and open spaces, including gardens;
d. scale, form, elevational hierarchy, fenestration pattern, ornamentation and materials;
e. trees, topography, boundaries and other landscape features;
f. important views, including those contained within relevant conservation area appraisals and other local views; and
g. retention of, where appropriate, unlisted/non designated heritage assets or other structures that make a positive contribution to the character or appearance of the area.

3. Any harm to, or loss of, the significance of a conservation area will require clear and convincing justification. Less than substantial harm to the significance of a conservation area will only be permitted where this harm is outweighed by the public benefits of the proposal. Substantial harm or total loss of significance will only be permitted where it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Planning applications for development within or adjacent to a conservation area will be required to include a Heritage Statement that demonstrates a clear understanding of the significance of the conservation area and its setting, any related individual or group heritage assets affected by proposals and the impact on heritage significance, as applicable.

## 22.3 Policy HE3 Parks & gardens

**22.3.1** The borough contains four grade II sites on Historic England's Register of Historic Parks and Gardens-. These are Lees Court, Belmont House, Doddington Place and Mount Ephraim. These designed landscapes were created to serve country houses and estates and are of significance because of the quality and character of their landscape. Each displays a range of landscaping, ranging from the highly ornate to the more naturalistic in style in the vein of English landscape gardener, Lancelot 'Capability' Brown.

**22.3.2** Historic Parks and Gardens are a sensitive and finite resource that can easily be damaged or lost. To identify those sites that are of particular historic importance, Historic England is enabled by government

to compile the 'Register of Parks and Gardens of special historic interest in England'. Inclusion in the Register recognises that the site is of national importance and they comprise a variety of features including open space, flora, water features, cemeteries, archaeological remains and buildings.

**22.3.3** Registration is a 'material consideration' in the planning process, meaning that planning authorities must consider the impact of any proposed development on the special interest of the park or garden.

**22.3.4** Applications that affect a registered historic park and garden or their wider setting should be supported by a heritage statement which includes a statement of significance proportionate to the scale and nature of the proposed works.

**22.3.5** A number of other parks and gardens, both in private and public ownership, are undesignated but nonetheless play an important role, contributing to the character and distinctiveness of the borough and providing a focus for conservation, access projects, interpretation, education and research. These are considered locally important by virtue of their particular historic or design interest, and the contribution they make to the local landscape character; such sites are afforded protection under Policy HE4 Non-designated Heritage Assets.

### Policy HE3

**Parks & gardens**

1. Development that affects a Registered Park and Garden or its wider setting will be supported where they:

a. would not result in unacceptable harm to the layout, design, character, appearance or setting of the park or garden, or key views into or out from the park or garden;
b. is sensitive to the original design intention and subsequent layers of design and the functional evolution of the park or garden and do not prejudice any future restoration; and,
c. would enhance or better reveal the significance of the Registered Park and Garden or would help to secure a sustainable future for a feature within it.

2. Less than substantial harm to the significance of a Registered Park and Garden will only be permitted where this harm is outweighed by the public benefits of the proposal. Substantial harm or total loss of significance of a Registered Park and Garden will only be permitted where it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

## 22.4 Policy HE4 Non-designated Heritage Assets

**Non-designated Heritage Assets (Including Locally listed Buildings, un-registered parks and gardens and Area of High Townscape Value)**

**22.4.1** Non-designated heritage assets can vary in type and form and should possess a degree of heritage significance that is capable of being a material consideration in planning decisions. Non-designated heritage assets can be either buildings including locally listed buildings and structures, places such as Sittingbourne's Area of High Townscape Value or non-built assets such as archaeological assets and parks and gardens. Non-designated heritage assets are not protected in the same way as Designated Heritage Assets but the identification of them as a non-designated heritage asset is a planning consideration when determining applications.

**22.4.2** The borough contains many buildings, structures and areas that are not statutorily listed but are nonetheless of special historic, architectural, townscape, landscape, social or cultural interest in their local area. These are important to our local communities and make a valuable contribution to local distinctiveness, sense of history and understanding of place. Many of these are captured in the Local Heritage List which identifies heritage assets that are important to the local area but are not statutorily designated. The Local

Heritage List defines what is significant about them and identifies assets using selection criteria detailed in a 'Local Heritage List' document. This document and further information of the Local Heritage List is available on the Council website section Heritage and Landscape - Local Heritage List [461].

**22.4.3** Outside the designated conservation area, the Area of High Townscape Value south of Sittingbourne town centre, has a coherent local character, based on townscape, architecture and spatial qualities. Its significance is derived from the combined qualities of groups of elements rather than the value of the elements taken individually. It is an area of Victorian and Edwardian housing, parks, cemeteries, trees and open spaces that mark an important period in the town's post-industrial expansion with many of its street trees being a poignant reminder of the town's marking of The Great War. The Council's objectives in this area are to encourage a high standard of design of new development, the retention and reinstatement of original features and the preservation of the spaces between buildings, landscaping and parks, alongside the retention and expansion of its street trees.

**22.4.4** Development proposals that affect non-designated heritage assets with an archaeological significance, or potential significance, should be appropriately investigated and measures taken to protect and record any historic remains. A programme of archaeological recording may be required to be carried out including phases of desk-based assessment and fieldwork, post-excavation analysis, publication of the results and deposition of the site archive in an appropriate repository.

**22.4.5** Any archaeological non-designated heritage assets that are demonstrably of equal significance to a Scheduled Monument by way of a heritage assessment and/or Government guidance should be considered under the same policy as a Scheduled Monument, in accordance with National Planning Policy Framework [462] (NPPF para 213 and footnote 75). The relevant Local Plan policy is Policy HE5 Archaeological heritage.

**22.4.6** Non-registered parks and gardens are often less apparent than designated sites but nonetheless play an important role, contributing to the character and distinctiveness of the borough and providing a focus for conservation and access projects, interpretation, education and research.

**22.4.7** There are a number of processes through which non-designated heritage assets may be identified, including the local heritage list, local and neighbourhood plan-making processes, conservation area appraisals and reviews and as part of the decision-making process on planning applications. Additionally, the Council has a rolling programme of evaluating and recognising the importance and value of local non-designated heritage assets, through periodic reviews and updates of the Local Heritage List. Any development proposals that relate to non-designated heritage assets and their settings must be accompanied by an assessment of their significance.

## Policy HE4

### Non-designated Heritage Assets

1. The Council will seek to retain and conserve non-designated heritage assets including those on the Local Heritage List. Development proposals affecting a non-designated heritage asset or its setting should conserve those elements which contribute to its significance.
2. Where development would result in harm to, or loss of, the significance of a non-designated heritage asset, or its contribution to the character and appearance of an area, a balanced judgement will be made having regard to the scale of any harm and the significance of the heritage asset.
3. Applications affecting non-designated heritage assets should be supported by a proportionate assessment of their significance.

461 https://swale.gov.uk/planning-and-regeneration/heritage-and-landscape/local-heritage-list
462 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

Prior to any approved demolition, alteration, extension or restoration of non-designated heritage assets, the Council will require, where appropriate, building or archaeological recording, relevant to the asset's significance and the scope of works.

## 22.5 Policy HE5 Archaeology

**22.5.1** Swale has an extensive and important archaeological resource stemming from the borough's strategic position. Half-way along the north coast of Kent, Swale has been an important conduit for transport and communication between London and the open sea, and between inland Kent and the Thames Estuary. Its small towns grew up along creeks cutting inland from the coast whereas its largest port, Sheerness, reflects its maritime role.

**22.5.2** Swale's archaeological heritage covers a vast expanse of time – perhaps over half-a-million years. There have been numerous finds of palaeolithic artefacts in Swale, many from gravel pits such as at Teynham and Hartlip, Bapchild and Tonge, but also collected from the surface. Most of the evidence is in the form of hand axes, as well as the remains of animals that lived alongside early humans such as woolly mammoth and rhinoceros. Though such finds are ephemeral, they represent evidence of the early human presence in Swale and have the potential to tell us much about humanity's remote past. The end of the last glaciation saw the emergence of new flint technologies reflected in numerous finds of Mesolithic flints such as the chipping floor at High Halstow which produced over 1,000 flint finds and another flint working site at Sittingbourne.

**22.5.3** Permanent occupation in Swale seems to have begun in the Neolithic period, as perhaps evidenced by occupation sites at High Halstow, Grovehurst and Kingsborough Manor on Sheppey. Means of exchange are indicated by a possible log boat from Murston. Although burial monuments may well have been constructed in the Neolithic, none have been found so far in Swale and it is not until the Bronze Age that such sites are found, for example as at Shrubsoles Hill and the Aspire School where ring-ditches that would have been constructed around burial mounds have been found. Settlement expanded and occupation comprising huts, ditches and enclosures have been found at Kemsley, Shrubsoles Hill, Kingsborough Manor, Neatscourt and Iwade.

**22.5.4** During the Iron Age, a salt-extraction industry seems to have emerged in the borough as evidenced by finds of kiln lining from Neatscourt and High Halstow. Cremation became the main burial rite, as seen in several cemeteries that were established across the borough, for example at Milton Regis, Faversham, and Borden.

**22.5.5** During the Roman period, Swale played an important role. The main London to Dover (via Canterbury) Road – Watling Street – ran roughly along the line of the A2 and along it were at least 20 Roman villas, for example at Blacklands, Bax Farm, Sheldwich and Borden. Many of these were close to the creeks that penetrate inland and which were probably transportation routes for the major salt-making and pottery fabrication industries in the area – the marshes north of Upchurch and Lower Halstow contain very many salt and pottery manufacturing sites. Swale also had an extensive ritual landscape with a temple at Boxted (scheduled monument), a walled cemetery near Sittingbourne, a Roman mausoleum at Stone Chapel (scheduled monument) and a possible temple at Luddenham, as well as cremation and inhumation cemeteries from across the borough.

**22.5.6** Numerous Roman settlement sites have also been found across Swale. During the Anglo-Saxon period several important centres emerged. Faversham, Milton Regis and Minster became estate centres and trading places and there were numerous small settlements across the borough. Early churches were also found at Teynham, Minster (being accompanied by a 7th century nunnery) and Newington. Early cemeteries containing grave goods have also been found across the borough including at Milton, Faversham and the Meads, Sittingbourne.

**22.5.7** Maritime trade is indicated by the Graveney Boat, which dates to the late 9th century and is now in the National Maritime Museum. During the Medieval period, Faversham continued to be an important

centre focused on the Abbey (founded 1148) whilst Sittingbourne grew in importance and gradually overtook Milton Regis. Queenborough was founded as an entirely new town and settlements spread across the borough. These are witnessed by the large number of churches and chapels, and high and low status domestic buildings that still survive, as well as archaeological monuments such as salt mounds, deneholes, field systems and fishtraps.

**22.5.8** The Post Medieval period saw the rapid expansion of population and settlement in Swale. Key industries were based here such as the nationally important gunpowder industry around Faversham, ship-building in Sheerness and an emerging aviation industry on Sheppey, the archaeological remains of which still survive. There is a wealth of surviving maritime heritage in the form of shipwrecks, barges (both floating and hulks) docks and port installations. The continuing importance of the borough in national and international affairs is demonstrated by the wide range of military sites that still exist in Swale – ranging from the 17th century defences of Sheerness to the stop lines dating from both World Wars. Many historic structures relating to these themes survive but remain undesignated and highly vulnerable. Numerous historic parks and gardens also came into being during this period.

**22.5.9** The borough's archaeological heritage sit within a landscape shaped by long term human activity. The landscape that is visible today is the result of many centuries of evolution and the pattern of roads, tracks, field boundaries and hedgerows that gives the modern landscape its character is firmly rooted in the past

**22.5.10** The Swale Heritage Strategy[463] (March 2020) presents the overarching strategy for the management of the historic environment in Swale. The Strategy contains a detailed thematic review of the heritage of the borough, identifies its vulnerabilities and opportunities and makes recommendations for the future management of the heritage resource.

**22.5.11** Individual archaeological sites will have their own particular vulnerabilities, but the archaeological resource of the borough will generally be vulnerable to natural processes such as erosion and climate change, rural activities such as ploughing and other agricultural techniques, construction and development, including utilities, services and infrastructure works, change of use and general neglect. All of these serve to degrade the archaeological resource and reduce its significance and potential for improving life in the borough.

**22.5.12** Archaeological significance derives from whether the heritage asset 'holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.' When preparing development proposals that affect heritage assets it is essential that the heritage interest of the site is correctly assessed. When the heritage interest is an archaeological site, the assessment should include a desk-based assessment and, when necessary, archaeological fieldwork.

**22.5.13** Swale's archaeological resource includes both designated and non-designated heritage assets. Designated heritage assets are those protected by law. These include Scheduled Monuments which are mostly archaeological sites and monuments. Other designated assets will also have an archaeological component. Listed Buildings, Registered Parks and Gardens, Protected Military Remains and Conservation Areas all contain archaeological remains that must be treated appropriately within development management processes.

**22.5.14** There are several information resources for Swale's archaeological heritage: The Swale Heritage Strategy includes thematic reviews of the borough's heritage including a chapter reviewing Swale's archaeological heritage. The Kent Historic Environment Record [464] is the main database of archaeological discoveries and activities and built heritage assets in Kent. The National Heritage List for England [465] contains information on all designated heritage assets. Kent Farmsteads Guidance [466] (2014, Historic England and

463 https://swale.gov.uk/your-council/strategies-and-policies/swales-heritage-strategy
464 https://www.kent.gov.uk/leisure-and-community/history-and-heritage/historic-environment-record
465 https://historicengland.org.uk/listing/the-list
466 https://democracy.kent.gov.uk/documents/s[illegible]Appendix%20Part_1_Kent_Farmsteads_Guidance_2013_24%205%2013.pdf

Kent Downs AONB Team) The Kent Gardens Trust are currently reviewing many of the Swale sites in the Kent Compendium of Parks and Gardens [467] 'Archaeologia Cantiana' (the journal of the Kent Archaeological Society) and the Kent Archaeological Review [468] (the journal of the former Council for Kentish Archaeology).

**22.5.15** The Council will promote the enjoyment of Swale borough's archaeological resource through the preservation, protection and enhancement of archaeological sites, monuments and historic landscape features, and will seek to encourage and develop their educational, recreational and tourist potential through research, public access, management and interpretation.

## Policy HE5

**Archaeological heritage**

Where a development proposal will affect, or has the potential to affect, sites with archaeological interest, planning permission will be supported where:

1. They are accompanied by the necessary level of information to enable an assessment to be made as to the likely impact of the proposed development on the archaeological deposits affected, including desk-based assessment, and if necessary, archaeological fieldwork, that:

a. characterises the nature, extent and condition of the archaeological deposits in the development area;
b. assesses the significance of the deposits and the contribution made by their setting;
c. describes and assesses the impact of the development proposals on the archaeological deposits, their significance, and their setting; and,
d. describes how the archaeological deposits will be protected during development. Where this is not possible the assessment should clearly justify why this is not possible and should describe the proposals for mitigating any impacts.

2. They will not result in harm to an element that contributes to the significance or setting of a Scheduled Monument or other nationally important remains, unless that harm is outweighed by the public benefits of the proposal. Substantial harm or total loss of a Scheduled Monument or other nationally important remains will be permitted only where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss;

3. They are designed to enhance or better reveal the significances of an archaeological site or will help secure a sustainable future for an archaeological site at risk; and,

4. The impact of the proposal is acceptable in principle and detailed mitigation measures have been agreed with the Council that may include, where appropriate, archaeological monitoring, investigation, provision for recording, analysis, publication, archive deposition and community involvement.

467 https://heritage.kent.gov.uk/Source/SKE12972
468 https://archaeologydataservice.ac.uk/library/browse/series.xhtml?recordId=17

## Implementation and Monitoring

The successful implementation of the Local Plan vision and objectives cannot be achieved by the Council alone and will involve multiple stakeholders and partners who will work alongside the Council to deliver set goals. A wide range of stakeholders have been involved at various stages in the preparation of the Local Plan and the Council will continue to work in partnership with public, private and voluntary sector agencies to establish robust delivery mechanisms and make the most of funding opportunities in order to deliver the strategy.

It is recognised that there are external factors that will have an influence on delivering the Local Plan strategy. Successfully achieving the Local Plan vision and objectives is dependent on the extent to which the Plan policies are being implemented effectively. The Local Plan will be monitored regularly against policy specific indicators which will be set out in a monitoring framework at a later stage of the plan making process. This will help determine if the policies are achieving the intended policy outcomes.

The main mechanism for reporting the monitoring information will be the Authority Monitoring Report (AMR), which will be published on a yearly basis. The latest published version of the AMR is available on the Council's website[469].

The National Planning Policy Framework [470](NPPF para 34) requires Policies in local plans to be reviewed to assess whether they need updating at least once every five years. Along with the monitoring framework, the triggers and key considerations for updating local plan policies will be developed as the plan making process progresses.

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| Policy ST1 Delivering sustainable development in Swale | Monitored through other policy indicators | | | | | |
| Policy ST2 Swale's settlement strategy | Number and percentage of net additional dwellings and employment floorspace completed within each tier/settlement of borough hierarchy | Direct most development to most sustainable settlements | Annually and cumulatively over plan period | No specific trigger–will inform Local Plan review | No specific action | Monitoring of planning decisions and completions via building control records/NHBC records/site visits |
| Policy ST3 Climate change | Greenhouse gas emissions per capita | Reduction in greenhouse gas emissions per capita | Annually | No specific trigger – will inform Local Plan Review and Swale Climate and Ecological Emergency Action Plan Progress Reports | No specific action | Office of National Statistics |

469 https://swale.gov.uk/planning-and-regeneration/local-plans/planning-policy
470 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| Policy ST4 Development needs for the Borough | Number of net additional dwellings | Delivery of dwellings per annum in line with Local Plan housing trajectory | Annually and cumulatively over plan period | Inability to demonstrate through housing trajectory delivery of housing requirement per annum over plan period | Identify problems and barriers to development via discussions with interested parties Consider review of Local Plan if sustained under delivery against requirements | Monitoring of planning application decisions via building control records/site visits |
| | Progress against housing target for plan period | Cumulative housing target met | Cumulatively over plan period | Inability to demonstrate through housing trajectory delivery of housing requirement per annum over plan period | Identify problems and barriers to development via discussions with interested parties Consider review of Local Plan if sustained under delivery against requirements | Monitoring of planning application decisions via building control records/site visits |
| | Number of years housing land supply | At least a 5 year supply of housing land (plus buffer) | Annually | Inability to demonstrate through housing trajectory delivery of housing requirement per annum over plan period | Identify problems and barriers to development via discussions with interested parties Consider review of Local Plan if sustained under delivery against requirements | Monitoring of planning application decisions via building control records/site visits |
| | Amount of new employment land permitted and completed | Maintain employment land supply to deliver 73 hectares over plan period | Annually and cumulatively over plan period | No increase in employment floor space from allocated sites over five year rolling period | Identify problems and barriers to development via discussions with interested parties Consider review of Local Plan if sustained under delivery against requirements | Monitoring of planning application decisions via building control records/site visits |
| Policy ST5 Building a strong, competitive economy | Number of jobs created by industry | Net increase in jobs over rolling 5 year period | Annually | No specific trigger–will inform Local Plan review | No specific action | ONS Labour Market data |
| Policy ST6 Delivering a wide choice of high-quality homes | Size and type of housing approved | Delivery of planning permissions for housing provides mix of housing that accords with the HMA | Annually and cumulatively over plan period | Permitted development does not reflect housing mix | Review reasons for trigger being met and take appropriate action | Monitoring of planning application decision and completions via building control records/NHBC records/site visits |
| | Percentage of residential units permitted and completed that are | On residential developments 95% of units to meet M4(2) standards and | Annually and cumulatively over plan period | Less than required percentage achieved | Review reasons for trigger being met and take appropriate action | Monitoring of planning application decision and completions via |

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| | accessible | 5% of units to meet M4(3) standards | | | | building control records/NHBC records/site visits |
| Policy ST7 Good design | Number of planning applications that were refused on the basis of Policy ST7 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy ST8 Health and Wellbeing | Number of planning applications that were refused on the basis of Policy ST8 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy ST9 Planning for Infrastructure | Progress on delivery of infrastructure | Delivery of infrastructure in accordance with timescales set out in Infrastructure Delivery Plan | Annually | No progress on delivery of infrastructure in line with identified timescales | Discussions with infrastructure delivery leads and other partners to identify issues around delivery Investigate mechanisms to accelerate delivery | Monitoring of planning application decisions Discussions with delivery leads |
| | Number of planning applications involving community facilities | No net loss of community facilities across the district over the plan period | Annually | No specific trigger–will inform Local Plan review | No specific action | Monitoring of planning application decisions |
| Policy ST10 Promoting Sustainable Transport and Active Travel | Walking, cycling, bus and rail modal share travel to work journeys (expressed as a percentage of all trips) | Increase in modal share over 10 year period | Annually | No specific trigger–will inform Local Plan review | No specific action | Census |
| | Contributions made to transport improvements to support delivery of network improvement identified in IDP or Swale Transport Strategy | 100% of eligible developments to make contribution | Annually | No specific trigger–will inform Local Plan review | No specific action | Monitoring of planning application decisions and monitoring of Section 106 Agreements and reported through annual Infrastructure Funding Statement |

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| Policy ST11 Conserving and enhancing the natural environment | Change in areas of biodiversity importance | No net loss of designated wildlife sites or protected species | Annually | No specific trigger– will inform Local Plan review | No specific action | Natural England and Kent Wildlife Trust |
| Policy ST12 Conserving and enhancing the historic environment | Number of heritage assets on the Heritage at Risk Register | Reduction in number of heritage assets at risk | Annually | No specific trigger– will inform Local Plan review | No specific action | Historic England Heritage at Risk Register |

**Table 16.0.1 Monitoring framework for Strategic and Development Management Policies.**

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| Policy G1 General Development Criteria | Development Management Policy–no indicator | | | | | |
| Policy GD1 Local Design Principles | Number of planning applications that were refused on the basis of Policy GD1 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reason for trigger being met and take appropriate action | Planning appeal decisions |
| Policy GD2 Alterations & Extensions | Number of planning applications that were refused on the basis of Policy GD2 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reason for trigger being met and take appropriate action | Planning appeal decisions |
| Policy GD3 Shop fronts, signs & advertisements | Number of planning applications that were refused on the basis of GD3 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reason for trigger being met and take appropriate action | Planning appeal decisions |
| Policy H1 Affordable Housing | Number of affordable dwellings permitted and completed on qualifying sites | Developments that meet site thresholds provide required affordable housing percentage | Annually and cumulatively over plan period | Is affordable housing % on greenfield and brownfield sites as set out in policy not being met. Annually and cumulatively No specific trigger– will inform Local Plan review | Review reason for triggers being met and take appropriate action | Monitoring of planning application decisions and completions via building control records/NHBC records/site visits Monitoring of Section 106 Agreements and reported through annual Infrastructure Funding Statement |

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| Policy H2 Small and medium sites for housing development | The proportion of all new housing permitted and completed on small and medium sized sites | No target | Annually | No specific trigger– will inform Local Plan review | No specific action | Monitoring of planning application decisions |
| Policy H3 Rural exception and community-led housing development | Number of affordable dwellings permitted and completed on rural exception sites | No target | Annually | No specific trigger– will inform Local Plan review | No specific action | Monitoring of planning application decisions and completions via building control records/NHBC records/site visits |
| Policy H4 Self-build and custom build | Number of plots for Self build and custom build permitted and completed | Progress against the needs identified on the Self-build and custom build register | Annually and cumulatively over plan period | No specific trigger– will inform Local Plan review | No specific action | Monitoring of planning application decisions and completions via building control records/NHBC records/site visits |
| Policy H5 Park Homes | Number of proposals for new park homes permitted and completed | No target | Annually and cumulatively over plan period | No specific trigger– will inform Local Plan review | No specific action | Monitoring of planning application decisions and housing completions |
| Policy H6 Gypsy, Traveller & Travelling Showpeople Accommodation | Number of gypsy and traveller pitches and Travelling Showpeople plots approved | Meet assessed needs according to the latest Swale GTAA | Annually and cumulatively over plan period | Inability to demonstrate assessed needs will be met | Consider the need to allocate specific sites through a Local Plan review | Monitoring of planning application decisions and completions via building control records/NHBC records/site visits |
| Policy H7 Dwellings for rural workers | Number of units permitted and completed | No target | Annually and cumulatively over plan period | No specific trigger– will inform Local Plan review | No specific action | Monitoring of planning application decisions and completions via building control records/NHBC records/site visits |
| Policy H8 Extensions to, & the replacement of, dwellings in the countryside | Number of replacement dwellings permitted and completed | No target | Annually and cumulatively over plan period | No specific trigger– will inform Local Plan review | No specific action | Monitoring of planning application decisions and completions via building control records/NHBC records/site visits |
| | Number of planning applications that | No more than 20% of refused applications are | Annually and cumulatively over plan period | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| | were refused on the basis of Policy H8 and supported on appeal | allowed on appeal over 5 year period | | | | |
| Policy H9 Extending the garden of a dwelling in the countryside | Number of planning applications that were refused on the basis of Policy H9 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy E1 Loss of employment floorspace & land | Amount of employment floorspace lost to non-employment uses | Minimise loss of employment land/floorspace | Annually and cumulatively over the plan period | Net loss of employment land/floorspace after 5 years | Review reasons for trigger being met and take appropriate action | Monitoring of planning application decisions |
| Policy E2 The Rural Economy | Amount and type of employment land permitted and completed in rural area (by location) | No development proposals permitted contrary to Policy E2 | Annually | No specific trigger– will inform Local Plan review | No specific action | Monitoring of planning applications/permissions and floorspace completions |
| | Number of new or improved visitor economy facilities | No development proposals permitted contrary to Policy E2 | Annually | No specific trigger– will inform Local Plan review | No specific action | Monitoring of planning applications/permissions and floorspace completions |
| Policy E3 Proposals for Main Town Centre Uses | Amount of new floorspace permitted and completed for town centre uses in:<br>a. Primary Shopping Areas<br>b. Each identified centre<br>c. Other locations | To direct majority of development to primary shopping areas, town centres and local service centres as appropriate | Annually | More than 20% of town centre uses located outside of primary shopping areas/identified centres | Review reasons for trigger being met and take appropriate action | Monitoring of planning application decisions |
| Policy E4 New Holiday Parks or extensions to existing parks & the occupancy of holiday parks | Number of planning applications that were refused on the basis of Policy E4 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy INF1 Managing transport demand & impact | Number of applications refused due to not providing a Transport | All major developments permitted are supported by an appropriate | Annually | No specific trigger– will inform Local Plan review | No specific action | Planning appeal decisions |

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| | Statement or Transport Assessment in accordance with Policy INF1 and supported on appeal | assessment in accordance with the Policy | | | | |
| Policy INF2 Vehicle parking | Number of applications refused due to not complying with the Swale Parking SPD | No development proposals permitted contrary to Policy INF2 | Annually | No specific trigger– will inform Local Plan review | No specific action | Monitoring of planning application decisions |
| | Number of electric vehicle charging points provided in association with new development | All developments to make provision in accordance with policy | Annually | No specific trigger– will inform Local Plan review | No specific action | Monitoring of planning application decisions |
| Policy INF3 Open space, sport and recreation provision | Number of applications involving loss of existing open space or recreational facilities not meeting policy criteria | No net loss of existing open space or facilities by type | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning application decisions |
| | Amount of open space included within approved housing developments per annum | Open space provision to reflect local standards | Annually | Less than 80% of new housing schemes provide open space (or financial contribution in lieu of on-site provision) | Review reasons for trigger being met and take appropriate action | Review reasons for trigger being met and take appropriate action |
| | Amount of open space contributions provided for through S106 contributions | No target | Annually | Contributions not made in line with S106 triggers | Enforce against non-compliance with S106 requirements | Monitoring of Section 106 Agreements and reports through annual infrastructure funding statement |
| Policy INF4 Local Green Spaces | Number of applications made affecting LGS | No development permitted unless in accordance with policy | Annually | One or more developments completed that would impact on character or local significance of LGS | Review reasons for trigger being met and take appropriate action | Planning application decisions |
| | Amount of development permitted within designated LGS that would | No development permitted unless in accordance with policy | Annually | One or more developments completed that would impact on character or local significance of LGS | Review reasons for trigger being met and take appropriate action | Planning application decisions |

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| | impact on character or local significance | | | | | |
| Policy C1 Sustainable design and adaptation principles | Proportion of non-residential developments meeting BREEAM Very Good or Excellent standard | 100% of eligible buildings constructed to prescribed standard | Annually | No specific trigger – will inform Local Plan Review and Swale Climate and Ecological Emergency Action Plan Progress Reports | No specific action | BREEAM design stage and post construction certificates |
| | Number of planning applications that were refused on the basis of Policy C1 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | No specific trigger – will inform Local Plan Review and Swale Climate and Ecological Emergency Action Plan Progress Reports | No specific action | Planning application decisions |
| Policy C2 Net zero operational carbon in new build residential development | Number of planning applications that were refused on the basis of Policy C2 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | No specific trigger – will inform Local Plan Review and Swale Climate and Ecological Emergency Action Plan Progress Reports | No specific action | Planning application decisions |
| Policy C3 Net zero operational carbon in new build non-domestic development | Number of planning applications that were refused on the basis of Policy C3 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | No specific trigger – will inform Local Plan Review and Swale Climate and Ecological Emergency Action Plan Progress Reports | No specific action | Planning application decisions |
| Policy C4 Embodied carbon and waste | Number of planning applications that were refused on the basis of Policy C4 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | No specific trigger – will inform Local Plan Review and Swale Climate and Ecological Emergency Action Plan Progress Reports | No specific action | Planning application decisions |
| Policy C5 Renewable energy development and infrastructure | Number of renewable and low carbon energy proposals granted permission | No target | Annually | No specific trigger– will inform Local Plan review | No specific action | Planning application decisions |

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| Policy C6 Coastal Change Management | Number and type of permissions granted in Coastal Change Management Area | 100% of applications permitted in accordance with policy | Annually | No applications permitted contrary to policy requirements | Review reasons for trigger being met and take appropriate action | Planning application decisions |
| | Number of uses relocated away from Coastal Change Management Area | No target | Annually | No specific trigger– will inform Local Plan review | No specific action | Planning application decisions |
| Policy C7 Implementing the Medway Estuary & Swale Coastal Risk Management Strategy | Number of permissions contributing to MEAS flood defence infrastructure | No target | Annually | No specific trigger– will inform Local Plan review | No specific action | Planning application decisions/S106 Agreements |
| Policy C8 Flood risk | Number of planning applications permitted where Environment Agency objected on flood risk grounds | No applications permitted contrary to advice of Environment Agency without appropriate condition | Annually | One or more developments permitted without appropriate condition | Review reasons for trigger being met and take appropriate action | Environment Agency published data on objections to planning on the basis of flood risk |
| Policy C9 Sustainable Drainage | Number of planning applications that were refused on the basis of Policy C9 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy C10 Water quality and Water Resources | Number of planning applications permitted where Environment Agency objected on water quality grounds | No applications permitted contrary to advice of Environment Agency without appropriate condition | Annually | One or more developments permitted without appropriate condition | Review reasons for trigger being met and take appropriate action | Environment Agency published data on objections to planning on the basis of water quality |
| Policy C11 Air Quality | Level of $NO^2$ emissions | Reduction in $NO^2$ levels over plan period | Annually | No specific trigger– will inform Local Plan review | No specific action | Swale Air Quality Annual Status Report |
| | Number of planning applications that were refused on the basis of Policy C11 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy C12 Pollution & Land Instability | Number of planning applications that | No more than 20% of refused applications are | Annually | More than 20% of appeals are allowed | Review reasons for trigger being | Planning appeal decisions |

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| | were refused on the basis of Policy C12 and supported on appeal | allowed on appeal over 5 year period | | | met and take appropriate action | |
| Policy B1 Biodiversity & geodiversity conservation & BNG | Number of applications achieving net gain of 20% in biodiversity | All eligible developments to achieve net gain in line with policy | Annually | No specific trigger– will inform Local Plan review | No specific action | Monitoring of planning application decisions and Mycelia Verna |
| Policy B2 Conserving & enhancing valued landscapes | Number of planning applications that were refused on the basis of Policy B2 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy B3 Kent Downs National Landscape Management Plan | Number of applications for major development that were refused on the basis of Policy B3 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy B4 The separation of settlements – Important Local Countryside Gaps | Number and type of developments permitted within Important Countryside Gaps | No applications permitted that would undermine on purpose of gap | Annually | One or more applications permitted that would undermine purposes | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy B5 Woodland, orchards, trees and hedgerows | Number of planning applications that were refused on the basis of Policy B5 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy B6 Agricultural land | Number of planning applications that were refused on the basis of Policy B6 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy B7 The Coast | Number of developments that were permitted in accordance with Policy B7 | No target | Annually | No specific trigger– will inform Local Plan review | No specific action | Planning appeal decisions |
| Policy B8 Rural Lanes | Number of planning applications that | No more than 20% of refused applications are | Annually | More than 20% of appeals are allowed | Review reasons for trigger being | Planning appeal decisions |

| Policy | Indicator | Target | Monitoring Frequency | Trigger | Actions and Contingencies | Data Source |
|---|---|---|---|---|---|---|
| | were refused on the basis of Policy B8 and supported on appeal | allowed on appeal over 5 year period | | | met and take appropriate action | |
| Policy B9 The keeping & grazing of horses | Number of planning applications that were refused on the basis of Policy B9 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy HE1 Development involving Listed Buildings | Number of planning applications that were refused on the basis of Policy HE1 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy HE2 Development affecting a Conservation Area | Number of planning applications that were refused on the basis of Policy HE2 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy HE3 Parks & gardens | Number of planning applications that were refused on the basis of Policy HE3 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy HE4 Non-designated Heritage Assets | Number of planning applications that were refused on the basis of Policy HE4 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |
| Policy HE5 Archaeology | Number of planning applications that were refused on the basis of Policy HE5 and supported on appeal | No more than 20% of refused applications are allowed on appeal over 5 year period | Annually | More than 20% of appeals are allowed | Review reasons for trigger being met and take appropriate action | Planning appeal decisions |

**Table 16.0.2 Monitoring framework for Strategic and Development Management Policies.**

# Glossary

**Accretion (coastal)**: Land mass increasing due to addition of sediment.

**Active Travel:** Active travel means a mode of transport that involves physical activity such as walking and cycling to get from one destination to another - including travel to and from the places we live, work, learn, visit and play.

**Affordable housing:** Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision. Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low-cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low-cost market” housing, may not be considered as affordable housing for planning purposes.

**Agrivoltaics:** the inherently combined use of land for solar PV generation and agriculture.

**Air Quality Management Areas**: These are declared in areas where national objectives for air quality are not being met, or at risk of not being met. They are declared by a Local Authority who must then prepare an Action Plan to identify measures to meet the national air quality objectives.

**Albedo**: Measure of the reflectivity of a surface, defined as the fraction of incident light or radiation that is reflected by that surface.

**Ancient woodland**: An area that has been wooded continuously since at least 1600 AD.

**Appropriate Assessment/Habitats Regulation Assessment**: Studies carried out to make sure that sites which are important for biodiversity at European level are protected and will not be damaged by proposals and policies.

**Archaeological interest**: There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

**Article 4 direction**: A direction which withdraws automatic planning permission granted by the General Permitted Development Order.

**Benefit Area:** Defined geographic region or area that is expected to receive specific benefits or advantages from a project or development.

**Biodiversity Net Gain (BNG)**: A way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact (‘net gain’) on biodiversity, compared to what was there before development.

**Biodiversity Opportunity Area (BOA)**: Maps can be seen as a spatial reflection of the Kent Biodiversity Strategy. They indicate where the delivery of Kent Biodiversity Strategy targets should be focused in order to secure the maximum biodiversity benefits.

**Brownfield Land:** Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

**British Standard (BS):** These are standards published by the British Standard Institution which is the national standards body of the UK**.** The "EN" prefix indicates that the standard has been adopted by a regional European standardising body.

**Building Regulations:** Statutory standards that control the design, construction, and alteration of buildings to ensure health, safety, accessibility, energy efficiency, and welfare. The regulations are made under the Building Act 1984 and are set out in the Building Regulations 2010 (as amended). Guidance on how to comply with the regulations is provided through a series of Approved Documents, including Approved Documents A (Structure), B (Fire Safety), F (Ventilation), L (Conservation of Fuel and Power), and M (Access to and Use of Buildings).

**Building Research Environmental Assessment Methodology**: An environmental assessment for rating and certifying non-residential development.

**Caravan**: Any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include:

a. any railway rolling stock which is for the time being on rails forming part of a railway system, or
b. any tent.

**Carbon dioxide equivalent (CO2e).** The sum of a mixture of gases, in terms of their climate-changing impact in a 100-year period expressed as the amount of CO2 that would have the same effect. Often shortened to 'carbon'.

**Carbon footprint:** A measure of the amount of carbon dioxide released into the atmosphere as a result of the activities of a particular individual, organization, or community.

**Carbon offsetting:** Offsetting in the built environmental is a financial contribution to an official body (e.g. local authority) to compensate for a shortfall in the required amount of carbon emissions reduction on-site.

**Chalet**: A small, permanent single storey cabin or house used by holiday-makers, often forming a unit within a holiday complex.

**Coastal squeeze**: The loss of natural habitats, or a deterioration in their quality, caused by man-made structures or human activity. As sea levels rise, these structures/activities prevent habitats from naturally migrating inland, causing them to be squeezed.

**Committee on Climate Change(CCC):** Is an independent, statutory body established under the Climate Change Act 2008 and its purpose is to advise the UK and devolved governments on emissions targets and to report to Parliament on progress made in reducing greenhouse gas emissions and preparing for and adapting to the impacts of climate change.

**Community infrastructure Levy (CIL)**: A charge which can be levied by local authorities on new development in their area.

**Conservation Area:** A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

**Chartered Institution of Building Services Engineers Technical Memorandum (CIBSE TM52 and CIBSE TM59):** Are standard approach that uses dynamic thermal analysis to predict risk of overheating in building design.

**Development Management (DM) policies**: Influence the type and location of development by setting design standards, mitigating environmental impacts, promoting social and community development, and addressing infrastructure requirements. They also provide a framework for local authorities to decide on planning applications, influencing the type, scale, and location of developments.

**Development Plan**: A set of statutory documents prepared by a local planning authority (or combined authority) that sets out the framework for how land in an area should be used and developed.

**Economic Development:** Development, including those within the B Use Classes, public and community uses and main town centre uses (but excluding housing development).

**Ecological Networks:** These link sites of biodiversity importance.

**Ecosystem Services:** The benefits people obtain from ecosystems such as, food, water, flood and disease control and recreation.

**Embodied Carbon**: Carbon that was emitted during the production, transport and assembly of a building, infrastructure, vehicle or other product, before the product is in use. As opposed to 'operational carbon' which is emitted due to energy use when operating the building / infrastructure / vehicle / other product.

**Energy Use Intensity** (EUI): A measure of how much energy a building uses per square metre of floor. Expressed in kilowatt-hours per square metre of floor space per year.

**Extra Care Housing/Supported Living Housing:** Is similar to sheltered accommodation, but with enhanced provision for personal care of frailer older people. On-site support is usually provided on a 24 hour rather than daytime only basis.

**Fabric First:** A building design approach that prioritizes improving the performance of a building

**First Homes:** Are an initiative to help deliver discounted homes to local people. They are intended to be newly built properties sold with a discount of at least 30% below market value.

**Flood Levies**: A financial charge to assist with costs associated with flood risk management.

**Geodiversity:** The range of rocks, minerals, fossils, soils and landforms.

**Gigabit Ready Infrastructure:** Gigabit-ready infrastructure is a physical network setup that can support future gigabit-speed internet connections and includes components like ducts, cables, and a network termination point inside a building. For new builds, this infrastructure, such as fibre optic cabling and conduits, must be installed from a distribution point to each home to ensure they are future-proofed for high-speed internet, even if a gigabit connection is not immediately installed.

**Gigabit Capable Broadband Connections:** Gigabit-capable broadband connections offer speeds of at least 1 gigabit per second (Gbps), or 1,000 megabits per second (Mbps), and are typically delivered using full-fibre (FTTP) technology, where fibre-optic cables run directly to the property. Other technologies, such as some cable networks, can also be gigabit-capable. This type of connection is much faster than traditional broadband and is ideal for activities like downloading large files, streaming in high definition, and using many devices simultaneously.

**Greenfield Land**: Land that has never been previously developed, meaning it has not been built on, and typically exists as agricultural land, forest, or open countryside.

**Green Infrastructure:** A network of multi-functional green spaces, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. Can include:



- Parks and gardens - including urban parks, country parks and formal gardens;

- Designated and non-designated natural and semi-natural urban and rural green spaces and landscapes - woodlands, urban forestry, street trees, scrub, grassland, downland, commons and meadows, The Swale Local Plan Review February 2021 241 Glossary of terms 9 wetlands, open and running water, wastelands and derelict open land and rock areas. May include historic landscapes and other heritage assets;
- Green corridors - including river and canal banks, road verges, railway embankments, cycle ways, and rights of way;
- Outdoor public or private sports facilities;
- Amenity green space – informal recreation spaces, green spaces in and around housing, domestic gardens and village greens;
- Outdoor play and informal areas;
- Allotments, community gardens and urban farms;
- Cemeteries and churchyards;
- Accessible countryside in urban fringe areas; and
- Green roofs and walls.

For further expansion see the South East Green Infrastructure Framework: From Policy into Practice 2009. The South East Green Infrastructure Partnership a body comprising Natural England, Environment Agency, Government Office for the South East, Forestry Commission, Wildlife Trusts in the South East, Groundwork and the (then) South East England Partnership Board.

**Gypsy:** Members of Gypsy or Traveller communities. Usually used to describe Romany (English) Gypsies originating from India. This term is not acceptable to all Travellers.

**Gypsies and Travellers:** Consistent with the Housing Act 2004, inclusive of: all Gypsies, Irish Travellers, New Travellers, Show People, Circus People and Gypsies and Travellers in bricks and mortar accommodation.

**Home Energy Model (HEM):** A new government calculation methodology designed to assess the energy performance of homes in the UK, set to replace the Standard Assessment Procedure (SAP) in 2025.

**Infrastructure Delivery Plan:** A strategic document that outlines the infrastructure needs of a community or area to support sustainable development and growth.

**Intergovernmental Panel on Climate Change (IPCC):** Is the United Nations body for assessing the science related to climate change.

**Kilowatt-Hours Per Square Meter (Kwh/$m^2$):** Energy consumption of a building measured in kilowatt-hours per square meters and used in assessing energy efficiency.

**Listed Buildings:** Buildings of special architectural or historic interest. The protection afforded to a listed building includes its interior and any historic fixtures and fittings. Objects or structures within the curtilage of a listed building, unless constructed after 1 July 1948, are also protected.

**Local Development Order:** An Order made by a local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a specific development proposal or classes of development.

**Local Development Scheme (LDS):** A requirement under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). It is a public project plan identifying which local development documents will be produced, in what order and when. It must specify (among other matters) the development plan documents (i.e. local plans) which, when prepared, will comprise part of the development plan for the area. Local planning authorities are encouraged to include details of other documents which form (or will form) part of the development plan for the area, such as Neighbourhood Plans.

**Local Nature Partnerships (LNPs)**: A collaboration of local organisations, businesses and people who want to improve their local natural environment.

**Local Nature Recovery Strategy (LNRS)**: A spatial strategy which plans, maps, and create priorities for nature in a given area.

**Local Nature Reserves (LNRs)**: Places with wildlife or geological features that are of special interest locally.

**Local Wildlife Sites (LWSs)**: Defined areas identified and selected locally for their substantive nature conservation value.

**M4(2) Space Standards:** Are part of the Building Regulations Approved Document M category 2: Accessible and adaptable dwellings that sets the standards to ensure that new homes are accessible and adaptable to meet the needs of individuals with varying mobility needs.

**M4(3) Category 3 Homes:** Are part of the Building Regulations Approved Document M category 3: Wheelchair user dwellings that sets the standard for wheelchair accessible homes

**Major Development:** For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m2 or more, or a site of 1 hectare or more.

**Marine Conservation Zones (MCZs)**: Areas that protect a range of nationally important, rare or threatened habitats and species.

**Market Housing:** Housing provided for sale or rent at prices determined by supply and demand in the housing market, rather than being subsidized or restricted to specific income groups.

**Microgeneration Certificate Scheme (MCS)**: Certifies, quality assures and provides consumer protection for microgeneration installations and installer of renewable energy.

**Minor Development:** For housing, development between 1 and 9 dwellings or has a site area up to and including 0.5 hectares. For non-residential development it means additional floorspace of less than 1,000 square metres.

**National Nature Reserves (NNRs)**: Established to protect some of our most important habitats, species and geology.

**Natural Flood Management**: Managing flood and coastal erosion risk by protecting, restoring and emulating the natural 'regulating' function of catchments, rivers, floodplains and coasts.

**National Planning Policy Framework (NPPF):** sets out government's planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance (PPGs)**: Offers additional context and detail for the policies outlined in the NPPF.

**Operational Carbon:** Carbon dioxide emitted during the operational phase of a development**.**

**Partnership Funding**: Partnership funding refers to a collaborative arrangement between two or more organizations that join forces to pursue a common goal or project using grant funding.

**Performance Gap:** The difference between the amount of energy a building is predicted to use during design, versus the actual amount of energy it uses. The gap is due to poor prediction methodologies, errors in construction, and unexpected building user behaviour.

**Photovoltaics/PV:** solar panels that generate electricity.

**Passivhaus Planning Package (PHPP):** A tool to accurately predict a building's energy use. It is used to design buildings that seek Passivhaus certification but can be used without pursuing certification.

**Preamble**: A preliminary or preparatory statement; an introduction.

**Presumption in Favour of Sustainable Development:** A principle that encourages positive action towards sustainable development in planning policies.

**'Pride in Place'**: Is a central government funded programme investing up to £5 billion across UK neighbourhoods. Sheppey East can receive up to £20 million over 10 years from March 2027 to deliver the changes that matter most to local people. For more information visit Pride in Place [471].

**Protected Trees**: Trees protected by a Tree Preservation Order, those located within a Conservation Area and hedgerows meeting the criteria of "important hedgerow" in the Hedgerow Regulations.

**Ramsar**: A Ramsar site is a wetland site designated to be of international importance under the Ramsar Convention.

**Registered Care Spaces:** Are found in residential care homes and nursing homes: They are individual rooms within a residential building and provide a high level of care meeting all activities of daily living.

**Regulated Energy:** Carbon emissions associated with energy uses that are 'regulated' by Building Regulations Part L. This covers permanent energy uses in the building, (space heating, space cooling hot water, fixed lighting, ventilation, fans, and pumps).

**Regulation 18:** A local plan consultation document, named after Regulation 18 of the Town and Country Planning (Local Plan) (England) Regulations 2012. It is the first formal consultation stage required of a local planning authority in the preparation of a Local Plan.

**Regulation 19**: A local plan consultation document, named after Regulation 19 of the Town and Country Planning (Local Plan) (England) Regulations 2012. It is the second formal consultation stage required of a local planning authority in the preparation of a Local Plan. It sets out the proposed policies for an area. It is often called the Publication Stage plan.

**Residual Risk**: In terms of flood risk terms, residual risk refers to the remaining risk of flooding after all mitigation measures have been implemented to protect a site from flooding, or if these measures (eg flood defences) fail.

**Retirement Housing:** Offers a range of housing options for those looking to downsize or transition to a more relaxed lifestyle.

**Roadside Nature Reserves (RNRs)**: Protected and managed road verges which contain threatened habitats or wildlife.

**Rural Exception Sites**: Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

**Sensitive Receptors:** Locations or individuals that are particularly vulnerable to the effects of pollution, including air pollution.

**Serviced Plot**: Land with access to a public highway and connections (or reasonably deliverable connections) for electricity, water, and wastewater.

**Sequestration:** Removal and storage of carbon dioxide (or other greenhouse gases/GHGs) so that it cannot perform its harmful climate-changing role in the atmosphere. Currently only achieved by trees/plants and soil. May be achieved by technologies in future.

**Sheltered Housing for Older People:** Is a type of housing that offers support such as staff, emergency alarms and social activities. It is suitable for those aged 55 or over who can manage daily life independently but want a supported, safer environment.

**Shoreline Management Plans**: A strategy for managing flood and erosion risk for a particular stretch of coastline, over short, medium and long-term periods.



471 https://news.swale.gov.uk/campaigns/pride-in-place

**Site of Special Scientific Interest:** Sites designated by Natural England under the Wildlife and Countryside Act 1981.

**Space Heat Demand:** The amount of energy needed to heat a building to a comfortable temperature. Expressed in in kilowatt-hours per square metre of floor space per year.

**Special Areas of Conservation:** Areas given special protection under the European Union's Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010

**Specialist Dwellings for Older Persons:** Include various housing options tailored to meet older persons needs such as shared ownership and retirement villages. These options can offer differing levels of support and care ensuring that older individuals can live independently and comfortably.

**Special Protection Areas:** Network of areas within European Union countries that have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds. These sites are designated under the EU Birds Directive.

**Standard Assessment Procedure (SAP) : T**he national calculation method for residential buildings' energy and carbon, used to satisfy building regulations Part L.

**Statutory Consultation:** In planning it is a legally mandated process where local authorities must consult specific individuals, groups, and organizations about certain planning decisions or policies.

**Stepping Stones:** Pockets of habitat that, while not necessarily connected, facilitate the movement of species across otherwise inhospitable landscapes.

**Strategic Access Management and Monitoring Survey (SAMMS)**: Sets out a strategy for resolving the additional disturbances to the area's wintering and migrating birds.

**Strategic Flood Risk Assessment (SFRA):** Local Planning Authorities should carry out SFRAs for their areas to help parties consider flood risk in planning decisions.

**Strategic major development:** includes 250+ dwellings/ covers more than 5 hectares/ commercial development of 10,000 square metres or more

**Strategic road network (SRN):** Refers to a network of motorways and major A roads in England.

**Sustainable Development**: Development that meets the needs of the present generations without compromising the ability of future generations to meet their own needs.

**Strategic Policies**: Strategic policies in planning establish the overarching strategy and scale for an area, guiding development for a desired future by providing a framework for housing, employment, infrastructure, and environmental protection, as defined by national and local planning documents like the UK's National Planning Policy Framework (NPPF). These high-level policies address cross-boundary issues and long-term priorities, setting the stage for more detailed, non-strategic policies found in local or neighbourhood plans. Swale will include these at the Reg 19 stage of the Local Plan.

**Supplementary Planning Documents:** Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

**Sustainable Urban Drainage System (SuDS)**: Means of managing surface water drainage to reduce flooding and pollution impacts and provide multifunctional benefits.

**Transition Window**: The National Planning Policy Framework [472](NPPF 2024) put in place transitional arrangements to support progress of advanced plans in line with the Government's objective of achieving ambitious Local Plans as quickly as possible. Plans that are submitted by December 2026 can be prepared against the current plan making legislation/guidance (the 'transition window').



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

**Transport Assessment**: A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development.

**Transport Statement:** A simplified version of a transport assessment where it is agreed the transport issues arising out of development proposals are limited and a full transport assessment is not required.

**Travelling Showpeople:** Commonly referred to as Showmen, these are a group of occupational Travellers who work on travelling shows and fairs across the UK and abroad.

**Use Classes:** The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. 'Change of use' can occur within the same use class or from one use class to another.

**Wildlife Corridor**: Areas of habitat connecting wildlife populations.

**Windfall Sites:** Sites which have not been specifically identified within the Development Plan.

**Whole life carbon**: Refers to the total greenhouse gas emissions associated with a built asset throughout its entire lifecycle. This includes all emissions from the extraction of raw materials, manufacturing, construction, operation, maintenance, and eventual demolition and disposal of the asset.

**Veteran Trees**: A tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape, or culturally.

**Viticulture**: Viticulture is the science, study, and practice of cultivating grapevines for wine production, table grapes, raisins, and other grape-derived products.

## List of Acronyms

**AMR** Authority Monitoring Report

**AONB** Areas of Outstanding Natural Beauty (now called National Landscapes)

**AQA** Air Quality Assessment

**AQAP** Air Quality Action Plan

**AQMA** Air Quality Management Area

**BA** Benefit Area

**BAP** Best Available Practice

**BAP** Biodiversity Action Plan

**BLR** Brownfield Land Register

**BNG** Biodiversity Net Gain

**BOA** Biodiversity Opportunity Area

**BRE** Building Research Establishment

**BREEAM** Building Research Establishment Environmental Assessment Method

**BS** British Standard

**CCC** Committee on Climate Change

**CCMA** Coastal Change Management Areas

**CCVA** Coastal Change Vulnerability Assessment

**CIL** Community Infrastructure Levy

**CIBSE TM** Chartered Institution of Building Services Engineers Technical Memorandum

**CO2e** Carbon Dioxide Equivalent

**CPRE** Campaign to Protect Rural England

**CROW** Countryside and Rights of Way Act 2000

**CWIS** Cycling and Walking Investment Strategy

**Defra** Department for Environment, Food & Rural Affairs

**DfT** Department for Transport

**DPD** Development Plan Document

**DTC** Duty to Cooperate

**EA** Environment Agency

**ELR** Employment Land Review

**FRA** Flood Risk Assessment

**FCERM** Flood and Coastal Erosion Risk Management

**GES** Good Environmental Status

**G&T** Gypsy and Travellers

**GIA** Gross Internal Area

## List of Acronyms

**GTAA** Gypsy and Travellers Accommodation Assessment

**HEM** Home Energy Model

**HLS** Housing Land Supply

**HMA** Housing Market Assessment

**HRA** Habitats Regulation Assessment

**HTL** Hold the line

**HQM** Home Quality Mark

**IDP** Infrastructure Delivery Plan

**ILCG** Important Local Countryside Gap

**IPCC** Intergovernmental Panel on Climate Change

**KCC** Kent County Council

**KCWIP** Kent Cycling and Walking Infrastructure Plan

**Kwh/m²** Kilowatt-hours per Square Metre

**LAQM** Local Air Quality Management

**LCWIP** Local Cycling and Walking Infrastructure Plan

**LDO** Local Development Order

**LDS** Local Development Scheme

**LGS** Local Green Space

**LLFA** Lead Local Flood Authority

**LNP** Local Nature Partnership

**LNR** Local Nature Reserve

**LPA** Local Planning Authority

**LPR** Local Plan Review

**LTC** Lower Thames Crossing

**LNRS** Local Nature Recovery Strategy

**LWS** Local Wildlife Sites

**MCZ** Marine Conservation Zones

**MEAS** Medway Estuary and Swale Flood and Coastal Erosion Risk Management Strategy

**MHCLG** Ministry of Housing, Communities & Local Government

**MMO** Marine Management Organisation

**NCA** National Character Areas

**NCERM** National Coastal Erosion Risk Map

**NDO** Neighbourhood Development Order

**NDSS** Nationally Described Space Standards

**NNR** National Nature Reserve

**NP** Neighbourhood Plan

**NPPF** National Planning Policy Framework

**PF** Partnership Funding

**PHPP** Passivhaus Planning Package

**PPA** Planning Performance Agreement

**PPG** Planning Practice Guidance

**PPTS** Planning Policy for Traveller Sites

**PV** Photovoltaics

**PROW** Public Rights of Way

**RICS** Royal Institution of Chartered Surveyors

**RNR** Roadside Nature Reserve

**RP** Register Providers

**SA** Sustainability Appraisal

**SAC** Special Areas of Conservation

**SAMMS** Strategic Access Management and Monitoring Strategy

**SBC** Swale Borough Council

**SBCH** Self Build and Custom Housebuilding

**SCI** Statement of Community Involvement

**SE** South East

**SFRA** Strategic Flood Risk Assessment

**S(HMA)** Strategic Housing Market Assessment

**SHELAA** Strategic Housing Economic Land Availability Assessment

**SME** Small and Medium Enterprises

**SMP** Shoreline Management Plans

**SOCG** Statement of Common Ground

**SPA** Special Protection Area

**SPD** Supplementary Planning Documents

**SRN** Strategic Road Network

**SSSI** Site of Special Scientific Interest

**SuDS** Sustainable Drainage Systems

**TA** Transport Assessment

**TCPA** Town and Country Planning Association

**WPVA** Whole Plan Viability Assessment

# Appendix I Housing Trajectory

**19.0.1** All housing land supply figures and assumptions are based on 1 April 2025 monitoring position including use of the Local Housing Need to inform the annual requirement. The housing land supply will be updated to 1 April 2026 base date and reflect the Local Plan time period to 2042 as part of the Local Plans submission for examination.

| Year | 2025/26 | 2026/27 | 2027/28 | 2028/29 | 2029/30 | 2030/31 | 2031/32 | 2032/33 | 2033/34 | 2034/35 | 2035/36 | 2036/37 | 2037/38 | 2038/39 | 2039/40 | 2040/41 | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Planning permissions (Including resolution to grant) | 683 | 1,131 | 1,045 | 721 | 349 | 793 | 645 | 448 | 267 | 202 | 178 | 128 | 89 | 160 | 160 | 168 | 7,167 |
| Local Plan allocated sites | 0 | 0 | 89 | 89 | 97 | 1,150 | 1,172 | 1,041 | 691 | 470 | 441 | 500 | 500 | 550 | 550 | 572 | 7,912 |
| Neighbourhood Plan allocated sites | 0 | 0 | 0 | 0 | 0 | 121 | 99 | 43 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 263 |
| Windfall small sites | 0 | 0 | 0 | 78 | 78 | 78 | 78 | 78 | 78 | 78 | 78 | 78 | 78 | 78 | 78 | 78 | 1,014 |
| Windfall large sites | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 93 | 93 | 93 | 186 | 186 | 186 | 186 | 186 | 186 | 1,395 |
| **Total supply** | **683** | **1,131** | **1,134** | **888** | **524** | **2,142** | **1,994** | **1,703** | **1,129** | **843** | **883** | **892** | **853** | **974** | **974** | **1,004** | **17,751** |
| **Annual housing requirement 2025** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **1,064** | **17,024** |
| Balance of supply/need | -381 | 67 | 70 | -176 | -540 | 1,078 | 930 | 639 | 65 | -221 | -181 | -172 | -211 | -90 | -90 | -60 | 727 |

**Table 19.0.1 Housing Trajectory**

# Appendix II Recommended changes to the policies map

**20.0.1** **Maps are being updated to reflect the inclusion of additional sites as requested by members of PTPWG at its meeting 30th June 2026 and the maps will be ready for consultation**

**20.0.2** The maps associated with the Local Plan Bearing Fruits 2017 [473] remain largely unchanged. However, as part of updating the Local Plan there has been changes to some designations. Both the Kent Level and Swale Level areas of local landscape have been merged into one designation as recommended in the Swale Local Landscape Designations assessment 2018 [474] Furthermore, there have been amendments to the Built Up Area Boundaries, Local Greenspaces and Important Local Countryside Gaps to reflect the latest evidence on these designations. Changes to these designations can be found in this section as indicative diagrams, and they can also be viewed on the Regulation 19 Policies Map [475]

### Proposed Built Up Area Boundary

**20.0.3** Detail on the Built Up Area Boundaries can be found in 6.3 Policy ST2 Swale Settlement Strategy and the Built-up Area Boundary Review [476] provides evidence on their designation . Changes from the Local Plan Bearing Fruits 2017, are set out in diagrams maps below.

### Local Greenspaces

**20.0.4** Detail on the Local Greenspaces can be found in 19.4 Policy INF4 Local Green Spaces and [ADD LINK once published] provides evidence on their designation . Changes from the Local Plan Bearing Fruits 2017, are set out in diagrams maps below.

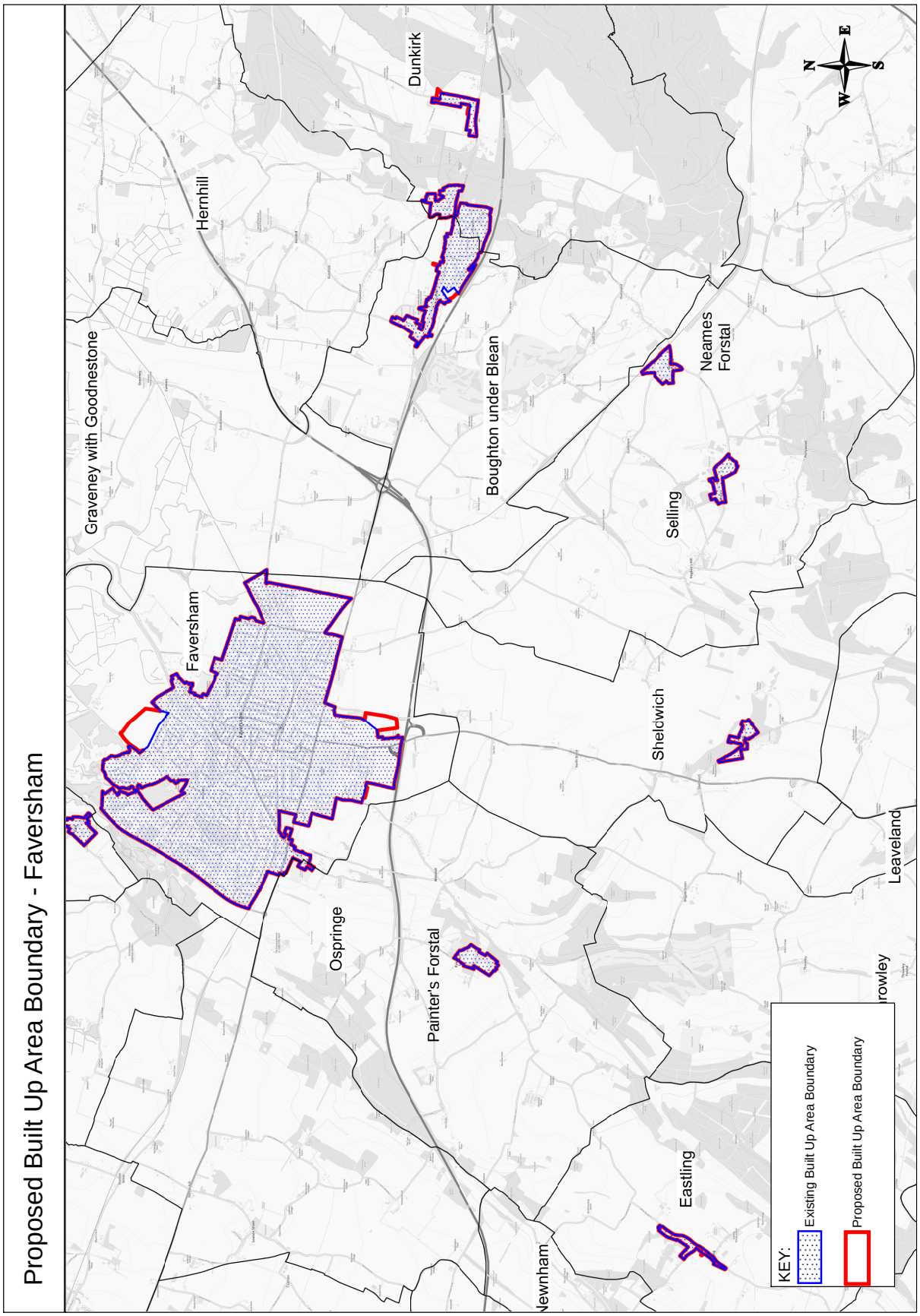
### Important Local Countryside Gaps

**20.0.5** Detail on the Important Local Countryside Gaps can be found in 21.4 Policy B4 The Separation of Settlements – Important Local Countryside Gaps and Swale Important Local Countryside Gaps 2021 [477] and Swale Important Local Countryside Gaps Review 2025 [478]provides evidence on their designation . Changes from the Local Plan Bearing Fruits 2017 are set out in diagrams maps below.

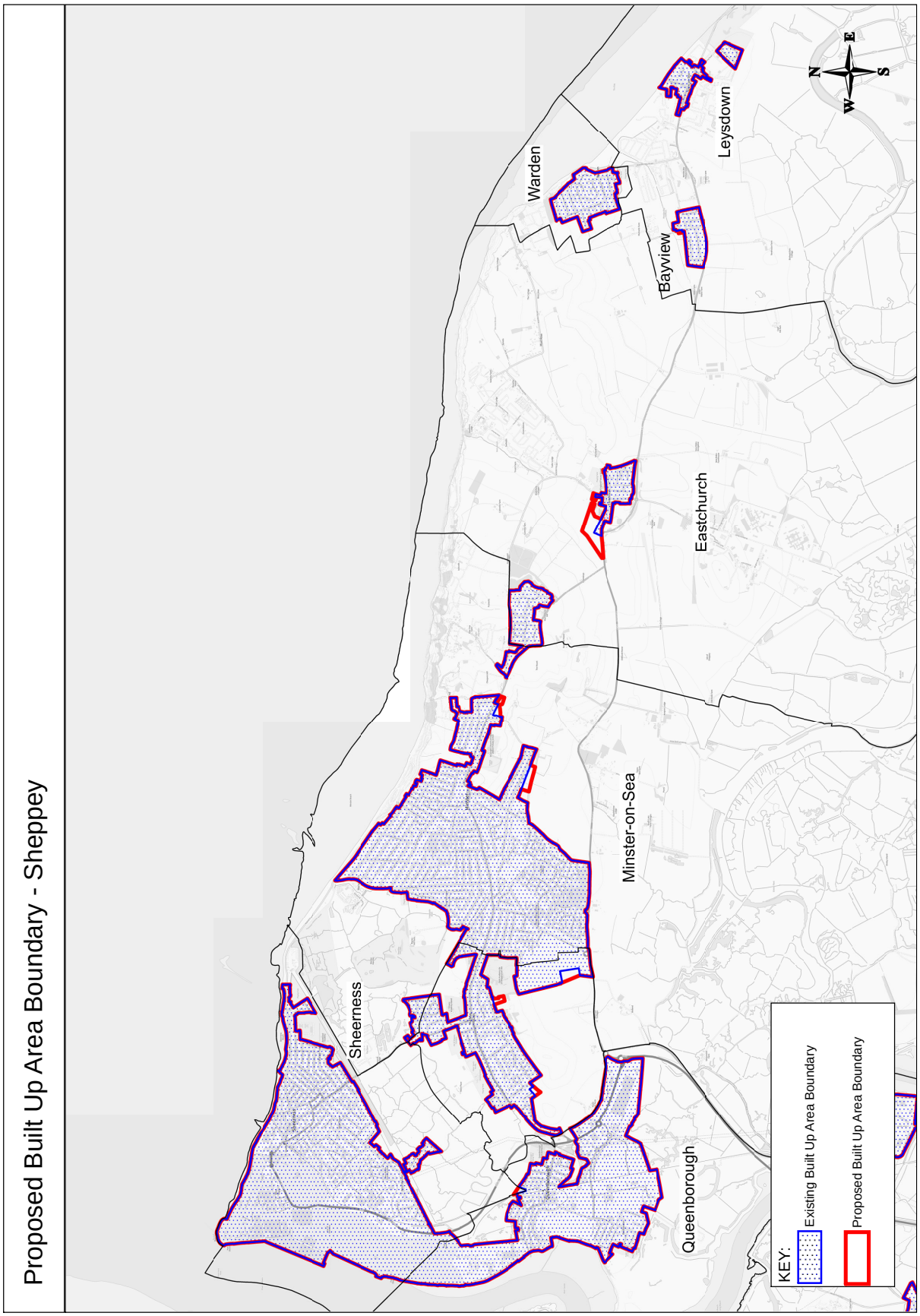
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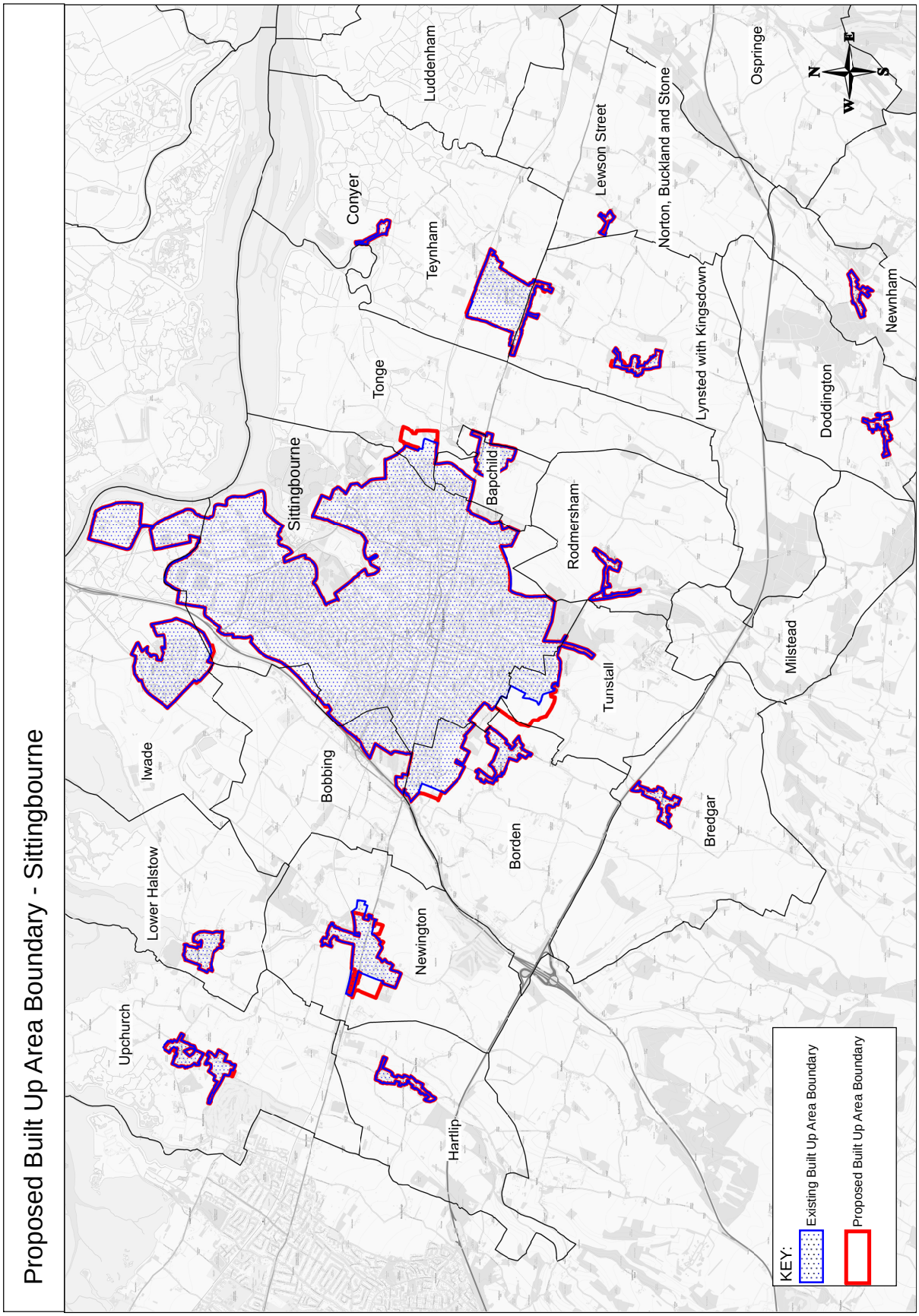
473 http://services.swale.gov.uk/maps/iShare5.6.WebSwaleLive/atMyCouncil.aspx
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475 https://maps.swale.gov.uk/
476 https://swale.gov.uk/__data/assets/pdf_file/0019/534403/Swale_Built_up_Area_Boundary_Review_April26WEB.pdf
477 https://services.swale.gov.uk/assets/Planning%20Policy%202019/FINAL%20LUC%20Swale%20Important%20Local%20Countryside%20Gaps%20Study,%20Plan%20and%20.pdf
478 https://swale.gov.uk/__data/assets/pdf_file/0006/496561/Swale-Important-Gaps-Review-final-February-2025.pdf



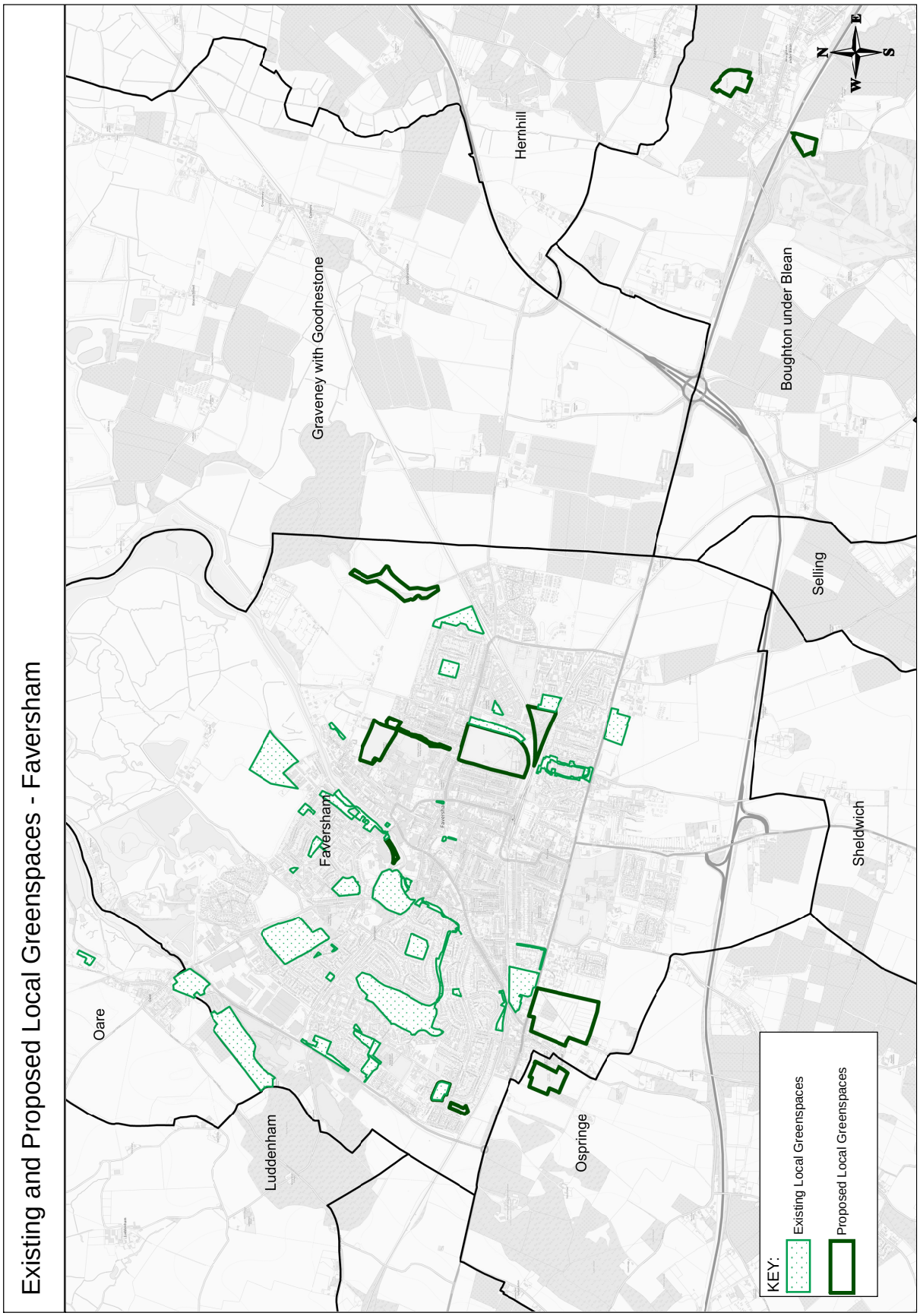

**Picture Existing and Proposed Faversham Built Up Area Boundary**



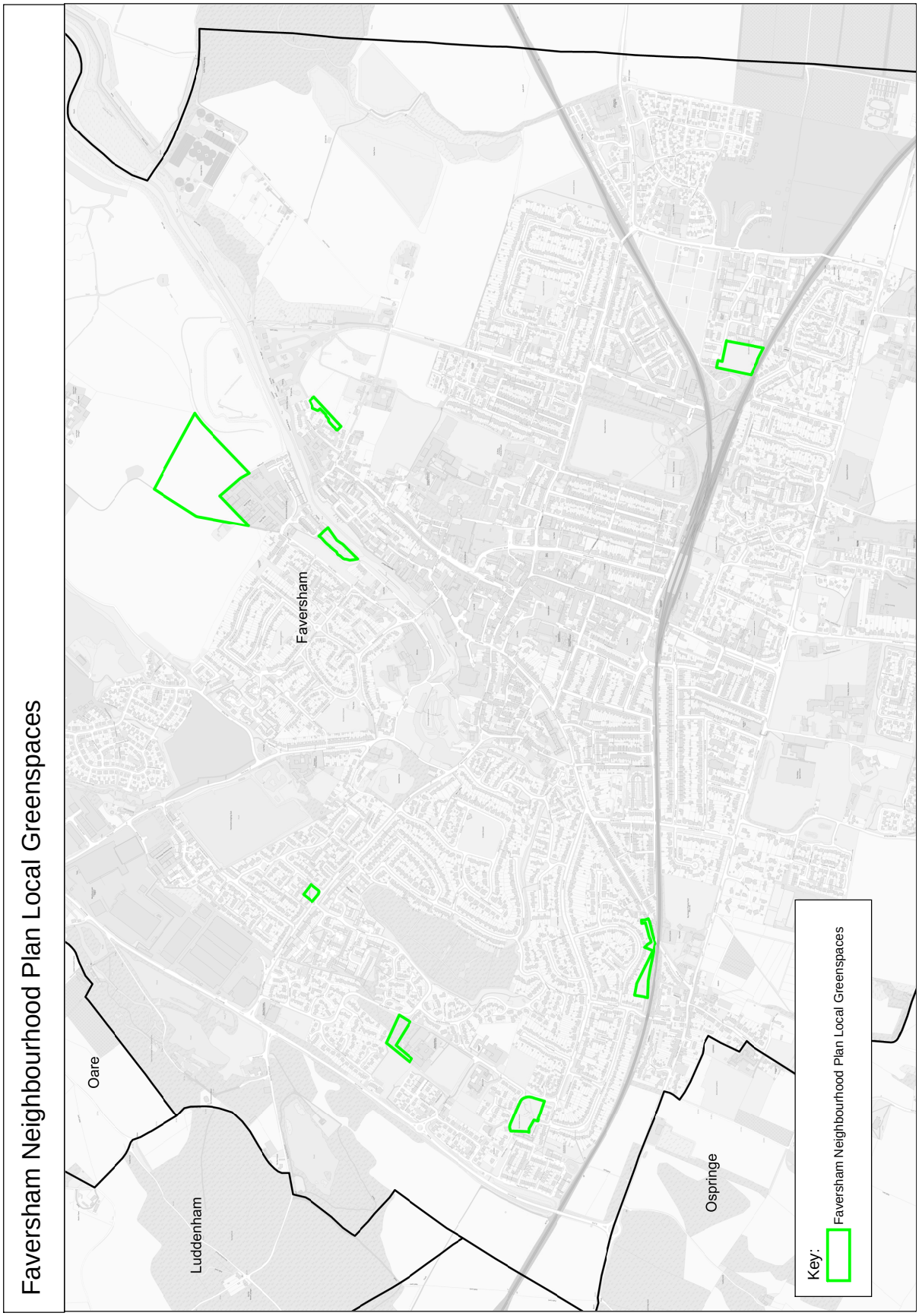

**Picture Existing and Proposed Sheppey Built Up Area Boundary**



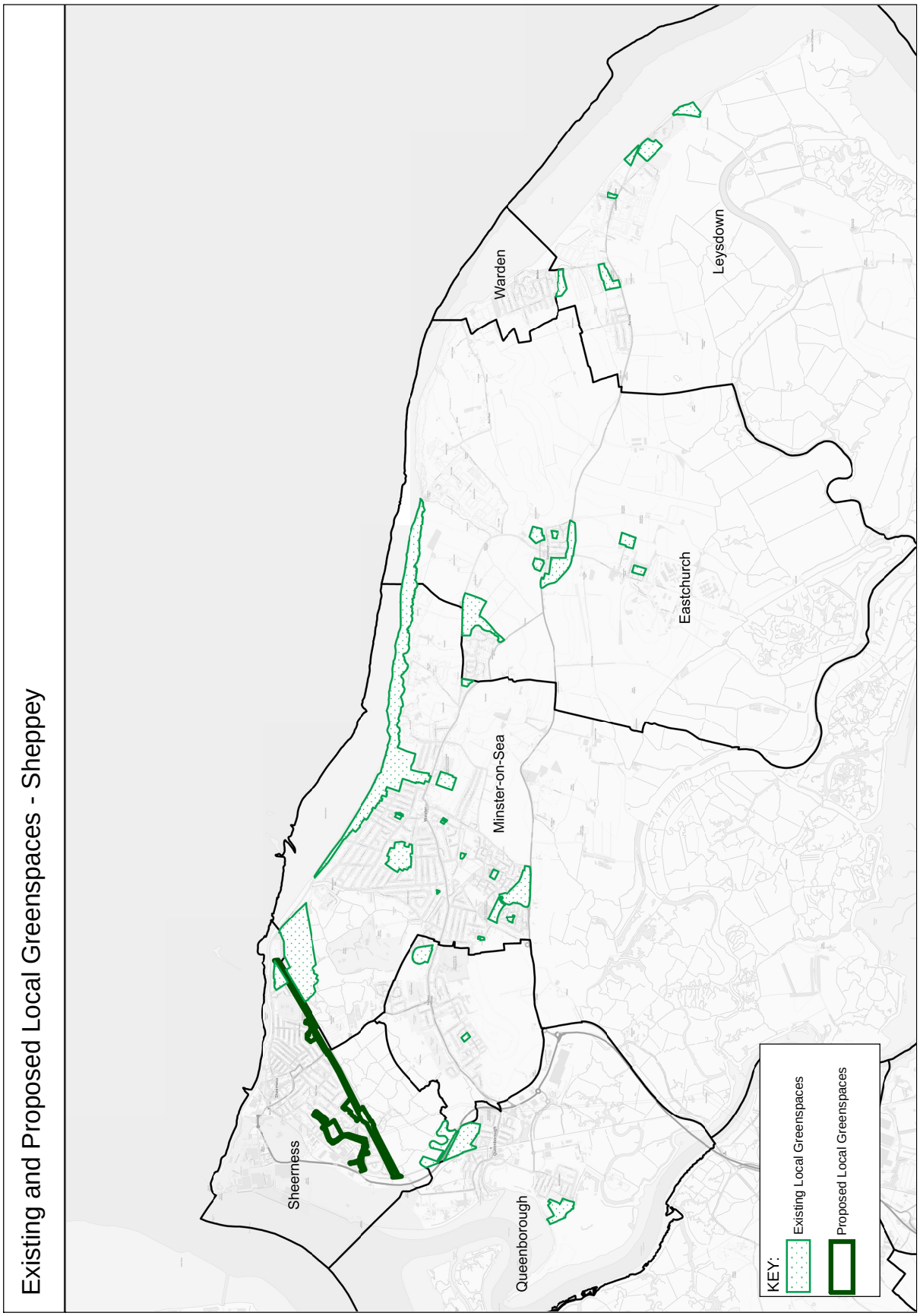

**Picture Existing and Proposed Sittingbourne Built Up Area Boundary**



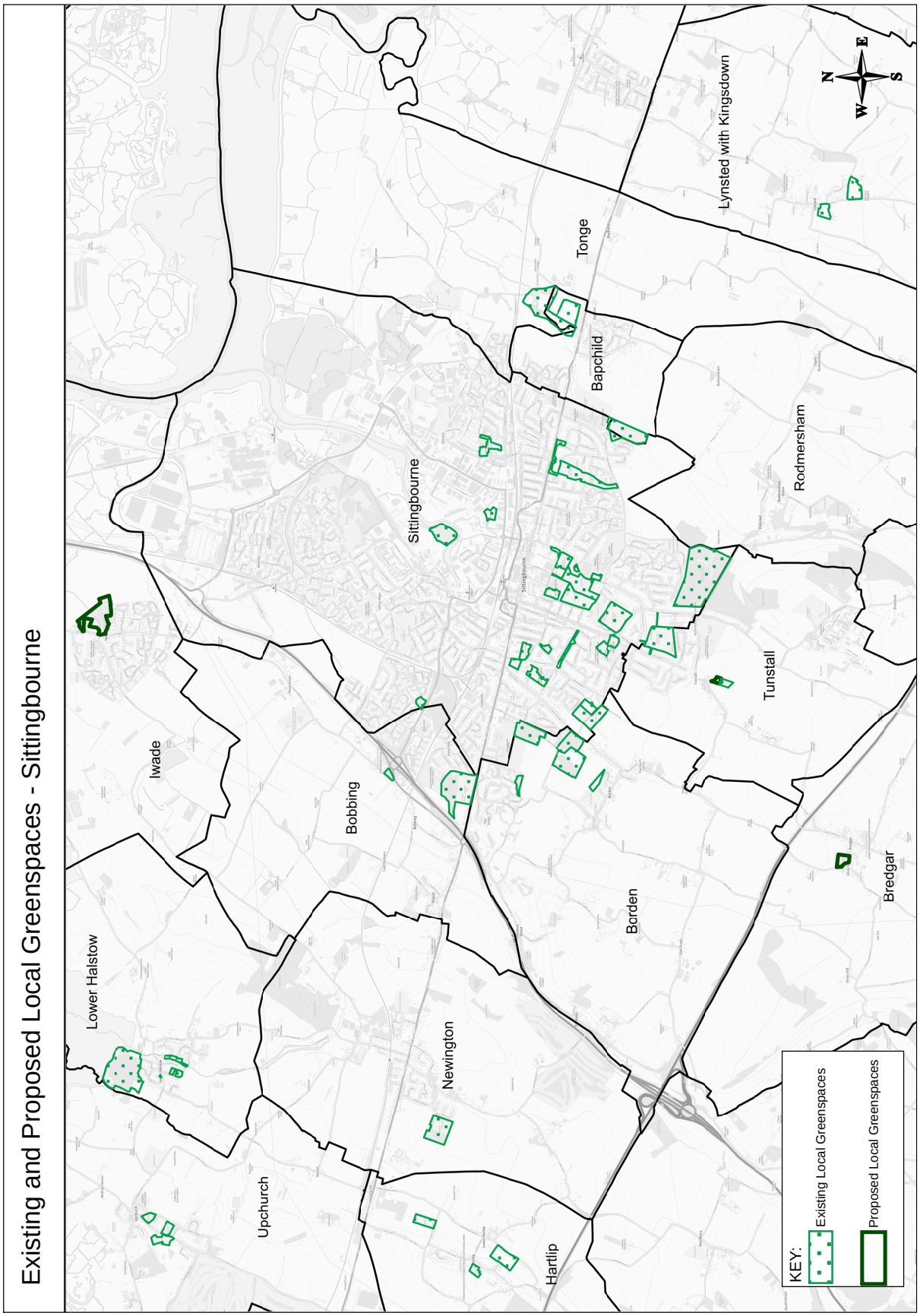

**Picture Existing and Proposed Faversham Local Greenspaces**



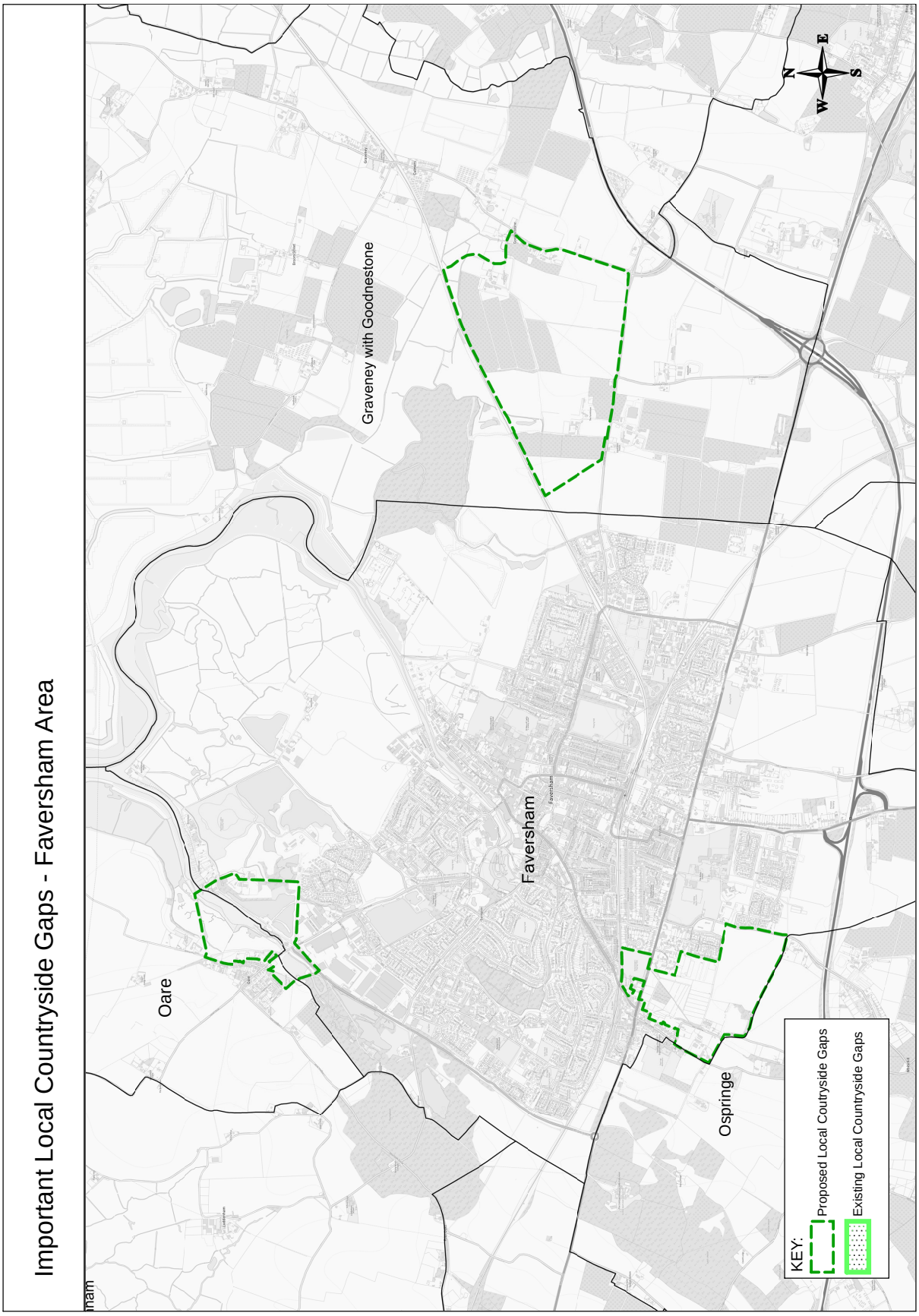

**Picture Faversham Neighbourhood Plan Local Greenspaces**



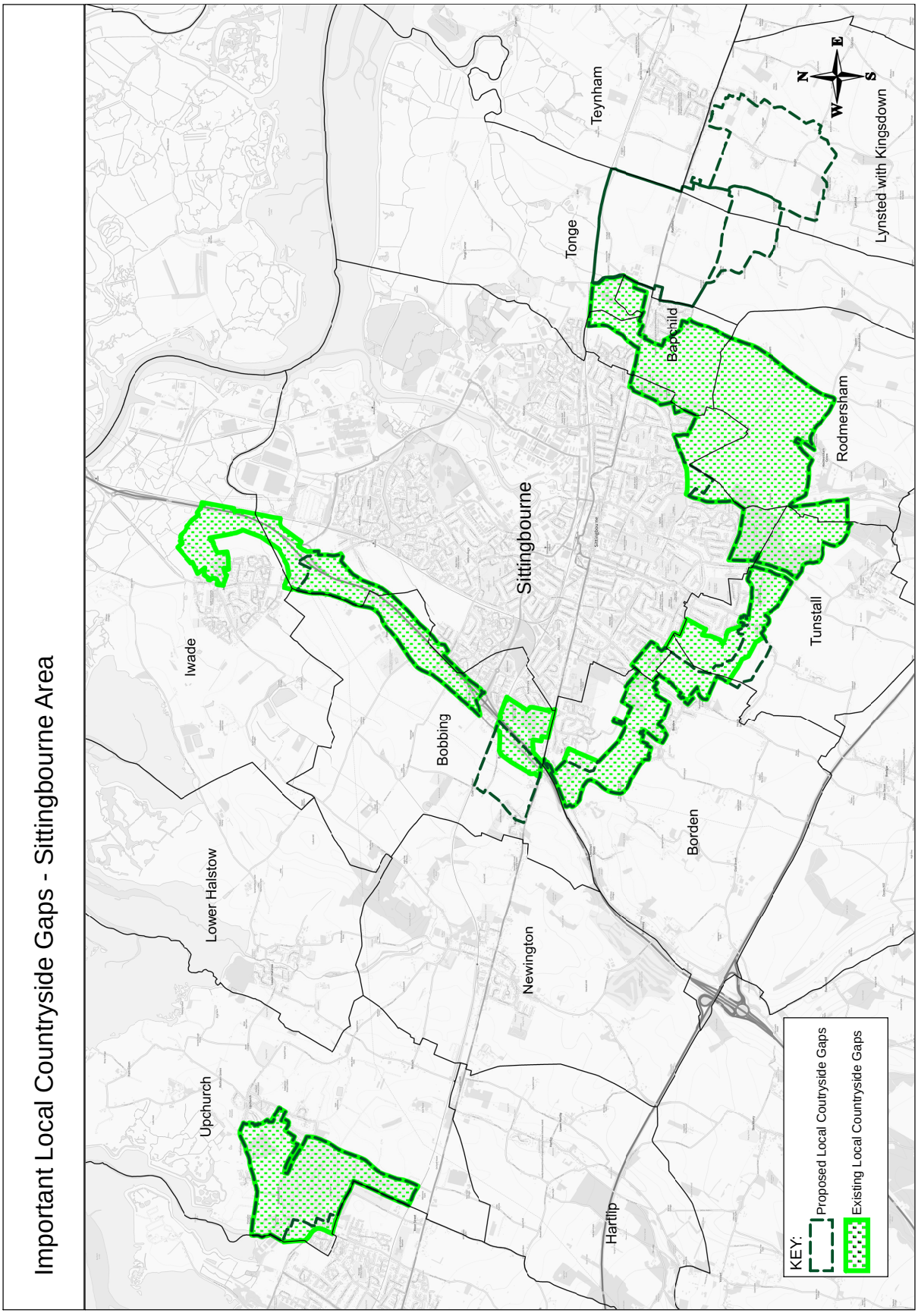

**Picture Existing and Proposed Sheppey Local Greenspaces**



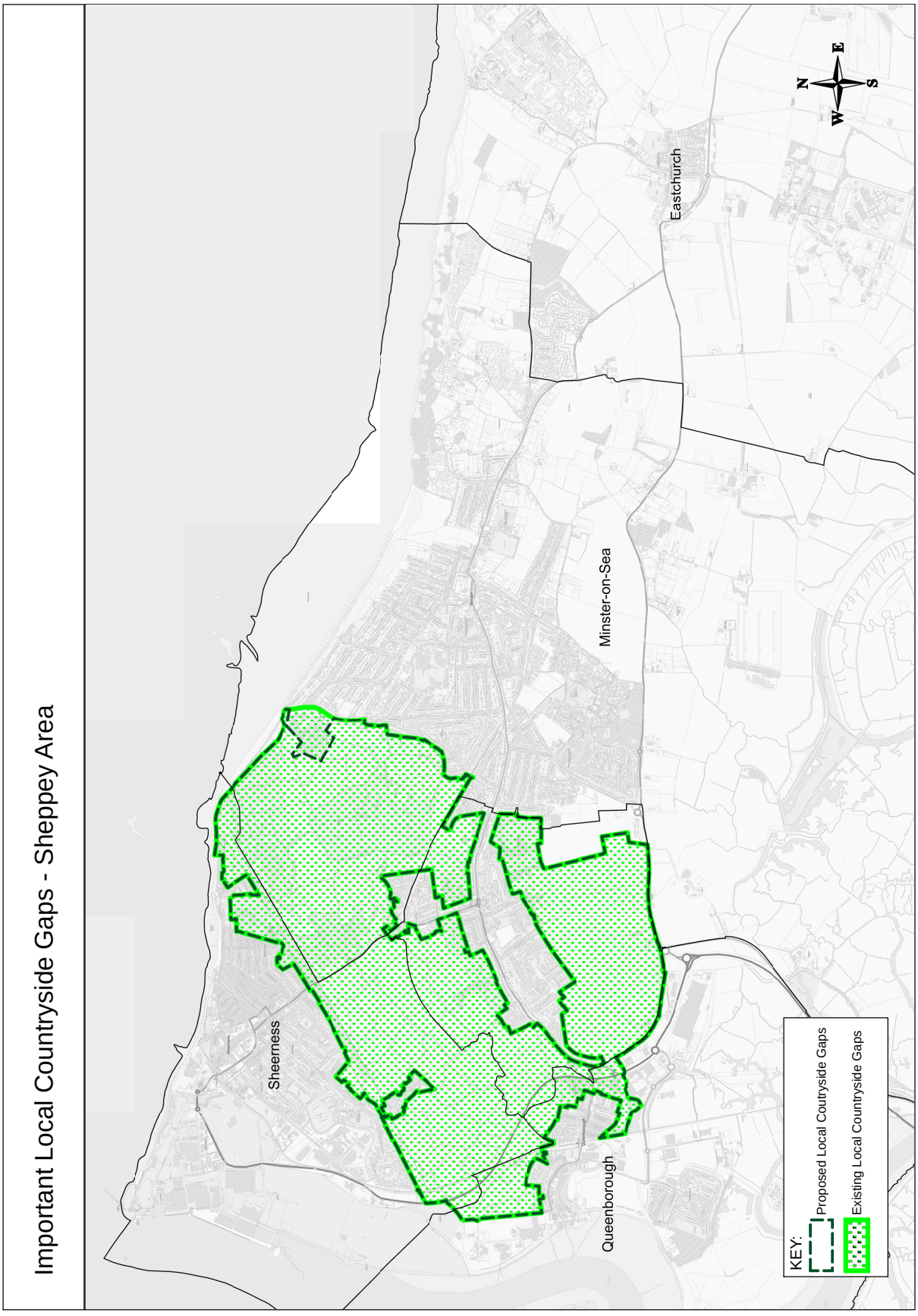

**Picture Existing and Proposed Sittingbourne Local Greenspaces**




**Picture Existing and Proposed Important Local Countryside Gap - Faversham**




**Picture Existing and Proposed Important Local Countryside Gap - Sittingbourne**




**Picture Existing and Proposed Important Local Countryside Gap - Sheppey**

# Appendix II Recommended changes to the policies map

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# Sustainability Appraisal (SA) of the Swale Local Plan

## SA Report (Draft)

July 2026



Delivering a better world

# Quality information

| Prepared by | Checked by | Approved by |
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# Non-technical Summary

This report is currently in draft and primarily presents work to explore reasonable alternative ‘growth scenarios’. Specifically, Section 6 explains a process to define four growth scenarios and then these are appraised in Section 6. The outstanding work the appraisal of the plan as a whole in Section 9.

# 1. Introduction

## 1.1. Background

1.1.1. AECOM is commissioned to undertake Sustainability Appraisal (SA) in support of the emerging Swale Local Plan, which is being prepared by Swale Borough Council.

1.1.2. Once adopted, the Plan will set the strategy for growth and change for the Borough up to 2041, allocate sites to deliver the strategy and establish policies against which planning applications will be determined.

1.1.3. SA is a process for considering and communicating the effects of an emerging plan, and alternatives, with a view to minimising adverse effects and maximising the positives.[1]

## 1.2. SA explained

1.2.1. It is a requirement that SA is undertaken in-line with the procedures prescribed by the Environmental Assessment of Plans and Programmes Regulations 2004.

1.2.2. In-line with the Regulations, a report (known as the **SA Report**) must be published for consultation alongside the draft plan that appraises "the plan and reasonable alternatives". The aim of the report is to inform consultation and then plan finalisation.

1.2.3. More specifically, the SA Report must answer the following **three questions**:[2]

- What has Plan-making / SA involved up to this point?
  - including appraisal of 'reasonable alternatives'
- What are the SA findings at this stage?
  - i.e. in relation to the draft plan
- What are next steps?

## 1.3. This SA Report

1.3.1. The final draft ('proposed submission') version of the Local Plan is currently published under Regulation 19 of the Local Planning Regulations (2012) and the Regulations set out that the SA Report should be published alongside. This SA Report supersedes the Interim SA Report published as part of Regulation 18 consultation in 2022.

1.3.2. The aim of this report is to inform 'representations' on the Proposed Submission Local Plan and then plan finalisation (see discussion of 'next steps').

1.3.3. Finally, note that this report is currently in draft and will be finalised in time for publication such that it fully accounts for the final plan and the latest evidence and understanding, including evidence work that is ongoing at the time of writing, and is therefore best placed to inform representations (and, in turn, the Examination in Public).

### Structure of this report

1.3.4. This report is structured so as to answer each of the **three questions** introduced above in turn. Specifically, the questions are answered across three 'parts' of the report.

1.3.5. Before answering the first question there is a need to further set the scene by discussing the scope of the plan (Section 2) and the scope of the SA (Section 3).

[1] Since provision was made through the Planning and Compulsory Purchase Act 2004 it has been understood that local planning authorities must carry out a process of Sustainability Appraisal alongside plan-making. The centrality of SA to Local Plan-making is emphasised in the National Planning Policy Framework (NPPF, 2021). The Town and Country Planning (Local Planning) Regulations 2012 require that an SA Report is published for consultation alongside the 'Proposed Submission' plan document.
[2] See **Appendix I** for further explanation of the regulatory basis for presenting certain information within the SA Report.

# 2. The plan scope

## 2.1. Introduction

2.1.1. The aim here is to briefly introduce the: context to plan preparation; the plan area (ahead of more detailed discussion of key issues elsewhere in the report); the plan period; and the objectives that are in place to guide plan preparation (the 'plan scope').

## 2.2. Context to plan preparation

2.2.1. Plan-making began shortly after adopting the current Local Plan for Swale ('Bearing Fruits'), which was adopted in **2017**. The requirement is to update local plans every five years, and so a plan was published under Regulation 19 in **2020**. However, that version of the Local Plan was not able to progress to the next stage (submission) and so the Council decided to take a step back and consult on "Issues and Preferred Options" in **2021** under Regulation 18, which was an opportunity to consider broad spatial strategy. This was then followed by a further Regulation 18 consultation in early **2026**, which focused on the plan vision and objectives alongside development management policies.

2.2.2. Identifying a 'supply' of land to meet development needs over the course of the plan period is at the very heart of local plan-making, with the National Planning Policy Framework (**NPPF**; para 11) clear on the need to maintain an up-to-date local plan that provides for development needs as far as is consistent with sustainable development.

2.2.3. Local Housing Need (**LHN**) is 1,064 dwellings per annum (dpa), as understood from the Government's 'standard method', which can be contrasted with the figure of 776 dpa that is provided for within the adopted Local Plan (2017).

2.2.4. There is a strong expectation that local plans provide for LHN in full as well as any 'unmet need' from neighbouring areas where doing so would represent sustainable development. However, there can be scope to generate unmet need where necessary.

2.2.5. Specifically, the question is whether the **housing requirement** should be set precisely at LHN or alternatively at a higher or lower figure, where the housing requirement is defined as the number of homes a plan commits to delivering, and where under-delivery risks policies in the plan being deemed 'out-of-date' for decision-making purposes.

2.2.6. Where policies in a plan are deemed out-of-date then planning applications can be considered under the **'presumption in favour of sustainable development'** (also known as the 'tilted balance'), as set out at NPPF paragraph 11. The Council is currently subject to 'the presumption' because it cannot demonstrate a five year housing land supply (5YHLS) against its housing requirement,[3] which is 1,064 dpa because the adopted Local Plan dates from 2017 (a local plan housing requirement applies for five years and, in turn, local plans should be reviewed every five years).[4]

2.2.7. As such, there is an **urgency** to progress a new Local Plan. Furthermore, there is an urgency because the Government has set a deadline of 31st December for local plans to be submitted under the current Regulations, such that if this deadline is missed the Council would likely have to 'start again' under the new Regulations.

2.2.8. In summary, key motivations for progressing the Local Plan are as follows:

- The housing requirement in the new Local Plan will apply for 5YHLS purposes for a period of five years post adoption. As well as deciding what the requirement will be over the plan period as a whole, local plans are also tasked with considering what it should be for each year within the plan period, i.e. whether/how it should be 'stepped'.

[3] As well needing to maintain a 5YHLS, housing supply performance is also evaluated using the Housing Delivery Test (HDT).
[4] It can be noted that the presumption also risks 'planning by appeal', i.e. a situation whereby the Council refuses an application only for it to be granted at appeal by an Inspector (and it should be noted that fighting appeals is costly and there can even be a risk of the Council having to pay the appellants costs if the Council is deemed to have acted unreasonably).

- Whatever the housing requirement there is a need for a major boost to supply in order to deliver on it (i.e. ensure that the Council can maintain a rolling 5YHLS) and clearly the best way to boost supply is in a coordinated / strategic way through a local plan.
- Planning applications will continue to be decided under 'the presumption' until the Council can achieve a 5YHLS via a new Local Plan.
- Meeting housing needs is of great importance in-and-of itself and due to secondary benefits, for example in terms of health / well-being and supporting the local economy.
- Plan-led housing growth creates an opportunity to strategically target investment and policy 'asks' of developers (in the context of development viability parameters), thereby maximising the benefits of growth and potentially delivering 'planning gain' (opportunities can and do go missed when new homes come forward piecemeal).

2.2.9. Finally, by way of context, it is important to acknowledge that Swale Borough is not an island but rather functions as part of a wider sub-region. In particular, Swale can be considered centrally located within a North Kent sub-region, with close links to Medway to the west and Canterbury; however there are also links to wider Kent authorities, in particular Maidstone Borough to the south (via the A429, although connectivity is otherwise limited on account of the intervening Kent Downs National Landscape). Sharing housing needs across a sub-region is often a key issue necessitating cooperation between neighbouring authorities, but there are also wide-ranging further strategic issues and opportunities to explore, including around transport infrastructure. In short, the Local Plan must carefully account for cross-boundary / larger-than-local issues, including in light of NPPF section on Maintaining Effective Cooperation.

## 2.3. The plan area

2.3.1. This section will present a spatial portrait of the Borough with a particular focus on key issues and opportunities of relevance to defining reasonable alternatives (Sections 4 and 5) and appraising the plan and reasonable alternatives (Sections 6 and 9).

## 2.4. The plan period

2.4.1. The duration of the Local Plan is 16 years from 1st April 2026 to 1st April 2041. This reflects paragraph 22 of the National Planning Policy Framework (NPPF), which states: *"Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities..."*

2.4.2. Further points to note are:

- There is an acknowledged case for an extended plan period to 2042, recognising that the Local Plan is expected to be adopted in 2027. This would necessitate having to provide for an additional year of LHN (1,064 homes). However, on the other hand, there may be some flexibility in light of impending Local Government Reorganisation (LGR) and Devolution, in that future local plans under LGR and Devolution will be well placed to make provision for development needs looking to 2042 and beyond.
- As of 1st April 2025 'existing supply' from sites with planning permission (including resolution to grant) was 7,167 homes and additionally there were 263 homes set to be delivered at sites allocated within a 'made' neighbourhood plan, which brings the total existing supply figure (as of 31st March 2025) to 7,430 homes. This figure will be adjusted post submission in light of data for the 2026/27 monitoring year.
- In turn, the aim is to provide for housing supply over-and-above the existing supply (also a windfall assumption), primarily via site allocations (see NPPF para 72).
- In particular, the requirement is for specific "deliverable sites" for years 1 to 5 of the plan period (such that there is a 5YHLS); "developable sites or broad locations" for years 6-10; and "where possible" developable sites or broad locations for years 11-15.

## 2.5. Plan objectives

2.5.1. The plan objectives are established in order to guide the plan-making process and are also of importance for the SA process because they provide a starting point for defining reasonable alternatives (see Section 4). The plan objectives are as follows:

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

# 3. The SA scope

## 3.1. Introduction

3.1.1. The scope of the SA refers to the breadth of sustainability issues and objectives that are taken into account as part of the assessment of reasonable alternatives and the emerging plan. It does not refer to the scope of the plan (discussed above) or the scope of reasonable alternatives (discussed below, in Part 1). The aim here is to introduce the reader to the *broad scope* of the SA. The aim is not to define the scope of the SA comprehensively, recognising that there is a need for flexibility to respond to the nature of the emerging plan and reasonable alternatives, and latest evidence. The SA scope is further discussed throughout this report, i.e. throughout the report there is discussion of key aspects of the sustainability context and baseline and key issues / opportunities. This allows for a targeted discussion, and avoids the need for a generic discussion of sustainability issues (etc.) that is poorly targeted in the context of the plan/alternatives.

## 3.2. Consultation on the scope

3.2.1. The Regulations require that*: "When deciding on the scope and level of detail of the information that must be included in the Environmental Report [i.e. the SA Report], the responsible authority shall consult the consultation bodies".* In England, the consultation bodies are the Environment Agency, Historic England and Natural England. As such, these authorities were formally consulted on the SA scope in 2025.

3.2.2. Consultation responses were received from all three statutory bodies, as discussed within the appraisal sections of this report.

## 3.3. The SA framework

3.3.1. The primary outcome of scoping is a list of topics/objectives that can then be utilised as a 'framework' under which to structure appraisal work. The aim is to ensure that appraisal is well-targeted, concise and engaging. Table 3.1 presents the SA framework.

***Table 3.1**: The SA framework*

| Topic | Objective |
|---|---|
| Accessibility | Improve accessibility to essential services and facilities across the borough |
| Air quality | Improve air quality, reduce air pollution and reduce exposure to air pollution |
| Biodiversity | Maintain, create and enhance the extent and quality of biodiversity habitats and networks within and surrounding the borough, and protect species and species diversity |
| Climate change adaptation | Increase resilience to the potential effects of climate change, including flood risk |
| Climate change mitigation | Mitigate climate change by increasing decarbonisation, with a focus on industry, transport and the built environment, increasing efficiency and reducing energy use |
| Communities and health | Promote and protect health, wellbeing, and safety by ensuring access to healthcare, reducing health inequalities, improving road safety, enhancing green infrastructure, and creating safe and sustainable communities |
| Economy and employment | Support a productive, diverse and resilient economy that provides opportunities for all |
| Historic environment | Protect, conserve and enhance the historic environment, heritage assets and their setting within the borough |
| Homes | Support the delivery of a range of housing to meet identified needs, with a focus on improving affordability for those most in need |
| Landscape | Protect and enhance the character and quality of the landscape, including green infrastructure corridors |
| Soils and natural resources | Protect soil and mineral resources, and manage waste effectively |
| Transport | Promote sustainable transport use and reduce the need to travel |
| Water | Protect and enhance water quality and resources, ensuring sustainable water management to support current and future needs while reducing pollution risks |

# Part 1: Work to date

# 4. Introducing Part 1

## 4.1. Overview

4.1.1. The aim here is to set out work undertaken to consider **reasonable alternatives** ahead of finalising the Proposed Submission Local Plan for publication.

## 4.2. Reasonable alternatives in relation to what?

4.2.1. The requirement is to examine reasonable alternatives (RAs) taking account of "the objectives and geographical scope of the plan", which suggests a need to focus on the **spatial strategy**, i.e. providing for a **supply** of land, including by allocating **sites**, to provide for housing needs (**LHN**) alongside delivering-on wider plan objectives.

4.2.2. Establishing a spatial strategy is invariably a central objective of any local plan, and the Swale Local Plan is no exception, e.g. this matter was at the heart of the Regulation 18 consultation held in 2021. The plan also covers development management (DM) policies, but it is clear that spatial strategy / site selection / supply is the central matter.

4.2.3. Alternatives in respect of spatial strategy / site selection / supply can be referred to as **'growth scenarios'**, and can also be thought of as **alternative key diagrams**.

4.2.4. A focus on RAs in the form of 'growth scenarios' ensures a focus on mutually exclusive alternatives that go to the very heart of the local plan and, in turn, ensures a meaningful and engaging appraisal in support of effective consultation and debate.[5]

### What about site options?

4.2.5. Whilst individual site options generate a high degree of interest, they are not RAs in the context of most local plans. Were a local plan setting out to allocate one site, then site options would be RAs, but that is rarely the case. Rather, the key objective is to allocate a *package* of sites to meet needs and wider objectives, hence RAs should be in the form of alternative *packages* of sites, in so far as possible. Nonetheless, consideration is naturally given to the merits of individual site options as part of the process of establishing RA growth scenarios – see Sections 5.3 and 5.4.

# 5. Defining growth scenarios

## 5.1. Introduction

5.1.1. The aim here is to discuss the process that led to the definition of growth scenarios.

### Structure of this section

5.1.2. This section explains a process to define growth scenarios as follows:

- **Section 5.2** – explores **strategic factors** that are a 'top down' input.
- **Section 5.3** – considers **site options** that are 'bottom up' input (or 'building blocks').
- **Section 5.4** – combines factors and concludes on **growth scenarios**.

[5] SA must only focus on significant effects, and a focus on RA growth scenarios guarantees a focus on meaningfully differential significant effects thereby negating to 'screen' what should and should not be a focus of work to explore RAs A further consideration is that the regulatory requirement, when read at face value, suggests a need to appraise and consult upon alternative plans (specifically, the requirement is to appraise and consult upon: *"… the plan and reasonable alternatives"*). Appraising alternative local plans is patently unachievable but a focus on RA growth scenarios represents the next best thing. Finally, in respect of RAs, it is important to note that appraising a draft proposal versus the 'do nothing' option does not equate to an appraisal of RAs, because 'do nothing' is the baseline and significant effects are defined as effects *on the baseline*.

### A note on limitations

5.1.3. The aim here is to describe the *process* that led to the definition of reasonable alternatives (growth scenarios) for appraisal. This amounts to a relatively early step in the plan-making process which, in turn, has a bearing on the extent of evidence-gathering and analysis that is proportionate, also recalling the legal requirement, which is to present an *"**outline** of the reasons for selecting alternatives…"* [emphasis added].

## 5.2. Strategic factors

### Introduction

5.2.1. The aim here is to explore strategic issues, opportunities and options with a bearing on the definition of growth scenarios. Specifically, this section of the report explores:

- Quantum – *how many* new homes are needed (regardless of capacity)?
- Broad spatial strategy – broadly where is more/less suited to growth; also, what growth typologies are supported, e.g. large ('strategic') sites versus smaller sites?

### Quantum

5.2.2. This section recaps the Local Housing Need (**LHN**) figure for the plan area, before exploring *high-level* arguments for a housing requirement set above or below LHN.

N.B. this section focuses on housing but there is also brief discussion of **employment land** need and the need for **Gypsy and Traveller pitches**.

**Background**

5.2.3. A central tenet of local plan-making is the need to **A)** objectively establish housing needs ('policy-off'); and then **B)** develop a policy response to those needs ('policy-on'). The Planning Practice Guidance (PPG) explains:

*"Housing need is an unconstrained assessment of the number of homes needed in an area. Assessing housing need is the first step in the process... It should be undertaken separately from… establishing a housing requirement figure…"*

5.2.4. With regard to (A), the NPPF states that local housing need (LHN) should be established via an assessment "conducted using the standard method".

5.2.5. With regard to (B), most local authorities respond to LHN by setting a housing requirement that equates precisely to LHN; however, under certain circumstances it can be appropriate to set a housing requirement that departs from LHN.

**Local Housing Need (LHN)**

5.2.6. As discussed, LHN for the Borough is 1,064 dpa on the basis of the Government's standard method, which accounts for: A) existing dwelling stock; and B) affordability. This equates to 17,024 homes over the 16 year plan period.

**Is it reasonable to explore a housing requirement <u>below</u> LHN?**

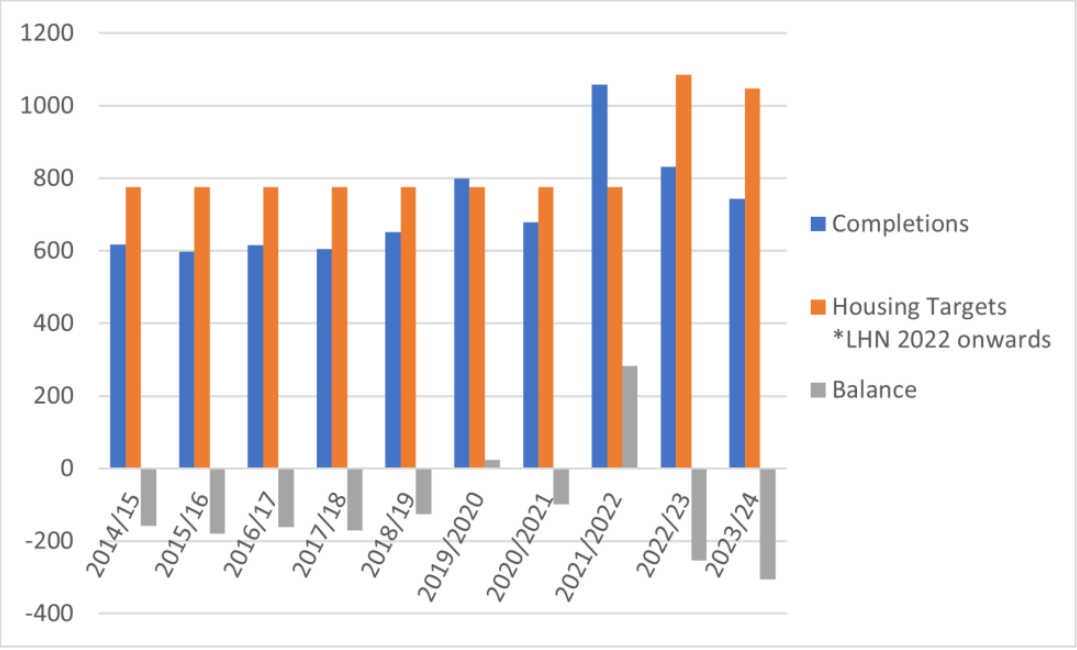
5.2.7. The key context is NPPF paragraph 11, which states:

*"… strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, **unless**: i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits…" [emphasis added]*

5.2.8. There has always been the potential to evidence and ultimately justify a housing requirement set below LHN, where it is the case that providing for LHN is not achievable or would not represent sustainable development. However, it has also always been understood that there is high evidential bar that must be reached in order to justify a housing requirement set below LHN ('no stone left unturned'), particularly where there is little or no chance of the 'unmet need' generated being provided for elsewhere. Also, the latest situation is the context of the 2024 NPPF, which arguably somewhat 'raises the bar' that must be reached in order to evidence and ultimately justify LHN. Finally, further context also comes from recent revocation of the Duty to Cooperate, which arguably makes it more challenging to agree provision for unmet need.

5.2.9. Also, a further consideration is that any local plan must only ever commit to a housing requirement that is deliverable, because failing to deliver means that the local plan can be judged out-to-date (such that 'the presumption' applies). Delivering 1,064 homes per annum in Swale is challenging but achievable with an up-to-date Local Plan, including because this will assist greatly with infrastructure planning. Figure 5.1 is taken from the Swale Authority Monitoring Report (2025) and shows that delivery exceeded 1,000 homes in 2021/22, including as key allocations from the adopted Local Plan (2017) were building out (it also shows the housing requirement increasing in 2022, due to the adopted Local Plan becoming five years old). Only 683 homes were delivered in the 2025/26 monitoring year, and looking ahead delivery is expected to average around 900 homes up to 2029/2030 (there is very little that the Local Plan can do to influence this), but from 2030/31 there is confidence in the ability to achieve a step-change in delivery.

***Figure 5.1**: Housing deliver in Swale over recent years*




5.2.10. In **conclusion**, there is no clear strategic case to be made for a housing requirement set below LHN, given the relatively limited constraints to growth affecting Swale and because LHN is likely to be deliverable over the plan period as a whole (although there is the question of whether it is deliverable in the early years of the plan period, i.e. could be the case that there is a need for a stepped housing requirement). This same conclusion was reached at the time of the previous Regulation 19 publication stage in 2020, and at the subsequent Regulation 18 stage in 2021 there was similarly a focus squarely on spatial strategy options that would provide for housing needs in full. In summary, growth scenarios involving a housing requirement set below LHN can be ruled out as 'unreasonable', including because there are plentiful supply options (Section 5.3).

**Is it reasonable to explore a housing requirement above LHN?**

5.2.11. NPPF para 69 states that local authorities should set a housing requirement:

*"… which shows the extent to which their identified housing need… can be met over the plan period.* ***The requirement may be higher than the identified housing need*** *if, for example, it includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment.*

5.2.12. The matter of 'growth ambitions linked to economic development or infrastructure investment' is not considered to be a significant factor in the Swale context. However, the matter of 'provision for neighbouring areas' is invariable a consideration for local authorities across the South East of England. Key considerations are as follows:

- Ashford, Canterbury, Maidstone and Medway – are Swale's closest neighbouring authorities, but none are at risk of generating unmet need. Specifically: the Ashford Local Plan was adopted in 2019, runs only to 2030 and the Council has now begun work on a 'new style' local plan under the new Regulations (as opposed to submitting plan by 31st December 2026 under the current Regulations), but Ashford is a relatively unconstrained area that is very capable of providing for LHN in full; the Canterbury Local Plan was recently published under Regulation 19 and provides for LHN in full (although with a stepped requirement); the Maidstone Local Plan was adopted in 2024 and provides for LHN in full (although the plan period is to 2038; there is a stepped requirement; total supply falls slightly short of the requirement over the plan period; and there is a very large unmet need for Gypsy and Traveller pitches); and the Medway Local Plan has proved challenging but the recently submitted Local Plan provides for LHN in full (but generates an unmet need for Gypsy and Traveller pitches).
- Elsewhere in Kent – there is limited risk of unmet need, for example: Gravesham recently published a Local Plan under Regulation 19 that provides for LHN in full (although there is reliance on ~1,800 homes supply in 2030/31 compared to delivery of ~250 homes in 2025/26); the Sevenoaks Local Plan is nearing Regulation 19 at the time of writing and provides for LHN in full; Tunbridge Wells recently adopted a Local Plan that provides for LHN in full (albeit with a short plan period; also it is noted that LHN has now increased by 66% following the new standard method in 2024); and Tonbridge and Malling are set to provide for LHN in full, with the Council's website explaining "*The NPPF does allow for lower targets in exceptional circumstances, for example if there are constraints on land availability such as flood risk. However, the evidence…shows that the housing target can be met"*. Thanet perhaps stands out as a Kent authority at risk of generating unmet need, recognising that there has been very little progress on a new local plan following adoption of a plan in 2020 that committed to an "early review"; however, Thanet is distant from Swale (it is better linked to Canterbury and Dover) and the Council has not undertaken work to confirm unmet need, let alone unmet need that should or might be provided for in Swale.
- East Sussex – all of the East Sussex local authorities (Eastbourne, Hastings, Lewes, Rother and Wealden) are generating or likely to generate major unmet need, and Hastings has written to Swale requesting provision for a proportion of unmet need. However, Swale does not link well East Sussex and there is no basis upon which to suggest an unmet need figure that could potentially be provided for in Swale.
- London Boroughs – Bexley has an up-to-date Local Plan and Bromley recently published a high level consultation document within which they commit to providing for the 'housing target' set by the London Plan (2021), specifically 774 dpa, which is in the context of recent delivery of 229 dpa (2021/22 to 2023/24). It can also be noted that the standard method LHN is 3,001 dpa, although LHN is dealt with through the London Plan rather than individual boroughs. A new London Plan is imminent.[6]

[6] It can be noted that the adopted London Plan (2021) generated unmet need that has not been provided for. Also, a new London Plan is now in preparation, and a commitment has been made to providing for standard method housing need in full, whether that be within London or with some unmet need provided for outside of London. If the new standard method LHN were to be provided for in full within London this would mean a major step change in delivery, with LHN 88,000 dpa compared to delivery of 32,000 homes in 2023/24. The Government has intervened and the situation is improving, but overall there is a risk of unmet need from London, albeit this cannot be quantified ahead of work on the new London Plan.

5.2.13. Overall, the bullet points above serve to demonstrate that unmet need is not a 'clear and present' issue for the Swale Local Plan. However, neither is the risk of unmet need from London, Sussex and Thanet a factor to discount entirely as part of work to define growth scenarios for the Swale Local Plan. This is notwithstanding the fact that: A) transferring unmet need from one local authority to another is very challenging in the absence of a sub-regional plan or a legal duty to cooperate, and differing local plan timescales;[7] and B) future local plans under LGR and Devolution will be well placed to deal with the current issues/risks in respect of unmet need that are set out above.

5.2.14. One other high level consideration, in respect of possible scenarios involving a housing requirement set above LHN, is affordable housing need, given that the PPG states: "*An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes."* The Swale Local Housing Market Assessment Update (2026) identifies a need for 304 affordable homes per annum (although with alternative assumptions applied this could increase to as high as 437 per annum) and recent delivery has been significantly below this need. A further contextual factor is the Affordable Housing Emergency declared in 2024.

5.2.15. Assuming a need for 304 affordable homes per annum, this would involve delivering affordable housing at rate of 28% were the housing requirement to be set at LHN, which is potentially achievable but challenging on account of development viability. Overall, this suggests limited case to be made for a housing requirement set above LHN in order to deliver additional affordable housing, although again the possibility of doing so cannot be discounted at this stage (of the process of defining growth scenarios).

5.2.16. Finally, it should be noted that the possibility of setting the housing requirement above LHN has been explored in the past, namely within the SA Report published alongside the previous Proposed Submission Local Plan in 2020. Specifically, the highest growth scenario at that time involve supply 15% above LHN, and the appraisal explained this could *potentially* enable a housing requirement set modestly above LHN. Specifically, a total plan period supply of LHN plus 15% would enable the housing requirement to be set above LHN unless it is determined that there is a need for a 15% supply 'headroom' as a contingency for unforeseen delivery issues, i.e. with a view to ensuring that the housing requirement can be delivered in practice year-on-year.[8]

**Conclusion on housing quanta options**

5.2.17. The above discussion serves to suggest that attention should focus primarily on growth scenarios that would enable the housing requirement to be set at LHN, but also that there is perhaps a strategic case for higher growth. This is broadly in line with the conclusion of an earlier high level exercise to consider broad growth quanta options, namely the Housing Targets Study (2023), which concluded: *"Local Plan-making should be undertaken with a focus on setting the housing requirement at Standard Method LHN, but the Council can/should remain open to setting the housing requirement at a lower/higher figure."* In practice subsequent work to consider spatial strategy options over the course of 2023 to 2025 focused on options that would enable the housing requirement to be set at LHN, as discussed further below (the remainder of Section 5.2).

5.2.18. The matter of precise growth quanta figures to reflect across the growth scenarios is returned to in Section 5.4 following consideration of spatial strategy issues/options (the remainder of Section 5.2) and available site options (Section 5.3).

[7] The NPPF states the following in respect of maintaining effective cooperation: *"Plans come forward at different times, and there may be a degree of uncertainty about the future direction… authorities… will need to come to an informed decision on the basis of available information, rather than waiting for a full set of evidence from other authorities."* The Draft Ashford Local Plan (2025) is of note as a case study, in that a supporting Duty to Cooperate Statement presents the following response (dated July 2024) to an unmet need request from Rother District: *"Consequently, and whilst we understand that your Authority may also have significant challenges, the Borough Council is not in a position to assist you in meeting your housing need and currently cannot envisage a scenario where this position will change."*

[8] Specifically, there is a need for a supply headroom over the early years of the plan period to ensure that the Council can maintain a 'five year housing land supply' (5YHLS) ahead of a new local plan that represents a new opportunity to boost supply. It is also important to note that as part of the 5YHLS calculation there is a need to apply a 5% or 20% 'buffer' (NPPF para 79).

***Box 5.1:*** *A note on employment land need*

An Employment Land Review was undertaken in 2018 and updated in 2023. The ELR update concludes the demand for, and take-up of industrial land has been stronger and faster than was anticipated in the 2018 ELR, led by the strategic distribution market (particularly for retail and third-party logistics companies, but also manufacturing and freight and wholesalers). The ELR update concludes: "The unmet industrial need – 48 ha as a minimum (or 73 ha as the aspiration) should be met by new land allocations. Netting off the land within the designated Eurolink that can meet some of the need leaves 45 ha minimum.

The ELR update also sets out that the requirement for offices has shifted significantly since 2018. Both the demand and the availability of office space remains low and broadly in balance, with the market serving essentially local businesses. Rents are insufficient to stimulate viable development and the long-standing weak performance of the office market, coupled with more recent trends, has pulled the assessment substantially downwards. The latest assessments of office demand broadly align, suggesting the market is at equilibrium at best, but could equally see contraction. This means that the unmet need for new office floorspace is just 1.1 ha; virtually no requirement.

***Box 5.2:*** *A note on Gypsy and Traveller accommodation need*

Swale is home to one of the largest Gypsy, Traveller and Travelling Showpeople populations in Kent and the wider South East with over 80 sites. In order to gain a greater understanding of the Borough's need for pitch and plot provision, a Gypsy and Traveller Accommodation Assessment (GTAA, 2023) was completed, which considers needs over the period 2022/23 to 2037/38 (i.e. over a period not fully aligned with the plan period of 2026/27 to 2040/41). The GTAA concludes:

- Overall need is for 114 Gypsy and Traveller pitches, with 80 in the five year period to 2026/27.
- The short-term 5 need has the potential to be largely met through the regularisation of existing unauthorised sites, the expansion/intensification of existing sites and turnover.
- A need for 7 Travelling Showperson plots and transit accommodation is also identified.
- To support the wider needs of Gypsies and Travellers and Travelling Showpeople, the council should also set out criteria-based policies to inform future planning applications for private Gypsy and Traveller sites and Showperson's yards should they arise over the plan period.

In addition, some of the identified immediate 5 year need will have already been met through windfall permissions since the base date of the GTAA 2023 evidence. The Council's monitoring between 1 April 2022 (base date of GTAA evidence) and 31 December 2025 has identified 23 pitches have been consented, which reduces the immediate 5 year need (80 – 23 = 57 pitches) and potentially also the plan period need of (114 – 23 = 91 pitches); however, there is also a need to consider the possibility of additional need over the three years 2038/39 to 2040/41.

## Broad spatial strategy

5.2.19. A considerable amount of work has been undertaken to consider broad spatial strategy over recent years, in particular:

- 2020 – the SA Report published alongside the previous Proposed Submission Local Plan appraised five broad spatial strategy options (see Appendix III of the report).
- 2021 – the 'Issues and Preferred Options' consultation presented five broad spatial strategy options, and these were appraised within an Interim SA Report.
- Early 2026 – elected Councillors, particularly via the Planning and Transportation Policy Working Group (PTPWG), have iteratively explored six broad spatial strategy options (referred to as 'growth options'), as presented in Table 5.1.

  N.B. the figures in the final column of the table reflect latest understanding of broadly how many homes would need to be delivered at non-strategic sites in order to enable the housing requirement to be set at LHN; see further discussion in Section 5.4. Also, note that the names of the options have been adjusted for conciseness.

***Table 5.1**: The broad growth options considered by elected Councillors in early 2026*

| Growth option | Delivery from strategic sites | Specific strategic sites | Residual required from non-strategic sites |
|---|---|---|---|
| Continue Bearing Fruits approach | 0 | - | ~7,000 |
| Strategic site in the west | 2,500 | West of Bobbing | ~4,500 |
| Strategic site in the east | 2,500 | South East Faversham | ~4,500 |
| Strategic sites in west and east | 5,000 | West of Bobbing<br>South East Faversham | ~2,500 |
| Large strategic site south east of Sittingbourne* | 2,000 | Highsted Park North (750)<br>Highsted Park South (1,250) | ~5,000 |
| Large strategic site at Faversham | 4,000 | South East Faversham<br>East of Faversham | ~3,000 |

* Highsted Park is currently the subject of a planning application for 8,400 homes, but it is thought the site could only deliver around 2,000 homes in the plan period. It would arguably comprise a new settlement but would closely to Sittingbourne in part.

5.2.20. However, matters have now moved on considerably, in that two of the strategic sites that feature in the table now have a resolution to grant planning permission, such that it is reasonable to assume that they are committed (i.e. it is reasonable to assume that they will come forward), for the purposes of defining growth scenarios. Specifically, both West of Bobbing and South East of Faversham now have a 'resolution to grant'.

5.2.21. This results in very limited room for manoeuvre regarding broad spatial strategy, because it is unquestionably the case that, in addition to supply from strategic sites, there is also a need for supply from non-strategic sites. This is essentially because strategic sites will deliver in the longer term and are almost invariably associated with delivery risk (particularly on account of challenging infrastructure dependencies), whilst the overall Local Plan supply must ensure a good level of supply in the earlier years of the plan period (i.e. to avoid or minimise the need for a stepped requirement) and must be robust in terms of being characterised by minimal delivery risk (because failing to deliver on the committed housing requirement / maintain a rolling five year housing land supply risks 'the presumption'). Further considerations are: A) smaller greenfield sites can also tend to benefit from strong development viability, e.g. such that they can deliver the full quota of affordable housing alongside delivering on wider policy asks such as net zero development; and B) the NPPF supports smaller sites because they are suited to delivery by SME housebuilders and can allow "villages to grow and thrive."

# 5.3. Site options

## Introduction

5.3.1. The aim of this section is to introduce the long list of available site options feasibly in contention for allocation and the work that has been undertaken to appraise and 'sift' site options, in order to arrive at a shortlist that can then feed into Section 5.4.

5.3.2. In particular, there is a need to discuss the Housing and Economic Availability Assessment (HELAA), which is the key workstream for assessing individual site options.

## HELAA

5.3.3. The published HELAA (2025) explains an iterative process for assessing known sites that are potentially available for development and for each one reaching a conclusion on whether the site is 'deliverable' (able to deliver within 5 years) or 'developable' (within the plan period) after having determined that the site is both:

- Available and achievable – meaning there is a reasonable prospect of development accounting for financial viability and assuming that the site will deliver on standard policy asks. This is not always clear cut, particularly for complex urban sites.
- Potentially suitable – the aim is to reach a conclusion using a set of standard criteria, with a recognition that sites deemed potentially suitable through the HELAA will not always be suitable for allocation in light of wider analysis including consideration of the effects of developing the site in combination with others (as discussed below).

5.3.4. The HELAA begun with a long list of 423 site options, and then sieved out 171 sites for clear cut reasons. This resulted in 252 sites in the HELAA being subjected to a detailed stage 2 assessment consisting of: 15 Strategic sites with a capacity for at least 1,500 homes; 170 major sites of greater than 1ha but less than 1,500 homes; and 67 sites of less than 1ha in size. The HELAA stage 2 found 77 sites were potentially suitable, 16 sites were 'unsuitable (brownfield)', meaning that the site is potentially suitable once the fact that is comprises brownfield land is factored-in, and 164 sites were unsuitable.

5.3.5. The potential capacity of these sites is as follows: 19,276 at sites judged potentially suitable; 1,512 homes at sites judged 'unsuitable (brownfield only)'; and 40,547 homes at sites judged unsuitable. As such, there is clearly limited case to be made for considering unsuitable sites for the purposes of defining growth scenarios. However, there is a need to introduce two unsuitable sites that warrant further consideration because they are strategic sites subject to current planning applications.

## Select unsuitable sites

5.3.6. As discussed, whilst there is a clear case for focusing attention on HELAA suitable sites (also 'unsuitable (brownfield)' sites), for the purposes of defining growth scenarios, there is also a need to consider the following two unsuitable strategic sites.

5.3.7. Firstly, **Highsted Park** is a very large strategic site for 8,400 homes located to the east / south east of Sittingbourne that could deliver around 2,000 homes in the plan period. A planning application was submitted in 2021 is due to be decided by 1st September 2026 (the Inspector's report following 54 days of appeal hearings was recently submitted to the Secretary of State, who will make a final decision). As can be seen from Table 5.1 (above), over the course of 2026 close consideration has been given to the possibility of allocating Highsted Park, despite it being 'unsuitable' in the HELAA. Also, it can be noted that: A) in 2020 the SA Report published alongside the previous Proposed Submission Local Plan appraised it as an option (referred to as 'Southeast Sittingbourne') as part of a comparative appraisal of strategic site options but determined it to perform relatively poorly such that it was not taken forward to the final reasonable growth scenarios; and B) in 2021 the Issues and Preferred Options consultation document, along with its accompanying Interim SA Report, considered the possibility of allocating Highsted Park / SE Sittingbourne under 'Option 5'.

5.3.8. This site is taken forward for further discussion in Section 5.4.

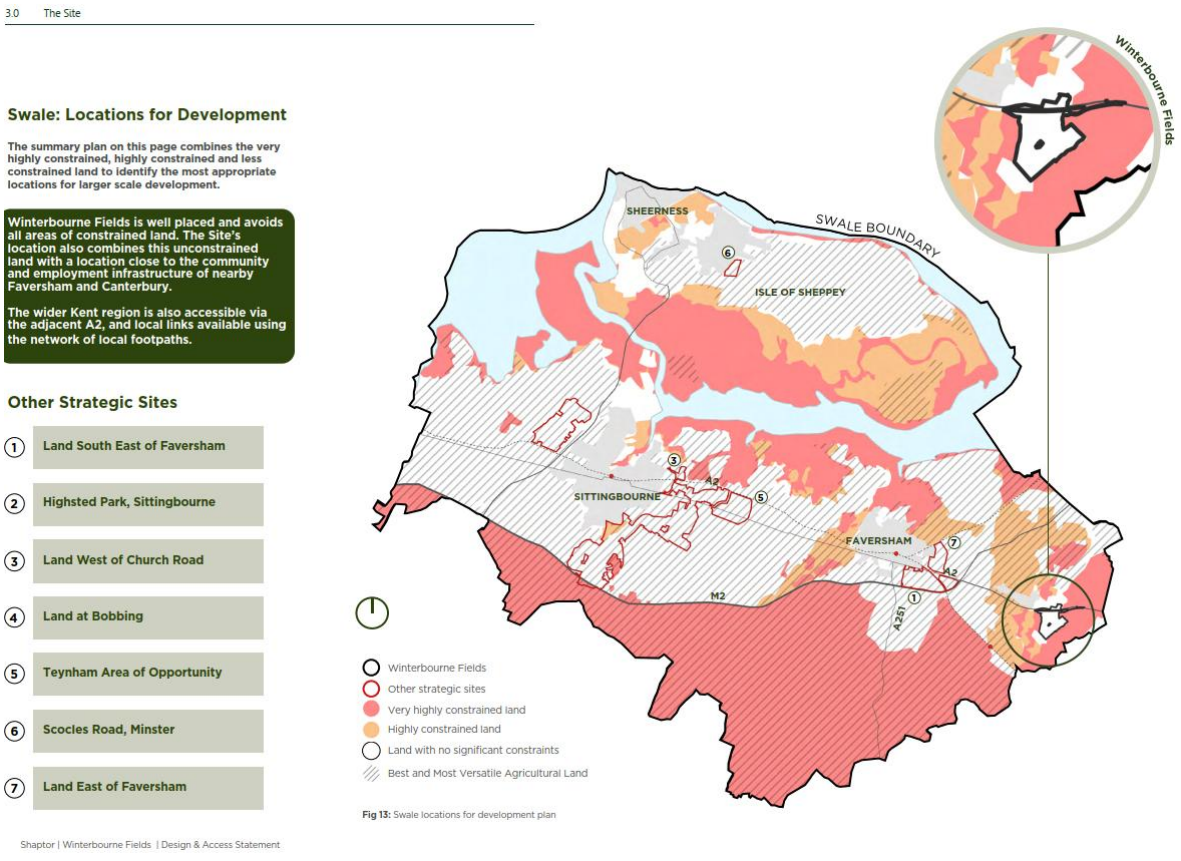
5.3.9. Secondly, **Winterbourne Fields** would deliver an 1,815 home new settlement to the south of Dunkirk, which is small village located close to Boughton (a service village) in the east of the Borough. Again there is a pending planning application, which was submitted in 2024. The site was not formally considered at the previous plan-making / SA stages, and is judged to perform poorly in a number of key respects, with the HELAA concluding: *"Much of the site is affected by biodiversity constraints, therefore development of the site would be harmful to biodiversity. The site is also entirely within a Local Landscape Designation and does not relate well to any settlement."*

5.3.10. Figure 5.2 is taken from the current planning application and shows the location Winterbourne Fields alongside what the applicant considered to be other competing strategic site options in the Borough. Points to note from Figure 5.2 are as follows:

- Very highly constrained land – Winterbourne Fields is closely associated with the Blean Woodlands complex, which is of national and international significance, albeit the Blean Woodlands SSSI is not directly adjacent to the site.
- Agricultural land – the figure serves to highlight the extent to which high quality agricultural land is a constraint to growth across the Borough. However, new data has recently become available that shows there to be some significant areas of 'grade 3b' quality land within the Borough, which is land not classed as 'best and most versatile' (BMV). With regards to the Winterbourne Fields site, the new data shows the site to comprise 3b quality land (not grade 4 as indicted by the previous data).
- With regards to the other options shown: 1) South east Faversham is discussed above (Table 5.1); 2) Highsted Park is discussed above (including in Table 5.1); West of Church Road is an existing allocation; 4) Land at Bobbing is discussed above (Table 5.1); 5) the Teynham Opportunity area was a proposal in 2020 but then was not a focus of the consultation in 2021 (it is discussed further below); 6) Scocles Road (Minster) was granted permission at appeal in 2025; and 7) East of Faversham is discussed above (Table 5.1).

5.3.11. Overall, this site can be ruled out at this stage, i.e. need not be discussed further in Section 5.4. The site performs poorly when viewed in isolation and it is very difficult to envisage a strategic case for allocation, given LHN (and limited case to be made for a housing requirement set above LHN), the potential supply from HELAA suitable sites and a view that Highsted Park is a sequentially preferable option.

***Figure 5.2**: A figure taken from the Winterbourne Fields planning application*



# 5.4. Reasonable growth scenarios

## Introduction

5.4.1. Having discussed strategic factors (Section 5.2) and introduced site options (Section 5.3), the final task is to draw matters together ('top down' and 'bottom up') in order to define a set of reasonable alternative growth scenarios.

5.4.2. The discussion covers:

- Baseline supply (commitments and a windfall assumption)
- Strategic site options
- Non-strategic site options
- The reasonable growth scenarios
- Superseded growth scenarios

## Baseline supply

5.4.3. The first matter for consideration is existing supply from sites with planning permission, which in Swale is high including because the 'the presumption in favour of sustainable development' has applied for some time.

5.4.4. Specially, as of 31st March 2025, existing supply from sites with permission (including resolution to grant) was 7,167 homes and additionally there were 263 homes set to be delivered at sites allocated within a 'made' neighbourhood plan, which brings the total existing supply figure (as of 31st March 2025) to 7,430 homes.

5.4.5. Also, it is appropriate to account for future supply from windfall, i.e. to assume a future supply of homes that will come forward in line with policy despite not having a local plan allocation. The total windfall assumption (there are two components) is 2,409 homes.

5.4.6. Having accounted for supply from permissions and windfall as a **constant** across the growth scenarios, and assuming a housing requirement set at LHN, then there is a residual figure of 7,185 homes (17,024 - 7,430 – 2,409) to plan for through the Local Plan, which essentially means via new allocations (or broad locations; NPPF para 72).

5.4.7. On the one hand this residual figure should be considered a minimum, because there is a need to consider a supply 'headroom' as a contingency for delivery issues, i.e. with a view to ensuring that the housing requirement can be delivered in practice (year-on-year).[9] However, on the other hand, 'existing supply' could increase ahead of plan adoption, which would commensurately reduce the residual figure for the Local Plan.[10]

5.4.8. Growth scenarios for the Swale Local Plan are therefore essentially alternative approaches to delivering in the region of 7,185 homes via site allocations.

## Strategic site options

5.4.9. In turn, the question is "which site allocations", and a starting point is a clear need to allocate two large strategic sites that both now have a resolution to grant permission:

- South East Faversham – was recently granted permission for 2,500 homes (23/505533/EIHYB) and it is expected to deliver in full in the plan period (with delivery starting in 2027/28 and a maximum delivery rate of 261 homes per annum).

[9] Specifically, there is a need for a supply headroom over the early years of the plan period to ensure that the Council can maintain a 'five year housing land supply' (5YHLS) ahead of a new local plan that represents a new opportunity to boost supply. It is also important to note that as part of the 5YHLS calculation there is a need to apply a 5% or 20% 'buffer' (NPPF para 79).

[10] A number of significant sites have gained planning permission since 31st March 2025. If, in turn, these sites are not proposed allocations then they are not counted in the local plan supply, but they will be counted once monitoring data is updated.

- West of Bobbing – was recently granted permission for 2,500 homes (22/503654/EIOUT) and it is expected to deliver in full in the plan period (with delivery starting in 2030/31 and a maximum delivery rate of 311 homes per annum).

5.4.10. Allocation of both sites can be clearly assumed as a **constant** across the growth scenarios, which reduces the residual target to 2,185 homes (7,185 – 2,500 – 2,500).

5.4.11. The next strategic site for consideration is then 'East of Faversham Extension', which could deliver around 1,500 homes alongside strategic employment land, and *might* also deliver a secondary school to meet an established need. A clear aim would be to secure comprehensive growth to the east of Faversham with a view to maximising the benefits of growth and avoiding sub-optimal piecemeal expansion of the town over time. It is not a proposed allocation at the current time,[11] but the possibility of allocation has been carefully considered by elected councillors through the committee process over recent months and years; for example, part of the site was a proposed allocation for 900 homes in the previous Proposed Submission Local Plan published in 2020 and, indeed, it featured as a 'constant' across all of the reasonable growth scenarios at that time).[12] Overall, whilst there is limited numerical case for its allocation, the possibility of allocation warrants further consideration as a **variable** across the growth scenarios.

5.4.12. The remaining strategic site option for consideration is then Highsted Park, which as discussed is currently the subject of a planning application for 8,400 homes (the appeal is reported to be the largest ever held in England for a residential led scheme, with 54 days of hearings) and which could deliver around 2,000 homes in the plan period. However, there is no clear strategic case for its allocation, given: A) the residual target figure set out above; B) limited case for a housing requirement set above LHN; C) the need for a significant proportion of supply to come from non-strategic sites; and D) a case to suggest that East of Faversham Extension is a preferable site for allocation in the context of the current Local Plan, including acknowledging the potential for in-combination effects to arise in the vicinity of Sittingbourne as a result of allocating Highsted Park in combination with West of Bobbing (also recalling committed growth following the adopted Local Plan, which focused growth strongly on Sittingbourne). Given the scale of the site over the long term (8,400 homes) very case consideration must be given to its allocation and appropriate forum for the necessary work would be a future Local Plan following LGR and Devolution, in that its merits could be compared and contrasted to other options for very large scale growth across the sub-region.

5.4.13. As such, Highsted Park is ruled out at this stage (of defining growth scenarios). However, see discussion below regarding 'an alternative set of growth scenarios'.

## Non-strategic sites

5.4.14. Firstly there is a need to account for supply from urban regeneration sites, which are strongly supported sites that can clearly be held **constant** across the growth scenarios. Specifically, the emerging proposed approach is to allocate 11 sites for a total of 1,111 homes, which breaks down as 871 homes in Queenborough/Rushenden and 240 homes in Sittingbourne. Box 5.1 introduces the former area in detail.

5.4.15. This reduces the residual target figure to 1,074 homes (2,185 – 1,111); however, it is important to be clear that this is a minimum figure due to the need for supply headroom, including noting delivery risks associated with the regeneration sites (see Box 5.1).

[11] The eastern-most part of the site is proposed to deliver a standalone employment site adjacent to M20 junction 7.

[12] At the subsequent Regulation 18 'issues and preferred options' stage (October 2021) the site did not feature explicitly, but the following was stated in respect of the preferred broad strategy: *"Large scale strategic growth at Faversham would provide good potential to successfully masterplan and deliver a new community, or series of new communities, in line with established best practice principles and to ensure that it was planned in a holistic way. It would also deliver a much needed new secondary school. This option performs well in terms of air quality because strategic growth to the east and southeast of Faversham gives rise to relatively limited concerns as sustainable and active travel measures are easier to implement at these scales of new development as the critical mass is there. Trip internalisation can be implemented, funds can be directed to walking and cycling infrastructure, masterplanning and design measures can focus on supporting walking and there is some potential to walk/cycle to the town centre. It also allows for larger scale biodiversity and net gain achievements; again, due to the critical mass."*

***Box 5.1**: The Queenborough/Rushenden regeneration area*

Queenborough and Rushenden are two settlements that sit together on the Isle of Sheppey, with former a historic seafaring settlement and the latter developed from 1904 alongside industry (see historic mapping). The area has been a focus for investment and regeneration for some years, with the initial regeneration zone covering some 165 ha either side of Queenborough Creek.

The area has been dominated by heavy industry and associated poor environmental quality, and whilst a significant amount of investment and regeneration has already occurred, there is still more to do. There remain significant opportunities for further regeneration including to deliver improved community facilities, most notably a new school, improved health and community facilities and new open space. An original masterplan in 2010 envisaged 2,000 homes, but a revised masterplan in 2015 then reduced this figure to 1,180 homes, including with a view to focusing less on delivering higher density flatted homes, given viability challenges. Also, the 2015 masterplan removed the previous proposal to deliver a new marina.

A range of work has been completed to date, led by Homes England, including significant land decontamination and land raising, as well as the completion of local road infrastructure and the removal of the redundant railway track that formed a strong physical barrier between the two communities. Other significant achievements related to the Masterplan include:

- The completion of the Rushenden Relief Road, opening up the area with improved road access and reducing lorry movements through Queenborough.
- A large scale retrofit project to make homes more energy efficient. This was the first of its kind in England to cover private and social homes of various construction types.
- Progression of the Neats Court development including a large supermarket, convenience and comparison retail units, a petrol station, fast food takeaways, cafes and leisure uses.
- Completion of over 60,000m2 of employment floorspace including an Aldi hub.
- The first phase of houses has been built at the junction of Rushenden Road and First Avenue, comprising 101 homes, including 30% Starter Homes (a type of affordable housing).

As well as social/community objectives, further considerations include:

- Addressing flood risk – most of the area is considered by the Environment Agency to be within an area with a high risk of flooding, but as it is defended, it is suitable for development. Site based flood risk assessments, however, will be required for development proposals with the need for any further flood defence upgrades informed by future assessment.
- Historic environment – the area is an under-appreciated asset, and so an aim is to secure a major uplift to the image and public realm of the area.

At the current time the component site allocations are:

- West of Rushenden Road (368 homes) – this is a large site immediately north of Rushenden. It represents an opportunity to bring Queenborough and Rushenden closer together.
- South of Queenborough Creek (246 homes) – this is a key site to enhance the level of services available in Queenborough. Development of new homes has the potential to unlock new services as part of a riverside development on an area of previously developed coastal land.
- Former Istil Site (140 homes) – a large brownfield site located between Queenborough and Rushenden. This area now benefits from improved access to local services via Thomsett Way.
- Land at West Street (80 homes) – an old marine industrial site on the northern bank of the creek, which can help to open up a currently inaccessible stretch of riverbank.
- The Foundry (37 homes) – an existing industrial / logistics site that may be suitable for regeneration in the future, making use of the site's river frontage.

The total capacity of these sites is 871 homes, which is a reduction on 1,196 homes agreed by elected members earlier in 2026. However, there is a strong element of delivery risk, with Homes England suggesting around 500 homes on viability grounds. Finally, it should be noted that the assumption is for only 10% affordable housing (in viability grounds), albeit with the potential for more, subject to ongoing review during the long-term construction phases.

5.4.16. The remaining task is to consider alternative ways of providing for ~ 1,074 homes via other non-strategic sites (i.e. non-strategic sites outside of regeneration areas).

5.4.17. The starting point is an understanding that the emerging proposed approach involves allocation of 33 sites for 1,755 homes. However, it is also reasonable to explore one or more scenarios where some of these sites are *not* allocated, i.e. it is reasonable to explore the approach to non-strategic allocations further as a **variable** across the growth scenarios (including recalling that East of Faversham Extension is a variable).

5.4.18. Specifically, 11 'lower accessibility sites' can be identified that do not relate well to a higher order settlement. Total capacity of these sites is 899 homes, i.e. such that under a scenario whereby they are not allocated the supply from non-strategic sites (outside of regen areas) would be reduced to 856 homes (1,755 - 899). Key considerations are:

- Whilst several comprise brownfield land it is nonetheless considered important to question the suitability of these sites for housing.
- Two of the sites are located at Leysdown, which is a fourth tier settlement, but one that is located in a very rural area (the east of Sheppey).
- Three of the sites are proposed for park homes to meet a specific need, but it is nonetheless considered reasonable to test the possibility of non-allocation on the grounds of locational challenges including accessibility.
- The list does *not* include a proposed allocation for 138 homes at Upchurch, despite Upchurch being a fifth tier settlement. This is because the site is considered to be strongly performing including on the basis that Upchurch has a relatively good local offer (for a fifth tier settlement) and benefits from reasonable links to Rainham.

5.4.19. The following bullet points introduce each of the 11 variable non-strategic sites:

- Estuary View and Golden Leas Holiday Parks, Minster (247 homes) – the site is a part of the static home offer in coastal Sheppey. These caravans were not designed to be occupied year-round, and do not represent good quality housing stock. Increasingly a market for better insulated, self-contained park homes has emerged, and these are being introduced as replacements for caravans which are more suitable for year-round occupation, thereby improving the quality of the Borough's housing stock.
- Land west of Warden (139 homes) – Warden is a 5th tier settlement that relates closely to Leysdown (a 4th tier settlement) in the rural east of Sheppey. The site represents an opportunity to secure much-needed transport improvements (there are five roads leading up to the site, but only one is surfaced), but coastal change is an issue.
- Sheppey Beach Villas, Leysdown (133 homes) – the site contains a collection of beachside holiday homes located to the east of The Promenade in Leysdown. The existing environmental conditions in the area are in need of improvement, with several areas having unmade roads, and areas of the site that are derelict. Delivery is challenging, but the plan supports development "*which improves the standard of the local environment and regularises the homes to be suitable for year-round occupation.*"
- Hollybush Farm Caravan Park, Oak Lane, Minster (124 homes) – the situation is similar to the Estuary View and Golden Leas Holiday Parks site discussed above.
- Land at Norton Ash Garden Centre (100 homes) – is located on the A2 between Teynham and Faversham, and comprises previously developed land which has primarily returned to nature, and as such is a mixed greenfield/brownfield site. Whilst distant from a settlement there is a nearby service station with a shop and also a nearby employment area, plus there is a good bus service along the A2. A previous application for 67 homes was dismissed at appeal in 2016.
- Land south of Little Groves, Leysdown (53 homes) – a greenfield site the village urban envelope that is surrounded by a Leisure Park to the north, east, and west.

- Amethyst Horticulture, London Road, Newington (52 homes) – located between Newington and Hartlip Hill on the A2, the site comprises an intensive greenhouse and warehouse business and, whilst there are existing homes to the east and west, there is an industrial estate across the A2 to the south that is proposed for expansion at the current time. Part of the site is to the north of the railway line, accessed via a railway arch, and the plan document explains: *"… if development is to be permitted on that part of the site, the access arrangements will need to be very clearly justified."*
- Home Farm, Breach Lane, Lower Halstow (16 homes) – a rural site located~400m south of Lower Halstow, with the potential to achieve footpath connectivity.
- Land at Street Farm, Pond Farm Road, Borden (Site B) (15 homes) – located within the village conservation area but reasonably well related to the existing built form. An application for 6 homes was dismissed at appeal in 2022 due to concerns in respect of impacts to heritage and character and access to services and facilities.
- Digswell, Lower Hartlip Road, Hartlip (11 homes) – a brownfield site closely associated with employment land. A previous application was recently dismissed at appeal including because this was judged an unsuitable location for housing. However, the new proposal is to secure footpath connectivity to enable pedestrian access,
- Syndale Park, London Road, Faversham (9 homes) – associated with a cluster of historic buildings and leisure uses within Syndale Park. Faversham is a short distance to the east but not easily accessed, including as there is a need to cross the A2.

5.4.20. The final consideration is then the possibility of featuring one or more non-strategic omission sites within the growth scenarios, with considerations as follows:

- Several large sites have gained planning permission since the 31st of March 2025 cutoff date (such that they are not counted within the 'existing supply figure') but are not proposed for allocation. These sites need not feature explicitly within the reasonable growth scenarios, but they are acknowledged as forming part of the existing supply in practice ('the baseline'), such that they naturally factor-into all appraisal work.[13]
- Attention focuses particularly on omission sites that are rated as 'potentially suitable' through the Council's Housing and Economic Land Availability Assessment (HELAA).
- Sittingbourne – is a tier 1 settlement but is set to see considerable growth over the plan period and there are no stand-out omission sites, recognising that it was a focus of growth in the adopted Local Plan ('Bearing Fruits', 2017). The current plan document explains: *"Viability in and around Sittingbourne and Sheppey has historically impacted upon housing delivery rates. Additionally, much of the planned development at Sittingbourne allocated in Bearing Fruits has been impacted by capacity issues at junction 5 of the M2. This is now resolved with improvements to junction 5 completed in 2023 resulting in allocations for development having moved forward with planning applications. However, the delivery of this development is still yet to be fully achieved."* Finally, with regards to the possibility of higher growth via non-strategic omission sites at Sittingbourne there is a need to recall the context of the Highsted Park application.
- Sheerness – is a tier 2 settlement but there are no stand-out omission sites. There is very limited potential to expand the town given marshland and flood risk, and viability creates a challenge for intensification. There are only two proposed allocations, both for 30 homes, with one recently having had its capacity reduced from 76 homes to account for overhead power lines. This site has planning permission for commercial uses, and the other site is an existing allocation for industrial land. Finally, it is important to note plans for the Port of Sheerness, in respect of which the current plan document explains: *"If realised, these areas would represent the single largest regeneration in Swale and one of the largest across north Kent."*

[13] The most significant sites are at Minster (650 homes allowed at appeal; 22/502086/OUT); Faversham (100 homes on a site allocated for employment land; 25/501495/OUT); and Newington (90 homes; 25/500761/FULL). These sites and others that have been permitted since the 31st March 2025 cutoff date, but which are not allocated, lead to additional plan period supply.

- Faversham – is a tier 2 settlement but is set to see considerable growth over the plan period plus there has been significant recent growth. In terms of non-strategic sites (recalling discussion above regarding strategic sites) attention focuses on land to the south west, where there are two pending planning applications and a concern is sub-optimal piecemeal growth over time,[14] with opportunities missed around infrastructure and steps to avoid/mitigate impacts, particularly noting significant heritage, landscape and transport / air quality constraints in this area. However, at the current time it is not possible to envisage an opportunity for strategic / coordinated growth and so, on balance, omission sites in this area are ruled out.[15] It can also be noted that the possibility of planning strategically for further growth in this area was a focus of appraisal and consultation at the Regulation 18 consultation stage in 2021.
- Isle of Sheppey – Queenborough & Rushenden is a tier 3 settlement but there are no omission sites of note. Minster & Halfway is also a tier 3 settlement, and there are omission sites of note, but there is set to be high growth over the plan period and there growth-related challenges such that there is a need to ensure a strategic approach / avoid further piecemeal growth. Finally, in the east of the Island there are no stand-out omission sites and there is not considered to be a strategic case for higher growth.
- Newington – is a tier 4 settlement that benefits from good accessibility and transport credentials but is set to see high growth and there are no stand-out omission sites. Whilst there are 'potentially suitable' sites to the west and to the east, this would involve piecemeal expansion of sites recently delivered or with planning permission, and it can also be noted that a site to the north west was recently permitted at appeal.
- Teynham – is a tier 4 settlement that benefits from a railway station, but there is a large committed site to the west, and there is also a need to note the proximity of Highsted Park. In 2021 a previous version of the plan identified the possibility of strategic growth at Teynham to *"maximise opportunities for more comprehensive placemaking"*, and potentially with a view to delivering a village bypass; however, concerns were raised and latest understanding is that a bypass is not likely to be achievable. Potential sites are located around the edge of the village as follows:
  - West – a large site would extend the existing committed site, but this site also forms the north east extent of the Highsted Park proposal.
  - East – a large site benefits from proximity to the rail station, but there are landscape constraints, noting a distinct valley. At the time of the previous Reg 19 in 2020 the proposal was for a modest scheme of 100 homes to minimise landscape concerns.
  - South – an 'unsuitable' site here is of note because a coordinated scheme in combination with an adjacent proposed allocation might be envisaged. However, in practice it is not clear that there are significant in-combination opportunities. Also, there is a degree of heritage constraint affecting Lynsted Lane and its junction with the A2. The proposed allocation adjacent to the west can make use Claxfield Road which meets the A2 at the point where a mini-roundabout is under construction, but it could still be the case that capacity of Claxfield Road limits capacity for growth.

  Overall, whilst there are site and settlement growth options that warrant ongoing consideration, on balance omission sites at Teynham are ruled out. As well as the context of adjacent Highsted Park, there is also a need to recognise inherent transport and air quality constraints, at least in the absence of new strategic road infrastructure.
- Boughton and Iwade – are the remaining tier 4 settlements, but there is limited strategic case for considering omission sites nor do any stand-out as having merit in site-specific terms. There are large omission sites at Iwade, but there is also a large committed site, plus a large committed site at Sittingbourne is nearby. Furthermore West of Bobbing is located nearby, and A249 capacity is a factor.

[14] There is a pending application for 250 homes in the centre of this area (west of Brogdale Road; 25/504265/ENVSCR) and another for 100 homes in the east of this area (west of Ashford Road; 25/501495/OUT).
[15] There are also two HELAA 'unsuitable' sites of note at Faversham. Firstly, to the north west is a 250 home site allowed at appeal and now the subject of a legal challenge (23/502113/OUT). Secondly, to the north east is a site where a request for an EIA screening opinion was recently submitted ahead of a potential application for 240 homes (26/500667/ENVSCR).

- Tier 5 settlements – Upchurch stands out as having the best local offer (see the Settlement Hierarchy Study, 2020), and an omission site for 40 homes was recently consideration closely as an option for allocation by elected councillors. However, in addition to the proposed allocations it would risk problematic high growth at Upchurch, and it can also be noted that there is currently a pending planning application for 101 homes on a HELAA unsuitable site (26/500852/OUT). One other site at a tier 5 settlement that was recently closely considered by members as a possible allocation is a 26 home site at Lower Hartlip, but the village has a limited offer and connectivity between the site, and the village primary school appears to be challenging.

5.4.21. In summary, the discussion above has considered the following supply components:

- Existing supply – 7,430 homes (i.e. **constant**)
- Windfall – 2,409 homes (i.e. **constant**)
- South East of Faversham – 2,500 homes (i.e. **constant**)
- West of Bobbing – 2,500 homes (i.e. **constant**)
- East of Faversham Extension – 0 or 1,500 homes (i.e. **variable**)
- Regeneration sites – 1,111 homes (i.e. **constant**)
- Non-strategic sites (non-regen) – 856 or 1,755 homes (i.e. **variable**)

5.4.22. As such, there is a need to build growth scenarios on the basis of five 'constant' and three 'variable' supply components, and with it being the case that both of the variable supply components are associated with two options.

5.4.23. This directly leads to four reasonable alternative growth scenarios – Table 5.2. It is these growth scenarios that are a focus of appraisal in Section 6.

***Table 5.2*** *The reasonable alternative growth scenarios*

| | Scenario 1 | Scenario 2 | Scenario 3 | Scenario 4 |
|---|---|---|---|---|
| Existing supply | 7,430 | 7,430 | 7,430 | 7,430 |
| Windfall | 2,409 | 2,409 | 2,409 | 2,409 |
| South East of Faversham | 2,500 | 2,500 | 2,500 | 2,500 |
| West of Bobbing | 2,500 | 2,500 | 2,500 | 2,500 |
| East of Faversham ext. | 0 | 0 | **1,500** | **1,500** |
| Regeneration sites | 1,111 | 1,111 | 1,111 | 1,111 |
| Non-strategic sites | 856 | **1,755** | 856 | **1,755** |
| **Total homes (2025-2041)** | **16,806** | **17,705** | **18,269** | **19,168** |
| **% over LHN (17,024)** | **-1%** | **4%** | **7%** | **13%** |

5.4.24. Final points to note regarding the reasonable growth scenarios are as follows:

- Scenario 2 is the proposed submission approach.
- Growth quanta – Scenario 1 is a reasonable low growth scenario. It would involve a total supply slightly below LHN but in practice supply will be higher once recent permissions are factored-in. Scenario 4 is a reasonable high growth scenario. It could potentially enable a housing requirement set modestly above LHN (e.g. LHN plus 5% leading to an 8% supply headroom over the plan period).

- Employment land – this is broadly held constant across the growth scenarios although East of Faversham Extension could potentially deliver some additional employment land under Scenarios 3 and 4 (assumed as a constant across all the scenarios is an employment allocation to the east of the site, adjacent to M20 junction 7). The current plan document lists 12 employment allocations for a total of 109 ha which compares to the need figure of up to 73 ha discussed above and, furthermore, both South East Faversham and West of Bobbing will deliver around 5 ha. As such, there is no case for higher growth, albeit delivery is uncertain for some of the sites (e.g. Ridham Docks which is in active use). With regards to lower growth, a number of the proposed allocations warrant ongoing scrutiny (through the whole plan appraisal presented in Part 2 of this report) but there is no clear lower growth scenario. Several of these are constrained or otherwise challenging to deliver, but matters can be considered further at the development management stage, recalling that there is limited pressure for all 12 allocations to deliver given the extent of established need and because unlike for housing the Council does not commit itself to a strict employment land requirement.[16]
- Gypsy and Traveller pitches – supply is held constant as there is not known to be any potential to deliver new pitches at East of Faversham Extension. The plan lists 12 allocations for a total of 29 pitches, and whilst there is a need for further work to clarify how this relates to the need figure(s) discussed above, it seems likely that there is set to be an unmet need for Gypsy and Traveller pitches (notwithstanding good potential for windfall supply assuming suitably supportive/permissive development management policy). However, there are no known omission sites. For context it can be noted that the Maidstone Local Plan was adopted in 2024 with an unmet need for 500+ pitches, and a follow-on plan is now no longer being taken forward (see discussion here).

## Superseded growth scenarios (June 2026)

5.4.25. An alternative set of growth scenarios was defined and appraised in June 2026 and presented to the Planning and Transport Policy Working Group meeting of 30th June.

5.4.26. Specifically, because these scenarios were defined prior to West of Bobbing being granted a resolution to grant planning permission, they treated West of Bobbing as a 'variable' and, in turn, also Highsted Park. Also, as a pragmatic step (to reduce the number of scenarios from eight to six, which is a number better suited to an accessible and engaging appraisal) the decision was taken to rule out two lower growth scenarios.

5.4.27. The appraisal of the alternative set of scenarios from June 2026 (now superseded) is presented in Appendix II of this report. Finally, it should be noted that the report explained that the decision to treat Highsted Park as a variable was reached on balance:

*"… at the time of writing (June 2026) there is also a need to remain open to the possibility of… allocating 'Highsted Park'… because West of Bobbing is not committed; however, this situation could change in the very near future…*

*Also, it is important to note that a planning application for Highsted Park is due to be decided [by September] 2026… following hearings that ran over [54 days] (there are 4,721 documents associated with the application). This is a very large-scale and complex site that is proposed to deliver a range of strategic infrastructure including a new motorway junction and strategic link road, such that it is inherently difficult to appraise it here (i.e. there is no practical way of the appraisal accounting for all of the detailed evidence considered through the planning application).*

*In summary, on balance it is considered necessary to feature Highsted Park in the growth scenarios despite the inherent challenge and a clear risk of the appraisal becoming out of date prior to the Local Plan / SA Report being published."*

[16] One of the sites could deliver an extension to Eurolink Industrial Estate, which is a key employment area, but the plan explains: *"The site is adjacent to the Swale SPA/ SSSI to the north, and this relationship needs to be carefully managed. Should the development of the site be able to create an improved edge to these designations then the site would be suitable for supporting local economic growth."* Another site that is clearly not ideally located is the site at Hartlip, but the plan explains: *"Subject to securing appropriate access onto the A2 there is potential for an expansion of the industrial area."* It is also noted that the two adjacent sites south of Bobbing are the subject of a planning application for 90 homes (24/504121/HYBRID).

# 6. Growth scenarios appraisal

## 6.1. Introduction

6.1.1. The aim here is to appraise the reasonable growth scenarios introduced above under the SA framework (Section 3). In summary, the scenarios can be described as follows with reference to the proposed submission approach which is Scenario 2:

1. The proposed approach **minus** 11 non-strategic sites
2. The proposed approach
3. The proposed approach **minus** 11 non-strategic sites **plus** East of Faversham Ext.
4. The proposed approach **plus** East of Faversham Ext.

### Appraisal methodology

6.1.2. Under each sustainability topic the aim is to: **1)** rank the scenarios in order of performance (with a star indicating best performing); and then **2)** categorise the performance in terms of 'significant effects' using red / amber / light green / green:

- **Red** indicates a significant negative effect
- **Amber** indicates a negative effect of limited or uncertain significance
- **Light green** indicates a positive effect of limited or uncertain significance
- **Green** indicates a significant positive effect
- **No colour** indicates a neutral effect

6.1.3. There is a need to draw upon wide ranging sources of evidence and make significant assumptions, e.g. around scheme masterplanning, infrastructure delivery, etc. Sources of evidence and assumptions are explained as appropriate, but there is also a need to balance explanation of evidence base and assumptions with a need for conciseness.

6.1.4. Another key assumption is in respect of the future baseline, i.e. the situation without an adopted plan with a robust land supply. Specifically, the assumption is that there would be a risk of sub-optimal growth under the presumption in favour of sustainable development. This is an important assumption, because a predicted significant effect is, by definition, a significant effect are *on the baseline*.

6.1.5. Finally, please note that the appraisal remains subject to adjustment ahead of publication, although the headline conclusions are very unlikely to change. Furthermore, note that the appraisal conclusions are mostly in line with that previously published for the 30th June PTPWG meeting although the appraisal has been adjusted under 'biodiversity' and 'economy/employment' to reflect latest evidence/understanding.

## 6.2. Accessibility

| Scenario 1<br>Minus small sites | Scenario 2<br>The proposed approach | Scenario 3<br>Minus small sites<br>Plus East Fav. Ext. | Scenario 4<br>Plus East Fav. Ext. |
|---|---|---|---|
| 3 | 4 | 1 | 2 |

6.2.1. There is support for strategic growth locations that can deliver community infrastructure alongside new homes and, in this regard East of Faversham could potentially deliver a secondary school to address an existing need. Latest understanding (information received in July 2026) is that there is not necessarily a clear need, with KCC explaining: *"Including Land at SE Faversham, 3FE required, accounted for in Abbey School expansion funded by land at SE Faversham. [This is] for all Secondary, non-selective and selective. KCC work to the principle that 25% of pupils attend Selective schools. Grammar schools in Sittingbourne/Sheppey Planning Group or Faversham – QE Grammar school, do not have capacity to expand. Faversham is part of Canterbury and Faversham Planning Group, and mitigation required will impact on Grammar schools in Canterbury."* However, there could still be merit to delivering a new school at Faversham, including with a view to avoiding the need to travel by bus to school.

6.2.2. It is also noted that the committed site currently under construction to the west of East of Faversham Extension is set to deliver a 1fe primary, which highlights the importance of comprehensive planning for growth in order to deliver primary school capacity.

6.2.3. There is also support for lower growth via non-strategic sites (Scenarios 1 and 3) with a view to a focus of growth at more accessible locations. However, it is acknowledged that supporting growth in Leysdown and Warden could support investment and general vitality that is potentially supportive of accessibility objectives. A further consideration is potentially in respect of village primary school capacity, but there are not known to be any significant issues or opportunities (village schools can struggle to maintain rolls).

6.2.4. With regards to Scenario 1, whilst this is judged to be preferable to Scenario 2 this is marginal because the plan could potentially struggle to progress to adoption leading to a risk of sub-optimal growth under the presumption in favour of sustainable development.

6.2.5. Scenario 3 is considered to perform very well (a 'significant positive effect') given a strong focus of growth at strategic sites. A 'neutral' effect is predicted for Scenarios 1 and 2 on balance, but this is marginal because there is support for West of Bobbing, including because it is expected to deliver a GP surgery / medical facility. It is noted that the Council declared a mental health crisis in 2025 and, as part of this, called on Kent and Medway NHS and Social Care Trust to urgently improve the doctor to patient ratio in Swale and to ensure better access to mental health services at the point of need. It can also be noted that Swale performs below the Kent average for a number of health indicators, as discussed in the current plan document, and there are also significant health inequalities, with life expectancy about 8.3 years lower for men and 6.4 years lower for women in the most deprived areas of Swale compared to the least deprived.

## 6.3. Air quality

| Scenario 1<br>Minus small sites | Scenario 2<br>The proposed approach | Scenario 3<br>Minus small sites<br>Plus East Fav. Ext. | Scenario 4<br>Plus East Fav. Ext. |
|---|---|---|---|
| ? | ? | ? | ? |

6.3.1. This is a significant issue in Swale although there is a need to account for the improving situation nationally associated with the transition to electric vehicles. Two air quality management areas (AQMAs) were revoked in 2025, but several others remain.

6.3.2. Support for East of Faversham Extension would mean supporting higher growth within a constrained Borough, but the site benefits from good connectivity to both Faversham and the M2, which would have the effect of reducing the need for car journeys along the problematic A2. See further discussion below under the 'transport' topic heading.

6.3.3. Overall, it is not possible to reach conclusions with any confidence, but it is appropriate to flag a concern ('moderate or uncertain' negative effect) under all of the scenarios.

## 6.4. Biodiversity

| Scenario 1<br>Minus small sites | Scenario 2<br>The proposed approach | Scenario 3<br>Minus small sites<br>Plus East Fav. Ext. | Scenario 4<br>Plus East Fav. Ext. |
|---|---|---|---|
|  1 | 2 | 3 | 4 |

6.4.1. A key source of evidence is the Habitats Regulations Assessment (HRA) Report, which was published in Draft in July 2026 and is being finalised at the time of writing. It only considers the proposed submission approach (Scenario 2), but does flag some potential concerns in respect of allocations in proximity to the internationally designated 'North Kent Bird Sites'. All of these challenging allocations also feature in Scenario 1, and so it is appropriate to flag a 'moderate or uncertain' negative effect for both Scenarios 1 & 2.

6.4.2. With regards to higher growth via additional allocation of East of Faversham Extension, the location of the site suggests a degree of concern, but as a strategic site there would be good potential to deliver onsite strategic green infrastructure including aimed at minimising offsite recreational pressure. The Interim SA Report from 2021 explained that under certain of the growth scenarios: *"…there could well also be strategic growth to the east of Faversham (north of the A2), and if this were to extend north beyond the Graveney Road / as far as the railway line (to Whitstable), then this would give rise to degree of concern. This is because: adjacent land to the north (on the opposite side of the railway, but easily accessible via a public footpath) comprises the Abbey Fields [Local Wildlife Site]; the SPA would be c.2.25km by public footpath; and there would also be a convenient driving route to the SPA, via Goodnestone."*

6.4.3. Under both Scenario 3 and Scenario 4 there would be a need for further HRA, feasibly to include work to confirm the sufficiency of the long-established SPA mitigation strategy.

6.4.4. Finally, with regards to West of Bobbing, whilst this is a constant across the growth scenarios it is notable that the Interim SA Report in 2021 explained that the site is associated with biodiversity constraint for two reasons:

6.4.5. *"Firstly, the site is slightly closer to the SPA than is the case for [Highsted Park], and whilst it is not clear that this is a particularly accessible or sensitive part of the SPA, there is a need to consider in-combination impacts given committed growth at Iwade and North West Sittingbourne (also the potential for the Bobbing scheme to expand in the future). Secondly, the proposal is for development to largely envelop a small ancient woodland (Rook Wood)… [which] could lead to a challenge in respect of… biodiversity net gain. There is a need to consider functional connectivity between Rook Wood and Hawes Wood to the west."*

6.4.6. In summary, the alternative scenarios are ranked according to growth quantum, and there is a 'moderate or uncertain' negative effect in light of the Draft HRA Report.

## 6.5. Climate change adaptation

| **Scenario 1** Minus small sites | **Scenario 2** The proposed approach | **Scenario 3** Minus small sites Plus East Fav. Ext. | **Scenario 4** Plus East Fav. Ext. |
|---|---|---|---|
| = | = | = | = |

6.5.1. Flood risk is a significant issue across large parts of the Borough, and whilst this has factored-into spatial strategy / site-selection work there are some proposed allocations subject to a degree of risk and the Environment Agency has not yet had the opportunity to formally comment on the proposed allocations through a consultation.

6.5.2. Another key climate change adaptation consideration is then the defined a Coastal Change Management Area (CCMA), which defines the area likely to be affected by physical change to the shoreline over the next 100 years. Three of the proposed allocations on the Isle of Sheppey that feature only in Scenarios 2 and 4 are adjacent to the CCMA, and the CCMA may be defined with an element of uncertainty including given climate change uncertainties. Also, a fourth site is located at Warden, which is a settlement at risk of coastal change.

6.5.3. Overall, it is not clear that there is a case for flagging a preference for the scenarios that would see lower growth at non-strategic sites, but it is certainly appropriate to flag a 'moderate or uncertain' negative effect, including accounting for sites that feature as a constant across the growth scenarios, including the regeneration sites at Queenborough / Rushenden. A Level 2 Strategic Flood Risk Assessment (SFRA) that examines all of the proposed allocations is not yet available at the time of writing, but officers recently explained: *"A Level 2 SFRA… will be ready in time for submission of the Local Plan. An initial high-level report will be made available on the Local Plan website ahead of the forthcoming Regulation 19 Consultation. Consultant advice to date is that all sites are developable, with mitigation."*

## 6.6. Climate change mitigation

| Scenario 1<br>Minus small sites | Scenario 2<br>The proposed approach | Scenario 3<br>Minus small sites<br>Plus East Fav. Ext. | Scenario 4<br>Plus East Fav. Ext. |
|---|---|---|---|
| 3 | 4 | 1 | 2 |

6.6.1. Whilst the proposal is to require all sites to come forward as 'net zero development', in practice this would likely prove challenging at some sites where development viability is weaker (without having to accept compromises in respect of wider objectives, notably affordable housing). East of Faversham Extension should be well placed to deliver net zero development given strong development viability at Faversham (N.B. it has not been possible to review site-specific proposals), although there could feasibly be a concern regarding market saturation affecting viability. Viability is then challenging – with implications for net zero development – at several of the non-strategic sites that feature only in Scenarios 2 & 4, and these same sites are all in less accessible locations, i.e. locations likely to be associated with relatively high car dependency.

6.6.2. Finally, with regards to significant effects, whilst the Borough has revised its net zero target date from 2030 to 2045 there is nonetheless a need to demonstrate considerable ambition in order to deliver the required decarbonisation trajectory, such that it is appropriate to predict a 'moderate or uncertain' negative effect for all but Scenario 3.

## 6.7. Communities

| Scenario 1<br>Minus small sites | Scenario 2<br>The proposed approach | Scenario 3<br>Minus small sites<br>Plus East Fav. Ext. | Scenario 4<br>Plus East Fav. Ext. |
|---|---|---|---|
| 1 | 1 | 2 | 2 |

6.7.1. This is an opportunity to consider issues and opportunities over-and-above those relating to 'accessibility'. Whilst there are numerous maters to consider, the appraisal reflects an understanding that there is a significant degree of concern amongst local communities in respect of growth at Faversham, and this would likely apply to East of Faversham Extension including recognising its proximity to South East Faversham (which has a resolution to grant permission). Whilst the appraisal is undertaken on the assumption of a strategic approach to growth to the east and south east of Faversham that maximises benefits / avoids issues, in practice this could prove challenging.

6.7.2. With regards to the lower accessibility non-strategic sites that feature only in Scenarios 2 & 4, as discussed there is a 'communities' case for supporting growth at villages, most notably at Leysdown and Warden, but some of the sites would not be well linked to a settlement. For example, there are two sites to the west of Newington that would necessitate walking along the A2 to reach Newington, and in respect of the smaller site a Planning Inspector previously stated: *"Whilst the site is not very far from the edge of the settlement of Newington to reach the convenience store and other services in Newington on foot would take approximately 20 minutes. The journey would be on a narrow footpath alongside the northern side of the A2, a busy road. This would not be a convenient or comfortable experience, particularly in inclement weather."*

6.7.3. With regards to significant effects, a neutral effect is predicted on balance, but there is a case for predicting a positive effect including given the focus on regeneration sites, most notably at Queenborough/Rushenden but also in Sittingbourne town centre. With regards to the former area, the current plan document explains: *"The emerging Local Plan strategy supports the expansion of the opportunities at Rushenden for further redevelopment that will deliver a landscape-led mixed use scheme in a part of the borough where the investment will have a meaningful positive impact and deliver much needed community infrastructure and open space."*

## 6.8. Economy and employment

| **Scenario 1** Minus small sites | **Scenario 2** The proposed approach | **Scenario 3** Minus small sites Plus East Fav. Ext. | **Scenario 4** Plus East Fav. Ext. |
|---|---|---|---|
| **=** | **=** | **=** | **=** |

6.8.1. Employment land needs would be provided for in full across all of the scenarios, as discussed above. With regards to East of Faversham Extension, the assumption is that new strategic employment land would be delivered adjacent to M2 junction 7 under any scenario (i.e. it is not reliance on East of Faversham Extension), but a new employment area would benefit from an adjacent new community. With regards to the package of 'lower accessibility' sites (Scenarios 12 & 4), there is potentially a 'local economy' case for housing growth on the Isle of Sheppey, including in the east of the Island, but it is not clear that this is a significant factor. Finally, it is noted that the site west of Newington is currently in an employment use and could be suited to being retained for employment noting the existing employment area on the opposite side of the A2 which is proposed for expansion through the Local Plan.

6.8.2. Overall, whilst there is a case for supporting East of Faversham Extension, on balance the scenarios are judged to perform broadly on a par. With regards to significant effects, there is a case for predicting a 'significant' positive effect given the extent of proposed employment land, and also noting the proposal to support key areas notably Eurolink Industrial Estate, Port of Sheerness and the Kent Science Park, but one factor is uncertainties around traffic congestion affecting employment areas.

## 6.9. Historic environment

| **Scenario 1** Minus small sites | **Scenario 2** The proposed approach | **Scenario 3** Minus small sites Plus East Fav. Ext. | **Scenario 4** Plus East Fav. Ext. |
|---|---|---|---|
| **?** | **?** | **?** | **?** |

6.9.1. Whilst it is appropriate to flag a 'moderate or uncertain' negative effect under all of the scenarios in the knowledge that Historic England is yet to be consulted on a draft version of the Local Plan, at this stage it is not possible to differentiate between the scenarios with confidence. There is a case for favouring Scenarios 1 and 2, as they would avoid higher growth at Faversham, it is not clear that East of Faversham Extension is subject to significant constraint, and its allocation could potentially help to assure the timely progression of the Local Plan to adoption (at which point the Borough will have an up-to-date Local Plan and not be subject to 'the presumption').

6.9.2. In respect of East of Faversham Extension, the following bullet points present analysis from the Interim Report (2021) in respect of growth both to the south east of Faversham (i.e. the site that now has a resolution to grant permission) and to the east:

- "… as noted by the Swale Heritage Strategy (2020): *"It is no coincidence that Faversham has the highest concentration of historic buildings in the area and also the most viable commercial and residential economic markets in the Borough".* In this context, there is potentially merit to a strategic growth to the east / southeast of the town, from a historic environment perspective, in order to alleviate pressure for growth in sensitive locations elsewhere. This suggestion reflects an understanding that land to the east and southeast of Faversham is relatively unconstrained in historic environment terms, and also an understanding that there would be good potential to avoid and mitigate historic environment impacts by taking a strategic approach… There could also be good potential to deliver a new community – with associated employment, services, facilities, retail and infrastructure upgrades – that supports Faversham as a thriving market town and visitor/tourist destination. However, there are wide ranging risks and uncertainties, including around traffic (including through the Ospringe Conservation Area)… impacts to the historic agricultural and horticultural landscape setting of the town and impacts to landscapes that link the town to surrounding historic settlements and landscapes, in particular Goodnestone and the marshes to the northeast. A key consideration is the integrity of the three closely linked historic farmsteads located between the expanding eastern edge of Faversham and Goodnestone. Historic England's response to the consultation in early 2021 [mostly focused on] policy requirements… [but] a notable comment was that: *"Ewell Farm is… one of several historic farmsteads surrounding the town of Faversham which illustrate a historic landscape character intimately connected with agriculture."*
- "… much of the 20th and 21st Century expansion of Faversham has been to the east hence further expansion potentially gives rise to relatively limited concerns… However, there is a need to consider the rural setting of Faversham… with the Swale Landscape Sensitivity Assessment (2019) explaining: *"The time-depth of the landscape relates predominantly to the continuity of agriculture and fruit cultivation within the area, together with the presence of scattered historic farmsteads, with occasional pasture and traditional orchards. Some areas of orchard have been lost in recent decades, together with field boundaries, resulting in more open, larger arable fields, particularly in the north and east of the area."* A further consideration is encroachment… towards historic farmsteads, and impacts to views from cycling routes and public footpaths that link Faversham to the Goodnestone Conservation Area and the marshland walking and cycling routes beyond."

6.9.3. Finally, with regards to the lower accessibility non-strategic sites that only feature in Scenarios 2 and 4, one of these is notably constrained, namely the site at Borden. This site was previously refused at appeal (for a smaller scheme) with the Inspector stating: *"I conclude that the proposed development would be harmful to the character or appearance of the CA and the setting of the nearby Listed building, Yew Tree Cottage."*

# 6.10. Homes

| Scenario 1<br>Minus small sites | Scenario 2<br>The proposed approach | Scenario 3<br>Minus small sites<br>Plus East Fav. Ext. | Scenario 4<br>Plus East Fav. Ext. |
|---|---|---|---|
| 3 | 2 | 2 | 1 |

6.10.1. Scenario 1 performs poorly as a low growth scenario with a total plan period supply falling short of LHN. On the one hand concerns are allayed by the fact that there have been significant recent planning permissions that will be added to the supply once monitoring data has been updated. However, on the other hand, there is a case for extending the plan period to 2042 so that it covers a 15 year period post adoption.

6.10.2. Scenarios 2, 3 & 4 would involve a total supply comfortably above LHN, but there is also a crucial need to consider the robustness of the supply over the early years of the plan period, i.e. with a view to ensuring that the Council can maintain a five year housing land supply (5YHLS) ahead of a future supply boost through a new local plan.

6.10.3. In this regard, on the one hand there is support for dispersed smaller sites under Scenarios 2 & 4. However, on the other hand, some of these sites may be associated with challenging viability, leading to both delivery risk and also a concern regarding affordable housing delivery.

6.10.4. With regards to East of Faversham Extension, strong viability at Faversham could suggest good delivery credentials, but there could be some delivery risks given proximity of South East Faversham and the likely need to give further consideration to strategic transport upgrades and potentially a secondary school. A further consideration is the possibility of delivering specialist housing/accommodation, potentially to include a Gypsy and Traveller site (discussed above) and quite possibly to include older persons housing. The current plan document explains: *"Specialist dwellings for older persons has a need for 928 additional units of sheltered housing for older people/ retirement housing and 267 additional extra care units/ supported living housing over the Plan period. It is also identified that an additional 360 Registered Care spaces (nursing and residential care homes) will be required."*

6.10.5. In conclusion, Scenario 4 performs very well because the housing requirement could be set at LHN over the plan period, there would not be a need for a stepped requirement, and there would be confidence in the ability to deliver on the housing requirement / maintain a 5YHLS (particularly once account is taken of the likelihood of the housing land supply position improving once recent permissions are factored in). There could even be the potential to set the requirement slightly above LHN, e.g. as a proactive approach to affordable housing delivery.

## 6.11. Landscape

| Scenario 1<br>Minus small sites | Scenario 2<br>The proposed approach | Scenario 3<br>Minus small sites<br>Plus East Fav. Ext. | Scenario 4<br>Plus East Fav. Ext. |
|---|---|---|---|
|  1 |  1 | 2 | 2 |

6.11.1. The first point to note is that several of the variable non-strategic sites (Scenarios 1, 3, 4 and 6) are brownfield sites, and none are known to be sensitive in landscape terms.

6.11.2. With regards to East of Faversham Extension, a recent study has assessed the landscape sensitivity of the site, although it should be noted that the site assessed extends as far east as the A299 Thanet Way, i.e. to include the proposed employment allocation that is assumed a constant under all of the growth scenarios. The assessment concludes overall 'moderate' sensitivity to housing development, but does highlight a number of potential concerns. It concludes:

*"The access along the PRoW, mature hedgerows, rural approach to Faversham, proximity to listed buildings and rural context between Faversham and Goodnestone increase sensitivity to development… Due to the presence of existing modern housing adjacent to the site, development would be in accordance with the general settlement pattern and scale. This, along with the well filtered nature of the site's boundaries, and the influence of neighbouring road and rain infrastructure, would reduce sensitivity to housing development."*

6.11.3. In conclusion, whilst it is appropriate to rank the scenarios in order to flag a concern with East of Faversham Extension on balance significant negative effects are not predicted. There would be merit in planning comprehensively for this sector of land in order to avoid the risk of ongoing sub-optimal piecemeal expansion of Faversham.

6.11.4. Finally, with regards to significant effects, it should be noted that a Landscape Sensitivity Assessment has recently been completed that examines select proposed allocations (N.B. it does not examine West of Bobbing) and flags a concern with two proposed allocations that are a constant across the growth scenarios, namely: 1) Upchurch, where it assigns 'moderate-high' landscape sensitivity; and 2) the proposed employment allocation to the east of Faversham, where it assigns 'moderate-high' landscape sensitivity to the area of land between Faversham and the A299 as a whole and specifically recommends: *"Avoid developing the more elevated fields closer to the A299 which are more prominent in views within the surrounding landscape."*

## 6.12. Soils / resources

| Scenario 1<br>Minus small sites | Scenario 2<br>The proposed approach | Scenario 3<br>Minus small sites<br>Plus East Fav. Ext. | Scenario 4<br>Plus East Fav. Ext. |
|---|---|---|---|
|  1 |  1 | 2 | 2 |

6.12.1. This is a key issue for Swale, given its strong association with the Kent Fruit Belt, and the recently released national agricultural land quality dataset confirms that there would be a very significant loss of the highest quality agricultural land under all scenarios.

6.12.2. Numerous of the non-strategic sites that feature only in Scenarios 2 & 4 are brownfield sites or otherwise not in agricultural use, but East of Faversham Extension is shown by the recently released new Agricultural Land Classification (ALC) dataset to comprise grade 2 quality land (the previous dataset had suggested grade 1).

## 6.13. Transport

| Scenario 1<br>Minus small sites | Scenario 2<br>The proposed approach | Scenario 3<br>Minus small sites<br>Plus East Fav. Ext. | Scenario 4<br>Plus East Fav. Ext. |
|---|---|---|---|
| 1 | 1 | 3 | 4 |

6.13.1. Whilst there have been recent improvements to the A249 it remains the case that road capacity is a major constraint to growth along the A2 corridor, through Sittingbourne, at the A249 / M2 junction (south of Sittingbourne), at the A2 / M2 junction (east of Faversham, known as Brenley Corner), at on the Isle of Sheppey (particularly in tourist season). It can be suggested that the Borough is inherently constrained, because whilst very well connected by rail the main settlements feed onto a limited number of strategic road corridors, including the A2 which passes through the centre of settlements (the only bypasses are at Sittingbourne town centre and Boughton). Enabling longer distance trips via the M2 rather than the A2 is an important objective, but just three junctions serve the Borough and two are known to have capacity issues.

6.13.2. There is considerable historical context to exploring transport solutions to enable growth, for example the Interim SA Report (2021) quoted the following from the Infrastructure Delivery Plan (IDP, 2021): *"The Inspector who examined the Bearing Fruits Local Plan was satisfied that the level of growth in the first part of the plan period could be accommodated on the local road network. Beyond this there were implications in delivering the full housing need figure for both the strategic and local road network that would require the implementation of improvement works. At the time of the examination, the nature of improvement works had not been determined, but the Inspector did not consider this to be a showstopper to the Local Plan being adopted. The Inspector, therefore, found the Local Plan sound subject to a commitment to undertake an early review of the Local Plan to address the highway capacity issues….*

6.13.3. Also, the Interim SA Report (2021) noted that the adopted Local Plan (2017) explains: *"The main strategic risk to the plan overall relates to any significant deferral in the improvement to Junction 5 of the M2"*.

6.13.4. Finally, the Interim SA Report (2021) explained the context of KCC having raised significant transport concerns at the preceding Regulation 19 stage: "*KCC is concerned that the consultation is missing critical highway evidence to justify the Local Plan strategy and as a consequence the Local Plan is currently supported by an inaccurate evidence base. There are fundamental changes from the modelling used as evidence for the Local Plan and the housing proposals within this regulation 19 consultation. Specifically, the housing numbers are higher in the Teynham area, greater levels of employment land and a reliance on a design solution for Brenley Corner that cannot at this stage be relied upon. The County Council, as Local Highway Authority, requires further supporting transport modelling that accurately reflects the proposed housing and employment strategy as presented before it can make a fully informed comment…"*

6.13.5. Further context then comes from the following statement made within the consultation document published under Regulation 18 in 2021:

*"The solutions to the existing infrastructure issues are now coming forward (M2 junction 5 and capacity issues on the A249) which opens Sittingbourne and the Isle of Sheppey back up for development."*

6.13.6. It is difficult to differentiate between the growth scenarios, but on balance the scenarios are ranked broadly in order of total growth quantum and in light of the following:

- The variable non-strategic sites perform relatively poorly in transport terms and some would feed into constrained road corridors.
- East of Faversham Extension is relatively well related to a town centre, and there could be transport opportunities to explore (the Regulation 18 consultation document in 2021 highlighted an opportunity *"to look at the role of the A2 at Faversham and divert traffic to the M2 allowing greater integration of sites south of the A2").* However, there would be a need for further work to model traffic impacts, and it is not clear that allocation would help significant in respect of funding upgrades to M2 J7 (Brenley Corner).

6.13.7. Finally, with regards to significant effects, whilst there is a case for flagging a significant negative effect under the worst performing scenarios, on balance it is considered appropriate to conclude a 'moderate or uncertain' negative effect under all scenarios. West of Bobbing and South East Faversham are key strategic sites that feature as a constant across the growth scenarios and transport modelling to consider the in combination effects of growth locations remains ongoing at the time of writing. Focusing on West of Bobbing, it can be noted that the site is not ideally linked to Sittingbourne and there are potentially M2 J5 capacity challenges.

## 6.14. Water

| **Scenario 1** Minus small sites | **Scenario 2** The proposed approach | **Scenario 3** Minus small sites Plus East Fav. Ext. | **Scenario 4** Plus East Fav. Ext. |
|---|---|---|---|
| **?** | **?** | **?** | **?** |

6.14.1. Whilst the ISA Report from 2021 presented a detailed discussion of potential issues relating to water resources and wastewater treatment, the evidence referenced at that time is now dated, and there is limited more recent evidence. The Infrastructure Delivery Plan (IDP) became available in early July 2026, but it is difficult to ascertain whether there are any risks in respect of water supply or wastewater treatment capacity that might lead to delays to the committed housing supply trajectory or otherwise give rise to a risk of growth that is problematic such that there is a risk of impacts to the water environment or impacts to water availability for communities. Whilst there are not known to be any key challenges in respect of either water resources or wastewater treatment capacity, the Environment Agency and Southern Water will wish to comment through the consultation. Capacity at wastewater treatment works has been rising up the agenda as a key issue for local plan spatial strategy over recent years, and over recent months water supply has begun to emerge as a strategic constraint in parts of Kent.

## 6.15. Appraisal conclusion

6.15.1. The appraisal shows a mixed picture, with all of the scenarios associated with pros and cons, and it is for the Council to weigh these pros and cons before deciding on which of the scenarios best represents sustainable development 'on balance'.

6.15.2. As part of this, account can be taken of the fact that Scenario 1 (the proposed submission approach minus 11 less accessible non-strategic sites) is ranked first under the greatest number of sustainability topic headings.

6.15.3. However, it is important to be clear that this does not automatically mean that Scenario is appraised as performing best overall, because: A) there is also a need to account for the conclusions reached in respect of significant effects; B) the appraisal is undertaken with no assumptions made regarding the degree of importance ('weight') that should be assigned to each of the topics as part of decision-making (and, to be clear, the topics are not assumed to have equal weight); and C) the topic specific appraisal conclusions are open for debate (indeed an aim is to spark debate). Also, under Scenario 1 there it could prove challenging to progress the plan to adoption such that the Borough continues to be subject to 'the presumption' with wide-ranging negative consequences.

***Table 6.1**: Growth scenarios summary appraisal*

| | **Scenario 1** Minus small sites | **Scenario 2** The proposed approach | **Scenario 3** Minus small sites Plus East Fav. Ext. | **Scenario 4** Plus East Fav. Ext. |
|---|---|---|---|---|
| Accessibility | 3 | 4 | 1 | 2 |
| Air quality | ? | ? | ? | ? |
| Biodiversity | 1 | 2 | 3 | 4 |
| Climate change adaptation | = | = | = | = |
| Climate change mitigation | 3 | 4 | 1 | 2 |
| Communities | 1 | 1 | 2 | 2 |
| Economy and employment | = | = | = | = |
| Historic environment | ? | ? | ? | ? |
| Homes | 3 | 2 | 2 | 1 |
| Landscape | 1 | 1 | 2 | 2 |
| Soils / resources | 1 | 1 | 2 | 2 |
| Transport | 1 | 1 | 3 | 4 |
| Water | ? | ? | ? | ? |

# 7. The preferred growth scenario

7.1.1. Officers provided the following text to explain why Scenario 2 is ‘justified’:

“Whilst the appraisal serves to highlight arguments for supporting an alternative scenario, supporting Scenario 2 as the proposed submission approach is considered justified on balance, in that it represents “an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence” (NPPF paragraph 36).

Scenario 1 would risk not providing for local housing need in full, although there is an acknowledgement of the case for lower growth in Swale to reflect local challenges including in respect of biodiversity, flood risk, high quality agricultural land and transport.

Scenario 3 would involve a similar quantum of growth to Scenario 2 (the proposed submission approach), but with a concentration of growth at a strategic site to the east of Faversham in place of 11 non-strategic allocations. This concentration of growth could generate challenges, including in terms of the robustness of housing supply trajectory, and the 11 non-strategic sites in question are supported in light of the Housing and Economic Land Availability Assessment (HELAA). Several would help to deliver on specific objectives, perhaps most notably the sites on the Isle of Sheppey.

With regards to Scenario 4, whilst the appraisal makes the case for a higher growth strategy, Scenario 2 (the proposed submission approach) would provide for local housing need (LHN) in full, including from the early years of the plan period, and there is no clear strategic case for a housing requirement set above LHN. With regards to the specific site that would be additionally allocated in order to deliver higher growth, namely East of Faversham Extension, it is difficult to suggest that the site would deliver on key objectives for Faversham beyond new homes, and there are constraints/challenges including in terms of transport infrastructure, landscape and grade 2 agricultural land.”

# Part 2: SA findings at this stage?

# 8. Introducing Part 2

8.1.1. This part of the report will present an appraisal of the Proposed Submission Local Plan as a whole under the SA framework (i.e. under the same set of 13 topic headings used to structure the appraisal in Section 6).

8.1.2. The appraisal will essentially expand on the appraisal of growth scenario 2, including accounting for site-specific policies, which are of considerable importance, and which have only recently been finalised. It will also need to account for the latest evidence and understanding, because the report as published in August must be fully up-to-date.

# 9. The Proposed Submission Plan

9.1.1. As things stand the overall conclusion is as follows:

Overall the appraisal reaches the conclusion that the plan as a whole performs as per Scenario 1 (i.e. appraisal conclusions are not 'boosted' to account DM policies), in summary: moderate or uncertain **positive** effects in terms of economy/employment and 'homes'; **neutral** effects in terms of accessibility, communities and landscape; moderate or uncertain **negative** effects in terms of air quality, biodiversity, climate change adaptation, climate change mitigation, the historic environment, transport and water; and a **significant negative** effect in terms of loss of high quality agricultural land.

With regards to DM policies, the current draft NPPF proposes 'national development management policies' such that a primary consideration is site-specific policies, which must respond to locationally specific issues and opportunities and be deliverable in light of viability parameters. However, under the new NPPF there will likely still be some scope for area wide DM policies that respond to a locally specific issue / opportunity where firmly evidenced. Viability is a key consideration, and trade-offs must be acknowledged, e.g. sites with more challenging viability may only be deliverable if compromises are made regarding policy 'asks' in terms of infrastructure delivery / contributions, affordable housing, net zero development or wider matters. A Whole Viability Assessment has been completed that concludes *"the Council can continue to confident that the development in the Local Plan will be deliverable [but] the Council should be cautious in relying on brownfield sites in the housing trajectory, as the delivery of these is likely to continue to be challenging."* However, even for greenfield sites there is a need for ongoing scrutiny of the viability impact of policy requirements in order to avoid false comfort in respect of requirements that may not be met on viability grounds.

# Part 3: Next steps

# 10. Plan finalisation

10.1.1. Following the receipt of representations on the Proposed Submission Local Plan the aim is to submit the plan for examination in public alongside a summary of the issues raised. The Council will need to remain confident that the plan as previously published is sound and so ready for submission, and there will not be the potential to make amendments to the plan (although suggested amendments might be submitted alongside the plan).

10.1.2. This SA Report will also be submitted alongside the Local Plan.

10.1.3. Following submission the Local Plan will be subject to an Examination in Public overseen by one or more Planning Inspectors, and there will invariably be a consultation on proposed Main Modifications in order to address matters of plan soundness.

10.1.4. Once found to be sound following examination the Local Plan will be adopted, at which time an SA 'Statement' will present prescribed information including "measures decided concerning monitoring".

# 11. Monitoring

11.1.1. Suggests for monitoring indicators will be presented here, in light of the plan appraisal.

# Appendix I: Regulatory requirements

As discussed in Section 1, Schedule 2 of the Environmental Assessment of Plans Regulations 2004 explains the information that must be contained in the SA Report. However, interpretation of Schedule 2 is not straightforward. Table A links the structure of this report to an interpretation of Schedule 2, whilst Table B explains this interpretation. Table C then presents a discussion of more precisely how the information in this report reflects the requirements for the SA Report.

*Table A: Questions answered by this SA Report, in-line with an interpretation of regulations*

| | Questions answered | | As per regulations… the SA Report must include… |
|---|---|---|---|
| **Introduction** | What's the plan seeking to achieve? | | • An outline of the contents, main objectives of the plan and relationship with other relevant plans and programmes |
| | What's the SA scope? | What's the sustainability 'context'? | • Relevant environmental protection objectives, established at international or national level<br>• Any existing environmental problems which are relevant to the plan including those relating to any areas of a particular environmental importance |
| | | What's the sustainability 'baseline'? | • Relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan<br>• The environmental characteristics of areas likely to be significantly affected<br>• Any existing environmental problems which are relevant to the plan including those relating to any areas of a particular environmental importance |
| | | What are the key issues and objectives that should be a focus? | • Key environmental problems / issues and objectives that should be a focus of (i.e. provide a 'framework' for) assessment |
| **Part 1** | What has plan-making / SA involved up to this point? | | • Outline reasons for selecting the alternatives dealt with (and thus an explanation of the 'reasonableness' of the approach)<br>• The likely significant effects associated with alternatives<br>• Outline reasons for selecting the preferred approach in-light of alternatives assessment / a description of how environmental objectives and considerations are reflected in the draft plan |
| **Part 2** | What are the SA findings at this current stage? | | • The likely significant effects associated with the draft plan<br>• The measures envisaged to prevent, reduce and offset any significant adverse effects of implementing the draft plan |
| **Part 3** | What happens next? | | • A description of the monitoring measures envisaged |

*Table B: Interpreting Schedule 2 and linking the interpretation to the report structure*

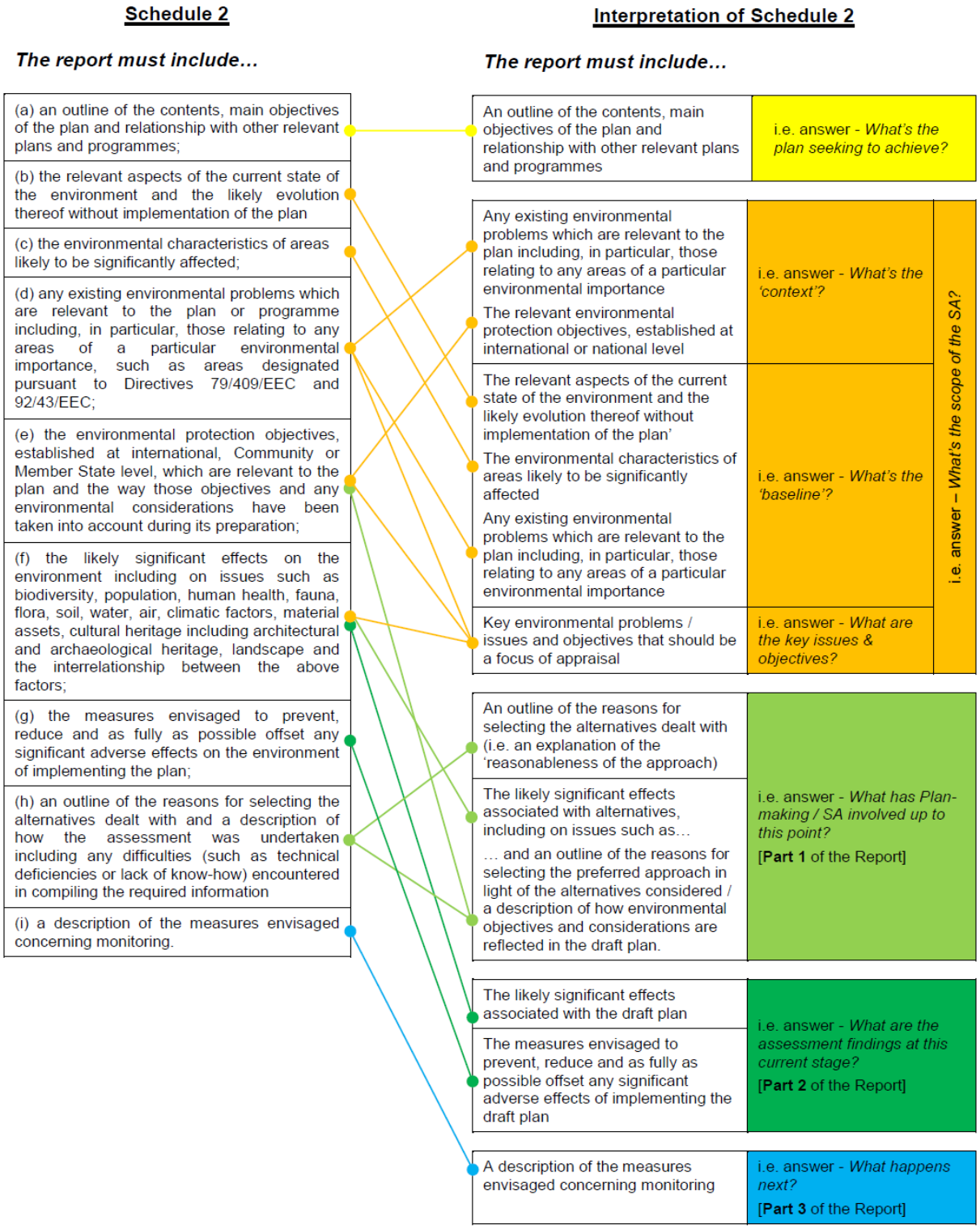


*Table C: 'Checklist' of how and where (within this report) regulatory requirements are reflected.*

| Regulatory requirement | Information presented in this report |
|---|---|
| **Schedule 2 of the regulations lists the information to be provided within the SA Report** | |
| a) An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans and programmes; | Section 2 ('What's the plan seeking to achieve') presents this information. |
| b) The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme; | These matters were considered in detail at the scoping stage, which included consultation on a Scoping Report. The outcome of scoping was an 'SA framework', which is presented within Section 3. The SA scope – in terms of key sustainability issues and objectives, including accounting for evolution of the baseline without the plan – is then discussed throughout the report as appropriate, i.e. in light of the scope of the plan/alternatives. |
| c) The environmental characteristics of areas likely to be significantly affected; | |
| d) … environmental problems which are relevant… …areas of a particular environmental importance…; | |
| e) The environmental protection objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental, considerations have been taken into account during its preparation; | The Scoping Report presented a detailed context review and explained how key messages from this (and baseline review) fed into the 'SA framework', which is presented within Section 3. Also, information on the SA scope is presented throughout this report. With regards to explaining *"how… considerations have been taken into account"*, Section 7 explains reasons for supporting the preferred option, i.e. how/why the preferred option is justified in-light of alternatives appraisal. |
| f) The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. | Section 6 presents alternatives appraisal findings in respect of reasonable growth scenarios, whilst Section 9 presents an appraisal of the Local Plan as a whole. All appraisal work naturally involved giving consideration to the SA scope and the various effect characteristics. |
| g) The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan… | Section 9 presents recommendations but perhaps more importantly flags 'tensions' that can be a focus of further work ahead of plan finalisation. |
| h) An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information; | Sections 4 and 5 deal with 'reasons for selecting the alternatives dealt with', with an explanation of reasons for focusing on growth scenarios / certain growth scenarios.<br>Sections 7 explains 'reasons for supporting the preferred approach', i.e. explains how/why the preferred approach is justified in-light of the alternatives / scenarios appraisal.<br>Methodology is discussed at various places, ahead of presenting appraisal findings. |
| i) … measures envisaged concerning monitoring; | Section 11 presents this information. |
| j) a non-technical summary… under the above headings | The NTS is presented at the start of the report. |
| **The SA Report must be published alongside the draft plan, in-line with the following regulations** | |
| Authorities… and the public, shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan… | This SA Report is published alongside the Proposed Submission Local Plan in order to inform representations and then subsequent plan-making stages. Specifically, the next stage is expected to be examination in public. |
| **The SA Report must be taken into account, alongside consultation responses, when finalising the plan.** | |
| The environmental report prepared pursuant to Article 5 [and] the opinions expressed pursuant to Article 6… shall be taken into account during the preparation of the plan… and before its adoption or submission to the legislative procedure. | This SA Report will be taken into account when finalising the plan as part of the examination in public. It should also be noted that an Interim SA Report was published as part of a Regulation 18 consultation held in 2021, and prior to that an SA Report was published alongside a previous proposed submission version of the Local Plan in 2020. |

# Appendix II: Superseded growth scenarios

As discussed in Section 5, an earlier iteration of work to define and appraise reasonable growth scenarios was completed in June 2026 ahead of West of Bobbing gaining a resolution to grant planning permission. This Appendix presents that previous appraisal unamended.

## The superseded growth scenarios

These can be understood in summary as three involving West of Bobbing (lower growth to higher growth) and three involving Highsted Park (lower growth to higher growth).

***Table A**: The superseded growth scenarios (June 2026)*

| | Scenario 1 | Scenario 2 | Scenario 3 | Scenario 4 | Scenario 5 | Scenario 6 |
|---|---|---|---|---|---|---|
| Existing supply | 7,430 | 7,430 | 7,430 | 7,430 | 7,430 | 7,430 |
| Windfall | 2,409 | 2,409 | 2,409 | 2,409 | 2,409 | 2,409 |
| South East of Faversham | 2,500 | 2,500 | 2,500 | 2,500 | 2,500 | 2,500 |
| West of Bobbing | **2,500** | **2,500** | **2,500** | - | - | - |
| Highsted Park | - | - | - | **2,000** | **2,000** | **2,000** |
| East of Faversham ext. | - | **1,500** | **1,500** | - | **1,500** | **1,500** |
| Regeneration sites | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 |
| Non-strategic sites | **1,755** | 856 | **1,755** | **1,755** | 856 | **1,755** |
| **Total homes (2025-2041)** | **17,705** | **18,269** | **19,168** | **17,168** | **17,769** | **18,668** |
| **% over LHN (17,024)** | **4%** | **7%** | **13%** | **1%** | **4%** | **10%** |

Appraisal conclusions for each of the topics are set out below.

## Accessibility

There is support for strategic growth locations that can deliver community infrastructure alongside new homes and, in particular, Highsted Park which would deliver a range of strategic community infrastructure, and East of Faversham which could potentially deliver a secondary school to address an existing need (although there is uncertainty regarding both need and delivery). There is also support for lower growth via non-strategic sites (Scenarios 2 and 5) with a view to a focus of growth at more accessible locations. The best performing scenarios are considered to perform very well ('significant positive effects') given a strong focus of growth at strategic sites.

## Air quality

This is a very significant issue in Swale although there is a need to account for the improving situation nationally associated with the transition to electric vehicles.

Highsted Park aims to deliver a strategic transport solution to address traffic congestion in the Sittingbourne area. However, it would mean committing a constrained area to high growth over the very long term (with ~6,400 homes delivered beyond the plan period) and potentially tying the hands of a future Local Plan prepared for an area extending far beyond Swale following Local Government

Reorganisation (LGR) and in the context of Devolution.[17] It could well be that a future local plan is able to direct growth to locations within Kent that are preferable from an air quality perspective.

Support for East of Faversham Extension would mean supporting higher growth within a constrained Borough, but the site benefits from good connectivity to both Faversham and the M2, which would have the effect of reducing the need for car journeys along the problematic A2. See further discussion below under the 'transport' topic heading.

Overall, it is not possible to reach conclusions with any confidence, but it is appropriate to flag a concern ('moderate or uncertain' negative effect) under all of the scenarios.

## Biodiversity

The Borough as a whole is subject to significant biodiversity constraint, but this has factored-in strongly as part of spatial strategy / site-selection work over the course of the plan-making process and it is not clear that there are significant concerns under any scenario. However, under the higher growth scenarios there could be a need for further work to confirm the sufficiency of the long-established SPA mitigation strategy.

Focusing on the three variable strategic sites, as an initial point it is important to note that all three could deliver onsite strategic green infrastructure including aimed at minimising offsite recreational pressure. It is then challenging to differentiate between the three sites with confidence, but the following bullet points present previous analysis from the Interim SA (ISA) Report at the Regulation 18 stage in 2021:

- With regards to Bobbing, the ISA Report explained that the site is associated with biodiversity constraint for two reasons: *"Firstly, the site is slightly closer to the SPA than is the case for [Highsted Park], and whilst it is not clear that this is a particularly accessible or sensitive part of the SPA, there is a need to consider in-combination impacts given committed growth at Iwade and North West Sittingbourne (also the potential for the Bobbing scheme to expand in the future). Secondly, the proposal is for development to largely envelop a small ancient woodland (Rook Wood)… [which] could lead to a challenge in respect of… biodiversity net gain. There is a need to consider functional connectivity between Rook Wood and Hawes Wood to the west."*
- With regards to Highsted Park, the ISA Report suggested that the site is 'notably constrained' because: *"… there would likely be a need for a focus of growth in the Highstead / Rodmersham Green area, where there is a high density of woodland (including ancient woodland) and traditional orchard priority habitat that is shown by the Biodiversity Baseline Study (2020) to comprise a northern promontory of the North Downs Priority Area (also, the study highlights connectivity between traditional orchard habitat patches as a priority). Development is not necessarily precluded within priority areas; however, taking a precautionary approach it is appropriate to flag a risk of development worsening ecological connectivity… at the landscape scale (also potentially direct impacts to habitat patches, e.g. from recreational pressure)."*
- With regards to East of Faversham, the ISA Report explained that under certain of the growth scenarios: *"…there could well also be strategic growth to the east of Faversham (north of the A2), and if this were to extend north beyond the Graveney Road / as far as the railway line (to Whitstable), then this would give rise to degree of concern. This is because: adjacent land to the north (on the opposite side of the railway, but easily accessible via a public footpath) comprises the Abbey Fields [Local Wildlife Site]; the SPA would be c.2.25km by public footpath; and there would also be a convenient driving route to the SPA, via Goodnestone."*

In summary, the alternative scenarios are ranked according to growth quantum.

## Climate change adaptation

Flood risk is a significant issue across large parts of the Borough, and whilst this has factored-into spatial strategy / site-selection work there are some proposed allocations subject to a degree of risk and the Environment Agency has not yet had the opportunity to formally comment on the proposed allocations through a consultation.

[17] See discussion of Kent LGR here. Also, it is important to be clear that whatever the outcome of LGR, the intention is for future local plan-making to be informed by sub-regional Spatial Development Strategy (SDS) under the devolution agenda.

Another key climate change adaptation consideration is then the defined a Coastal Change Management Area (CCMA), which defines the area likely to be affected by physical change to the shoreline over the next 100 years, through erosion, coastal landslip, permanent inundation, or coastal accretion. Three of the proposed allocations on the Isle of Sheppey that do not feature in Scenarios 2 and 5 are adjacent to the CCMA, and there is a need to acknowledge that the CCMA is defined with an element of uncertainty including given climate change uncertainties. Also, a fourth site is located at Warden, which is a settlement at risk of coastal change.

Finally, it is noted that land to the south east of Sittingbourne (Highsted Park) is characterised by a series of valleys with associated with surface water flood zones. However, there is likely potential to avoid flood zones through masterplanning (green/blue infrastructure) and avoid worsening of downstream flood risk through high quality Sustainable Drainage Systems (SuDS).

## Climate change mitigation

Whilst the proposal is to require all sites to come forward as 'net zero development', in practice this would likely prove challenging at some sites where development viability is weaker (without having to accept compromises in respect of wider objectives, notably affordable housing). All of the strategic sites should be well placed to deliver net zero development (N.B. it has not been possible to review site-specific proposals) but it is important to note that viability is strongest at Faversham (although there could feasibly be a concern regarding market saturation affecting viability). Viability is then challenging – with implications for net zero development – at several of the non-strategic sites that feature only in Scenarios 1, 3, 4 and 6. Also, these same sites are all in less accessible locations, i.e. locations likely to be associated with relatively high car dependency.

Finally, with regards to significant effects, whilst the Borough has now revised its net zero target date from 2030 to 2045 there is nonetheless a need to demonstrate considerable ambition in order to deliver the required decarbonisation trajectory, such that it is appropriate to predict a 'moderate or uncertain' negative effect for all but the two better performing scenarios.

## Communities

This is an opportunity to consider issues and opportunities over-and-above those relating to 'accessibility'. Whilst there are numerous maters to consider, the appraisal reflects an understanding that there is a significant degree of concern amongst local communities in respect of the two strategic sites where there are currently pending planning applications (Bobbing and Highsted Park) and that there would likely be significant local community concern in respect of East of Faversham Extension, including recognising its proximity to South East Faversham (which has a resolution to grant permission). Whilst the appraisal is undertaken on the assumption of a strategic approach to growth to the east and south east of Faversham that maximises benefits / avoids issues, in practice this could prove challenging.

## Economy and employment

Employment land needs would be provided for in full across all of the scenarios, but on balance it is considered appropriate to flag support for Highsted Park for the reasons set out in the ISA Report from the Regulation 18 stage in 2021:

*"… strategic growth at SE Sittingbourne represents a very significant opportunity, from an 'economy and employment' perspective, given the potential to: deliver a new motorway junction, which will improve transport connectivity to Eurolink, Kent Science Park and potentially the Port of Sheerness (from the east); support objectives for Kent Science Park (the scheme website suggests: "With Kent Science Park at the heart of the proposals for Highsted Park – Swale can become a leader for inward investment especially targeting growth sectors"); and potentially support new warehousing/distribution in a location well-linked to a motorway junction, thereby fully reflecting ELR recommendations, although proposals are less clear in this respect. However, there are additional considerations to factor-in, when considering the merits of strategic growth at SE Sittingbourne from an 'economy and employment' perspective, in particular around the possibility of growth here detracting from growth elsewhere in the Borough (Sittingbourne, Faversham and Sheppey) and in the neighbouring authorities of Medway and/or Maidstone [e.g. in around Junction 8 of the M20 in Maidstone]."*

With regards to Bobbing, the ISA Report in 2020 flagged some concerns regarding a lack of clarity and potentially ambition in respect of employment land, but the current planning application now proposes a 5.2 ha commercial/employment zone adjacent to the A249 junction. The ISA Report also flagged *"concerns regarding traffic at the A249 junctions with the B2006 and M2… traffic could affect the functioning of… employment areas at Sittingbourne (Eurolink HGVs use the B2006 junction) and Sheppey."*

With regards to East of Faversham Extension, the assumption is that new strategic employment land would be delivered adjacent to the M2 junction under any scenario (i.e. it is not reliance on East of Faversham Extension), but a new employment area would benefit from an adjacent new community.

Finally, with regards to the package of 'lower accessibility' sites (Scenarios 1, 3, 4, and 6), there is potentially a 'local economy' case for housing growth on the Isle of Sheppey, including in the east of the Island, but it is not clear that this is a significant factor.

## Historic environment

Whilst it is appropriate to flag a 'moderate or uncertain' negative effect under the other scenarios in the knowledge that Historic England is yet to be consulted on a draft version of the Local Plan, at this stage it is not possible to differentiate between the scenarios with confidence. There is a case for favouring Scenario 1 as it would avoid higher growth at Faversham and Bobbing is potentially preferable to Highsted Park; however, the context is that historic environment matters will presumably have been a focus of detailed consideration through the pending planning applications for both Bobbing and Highsted Park.

The following bullet points present analysis from the previous ISA Report (2021):

- Highsted Park – *"… there is the potential to draw upon a valley topography to frame growth, which arguably leads to benefits in respect of alignment with historic settlement pattern (and landscape containment / lower risk of 'sprawl'); however, the corollary is growth would be in proximity to existing historic environment assets. The current proposed masterplan seeks to take a 'landscape led approach' and avoid impacts as far as possible, including by avoiding development in proximity to the only conservation area in the vicinity (Rodmersham Green); however, tensions remain nonetheless, most notably at the northern extent of the area, where a new link road would cut through the Tonge Conservation Area, and in the central area, where development would abut the hamlet of Rodmersham, where there is a cluster of four listed buildings including a grade 1 listed church, which the Swale Landscape Sensitivity Assessment (2019) describes as "an important local landmark and skyline feature"*. A further statement made by the Assessment, as part of a discussion of 'time depth', is also of note: *"It is evident that there have been changes in land cover in recent years, with the conversion of areas of commercial orchards to arable, and vice versa, for example along Church Street and Pitstock Road. However, this does not change the fundamental character of the landscape. The loss of some areas of traditionally managed orchards has adversely affected the historic and scenic character of the landscape, although more intensive commercial orchards remain an important feature which contributes to a distinctive sense of place"*."
- Bobbing – *"The site is subject to notably lower constraint. The new settlement would envelop the string of ten listed buildings that stretches between Bobbing in the south (where there is a grade 1 listed church) and Howt Green in the north; however, there is no… conservation area; the historic character of this area is presumably somewhat affected by the nearby A429; and development would deliver a bypass of Bobbing. Development would envelop only one historic farmstead (with one grade II listed building), although the possibility of further expansion (in the future) encroaching upon two further farmsteads can be envisaged."*

In respect of East of Faversham Extension, the following bullet points present analysis from the ISA Report (2021) in respect of growth both to the south east of Faversham (i.e. the site that now has a resolution to grant permission) and to the east:

- *"… as noted by the Swale Heritage Strategy (2020): "It is no coincidence that Faversham has the highest concentration of historic buildings in the area and also the most viable commercial and residential economic markets in the Borough". In this context, there is potentially merit to a strategic growth to the east / southeast of the town, from a historic environment perspective, in order to alleviate pressure for growth in sensitive locations elsewhere. This suggestion reflects an understanding that land to the east and southeast of Faversham is relatively unconstrained in historic environment terms, and also an understanding that there would be good potential to avoid and*

*mitigate historic environment impacts by taking a strategic approach… There could also be good potential to deliver a new community – with associated employment, services, facilities, retail and infrastructure upgrades – that supports Faversham as a thriving market town and visitor/tourist destination. However, there are wide ranging risks and uncertainties, including around traffic (including through the Ospringe Conservation Area)… impacts to the historic agricultural and horticultural landscape setting of the town and impacts to landscapes that link the town to surrounding historic settlements and landscapes, in particular Goodnestone and the marshes to the northeast. A key consideration is the integrity of the three closely linked historic farmsteads located between the expanding eastern edge of Faversham and Goodnestone. Historic England's response to the consultation in early 2021 [mostly focused on] policy requirements… [but] a notable comment was that: "Ewell Farm is… one of several historic farmsteads surrounding the town of Faversham which illustrate a historic landscape character intimately connected with agriculture."*

- *"… much of the 20th and 21st Century expansion of Faversham has been to the east hence further expansion potentially gives rise to relatively limited concerns… However, there is a need to consider the rural setting of Faversham… with the Swale Landscape Sensitivity Assessment (2019) explaining: "The time-depth of the landscape relates predominantly to the continuity of agriculture and fruit cultivation within the area, together with the presence of scattered historic farmsteads, with occasional pasture and traditional orchards. Some areas of orchard have been lost in recent decades, together with field boundaries, resulting in more open, larger arable fields, particularly in the north and east of the area." A further consideration is encroachment… towards historic farmsteads, and impacts to views from cycling routes and public footpaths that link Faversham to the Goodnestone Conservation Area and the marshland walking and cycling routes beyond."*

## Homes

All of the scenarios would involve a total supply comfortably above LHN, but there is also a crucial need to consider the robustness of the supply over the early years of the plan period, i.e. with a view to ensuring that the Council can maintain a five year housing land supply (5YHLS) ahead of a future supply boost through a new local plan.

In this regard, on the one hand there is support for dispersed smaller sites under Scenarios 1, 3, 4 and 6; however, on the other hand, some of these sites may be associated with challenging viability, leading to both delivery risk and also a concern regarding affordable housing delivery.

With regards to East of Faversham Extension, strong viability at Faversham could suggest good delivery credentials, but there could be some delivery risks given proximity of South East Faversham and the likely need to give further consideration to strategic transport upgrades and potentially a secondary school.

With regards to Highsted Park delivering mostly beyond the plan period, there is a case for highlighting this as a positive, including because there is a case for extending the plan period to 2043; however, in the context of LGR and devolution what is of paramount importance is supply in the early and middle parts of the plan period.

In conclusion, the two higher growth scenarios perform very well because the housing requirement could be set at LHN over the plan period, there would not be a need for a stepped requirement, and there would be confidence in the ability to deliver on the housing requirement / maintain a 5YHLS (particularly once account is taken of the likelihood of the housing land supply position improving once recent permissions are factored in). There could even be the potential to set the requirement slightly above LHN, e.g. as a proactive approach to affordable housing delivery.

## Landscape

The first point to note is that several of the variable non-strategic sites (Scenarios 1, 3, 4 and 6) are brownfield sites, and none are known to be sensitive in landscape terms.

With regards to the variable strategic sites, whilst there is uncertainty at this stage given the ongoing planning applications, on balance it is considered appropriate to flag a concern with Highsted Park relative to the other two sites. This is in line with the conclusion from the ISA Report published at the Regulation 18 stage in 2021:

*"… as per the conclusion of the equivalent appraisal in 2020, it is appropriate to highlight Option 5 as performing well, because there is potentially something of a landscape opportunity to be realised through*

*strategic growth directed to both Bobbing and to the east / south east of Faversham. The potential to comprehensively plan for the very long term future growth of the Borough's two main settlements can be envisaged; however, in neither case are the current proposals considered to respond to the opportunity in full."*

In terms of more detailed analysis, the first point to note is that the following analysis in respect of Bobbing from the ISA Report (2021) likely still holds broadly true:

*"… stands-out as least constrained [of the strategic site options under consideration]. The site is distant from the AONB and associated with broad landscape units assigned 'moderate' and 'low-moderate' sensitivity scores by the Landscape Sensitivity Assessment. The southern part of the site is more sensitive, given existing narrow settlement gaps; however, the current proposal is for development to extend only as far south as the railway line, meaning that, whilst the Bobbing settlement gap would be eroded or lost, the gap(s) between Sittingbourne and Newington would not be affected. In this respect, it is important to note that an earlier masterplan proposed a large area of parkland to the south of the railway. Finally, it is important to note that the Stantec Assessment of Stage 2 Submissions (2019) identifies the potential for the scheme to expand beyond its current 'red line boundary' (see page 15 of the report). There is an argument for comprehensive long-term planning for this part of the Borough, rather than piecemeal growth. The possibility of comprehensively planning for the entire area of land between the A249 in the east, the A2 in the south, the Lower Halstow – Iwade Ridge in the west and Iwade in the north might be envisaged, with a view to securing infrastructure, environmental protection/enhancement and employment land."*

In respect of Highsted park the ISA Report (2021) presented lengthy analysis, but the concern is that some of it might now be less than fully up-to-date given that so much work has subsequently been undertaken through the planning application process. The analysis from 2021 covered factors including: A) impacts to the Kent Downs National Landscape, particularly relating to a new motorway junction; B) settlement gaps, including the gap between Sittingbourne/Bapchild and Teynham; and C) the sensitivity of the Rodmersham, Milstead and Highstead Dry Valley character area, which is a "a topographically distinct landscape with a strong sense of place and rural character", albeit one where "the quality has deteriorated notably on the edge of Sittingbourne". The appraisal in 2021 concluded:

*"The current masterplan proposals are described as 'landscape led', and it is recognised that the scheme has evolved considerably and repeatedly over recent years, with the latest Stantec report explaining that efforts have been made to avoid the valley and valley slopes, and that proposals have "move[d] away from a necklace approach". However, there is a need to understand the pros and cons of achieving the required scale of growth whilst containing growth west of a line that runs between Cromer's wood, Rodmersham Green, Rodmersham, Bapchild and Tonge Conservation Area / Church, thereby achieving a scheme that is more contained in landscape terms, in that it remains 'facing' Sittingbourne. Under the current proposal there could be a concern regarding long term sprawl at the edge of Sittingbourne and also in the Teynham/Lynstead area, which might be argued for as 'infilling' or 'rounding off'."*

Finally, in respect of East of Faversham Extension, a recent study has assessed the landscape sensitivity of the site, although it should be noted that the site assessed extends as far east as the A299 Thanet Way, i.e. to include the proposed employment allocation that is assumed a constant under all of the growth scenarios. The assessment concludes overall 'moderate' sensitivity to housing development, but does highlight a number of potential concerns. It concludes:

*"The access along the PRoW, mature hedgerows, rural approach to Faversham, proximity to listed buildings and rural context between Faversham and Goodnestone increase sensitivity to development… Due to the presence of existing modern housing adjacent to the site, development would be in accordance with the general settlement pattern and scale. This, along with the well filtered nature of the site's boundaries, and the influence of neighbouring road and rain infrastructure, would reduce sensitivity to housing development."*

In conclusion, whilst it is appropriate to rank the scenarios in order to flag a concern with Highsted Park on balance significant negative effects are not predicted. This is a reflection of the inability to fully account for the evidence generated through the planning application process.

Finally, with regards to significant effects, it should be noted that a Landscape Sensitivity Assessment has recently been completed that examines select proposed allocations (N.B. it does not examine Bobbing) and flags a concern with two proposed allocations that are a constant across the growth scenarios, namely: 1) Upchurch, where it assigns 'moderate-high' landscape sensitivity; and 2) the

proposed employment allocation to the east of Faversham, where it assigns 'moderate-high' landscape sensitivity to the area of land between Faversham and the A299 as a whole and specifically recommends: *"Avoid developing the more elevated fields closer to the A299 which are more prominent in views within the surrounding landscape."*

## Soils / resources

This is a key issue for Swale, given its strong association with the Kent Fruit Belt, and the recently released national agricultural land quality dataset confirms that there would be a very significant loss of the highest quality agricultural land under all scenarios.

Numerous of the non-strategic sites that feature only in Scenarios 1 and 3 are brownfield sites or otherwise not in agricultural use, and Highsted Park would involve some growth focused away from the A2 corridor that is grade 2 quality land as opposed to grade 1 quality land, but overall the primary consideration is a need to flag a concern with higher growth including looking beyond the plan period. Again, it could feasibly be the case that a future SDS gives weight to protecting highest quality agricultural land.

## Transport

Whilst there have been recent improvements to the A249 it remains the case that road capacity is a major constraint to growth along the A2 corridor, through Sittingbourne, at the A249 / M2 junction (south of Sittingbourne), at the A2 / M2 junction (east of Faversham, known as Brenley Corner), at on the Isle of Sheppey (particularly in tourist season). It can be suggested that the Borough is inherently constrained, because whilst very well connected by rail the main settlements feed onto a limited number of strategic road corridors, including the A2 which passes through the centre of settlements (the only bypasses are at Sittingbourne town centre and Boughton). Enabling longer distance trips via the M2 rather than the A2 is an important objective, but just three junctions serve the Borough and two are known to have capacity issues.

There is considerable historical context to exploring transport solutions to enable growth, for example the ISA Report (2021) quoted the following from the Infrastructure Delivery Plan (IDP, 2021): *"The Inspector who examined the Bearing Fruits Local Plan was satisfied that the level of growth in the first part of the plan period could be accommodated on the local road network. Beyond this there were implications in delivering the full housing need figure for both the strategic and local road network that would require the implementation of improvement works. At the time of the examination, the nature of improvement works had not been determined, but the Inspector did not consider this to be a showstopper to the Local Plan being adopted. The Inspector, therefore, found the Local Plan sound subject to a commitment to undertake an early review of the Local Plan to address the highway capacity issues…..* Also, the ISA Report (2021) noted that the adopted Local Plan (2017) explains: *"The main strategic risk to the plan overall relates to any significant deferral in the improvement to Junction 5 of the M2"*. Finally, the ISA Report (2021) explained the context of KCC having raised significant transport concerns at the preceding Regulation 19 stage: "*KCC is concerned that the consultation is missing critical highway evidence to justify the Local Plan strategy and as a consequence the Local Plan is currently supported by an inaccurate evidence base. There are fundamental changes from the modelling used as evidence for the Local Plan and the housing proposals within this regulation 19 consultation. Specifically, the housing numbers are higher in the Teynham area, greater levels of employment land and a reliance on a design solution for Brenley Corner that cannot at this stage be relied upon. The County Council, as Local Highway Authority, requires further supporting transport modelling that accurately reflects the proposed housing and employment strategy as presented before it can make a fully informed comment…"*

Further context then comes from the following statement made within the consultation document published under Regulation 18 in 2021:

"The solutions to the existing infrastructure issues are now coming forward (M2 junction 5 and capacity issues on the A249) which opens Sittingbourne and the Isle of Sheppey back up for development."

It is difficult to differentiate between the growth scenarios with confidence, but on balance the scenarios are ranked broadly in order of total growth quantum and in light of the following considerations:

- The variable non-strategic sites perform relatively poorly in transport terms.
- Bobbing is not well linked to Sittingbourne and there are M2 J5 capacity challenges.

- Whilst Highsted Park would deliver a transformational road infrastructure solution, and it is acknowledged that the proposal is to front-load infrastructure delivery (as far as possible, within the bounds of what can be viably achieved), again a need to consider the context of forthcoming LGR and devolution.
- East of Faversham Extension is relatively well related to a town centre, and there could be transport opportunities to explore (the Regulation 18 consultation document in 2021 highlighted an opportunity *"to look at the role of the A2 at Faversham and divert traffic to the M2 allowing greater integration of sites south of the A2").* However, there would be a need for further work to model traffic impacts, and it is not clear that allocation would help significant in respect of funding upgrades to M2 J7 (Brenley Corner).

Finally, with regards to significant effects, whilst there is a case for flagging a significant negative effect under the worst performing scenarios, on balance it is considered appropriate to conclude a 'moderate or uncertain' negative effect under all six scenarios.

## Water

Whilst the ISA Report from 2021 presented a detailed discussion of potential issues relating to water resources and wastewater treatment, the evidence referenced at that time is now dated, and there is limited more recent evidence (the Infrastructure Delivery Plan is not available at the time of writing). Whilst there are not known to be any key challenges in respect of either water resources or wastewater treatment capacity, the Environment Agency and Southern Water will wish to comment through the consultation. Capacity at wastewater treatment works has been rising up the agenda as a key issue for local plan spatial strategy / site selection over recent years, and over recent months water supply has begun to emerge as a strategic constraint in parts of Kent.

## Appraisal conclusion

The appraisal shows a mixed picture, with all of the scenarios associated with pros and cons, and it is for the Council to weigh these pros and cons before deciding on which of the scenarios best represents sustainable development 'on balance'.

As part of this, account can be taken of the fact that Scenario 1 (the proposed submission approach) and Scenario 4 (which sees Bobbing replaced with Highsted Park) are ranked first under the greatest number of sustainability topic headings.

However, it is important to be clear that this does not automatically mean either Scenario 1 or Scenario 4 is appraised as performing best overall, because: A) there is also a need to account for the conclusions reached in respect of significant effects; B) the appraisal is undertaken with no assumptions made regarding the degree of importance ('weight') that should be assigned to each of the topics as part of decision-making (and, to be clear, the topics are not assumed to have equal weight); and C) the topic specific appraisal conclusions are open for debate (indeed the very aim is to spark debate).

***Table B**: Summary appraisal of the superseded growth scenarios (June 2026)*

| | **Scenario 1** Bobbing Small sites | **Scenario 2** Bobbing East Fav. | **Scenario 3** Bobbing East Fav. Small sites | **Scenario 4** Highsted Small sites | **Scenario 5** Highsted East Fav. | **Scenario 6** Highsted East Fav. Small sites |
|---|---|---|---|---|---|---|
| Accessibility | 4 | 2 | 3 | 3 | 1 | 2 |
| Air quality | ? | ? | ? | ? | ? | ? |
| Biodiversity | 1 | 2 | 3 | 1 | 2 | 3 |
| Climate change adaptation | = | = | = | = | = | = |
| Climate change mitigation | 3 | 1 | 2 | 3 | 1 | 2 |
| Communities | 1 | 2 | 2 | 1 | 2 | 2 |
| Economy and employment | 2 | 2 | 2 | 1 | 1 | 1 |
| Historic environment | ? | ? | ? | ? | ? | ? |
| Homes | 2 | 2 | 1 | 2 | 2 | 1 |
| Landscape | 1 | 2 | 2 | 3 | 4 | 4 |
| Soils / resources | 1 | 2 | 2 | 1 | 2 | 2 |
| Transport | 1 | 2 | 3 | 1 | 2 | 3 |
| Water | ? | ? | ? | ? | ? | ? |

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# Swale Local Plan

## Habitat Regulations Assessment

Swale Borough Council (Draft)

May 2026



Delivering a better world

## Quality information

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# 1. Introduction

## 1.1 Background

1.1.1 AECOM has been appointed by Swale Borough Council (SBC) to undertake a Habitats Regulations Assessment (HRA) of the emerging Regulation 19 Swale Local Plan (Hereafter referred to as SLP). The objective of an HRA is to identify any aspects of a Plan that may result in Likely Significant Effects (LSEs) and, where relevant, adverse effects on the integrity of Habitats (previously European) sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites), either in isolation or in combination with other plans and projects. The HRA also advises, as necessary, on appropriate policy mechanisms for delivering mitigation where adverse effects on integrity are identified. Under the Conservation of Habitats and Species Regulations 2017 (as amended), an Appropriate Assessment of impact pathways is required, where a plan or project is likely to have a Likely Significant Effect (LSE) upon a Habitats Site, either alone or in combination with other plans and projects.

1.1.2 The SLP will cover the years 2027 to 2042. The Plan will allocate land for housing, employment, mixed-use development and other purposes. For example, the SLP sets a target for the provision of 17,024 new dwellings and 73ha of employment floorspace over the Plan period. The Plan also sets out the policies and proposals to guide the future development in the borough during this period. At the same time, the document seeks to protect Swale's natural environment, including Habitats sites that are designated for internationally important habitats and species.

## 1.2 Legislation

1.2.1 The UK left the European Union (EU) on 31 January 2020 under the terms set out in the European Union (Withdrawal Agreement) Act 2020 ("the Withdrawal Act"). While the UK is no longer a member of the EU, a requirement for Habitats Regulations Assessment continues, as set out in the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019[1].

1.2.2 The HRA process applies the 'Precautionary Principle'[2] to Habitats sites. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the Habitats site(s) in question. To ascertain whether or not site integrity will be affected, an Appropriate Assessment should be undertaken of the Plan or project in question. Figure 1 below sets out the legislative basis for Appropriate Assessment.

**Conservation of Habitats and Species Regulations 2017 (as amended)**

The Regulations state that:

"*A competent authority, before deciding to … give any consent for a plan or project which is likely to have a significant effect on a European site … shall make an appropriate assessment of the implications for the site in view of that sites conservation objectives… The authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site*".

**Figure 1: The legislative basis for Appropriate Assessment**

1.2.3 Plans and projects that are associated with potential adverse impacts on Habitats sites may still be permitted if there are no reasonable alternatives and there are Imperative Reasons of Overriding

[1] These don't replace the 2017 Regulations but are just another set of amendments.
[2] The Precautionary Principle, which is referenced in Article 191 of the Treaty on the Functioning of the European Union, has been defined by the United Nations Educational, Scientific and Cultural Organisation (UNESCO, 2005) as: *"When human activities may lead to morally unacceptable harm* [to the environment] *that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm. The judgement of plausibility should be grounded in scientific analysis".*

Public Interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network.

1.2.4 Over time the phrase 'Habitats Regulations Assessment' (HRA) has come into wide currency to describe the overall process set out in the Regulations from screening through to IROPI. This has arisen in order to distinguish the process from the individual stage described in the law as an 'Appropriate Assessment'.

1.2.5 In spring 2018 the 'Sweetman' European Court of Justice ruling[3] clarified that 'mitigation' (i.e. measures that are specifically introduced to avoid or reduce a harmful effect on a Habitats site that would otherwise arise) should **not** be taken into account when forming a view on Likely Significant Effects. Mitigation should instead only be considered at the Appropriate Assessment stage. This HRA has been cognisant of that ruling.

## 1.3 Scope of the Project

1.3.1 There is no guidance that dictates the physical scope of an HRA of a Plan document in all circumstances. Therefore, in considering the physical scope of the assessment, we were guided primarily by the identified impact pathways (called the source-pathway-receptor model) rather than by arbitrary 'zones'. Current guidance suggests that the following Habitats sites be included in the scope of assessment:

- All sites within the boundary of Swale Borough; and,
- Other sites shown to be linked to development within the authority boundary through a known impact 'pathway' (discussed below).

1.3.2 Briefly defined, impact pathways are routes by which the implementation of a policy within a Local Plan document can lead to an effect upon an internationally designated site. An example of this would be new residential development resulting in an increased population and thus increased recreational pressure, which could then affect Habitats sites by, for example, disturbance of wintering or breeding birds.

1.3.3 Guidance from the Ministry of Housing, Communities and Local Government (MHCLG) states that the HRA should be '*proportionate to the geographical scope of the* [plan policy]' and that '*an AA need not be done in any more detail, or using more resources, than is useful for its purpose'* (MHCLG, 2006, p.6). More recently, the Court of Appeal ruled that providing the Council (competent authority) was duly satisfied that proposed mitigation could be 'achieved in practice' to satisfy that the proposed development would have no adverse effect, then this would suffice. This ruling has since been applied to a planning permission (rather than a Core Strategy document). In this case the High Court ruled that for '*a multistage process, so long as there is sufficient information at any particular stage to enable the authority to be satisfied that the proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully resolved before a decision maker is able to conclude that a development will satisfy the requirements of Reg 61 of the Habitats Regulations'*.

## 1.4 Quality Assurance

1.4.1 This report was undertaken in line with AECOM's Integrated Management System (IMS). Our IMS places great emphasis on professionalism, technical excellence, quality, environmental and Health and Safety management. All staff members are committed to establishing and maintaining our certification to the international standards BS EN ISO 9001:2008 and 14001:2004 and BS OHSAS 18001:2007. In addition, our IMS requires careful selection and monitoring of the performance of all sub-consultants and contractors.

1.4.2 All AECOM Ecologists working on this project are members (at the appropriate level) of the Chartered Institute of Ecology and Environmental Management (CIEEM) and follow their code of professional conduct (CIEEM, 2019).

[3] People Over Wind and Sweetman v Coillte Teoranta (C-323/17)

# 2. Methodology

## 2.1 Introduction

2.1.1 The HRA has been carried out with reference to the general EC guidance on HRA[4] and general guidance on HRA published by government in July 2019 and 2021[5]. AECOM has also been mindful of the implications of European case law in 2018, notably the Holohan ruling and the People over Wind ruling, both discussed below.

2.1.2 Figure 2 below outlines the stages of HRA. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations and any relevant changes to the Plan until no significant adverse effects remain.

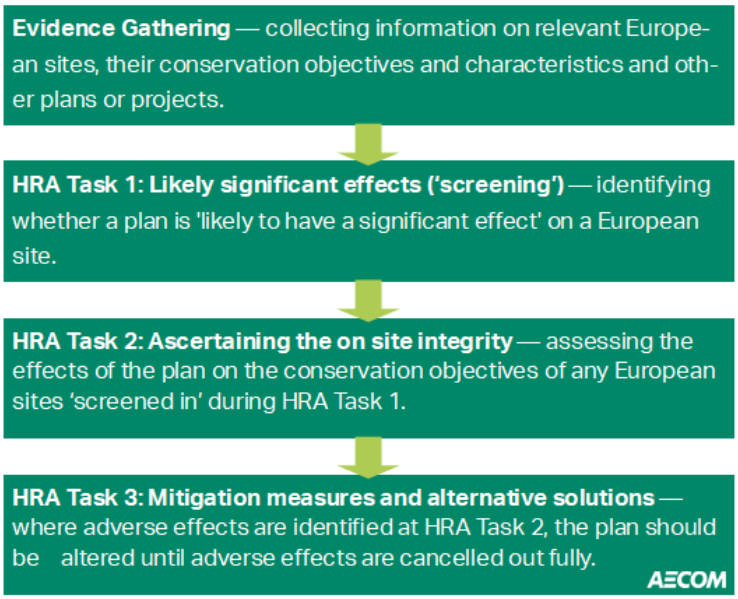



**Figure 2: Four Stage Approach to Habitats Regulations Assessment.**

## 2.2 Description of HRA Tasks

### HRA Task 1 – Screening for Likely Significant Effects (LSEs)

2.2.1 Following evidence gathering, the first stage of any Habitats Regulations Assessment is the screening for Likely Significant Effects (LSEs), essentially a high-level assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:

> *"Is the project, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?"*

2.2.2 The objective is to filter out those Plans and projects that can, without any detailed appraisal, be concluded to be unlikely to result in any impacts upon Habitats sites, usually because there is no mechanism for a negative interaction.

[4] European Commission (2021): Assessment of plans and projects significantly affecting Natura 2000 Sites: Methodological Guidance on the Provisions of Article 6(3) and 6(4) of the Habitats Directive.
[5] https://www.gov.uk/guidance/appropriate-assessment and https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site

Swale Borough Council

# HRA Task 2 – Appropriate Assessment (AA)

2.2.3 Where it is determined that a conclusion of 'no Likely Significant Effects (LSEs)' cannot be drawn, the analysis proceeds to the next stage of HRA known as Appropriate Assessment. Case law has clarified that 'Appropriate Assessment' is not a technical term. In other words, there are no particular technical analyses, or level of technical analysis, that are classified by law as belonging to Appropriate Assessment compared to the screening stage.

2.2.4 By virtue of the fact that it follows screening for LSEs, there is a clear implication that the analysis will be more detailed than undertaken at the previous stage. One of the key considerations during Appropriate Assessment is whether there is available mitigation that would entirely address the potential effect. In practice, the Appropriate Assessment would take any policies or allocations that could not be dismissed following the high-level screening and assess the potential for an effect in more detail, with a view to concluding whether there would be a potential for an adverse effect on site integrity (in other words, disruption of the coherent structure and function of the Habitats site(s)). A decision by the European Court of Justice[6] concluded that measures intended to avoid or reduce the harmful effects of a proposed Plan or project on a Habitats site may no longer be considered by competent authorities at the screening for LSEs stage of HRA. That ruling has been taken into account in producing this HRA.

2.2.5 Also, in 2018 the Holohan ruling[7] was handed down by the European Court of Justice. Among other provisions, paragraph 39 of the ruling states that '*As regards other habitat types or species, which are present on the site, but for which that site has not been listed, and with respect to habitat types and species located outside that site, … typical habitats or species must be included in the appropriate assessment, if they are necessary to the conservation of the habitat types and species listed for the protected area*' [emphasis added]. Due account of this decision has been given in this HRA in relation to the Ashdown Forest SPA, which is designated for mobile ground-nesting birds (although it is to be noted that the qualifying species are not considered to be critically dependent on functionally linked habitats).

# HRA Task 3 – Avoidance and Mitigation

2.2.6 Where necessary, measures are recommended for incorporation into the Plan in order to mitigate and / or avoid adverse effects on Habitats sites. There is considerable precedent concerning the level of detail that a Local Plan document needs to contain regarding mitigation for impact pathways on Habitats sites (e.g. regarding recreational pressure). The implication of this precedent is that it is not necessary for all measures to be fully developed prior to adoption of the Plan, but the Plan must provide an adequate policy framework within which these measures can be delivered.

2.2.7 When discussing mitigation for a Local Plan, one is concerned primarily with the policy framework to enable the delivery of such mitigation rather than the detail of the mitigation measures themselves since a Local Plan document is a high-level policy document.

2.2.8 In any Local Plan, there are numerous policies for which there is a limit to the degree of assessment that is possible at the Plan level. This is because either:

- The policy in question does not contain any specifics as to what will be delivered or where, and so cannot be assessed in detail at the Plan level. In these cases, the Appropriate Assessment focusses on precautionary mitigation that can be included in the plan to ensure that whatever proposals come forward will not result in adverse effects on integrity; or
- The nature of potential impacts (e.g. visual and noise disturbance arising from construction or loss of functionally linked habitat) are related to how the development will be designed and constructed, and therefore cannot be assessed in detail at the plan level. In these instances, the Appropriate Assessment focusses on available mitigation measures, the extent to which such measures would be achievable and effective, and whether an adequate protective framework exists to ensure that the policy would not lead to an adverse effect on the integrity of any internationally designated sites.

[6] People Over Wind and Sweetman v Coillte Teoranta (C-323/17)
[7] Case C-461/17

2.2.9 There are several court rulings of relevance to the level of detail required in the HRA for a Local Plan. The Court of Appeal[8] has ruled that providing the Council (competent authority) is duly satisfied that proposed mitigation could be 'achieved in practice' to satisfy that the proposed development would have no adverse effect, then this would suffice. This ruling has since been applied to planning permissions (rather than a Plan level document)[9]. In this case the High Court ruled that for '*a multistage process, so long as there is sufficient information at any particular stage to enable the authority to be satisfied that the proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully resolved before a decision maker is able to conclude that a development will satisfy the requirements of Reg 61 of the Habitats Regulations*'.

2.2.10 In these instances, the advice of Advocate-General Kokott[10] is also worth considering. She commented that: *'It would …hardly be proper to require a greater level of detail in preceding plans* [rather than planning applications] *or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure* ***to the extent possible on the basis of the precision of the plan***. ***This assessment is to be updated with increasing specificity in subsequent stages of the procedure'*** [emphasis added].

## 2.3 Geographical Scope of the HRA

2.3.1 There are no standard criteria for determining the ultimate physical scope of an HRA. Rather, the source-pathway-receptor model should be used to determine whether there is any potential pathway connecting development to any Habitats sites. In the case of Swale Borough, it was determined that for the initial coarse screen the following Habitats Sites required consideration:

**Table 1. Physical scope of the HRA**

| Habitats Site | Reason for Inclusion |
|---|---|
| The Swale SPA/Ramsar | Within the Swale Borough boundary |
| Medway Estuary & Marshes SPA/Ramsar | Within the Swale Borough boundary |
| Queendown Warren SAC | Within the Swale Borough boundary |
| Blean Complex SAC | Partially within the Swale Borough boundary |
| Outer Thames Estuary SPA | Immediately adjacent to the Swale Borough boundary |
| North Downs Woodlands SAC | Located 3.6km south west of the Swale Borough boundary |

2.3.2 This was based upon a search of surrounding Habitats sites and based on the vulnerabilities of the interest features of the Habitats sites. All the above sites were subjected to the initial screening exercise. It should be noted that the presence of a conceivable pathway linking the Borough to a Habitats site does not mean that likely significant effects will occur.

## 2.4 The 'in combination' scope

2.4.1 It is a requirement of the Regulations that the impacts and effects of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the Habitats site(s) in question. In practice, 'in combination assessment' is of greatest importance when the Local Plan would otherwise be screened out because the individual contribution is inconsequential. It is neither practical nor necessary to assess the 'in combination' effects of the Local Plan within the context of all other plans and projects within the region. The principal other plans and projects that we are considering are:

[8]No Adastral New Town Ltd (NANT) v Suffolk Coastal District Council Court of Appeal, 17th February 2015
[9]High Court case of R (Devon Wildlife Trust) v Teignbridge District Council, 28 July 2015
[10] Opinion of Advocate General Kokott, 9th June 2005, Case C-6/04. Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland, paragraph 49http://curia.europa.eu/juris/document/document.jsf?docid=58359&doclang=EN

- Southern Water – adopted Water Resources Management Plan, 2024
- Medway Local Plan 2003. It is noted that Medway is in the progress of updating its local plan and where relevant this has also been consulted.
- Canterbury Local Plan (to 2031), adopted 2017.
- Maidstone Borough Local Plan (to 2031), (adopted 2017)
- Gravesham Local Plan Core Strategy, Site Allocations and a Development Management Policies Document Regulation 18 (December 2020).
- Ashford Local Plan 2030, adopted February 2019.
- Kent Minerals and Waste Local Plan, adopted 2025.
- Kent Local Transport Plan (LTP5): Striking the Balence (2024-2037).
- Environment Agency and Defra - River Basin Management Plan Thames River Basin District, 2022.

2.4.2 It should be noted that, while the broad potential impacts of these other projects and plans has been considered, we have not carried out full HRA on each of these plans – we have however drawn upon existing HRAs that have been carried out for surrounding authorities and plans.

# 3. Habitats Sites

## 3.1 The Swale SPA and Ramsar Site

### 3.1.1 Reason for Designation

The **SPA** is designated for[11]:

During the breeding season:

- Avocet *Recurvirostra avosetta*
- Marsh Harrier *Circus aeruginosus*
- Mediterranean Gull *Larus melanocephalus*

Over winter:

- Avocet *Recurvirostra avosetta*
- Bar-tailed Godwit *Limosa lapponica*
- Golden Plover *Pluvialis apricaria*
- Hen Harrier *Circus cyaneus*
- Black-tailed Godwit *Limosa limosa islandica*
- Grey Plover *Pluvialis squatarola*
- Knot *Calidris canutus*
- Pintail *Anas acuta*
- Redshank *Tringa totanus*
- Shoveler *Anas clypeata*
- Dark-bellied Brent goose *Branta bernicla bernicla*
- Dunlin *Calidris alpina alpina*

On passage:

- Ringed Plover *Charadrius hiaticula*

The SPA also qualifies under Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl (Over winter, the area regularly supports 65,390 individual waterfowl (5 year peak mean 1991/2 - 1995/6))

The **Ramsar** site is designated for[12]:

The Ramsar information sheet states that The Swale comprises, “A complex of brackish and freshwater, floodplain grazing marsh with ditches, and intertidal saltmarsh and mudflat. These habitats together support internationally important numbers of wintering waterfowl. Rare wetland birds breed in important numbers. The saltmarsh and grazing marsh are of international importance for their diverse assemblages of wetland plants and invertebrates”.

[11] http://publications.naturalengland.org.uk/file/4517156041523200 [accessed 05/06/2026]
[12] https://jncc.gov.uk/jncc-assets/RIS/UK11071.pdf [accessed 05/06/2026]

Ramsar criterion 2**:** The site supports nationally scarce plants and at least seven British Red data book invertebrates.

Ramsar criterion 5: Assemblages of international importance: Species with peak counts in winter: 77501 waterfowl (5 year peak mean 1998/99-2002/2003).

Ramsar criterion 6: – Species/populations occurring at levels of international importance.

Species with peak counts in spring/autumn:

- Common redshank *Tringa totanus tetanus*

Species with peak counts in winter:

- Dark-bellied brent goose *Branta bernicla bernicla*
- Grey plover *Pluvialis squatarola*, E Atlantic/W Africa -wintering

Species/populations identified subsequent to designation for possible future consideration under criterion 6:

Species with peak counts in spring/autumn:

- Ringed plover *Charadrius hiaticula*, Europe/Northwest Africa

Species with peak counts in winter:

- Eurasian wigeon *Anas penelope*, NW Europe
- Northern pintail *Anas acuta,* NW Europe
- Northern shoveler *Anas clypeata*, NW & C Europe
- Black-tailed godwit *Limosa limosa islandica*, Iceland/W Europe

### 3.1.2 Conservation Objectives of the SPA[13]

*"With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;*

*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;*

- *The extent and distribution of the habitats of the qualifying features*
- *The structure and function of the habitats of the qualifying features*
- *The supporting processes on which the habitats of the qualifying features rely*
- *The population of each of the qualifying features, and,*
- *The distribution of the qualifying features within the site."*

### 3.1.3 Historic Trends and Current Pressures[14]

- Coastal squeeze
- Public access/ disturbance
- Invasive species

[13] http://publications.naturalengland.org.uk/file/4666133965963264 [accessed 05/06/2026]
[14] http://publications.naturalengland.org.uk/file/5760073666134016 [accessed 05/06/2026]

- Changes in species distribution
- Fisheries: commercial marine and estuarine
- Vehicles: illicit
- Air pollution: risk of atmospheric nitrogen deposition

# 3.2 Medway Estuary and Marshes SPA and Ramsar Site

## 3.2.1 Reason for Designation

The site is designated as an **SPA**[15] for supporting bird populations of European importance for the breeding species of:

- Avocet *Recurvirostra avosetta*
- Little tern *Sterna albifrons*
- Common tern *Sterna hirundo*

The site is designated as an **SPA** for supporting bird populations of European importance for the over-wintering species of:

- Tundra swan Cygnus *columbianus bewickii*
- Avocet *Recurvirostra avosetta*

The **Ramsar** site is designated for[16]:

The Ramsar information sheet states that Medway Estuary and Marshes site comprises, "*A complex of brackish and freshwater, floodplain grazing marsh with ditches, and intertidal saltmarsh and mudflat. These habitats together support internationally important numbers of wintering waterfowl. Rare wetland birds breed in important numbers. The saltmarsh and grazing marsh are of international importance for their diverse assemblages of wetland plants and invertebrates*".

Ramsar criterion 2*:* The site supports nationally scarce plants and at least seven British Red data book invertebrates.

Ramsar criterion 5*:* Assemblages of international importance: Species with peak counts in winter: 47637 waterfowl (5 year peak mean 1998/99-2002/2003).

Ramsar criterion 6*:* – Species/populations occurring at levels of international importance. The site has bird species occurring in internationally important numbers: Redshank, grey plover (spring/autumn), dark-bellied brent goose, shelduck, pintail, red knot, ringed plover, dunlin (winter)

## 3.2.2 Conservation Objectives of the SPA[17]

*"With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;*

*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;*

- *The extent and distribution of the habitats of the qualifying features*
- *The structure and function of the habitats of the qualifying features*

[15] http://publications.naturalengland.org.uk/file/5039453273849856 [accessed 05/06/2026]
[16] https://rsis.ramsar.org/RISapp/files/RISrep/GB645RIS.pdf [accessed 05/06/2026]
[17] http://publications.naturalengland.org.uk/publication/6672791487119360 [accessed 05/06/2026]

- *The supporting processes on which the habitats of the qualifying features rely*
- *The population of each of the qualifying features, and,*
- *The distribution of the qualifying features within the site."*

### 3.2.3 Historic Trends and Current Pressures[18]

- Coastal squeeze
- Public access/ disturbance
- Invasive species
- Changes in species distribution
- Fisheries: commercial marine and estuarine
- Vehicles: illicit
- Air pollution: risk of atmospheric nitrogen deposition

## 3.3 The Outer Thames Estuary SPA

### 3.3.1 Reason for Designation

The Marine **SPA** is designated for its[19]:

- Red-throated diver *Gavia stellate* (non-breeding)
- Common tern *Sterna hirundo* (breeding)
- Little tern *Sternula albifrons* (breeding)

### 3.3.2 Conservation Objectives[20]

"*The site's conservation objectives apply to the site and the individual species and/or assemblage of species for which the site has been classified (the "Qualifying features" listed above).*

*The objectives are to ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:*

- *the extent and distribution of the habitats of the qualifying features*
- *the structure and function of the habitats of the qualifying features*
- *the supporting processes on which the habitats of the qualifying features rely*
- *the populations of each of the qualifying features*
- *the distribution of qualifying features within the site"*

### 3.3.3 Historic Trends and Current Pressures

- Low levels of winter disturbance (from both noise and visual presence);

[18] http://publications.naturalengland.org.uk/file/5760073666134016 [accessed 05/06/2026]
[19] https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9020309.pdf [accessed 05/06/2026]
[20] https://designatedsites.naturalengland.org.uk/Marine/MarineSiteDetail.aspx?SiteCode=UK9020309&SiteName=outer%20thames&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=&HasCA=1&NumMarineSeasonality=3&SiteNameDisplay=Outer%20Thames%20Estuary%20SPA#hlco [accessed 05/06/2026]

- Low risk of direct birdstrike from wind turbines;
- Good water quality; and
- Limited dredging.

# 3.4 Queendown Warren SAC

## 3.4.1 Reason for Designation[21]

The site is designated as a SAC for its:

- Dry grasslands and scrublands on chalk or limestone, including important orchid sites.

## 3.4.2 Conservation Objectives[22]

*"With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;*

*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*

- *The extent and distribution of qualifying natural habitats*
- *The structure and function (including typical species) of qualifying natural habitats, and*
- *The supporting processes on which qualifying natural habitats rely"*

## 3.4.3 Historic Trends and Current Pressures[23]

- Species decline
- Habitat fragmentation
- Air quality: risk of atmospheric nitrogen deposition

# 3.5 The Blean Complex SAC

## 3.5.1 Reason for Designation[24]

The site is designated as a SAC for its:

- Sub-Atlantic and medio-European oak or oak-hornbeam forests of the *Carpinion betuli*. (Oak-hornbeam forests)

## 3.5.2 Conservation Objectives[25]

*"With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;*

*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*

- *The extent and distribution of qualifying natural habitats*

[21] https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0012833.pdf [accessed 05/06/2026]
[22] http://publications.naturalengland.org.uk/file/4860443613200384 [accessed 05/06/2026]
http://publications.naturalengland.org.uk/file/4724631642832896 [accessed 05/06/2026]
[23] http://publications.naturalengland.org.uk/publication/4943746697265152 [accessed 05/06/2026]
[24] http://publications.naturalengland.org.uk/file/6743128623022080 [accessed 05/06/2026]
[25] http://publications.naturalengland.org.uk/file/6568792784371712 [accessed 05/06/2026]

- *The structure and function (including typical species) of qualifying natural habitats, and*
- *The supporting processes on which qualifying natural habitats rely"*

### 3.5.3 Historic Trends and Current Pressures[26]

- Air quality: risk of atmospheric nitrogen deposition

## 3.6 North Downs Woodlands SAC

### 3.6.1 Reason for Designation[27]

The site is designated as a SAC for its:

- *Taxus baccata* woods of the British Isles. (Yew-dominated woodland)*
- *Asperulo-Fagetum* beech forests. (Beech forests on neutral to rich soils)
- Semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco-Brometalia*). (Dry grasslands and scrublands on chalk or limestone)

### 3.6.2 Conservation Objectives[28]

*"With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;*

*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*

- *The extent and distribution of qualifying natural habitats*
- *The structure and function (including typical species) of qualifying natural habitats, and*
- *The supporting processes on which qualifying natural habitats rely"*

### 3.6.3 Historic Trends and Current Pressures[29]

- Public access/ disturbance
- Forestry and woodland management
- Invasive species
- Air pollution: impact of atmospheric nitrogen deposition

[26] http://publications.naturalengland.org.uk/file/4985875433783296 [accessed 05/06/2026]
[27] http://publications.naturalengland.org.uk/file/6520020842577920 [accessed 05/06/2026]
[28] http://publications.naturalengland.org.uk/file/5579173532008448 [accessed 05/06/2026]
http://publications.naturalengland.org.uk/file/5280120969625600 [accessed 05/06/2026]
[29] http://publications.naturalengland.org.uk/publication/6363401429188608 [accessed 05/06/2026]

# 4. Identified Impact Pathways

## 4.1 Atmospheric Pollution (Nitrogen Deposition)

4.1.1 The main emitted pollutants of concern for Habitats sites are oxides of nitrogen (NOx), ammonia ($NH_3$) and sulphur dioxide ($SO_2$) and are summarised in Table 2. Ammonia can have a directly toxic effect upon vegetation, particularly at close distances to the source such as near road verges[30]. NOx can also be toxic at very high concentrations (far above the annual average Critical Level). Elevated NOx and $NH_3$ also increases the total N deposition to soils, potentially leading to deleterious knock-on effects in resident ecosystems depending on sensitivity, extent of area affected and other factors. Increases in nitrogen deposition from the atmosphere can, if sufficiently great, enhance soil fertility and lead to eutrophication. This can have adverse effects on the community composition and quality of semi-natural, nitrogen-limited terrestrial and aquatic habitats[31] [32].

**Table 2: Main sources and effects of air pollutants on habitats and species[33]**

| Pollutant | Source | Effects on habitats and species |
|---|---|---|
| Sulphur Dioxide ($SO_2$) | The main sources of $SO_2$ are electricity generation, and industrial and domestic fuel combustion. Total $SO_2$ emissions in the UK have decreased substantially since the 1980's and our concentrations are now generally very low.<br><br>Another origin of sulphur dioxide is the shipping industry and high atmospheric concentrations of $SO_2$ have been documented in busy ports. In future years shipping is likely to become one of the most important contributors to $SO_2$ emissions in the UK. | Wet and dry deposition of $SO_2$ acidifies soils and freshwater and may alter the composition of plant and animal communities.<br><br>The magnitude of effects depends on levels of deposition, the buffering capacity of soils and the sensitivity of impacted species.<br><br>However, $SO_2$ background levels have fallen considerably since the 1970's and are presently not regarded a threat to plant communities. For example, decreases in Sulphur dioxide concentrations have been linked to returning lichen species and improved tree health in London. |
| Acid deposition | Leads to acidification of soils and freshwater via atmospheric deposition of $SO_2$, NOx, ammonia and hydrochloric acid. Acid deposition from rain has declined by 85% in the last 20 years, which most contributed to lower sulphate levels.<br><br>Although future trends in S emissions and subsequent deposition to terrestrial and aquatic ecosystems will continue to decline, increased N emissions may cancel out any gains produced by reduced S levels. | Gaseous precursors (e.g. $SO_2$) can cause direct damage to sensitive vegetation, such as lichen, upon deposition.<br><br>This can affect habitats and species through both wet (acid rain) and dry deposition. The effects of acidification include the lowering of soil pH, leaf chlorosis, reduced decomposition rates, and compromised reproduction in birds / plants.<br><br>Not all sites are equally susceptible to acidification. This varies depending on soil type, bed rock geology, weathering rate and buffering capacity. For example, sites with an underlying geology of granite, gneiss and quartz rich rocks tend to be more susceptible. |

[30] http://www.apis.ac.uk/overview/pollutants/overview_NOx.htm.
[31] Wolseley, P. A.; James, P. W.; Theobald, M. R.; Sutton, M. A. (2006). Detecting changes in epiphytic lichen communities at sites affected by atmospheric ammonia from agricultural sources. *Lichenologist* **38**: 161-176.
[32] Dijk, N. (2011). Dry deposition of ammonia gas drives species change faster than wet deposition of ammonium ions: evidence from a long-term field manipulation. *Global Change Biology* **17**: 3589-3607.
[33] Information summarised from the Air Pollution Information System (http://www.apis.ac.uk/).

| Pollutant | Source | Effects on habitats and species |
|---|---|---|
| Ammonia ($NH_3$) | Ammonia is a reactive, soluble alkaline gas released following decomposition and volatilisation of animal wastes. It is a naturally occurring trace gas, but ammonia concentrations are directly related to the distribution of livestock. It is also emitted from the catalytic converters of certain vehicles, particularly petrol cars.<br><br>Ammonia reacts with acid pollutants such as the products of $SO_2$ and $NO_X$ emissions to produce fine ammonium ($NH_4$+) - containing aerosol. Due to its significantly longer lifetime, $NH_4$+ may be transferred much longer distances (and can therefore be a significant trans-boundary issue).<br><br>While ammonia deposition may be estimated from its atmospheric concentration, the deposition rates are strongly influenced by meteorology and ecosystem type. | The negative effect of $NH_4$+ may occur via direct toxicity when uptake exceeds detoxification capacity and via N accumulation.<br><br>Its main adverse effect is eutrophication, leading to species assemblages that are dominated by fast-growing and tall species. For example, a shift in dominance from heath species (lichens, mosses) to grasses is often seen.<br><br>As emissions mostly occur at ground level in the rural environment and $NH_3$ is rapidly deposited, some of the most acute problems of $NH_3$ deposition are for small relict nature reserves located in intensive agricultural landscapes. |
| Nitrogen oxides ($NO_x$) | Nitrogen oxides are mostly produced in combustion processes. Half of $NO_X$ emissions in the UK derive from motor vehicles, one quarter from power stations and the rest from other industrial and domestic combustion processes.<br><br>Nitrogen oxides, particularly from traffic, have been consistently falling for many years, notwithstanding an increase in traffic on the network, due to improved vehicle emissions technology. | Direct toxicity effects of gaseous nitrates are likely to be important in areas close to the source (e.g. roadside verges). A critical level of NOx for all vegetation types has been set to 30 ug/m3.<br><br>Deposition of nitrogen compounds (nitrates ($NO_3$), nitrogen dioxide ($NO_2$) and nitric acid ($HNO_3$)) contributes to the total nitrogen deposition and may lead to both soil and freshwater acidification.<br><br>In addition, $NO_x$ contributes to the eutrophication of soils and water, altering the species composition of plant communities at the expense of sensitive species. |
| Nitrogen deposition | The pollutants that contribute to the total nitrogen deposition derive mainly from oxidized (e.g. $NO_X$) or reduced (e.g. $NH_3$) nitrogen emissions (described separately above). While oxidized nitrogen mainly originates from major conurbations or highways, reduced nitrogen mostly derives from farming practices. However, at a local scale, road traffic makes a significant contribution.<br><br>The N pollutants together are a large contributor to acidification (see above). | All plants require nitrogen compounds to grow, but too much overall N is regarded as the major driver of biodiversity change globally.<br><br>Species-rich plant communities with high proportions of slow-growing perennial species and bryophytes are most at risk from N eutrophication. This is because many semi-natural plants cannot assimilate the surplus N as well as many graminoid (grass) species.<br><br>N deposition can also increase the risk of damage from abiotic factors, e.g. drought and frost. |
| Ozone ($O_3$) | A secondary pollutant generated by photochemical reactions involving NOx, volatile organic compounds (VOCs) and sunlight. These precursors are mainly released by the combustion of fossil fuels (as discussed above).<br><br>Increasing anthropogenic emissions of ozone precursors in the UK have led to an increased number of days when ozone levels rise above 40ppb | Concentrations of $O_3$ above 40 ppb can be toxic, to both humans and wildlife, and can affect buildings.<br><br>High $O_3$ concentrations are widely documented to cause damage to vegetation, including visible leaf damage, reduction in floral biomass, reduction in crop yield (e.g. cereal grains, tomato, potato), reduction in the number of flowers, decrease in |

| Pollutant | Source | Effects on habitats and species |
|---|---|---|
| | ('episodes' or 'smog'). Reducing ozone pollution is believed to require action at international level to reduce levels of the precursors that form ozone. | forest production and altered species composition in semi-natural plant communities. |

4.1.2 Emissions of NOx and, at a local scale, ammonia can reasonably be expected to increase as a result of the Plan, primarily due to an increase in the volume of commuter traffic associated with housing growth.

4.1.3 The World Health Organisation has the following critical thresholds for plant communities: The critical NOx concentration (critical threshold) for the protection of vegetation is 30 $\mu gm^{-3}$, that for ammonia is 3 $\mu gm^{-3}$ (1 $\mu gm^{-3}$ for lower plants) and the threshold for sulphur dioxide is 20 $\mu gm^{-3}$. Additionally, ecological studies have determined 'Critical Loads'[34] of atmospheric nitrogen deposition (that is, NOx combined with ammonia $NH_3$).

4.1.4 According to the Department for Transport's Transport Analysis Guidance, beyond 200m, the contribution of vehicle emissions from the roads to local pollution levels is insignificant (Figure 3 and reference[35]). Additionally, guidance from Natural England[36] indicates that 200m is an appropriate screening distance for the impacts of air quality as a result of road traffic emissions. Therefore, this distance has been used throughout this HRA to determine whether Likely Significant Effects (LSEs) on sensitive Habitats sites may arise due to implementation of the Plan.

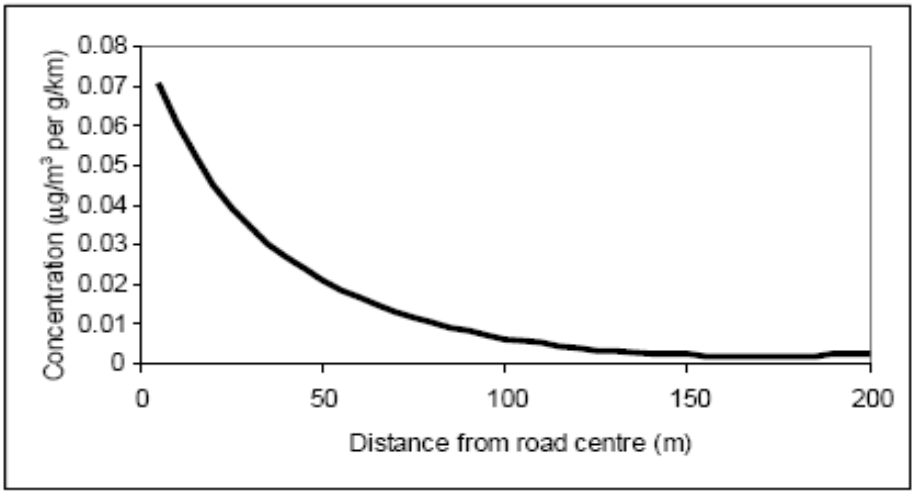



**Figure 3: Traffic contribution to concentrations of pollutants at different distances from a road (Source: DfT[37])**

4.1.5 The following Habitats sites within 10km of the Swale Borough boundary are sensitive to atmospheric nitrogen deposition, primarily due to the presence of nutrient-limited habitats and / or species (the sites in **bold** are taken forward into the following HRA chapters), and lie within 200m of relevant roads:

- **The Swale SPA/Ramsar**
- **Medway Estuary & Marshes SPA/Ramsar**
- **Queendown Warren SAC**
- **Blean Complex SAC**

[34] The critical load is the rate of deposition beyond which research indicates that adverse effects can reasonably be expected to occur.
[35] Available at: http://www.dft.gov.uk/webtag/documents/expert/unit3.3.3.php#013 [Accessed on the 06/01/2026]
[36] Available at: https://publications.naturalengland.org.uk/publication/4720542048845824 [Accessed on the 17/04/2026]
[37] Available at: https://webarchive.nationalarchives.gov.uk/ukgwa/20140715150031/http://www.dft.gov.uk/ha/standards/dmrb/vol11/section3/ha20707.pdf [Accessed on the 06/01/2026]

- **North Downs Woodlands SAC**

# 4.2 Recreational Pressure

4.2.1 There is concern over the cumulative impacts of recreation on key nature conservation sites in the UK, as most sites must fulfill conservation objectives while also providing recreational opportunity. Various research reports have provided compelling links between changes in housing and access levels[38], and impacts on Habitats protected sites[39] [40]. This applies to any habitat, but recreational pressure from housing growth is of particular significance for Habitats sites designated for their bird interest. Different Habitats sites are subject to different types of recreational pressures and have different vulnerabilities. Studies across a range of species have shown that the effects from recreation can be complex. HRAs of planning documents tend to focus on recreational sources of disturbance as a result of new residents.

## Trampling Damage, Nutrient Enrichment and Wildfires

4.2.2 Most terrestrial habitats (especially heathland, woodland and dune systems) can be affected by trampling and other mechanical damage, which dislodges individual plants, leads to soil compaction and erosion. The following studies have assessed the impact of trampling associated with different recreational activities in different habitats:

- Wilson & Seney[41] examined the degree of track erosion caused by hikers, motorcyclists, horse riders and cyclists in 108 plots along tracks in the Gallatin National Forest, Montana. Although the results proved difficult to interpret, it was concluded that horses and hikers disturbed more sediment on wet tracks, and therefore caused more erosion, than motorcycles and bicycles.
- Cole et al[42] conducted experimental off-track trampling in 18 closed forest, dwarf scrub and meadow & grassland communities (each trampled between 0 – 500 times) over five mountain regions in the US. Vegetation cover was assessed two weeks and one year after trampling, and an inverse relationship with trampling intensity was discovered, although this relationship was weaker after one year than two weeks indicating some recovery of the vegetation. Differences in plant morphology was found to explain more variation in response than soil and topographic factors. Low-growing, mat-forming grasses regained their cover best after two weeks and were considered most resistant to trampling, while tall forbs (non-woody vascular plants other than grasses, sedges, rushes and ferns) were considered least resistant. The cover of hemicryptophytes and geophytes (plants with buds below the soil surface) was heavily reduced after two weeks but had recovered well after one year and as such these were considered most resilient to trampling. Chamaephytes (plants with buds above the soil surface) were least resilient to trampling. It was concluded that these would be the least tolerant of a regular cycle of disturbance.
- Cole [43] conducted a follow-up study (across four vegetation types) in which shoe type (trainers or walking boots) and trampling weight were varied. Although immediate damage was greater with walking boots, there was no significant difference after one year. Heavier tramplers caused a greater reduction in vegetation height than lighter tramplers, but there was no differential impact on vegetation cover.

[38] Weitowitz D.C., Panter C., Hoskin R. & Liley D. (2019). The effect of urban development on visitor numbers to nearby protected nature conservation sites. *Journal of Urban Ecology* **5**. https://doi.org/10.1093/jue/juz019
[39] Liley D, Clarke R.T., Mallord J.W., Bullock J.M. (2006a). The effect of urban development and human disturbance on the distribution and abundance of nightjars on the Thames Basin and Dorset Heaths. Natural England / Footprint Ecology.
[40] Liley D., Clarke R.T., Underhill-Day J., Tyldesley D.T. (2006b). Evidence to support the appropriate Assessment of development plans and projects in south-east Dorset. Footprint Ecology / Dorset County Council.
[41] Wilson, J.P. & J.P. Seney. (1994). Erosional impact of hikers, horses, motorcycles and off-road bicycles on mountain trails in Montana. *Mountain Research and Development* **14**:77-88
[42] Cole, D.N. (1995a). Experimental trampling of vegetation. I. Relationship between trampling intensity and vegetation response. *Journal of Applied Ecology* **32**: 203-214
Cole, D.N. (1995b). Experimental trampling of vegetation. II. Predictors of resistance and resilience. *Journal of Applied Ecology* **32**: 215-224
[43] Cole, D.N. (1995c). Recreational trampling experiments: effects of trampler weight and shoe type. Research Note INT-RN-425. U.S. Forest Service, Intermountain Research Station, Utah.

Swale Borough Council

- Cole & Spildie[44] experimentally compared the effects of off-track trampling by hikers and horse riders (at two intensities – 25 and 150 passes) in two woodland vegetation types (one with an erect forb understorey and one with a low shrub understorey). Horse trampling was found to cause the largest reduction in vegetation cover. The forb-dominated vegetation suffered greatest disturbance but recovered rapidly. Generally, it was shown that higher trampling intensities caused more disturbance.
- In heathland sites, trampling damage can affect the value of a site to wildlife. For example, heavy use of sandy tracks loosens and continuously disturbs sand particles, reducing the habitat's suitability for invertebrates[45]. Species that burrow into flat surfaces such as the centres of paths, are likely to be particularly vulnerable, as the loose sediment can no longer maintain their burrow. In some instances, nature conservation bodies and local authorities resort to hardening paths to prevent further erosion. However, this is concomitant with the loss of habitat used by wildlife, such as sand lizards and burrowing invertebrates.

4.2.3 A major concern for nutrient-poor terrestrial habitats (e.g. heathlands, sand dunes, bogs and fens) is nutrient enrichment associated with dog fouling (addressed in various reviews, e.g**.** footnote 46). It is estimated that dogs will defecate within 10 minutes of starting a walk and therefore most nutrient enrichment arising from dog faeces will occur within 400m of a site entrance. In contrast, dogs will urinate at frequent intervals during a walk, resulting in a more spread out distribution of urine. For example, in Burnham Beeches National Nature Reserve it is estimated that 30,000 litres of urine and 60 tonnes of dog faeces are deposited annually[47]. While there is limited information on the chemical constituents of dog faeces, nitrogen is one of the main components[48]. Nutrient availability is the major determinant of plant community composition and the effect of dog defecation in sensitive habitats is comparable to a high-level application of fertiliser, potentially resulting in a shift towards plant communities that are more typical of improved grasslands.

## Bird Disturbance

4.2.4 Human activity can affect birds either directly (e.g. by eliciting flight responses) or indirectly (e.g. by damaging habitat or reducing bird fitness in less obvious ways such as through inducing stress responses). The most obvious direct effect is that of immediate mortality such as death by shooting, but human activity can also lead to much subtler behavioural (e.g. alterations in feeding behaviour, avoidance of certain areas and use of sub optimal areas etc.) and physiological changes (e.g. an increase in heart rate). While such changes are less noticeable, they might result in major population-level changes by altering the balance between immigration / birth and emigration / death[49].

4.2.5 Concern regarding the effects of disturbance on birds stems from the fact that they are expending energy unnecessarily and time spent responding to disturbance is time that is not spent feeding[50]. Disturbance therefore increases energetic expenditure while reducing energetic intake, which can adversely affect the 'condition' and ultimately survival of birds. Additionally, displacement of birds from one feeding site to another can increase the pressure on the resources available within alternative foraging sites, which must sustain a greater number of birds[51]. Moreover, the higher proportion of time a breeding bird spends away from its nest, the more likely it is that eggs will cool and the more vulnerable they, or any nestlings, are to predators. Recreational effects on ground-nesting birds are

[44] Cole, D.N., Spildie, D.R. (1998). Hiker, horse and llama trampling effects on native vegetation in Montana, USA. *Journal of Environmental Management* **53**: 61-71
[45] Taylor K., Anderson P., Liley D. & Underhill-Day J.C. (2006). Promoting positive access management to sites of nature conservation value: A guide to good practice. English Nature / Countryside Agency, Peterborough and Cheltenham.
[46] Taylor K., Anderson P., Taylor R.P., Longden K. & Fisher P. (2005). Dogs, access and nature conservation. English Nature Research Report, Peterborough.
[47] Barnard A. (2003). Getting the facts – Dog walking and visitor number surveys at Burnham Beeches and their implications for the management process. *Countryside Recreation* **11**:16-19.
[48] Taylor K., Anderson P., Liley D. & Underhill-Day J.C. (2006). Promoting positive access management to sites of nature conservation value: A guide to good practice. English Nature / Countryside Agency, Peterborough and Cheltenham.
[49] Riley, J. (2003). Review of Recreational Disturbance Research on Selected Wildlife in Scotland. Scottish Natural Heritage.
[50] Riddington, R. *et al*. (1996). The impact of disturbance on the behaviour and energy budgets of Brent geese. *Bird Study* **43**:269-279.
[51] Gill, J.A., Sutherland, W.J. & Norris, K. (1998). The consequences of human disturbance for estuarine birds. *RSPB Conservation Review* **12**: 67-72.

particularly severe, with many studies concluding that urban sites support lower densities of key species, such as stone curlew and nightjar[52] [53].

4.2.6 Several factors (e.g. seasonality, type of recreational activity) may have pronounced impacts on the nature of bird disturbance. Disturbance in winter may be more impactful because food shortages make birds more vulnerable at this time of the year. In contrast, this may be counterbalanced by fewer recreational users in the winter months and lower overall sensitivity of birds outside the breeding season. Evidence in the literature suggests that the magnitude of disturbance clearly differs between different types of recreational activities. For example, dog walking leads to a significantly higher reduction in bird diversity and abundance compared to hiking[54]. Scientific evidence also suggests that key disturbance parameters, such as areas of influence and flush distance, are significantly greater for dog walkers than hikers[55]. Furthermore, differences in on-site route lengths and usage patterns likely imply that key spatial and temporal parameters (such as the area of a site potentially impacted and the frequency of disturbance) will also differ between recreational activities. This suggests that activity type is a factor that ought to be taken into account in HRAs.

## Bird Disturbance Study

4.2.7 A study was undertaken in 2010/2011 by Footprint Ecology[56], who looked at bird disturbance in North Kent. The study focused on recreational disturbance to wintering waterfowl on intertidal habitats and focused on part of the North Kent shoreline, stretching between Gravesend and Whitstable; encompassing three SPAs: the Thames Estuary and Marshes SPA, the Medway Estuary and Marshes SPA and the Swale SPA. The key findings of the study are as follows:

4.2.8 From 1,400 events (records of visitors in the bird survey areas) occurring within 200m of the birds, 3,248 species specific observations were noted of which:

- 74% resulted in no response.
- 13% resulted in a major flight.
- 5% resulted in a short flight.
- 5% resulted in a short walk.
- 3% resulted in an alert.

4.2.9 Dog walking accounted for 55% of all major flight observations with a further 15% attributed to walkers without dogs. After controlling for distance, major flights were more likely to occur when activities took place on the intertidal zone (compared to events on the water or events on the shore), when dogs were present, and the probability of major flight increased with the number of dogs present within a group.

4.2.10 There were significant differences between species with curlew *Numenius arquata* the species with the highest probability of major flight and teal and black-tailed godwit *Limosa limosa* the lowest.

4.2.11 Tide state was also significant with major flights more likely at high tide, after controlling for distance. There was also a significant interaction between distance and tide, indicating that the way in which birds responded varied according to tide.

[52] Clarke R.T., Liley D., Sharp J.M., Green R.E. (2013). Building development and roads: Implications for the distribution of stone curlews across the Brecks. *PLOS ONE*. https://doi:10.1371/journal.pone.0072984.
[53] Liley D. & Clarke R.T. (2003). The impact of urban development and human disturbance on the numbers of nightjar *Caprimulgus europaeus* on heathlands in Dorset, England. Biological Conservation **114**: 219-230.
[54] Banks P.B., Bryant J.Y. (2007). Four-legged friend or foe? Dog walking displaces native birds from natural areas. *Biology Letters* **3**: 14pp.
[55] Miller S.G., Knight R.L., Miller C.K. (2001). Wildlife responses to pedestrians and dogs. *Wildlife Society Bulletin* **29**: 124-132.
[56] D. Liley & H. Fearnley (Footprint Ecology), 2011. Bird Disturbance Study North Kent.

## North Kent Visitor Survey

4.2.12 A visitor survey was undertaken at the same time as the aforementioned bird survey by Footprint Ecology[57]. The key findings of the survey are as follows:

4.2.13 542 groups of visitors were interviewed representing information from 930 people with 502 dogs.

- 65% (345) interviewed groups were accompanied by at least one dog.
- 96% (521) interviewed groups were local residents who made their visit from home.
- 70% of visitors who arrive by foot made their visits either daily or most days (in comparison to 31% who arrive by car).
- 63% of visitors travelled to their visit location by car or van, 34% of visitors arrived by foot, 3% arrived by bicycle and 2% by public transport.
- 50% of visitors who arrived by car lived within 4.2km of their visit location.
- 23% of visitors stated they walked off the paths and onto the mudflats or the open beach. Of the 23% of visitors whose routes took them onto the mudflats 65% were accompanied by at least one dog.

## Summary

4.2.14 Several Habitats sites in Swale Borough and adjoining authorities are designated for habitats and species that are sensitive to recreational pressure. The increase in residential development allocated in the SLP would lead to an increase in the local population and demand for access to outdoor spaces. The HRA process needs to adequately assess potential recreational pressure effects of the Plan on these Habitats sites.

4.2.15 Overall, the following Habitats sites within 10km of the Swale Borough boundary are sensitive to increased recreational access, due to the allocation of residential development in the SLP (the sites in **bold** are taken forward into the following HRA chapters):

- **The Swale SPA/Ramsar**
- **Medway Estuary and Marshes SPA/Ramsar**

# 4.3 Water Quantity, Level and Flow

4.3.1 The unique nature of wetlands combines shallow water, high levels of nutrients and high primary productivity. These conditions are ideal for the growth of organisms at the basal level of food webs, which sustain a wide range of birds, mammals, fish and amphibians. Overwintering and migrating wetland bird species are particularly reliant on these food sources, as they need to build up enough nutritional reserves to sustain their long migration routes.

4.3.2 Wetland habitats rely on hydrological connections with other surface waters, such as rivers, streams and lakes. A constant supply of water is fundamental to maintaining the ecological integrity of sites. However, while the natural fluctuation of water levels within narrow limits is desirable, excess or too little water supply might cause the water level to be outside of the required range of qualifying birds, invertebrate or plant species. This might lead to the loss of the structure and functioning of wetland habitats. There are two mechanisms through which urban development might negatively affect the water level in Habitats Sites:

- The supply of new housing with potable water will require increased abstraction of water from surface water and groundwater bodies. Depending on the level of water stress in the geographic region, this may reduce the water levels in Habitats Sites sharing the same catchment.
- The proliferation of impermeable surfaces in urban areas increases the volume and speed of surface water runoff. As traditional drainage systems often cannot cope with the volume of

[57] Fearnley, H. & Liley, D. (2011). North Kent Visitor Survey Results. Footprint Ecology.

stormwater, sewer overflows are designed to discharge excess water directly into watercourses. Often this pluvial flooding results in downstream inundation of watercourses and the potential flooding of wetland habitats.

4.3.3 The SLP could result in changes to the water quantity, level and flow in the catchment of several Habitats sites, if it required additional abstractions from sources that are hydrologically connected to these sites. This may alter the water level within the designated sites themselves with potential cascading effects on qualifying species or habitats. Overall, the following Habitats sites are considered to be sensitive to changes in water quantity, level and flow (**sites in bold are taken forward to the following chapters of the HRA**):

- **The Swale SPA/Ramsar**
- **Medway Estuary & Marshes SPA/Ramsar**

## 4.4 Water Quality

4.4.1 Water quality is an important determinant of the nature and condition of qualifying habitats and species in Habitats sites. Declining water quality can have a range of environmental impacts:

- At high levels, toxic chemicals and metals can result in immediate death of aquatic life and have additional detrimental effects (even at lower levels), such as increased vulnerability to disease and changes in wildlife behaviour.
- Eutrophication, the enrichment of plant nutrients in water, increases plant growth and consequently results in oxygen depletion. Algal blooms, which commonly result from eutrophication, increase turbidity and decrease light penetration. The decomposition of organic wastes that often accompanies eutrophication, deoxygenates water further, exacerbating the ongoing oxygen depletion. In the marine environment, nitrogen is the main growth-limiting plant nutrient and so eutrophication is primarily associated with discharges containing bioavailable nitrogen.
- Some pesticides, industrial chemicals, and components of sewage effluent are suspected to interfere with the functioning of the endocrine system, possibly having negative effects on the reproduction and development of aquatic life.

4.4.2 The main risk associated with the SLP is an increase in the discharge of treated sewage effluent from Wastewater Treatment Works (WwTWs) serving the borough. This may increase nutrient concentrations (phosphorus is the main limiting nutrient in freshwater habitats) in Habitats sites that are hydrologically connected to waterbodies receiving sewage effluent. Within Swale there are Waste Water Treatment Works at Faversham, Teynham, Sittingbourne, Eastchurch and Queenborough and immediately outside the borough at Motney Hill.

4.4.3 The Local Plan assessed in this HRA provides for development in the area served by Southern Water, responsible for the public water supply and wastewater treatment in large areas of south England

4.4.4 Overall, the following Habitats sites are potentially sensitive to negative changes in water quality (**sites in bold are taken forward to the following chapters of the HRA**):

- **The Swale SPA/Ramsar**
- **Medway Estuary & Marshes SPA/Ramsar**

## 4.5 Visual and Noise Disturbance from Construction Works

4.5.1 Development schemes can result in the disturbance of qualifying SPA / Ramsar bird species in European sites or functionally linked habitats through several mechanisms. Noise and visual disturbance arising from construction activities may result in behavioural changes (e.g. flight from the nest, cessation of foraging) in birds. Furthermore, post-construction disturbance from site usage, road traffic and operational lighting might also arise. Three of the most important factors determining the magnitude of disturbance appear to be species sensitivity, proximity of the disturbance source and

timing / duration of the disturbance. Generally, the most disturbing visual and auditory stimuli are likely to involve irregular, infrequent, unpredictable loud noise events, movements or vibrations. Birds are least likely to be disturbed by activities that involve regular, predictable and quiet patterns of sound or movement. The further any activity is from the birds, the less likely it is to result in disturbance.

4.5.2 An increasing amount of research on visual and noise disturbance of waterfowl from construction (and other activities) is now available. Both visual and noise stimuli may elicit disturbance responses, potentially affecting the fitness and survival of waterfowl and waders. Noise is a complex disturbance parameter requiring the consideration of multiple parameters, including the fact that it is not described on a linear scale, its nonadditive effect and the source-receptor distance. A high level of noise disturbance constitutes a sudden noise event of over 60dB or prolonged noise of over 72dB. Bird responses to high noise levels include major flight or the cessation of feeding, both of which might affect the survival of birds if other stressors are present (e.g. cold weather, food scarcity).

4.5.3 Generally, research has shown that above noise levels of 84 dB waterfowl show a flight response, while at levels below 55dB there is no effect on their behaviour[58]. These two thresholds are therefore considered useful as defining two extremes. The same authors have advised that regular noise levels should be below 70 dB at the bird, as birds will habituate to noise levels below this level[59]. Generally, noise is attenuated by 6 dB with every doubling of distance from the source. Impact piling, the noisiest construction process of approx. 110 dB at 0.67m from source, will therefore reduce to 67-68dB by 100m away from the source. The loudest construction noise should therefore have fallen to below disturbing levels by 100m, and certainly by 200m, away from the source even without mitigation. Note that this is a rule of thumb and does not obviate the need for application-level noise modelling. However, comparison with baseline noise levels will also be important in any assessment rather than purely using comparison with the 70 dB metric.

4.5.4 Visual disturbance is generally considered to have a higher impact than noise disturbance as, in most instances, visual stimuli will elicit a disturbance response at much greater distances than noise[60]. For example, a flight response is triggered in most species when they are approached to within 150m across a mudflat. Visual disturbance can be exacerbated by workers operating equipment outside machinery, undertaking sudden movements and using large machinery. Several species are particularly sensitive to visual disturbance[61], including curlew (taking flight at 275m), redshank (at 250m), shelduck (at 199m) and bar-tailed godwit (at 163m). Overall, specific regard should be given to assemblage composition when identifying threshold levels for both visual and noise disturbance.

4.5.5 Disturbance can also result post-construction, although substantial changes in traffic flow are generally needed for significant noise disturbance to arise from roads. For example, a 25% increase in road traffic (e.g. through a road scheme) will result in only a 1dB(A) increase at the roadside, with a 100% increase needed to result in a 3dB(A) increase – the lowest increase in noise that is thought to be even perceivable by humans and birds. In contrast, the introduction of operational lighting of schemes into areas that are not currently lit can result in disturbance of animal species within European sites or those that rely on functionally linked habitats.

4.5.6 It is noted that visual and noise disturbance is relevant not only to designated sites themselves, but also to habitat that is functionally linked to such sites. Because qualifying species depend on linked habitats for foraging and roosting (see earlier impact pathway), any visual and noise disturbance might impair the species' ability to use such land appropriately.

4.5.7 Overall, the following Habitats sites are sensitive to negative changes as a result of visual and noise disturbance from construction works (**sites in bold are taken forward to the following chapters of the HRA**):

- **The Swale SPA/Ramsar**
- **Medway Estuary & Marshes SPA/Ramsar**

[58] Cutts N & Allan J. 1999. Avifaunal Disturbance Assessment. Flood Defence Works: Saltend. Report to Environment Agency).
[59] Cutts, N., Phelps, A. and Burdon, D. 2009. Construction and waterfowl: Defining Sensitivity, Response, Impacts and Guidance. Report to Humber INCA, Institute of Estuarine and Coastal Studies, University of Hull.
[60] Research undertaken by the Institute of Estuarine & Costal Studies, University of Hull. 2013. Available at: http://bailey.persona-pi.com/Public-Inquiries/M4%20-%20Revised/11.3.67.pdf [Accessed on the 01/12/2020]
[61] Ibid. Response distances to visual stimuli are given in the Estuarine & Coastal Studies report.

- **The Outer Thames Estuary SPA**

## 4.6 Coastal Squeeze

4.6.1 Coastal squeeze is a term that originates from coastal management, whereby qualifying intertidal habitats (i.e. the habitats themselves and as a foraging / roosting resource for SPA and Ramsar birds) are lost to rising sea levels and inland brownfield development (e.g. a sea wall or an industrial complex) prevents the inland migration of these features. As a result, habitat is 'squeezed' and reduces in size. This is a significant process, particularly in geographic areas that are highly urbanised or that are rapidly transitioning from an undeveloped to developed state.

4.6.2 Additionally, as development frequently takes place immediately inland from the sea wall, flood defences generally cannot be moved landwards to accommodate the managed retreat of threatened habitats. This may result in gradually reducing areas of saltmarsh and mudflat habitats adjacent to built-up areas. In areas where sediment availability is low, the coastal squeeze also includes an increasingly steep beach profile and foreshortening of the seaward zones.

4.6.3 In order to conclude that development allocated in the SLP would not result in LSEs regarding coastal squeeze, development should not be situated in locations that require new defences in currently undefended parts of the coastline or in areas allocated for managed realignment (i.e. adjustments to coastal flood defences). To assess this impact pathway, residential and employment sites allocated in the SLP will be assessed as to their relative distance to designated coastal habitats, whether they are on greenfield sites and if they lie within sections of the coast identified for managed realignment.

4.6.4 Overall, the following Habitats sites are sensitive to negative changes as a result of coastal squeeze (**sites in bold are taken forward to the following chapters of the HRA**):

- **The Swale SPA/Ramsar**
- **Medway Estuary & Marshes SPA/Ramsar**

# 5. Screening for Likely Significant Effects (LSEs)

## 5.1 Atmospheric Pollution (Nitrogen Deposition)

### The Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar

5.1.1 Given that both The Swale SPA/Ramsar and the Medway Estuary and Marshes SPA/Ramsar sites both lie within 200m of numerous roads that may be regularly used by vehicle journeys arising from the Swale borough as a result of the increased population, it was concluded that air quality should be included within the scope of this assessment.

5.1.2 For approximately 4km, the Swale SPA/Ramsar site lies within 200m of the A249 as it approaches and crosses onto the Isle of Sheppey (predominantly to the east of the A249). For approximately 2.4km the Medway Estuary and Marshes SPA/ Ramsar is within 200m of the A249 as it approaches the and crosses onto the Isle of Sheppey (to the west of the A249). The MAGIC website www.magic.gov.uk indicates that the habitat within 200m of the road along this route is predominantly grazing marsh, along with areas of mudflat in the vicinity of the Swale Crossing itself. In addition, although Milton Creek is not actually part of the SPA, it does constitute important habitat for some SPA species, and the Sittingbourne Northern Relief Road crosses the mudflats of the Creek. Development provided by the Plan will result in an increase in traffic flows over the Swale Crossing.

5.1.3 There will also be an increase in traffic flows due to development in surrounding local authorities (particularly Medway and Maidstone) over the same time period and (to a lesser extent) due to proposals for new minerals and waste facilities being developed for the Kent Minerals and Waste Plan.

5.1.4 **Therefore, LSEs of the SLP on the Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar regarding atmospheric pollution cannot be excluded and the sites are screened in for Appropriate Assessment regarding this impact pathway.**

## Queendown Warren SAC

5.1.5 Queendown Warren SAC is located in the south west corner of Swale Borough. It is located immediately adjacent to the minor lanes of Warren Lane, an unnamed lane, and bisected by Yaugter Lane but due to their minor nature these are not expected to experience a change in daily traffic flows due to Local Plan growth. The SAC is also located approximately c.300m from the A2, the only affected road within the vicinity of the SAC. The Site Improvement Plan[62] identifies that the dry grassland and scrublands on chalk or limestone (important orchid sites) are potentially vulnerable to atmospheric nitrogen deposition. Whilst the sensitive features of the site are currently identified to be in favourable condition[63], the deposition rates at the site (15.5kg N/ha/yr) exceeds the minimum critical load for the chalk grassland and scrubland habitat (10kg N/ha/yr)[64]. However, due to the distance from the only affected road in the locality of the SAC (i.e. the SAC is well over 200m from the road) traffic growth will have a negligible effect on local pollutant levels. As such no likely significant effect will result. Overall, LSEs of the SLP on the Queendown Warren SAC regarding atmospheric pollution can be excluded and the site is screened out from Appropriate Assessment in relation to this impact pathway.

## Blean Complex SAC

5.1.6 The Blean Complex SAC is located on the edge of the Borough of Swale, with the majority of the site located within the neighbouring Canterbury City authority boundary. It is 6.5km in a straight line from the nearest significant population centre in the Borough (Faversham) or 8.5km following the road network. In comparison, The Blean Complex is less than 200m from Rough Common, a suburb of Canterbury City, and less than 30 m from the A290, the main through road from Canterbury in the south to the A299 in the north, both within the City Council area. Traffic modelling for the Swale Local Plan does not identify the A290 as an affected road as a result of the Plan.

5.1.7 Given that the A290 is not identified as an affected road in the traffic modelling, LSEs of the SLP on the Blean Complex SAC regarding atmospheric pollution can be excluded and the site is screened out from Appropriate Assessment in relation to this impact pathway.

## North Downs Woodlands SAC

5.1.8 North Downs Woodland SAC is located within the neighbouring authority of Maidstone Borough, 3.6km from the Swale Borough boundary. At its closest, it is located 7m from the A249 (Detling Hill), a dual carriageway that connects the A2 in the north of Kent (and within Swale Borough) to the A20 at Maidstone to the south. The Site Improvement Plan for the SAC identifies that the dry calcareous grassland and scrubland (important orchid site), the beech forests on neutral to rich soils and the yew dominated woodland are vulnerable to atmospheric nitrogen deposition[65]. The portion of the SAC that is located within 200m of the A249 is designated as Wouldham to Detling Escarpment SSSI (unit Lynch Bank – 026). This portion of the site only contains woodland habitats, no calcareous grassland is present, and as such only the woodland habitats are considered further. **Therefore, LSEs of the SLP on the North Downs Woodlands SAC regarding atmospheric pollution can be excluded concerning calcareous grassland but not regarding woodland and the site is screened in for**

[62] http://publications.naturalengland.org.uk/file/5485982457528320 [accessed 05/06/2026]
[63] https://designatedsites.naturalengland.org.uk/SiteUnitList.aspx?SiteCode=S1001523&SiteName=&countyCode=&responsiblePerson=&unitId=&SeaArea=&IFCAArea= [accessed 05/06/2026]
[64] www.apis.ac.uk/ [accessed 05/06/2026]
[65] http://publications.naturalengland.org.uk/publication/6363401429188608 [accessed 05/06/2026]

**Appropriate Assessment regarding this impact pathway in relation to the woodland present on site.**

## Policy Screening

5.1.9 A review of the SLP indicates that LSEs in relation to atmospheric pollution cannot be excluded due to the allocation of residential / employment growth and the concomitant increase in commuter traffic. The following policies need to be taken forward to Appropriate Assessment:

- Policy ST4 – Development needs for the Borough

# 5.2 Recreational Pressure

## The Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar

5.2.1 All residential development within the Borough of Swale is located within such proximity to the North Kent Marshes internationally designated sites (less than 6km from an access point to the designated sites) as included within the Bird Wise North Kent Mitigation Strategy[66], that they could result in a likely significant effect on the internationally designated North Kent bird sites.

5.2.2 A review of the emerging SLP indicates that LSEs in relation to recreational pressure cannot be excluded for several policies due to the allocation of residential growth and a concomitant increase in the local population. The following policies need to be taken forward to Appropriate Assessment:

- Policy ST4 – Development needs for the Borough

# 5.3 Water Quantity, Level and Flow

## The Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar

5.3.1 The SLP will lead to an increased requirement for potable water consumption for households and industrial sites. If this requirement is met by an increase in consented abstraction volumes or the development of new water resources, this can result in changes to the integrity of hydrologically connected Habitats sites, such as through reduced water levels or flows. Runoff from impermeable urban surfaces can also lead to increased volumes of surface water input and flash floods in nearby nature conservation sites.

5.3.2 Given the baseline evidence, LSEs of the SLP on these Habitats sites cannot be excluded, and **the sites are screened in for Appropriate Assessment** in relation to this impact pathway.

# 5.4 Water Quality

5.4.1 The Site Improvement Plan for the Thames Complex[67] (including the Swale, Medway Estuary and Marshes and the Outer Thames Estuary), does not identify water quality (specifically nitrates) as an issue for these designated sites.

5.4.2 While the grazing marsh components of the SPA are sensitive to deteriorations in water quality, the grazing marsh and its ditches are not subject to the presence of treated sewage effluent, which due to the point of discharge flows through the creek channels and into the marine/estuarine portions of the SPA.

5.4.3 If marcroalgae (such as members of the sea lettuce genus *Ulva*) are able to grow uncontrolled they can develop a thick layer over mudflats, saltmarsh and other intertidal habitats. This can result in a significant reduction in oxygen within the sediment which can in turn reduce invertebrate biomass

[66] https://northkent.birdwise.org.uk/wp-content/uploads/2023/07/Strategy-draft-v2-June-24.pdf [accessed 05/06/2026]
[67] http://publications.naturalengland.org.uk/file/5760073666134016 [accessed 05/06/2026]

thereby reducing its value as foraging habitat. The mats can also prove a simple physical barrier for birds trying to forage within the underlying sediment. The principal issue controlling oxygen depletion in the underlying sediments appears to relate less to the weight and coverage of algae but to the quick growth and persistence of the mats.

5.4.4 In some estuaries on the south coast (e.g. Chichester & Langstone Harbours SPA) smothering macroalgae have been a historic problem due to the warmer water temperatures, low sediment loading and limited wave action, which result in a combination of rapid algal growth during the summer and low algal mortality during the winter and thus the accumulation of large dense persistent mats. In those estuaries nutrient inputs to the water have been a major contributor to the further growth of these algae (since there are few environmental factors to otherwise inhibit growth) and have necessitated controls on nitrogen loading of discharged effluent as well as other sources (such as agricultural runoff).

5.4.5 In estuaries like The Swale and Medway where the sediment loading is higher (reducing light penetration and thus restricting rates of growth) in addition to temperatures being cooler and wave action stronger (leading to winter break up of mats and considerable annual variation in algal cover) the sediments are able to remain well oxidised despite high nutrient loadings and hence the benthic invertebrate community is unaffected by macroalgal mats. If the benthic invertebrate community is unaffected then the site would continue to maintain its prey productivity for birds.

5.4.6 Previous discussions with the Environment Agency and the Review of Consent reports for the various marine/intertidal Special Protection Areas and Ramsar sites around the greater Thames Estuary have confirmed that while nutrient levels are high within the various estuaries around the greater Thames Estuary, this does not result in the smothering macro-algal growth that is having an adverse effect upon other European marine sites (such as The Solent). The prevailing expert opinion is that the dominant control on phytoplankton growth in these estuaries is not nutrient availability but light availability which is controlled by the high loading of suspended sediment. While nutrient neutrality has been identified as a requirement for other estuarine European sites around the English coastline, the North Kent Estuaries have not been identified as requiring nutrient neutrality.

5.4.7 As such, with regards to the Swale and Medway designated sites, this impact pathway can be screened out from resulting in a Likely Significant Effect as a result of the Plan, either in isolation or combination.

## 5.5 Visual and Noise Disturbance from Construction Works

5.5.1 This impact pathway considers disturbance effects on qualifying bird species through pathways other than recreational pressure, such as construction and vehicular noise, construction lighting, operational lighting and other types of visual and noise disturbance during and post construction. Professional experience suggests that these impacts are unlikely to arise on sites located more than 300m from designated sites or functionally linked habitats.

5.5.2 For example, the noisiest construction activity (impact piling, which involves a hammer dropping onto a pile) has a typical maximum noise level of 100-110dB at 1m from source. However, it will result in noise levels below the 70 dB threshold at which studies on the Humber estuary identified habituation was likely to occur, at distances of more than 100m from source, because atmospheric noise attenuates by 6dB for every doubling of distance. Therefore, a 200m screening distance for noise disturbance was used to assess the development proposals with the most significant impact potential on European sites. For visual stimuli a precautionary distance of 300m was used, which is the distance at which the most sensitive waterfowl have been observed to react to such stimuli. It should be noted that these distances are used purely for the purposes of identifying those development sites which are (in the absence of mitigation) at greatest risk of causing construction-period disturbance to SPA birds. However, this does not mean that it is impossible for disturbance to arise from construction at greater distances and project-level noise modelling may be required for developments located more than 200m from SPA and Ramsar sites. It should also be noted that for bespoke noise modelling assessments comparison with baseline noise levels is also likely to be required.

5.5.3 The Swale SPA and Ramsar is designated for waterfowl and wader species that are all sensitive to visual and noise disturbance. The precautionary distance for non-recreational disturbance is 300m, meaning that potential development sites within this buffer are likely to result in LSEs. Three proposed site allocations lie within 200m of the Swale SPA and Ramsar. **LSEs of the SLP cannot be excluded, and the site is screened in for Appropriate Assessment.**

5.5.4 The Medway Estuary and Marshes SPA and Ramsar, also designated for sensitive waterfowl and wader species. Three proposed site allocations lie within 200m of the Medway Estuary and Marshes SPA and Ramsar, and therefore have the potential to cause visual and noise disturbance on SPA and Ramsar birds. **LSEs of the SLP cannot be excluded, and the site is screened in for Appropriate Assessment.**

5.5.5 The Outer Thames Estuary SPA is designated for waterfowl species that are all sensitive to visual and noise disturbance. The precautionary distance for non-recreational disturbance is 300m, meaning that potential development sites within this buffer are likely to result in LSEs. There are no proposed site allocations within 300m of the Outer Thames Estuary SPA. Moreover, this site is designated for it open water foraging and resting areas for non-breeding red throated diver and its marine foraging areas for common tern and little tern. While red throated diver are highly sensitive to disturbance in the water, there is no indication that they are sensitive to land-based construction. Therefore, LSEs of the SLP can be excluded, and the site is screened out for Appropriate Assessment.

## Policy Screening

5.5.6 The following policies of the SLP have been screened in for Appropriate Assessment because they will involve construction activities with the potential to result in visual and noise disturbance to SPA and Ramsar waterfowl and waders:

- Policy ST4 – Development needs for the Borough

# 5.6 Coastal Squeeze

5.6.1 Coastal squeeze is a term that originates from coastal management, whereby qualifying intertidal habitats (i.e. the habitats themselves and as a foraging / roosting resource for SPA and Ramsar birds) are lost to rising sea levels and inland brownfield development (e.g. a sea wall or an industrial complex) prevents the inland migration of these features. As a result, habitat is 'squeezed' and reduces in size. This is a significant process, particularly in geographic areas that are highly urbanised or that are rapidly transitioning from an undeveloped to developed state.

5.6.2 Additionally, as development frequently takes place immediately inland from the sea wall, flood defences generally cannot be moved landwards to accommodate the managed retreat of threatened habitats. This may result in gradually reducing areas of saltmarsh and mudflat habitats adjacent to built-up areas. In areas where sediment availability is low, the coastal squeeze also includes an increasingly steep beach profile and foreshortening of the seaward zones.

5.6.3 In order to conclude that development allocated in the SLP would not result in LSEs regarding coastal squeeze, development should not be situated in locations that require new defences in currently undefended parts of the coastline or in areas allocated for managed realignment (i.e. adjustments to coastal flood defences). To assess this impact pathway, residential and employment sites allocated in the SLP will be assessed as to their relative distance to designated coastal habitats, whether they are on greenfield sites and if they lie within sections of the coast identified for managed realignment.

5.6.4 The SLP does not designate any sites on greenfield sites in close proximity to designated habitats sites that do not already lie behind existing flood defences. Therefore, LSEs of the SLP can be excluded, and coastal squeeze is screened out from appropriate assessment.

# 6. Appropriate Assessment

## 6.1 Atmospheric Pollution

### The Swale SPA / Ramsar and Medway Estuary & Marshes SPA/Ramsar

6.1.1 To be completed when air quality data has been received.

### North Downs Woodlands SAC

6.1.2 North Downs Woodlands SAC is approximately 9km from the nearest significant settlement in Swale (Sittingbourne) along the A249, while the nearest likely destination along the A249 for residents of Sittingbourne is Maidstone, located 11km to the south at its closest. This is therefore on (or beyond) the outer limits of the likely journey to work distance for residents of the borough. 2021 Census data shows that the majority (nearly 70%) of people in employment in the UK travel less than 10 km to work and the remainder will generally have dispersed across the network by that distance. Moreover, traffic and air quality modelling of the A249 has been undertaken to inform both the Maidstone and Tonbridge & Malling Local Plan HRAs.

6.1.3 By far the greatest source of traffic growth on the A249 past North Dows Woodlands SAC is likely to be Maidstone Local Plan. The modelling undertaken as part of the Maidstone Local Plan HRA for the adopted Local Plan demonstrated that, with a more detailed approach to modelling growth in Maidstone, and taking account of the use of traffic calming measures along Boxley Road / Lidsing Road to restrict traffic and discourage its use; and the connection of Lidsing Garden Settlement to the M2 J4 via the new link road, reducing traffic from the Garden Settlement past North Downs Woodlands SAC, no adverse effect on the integrity of North Downs Woodlands SAC would arise either alone or in combination with other plan or projects.

6.1.4 For both these reasons (distance and the results of Maidstone Local Plan's modelling) a conclusion of no adverse effect on the integrity of North Downs Woodlands SAC can be drawn.

## 6.2 Recreational Pressure

### The Swale SPA / Ramsar and Medway Estuary & Marshes SPA/Ramsar

6.2.1 In accordance with the Bird Wise North Kent Mitigation Strategy[68],all residential development within 6km of the North Kent Bird sites could result in an adverse effect on the integrity of the SPA as a result of increased recreational pressure. The strategic Mitigation Strategy is funded by developer contributions. It provides for a range of mitigation and avoidance strategies. As such to ensure no adverse effects on the integrity of the designated sites occurs, any net new residential development within 6km of the North Kent Bird sites will be required to contribute to the Mitigation Strategy and provide the appropriate financial contributions.

6.2.2 The requirement for contributions towards this mitigation strategy is detailed within Plan Policy ST11: Conserving and enhancing the natural environment. It states: *"All relevant development will require the completion of project specific Habitats Regulations Assessment (HRA), to ensure there are no likely significant effects upon any European designated site. For residential sites within 6km of an access point to any of the North Kent Marshes, development must contribute to its Strategic Access Management and Monitoring Strategy or undertake their own HRA;"*

[68] https://northkent.birdwise.org.uk/wp-content/uploads/2023/07/Strategy-draft-v2-June-24.pdf [accessed 05/06/2026]

6.2.3 It is noted that there are four residential sites allocated in the SLP that lie immediately adjacent to either The Swale SPA/Ramsar or Medway Estuary and Marshes SPA/Ramsar. These are:

- Land at West Street
- South of Queenborough Creek
- West of Rushenden Road, Queenborough
- Ridham Dock - redevelopment

6.2.4 Given the proximity of these sites to Habitats sites, AECOM recommended that these allocations go beyond contributing to the Bird Wise North Kent Mitigation Strategy and deliver on-site recreational pressure management. We recommend that this be secured in the local plan by including policy text for these allocations that includes text to the effect of "**The applicant will be required to provide evidence that the development will not result in a Likely Significant Effect. To achieve this, measures to control recreational pressure should be incorporated into site design and layout, including, for sites large enough to accommodate it, on site semi-natural recreational greenspace to divert residents away from the coast and measures to discourage direct access into the SPA from the development site such as planting and other features to make direct access more difficult. The planning application will likely need to be supported by a project specific Habitats Regulations Assessment to ensure that the measures implemented provide adequate mitigation to ensure that the development does not result in adverse effects on integrity due to recreational pressure.**"

6.2.5 With the implementation of the above recommendation, it can be concluded that the Plan will provide sufficient protective policy framework to ensure no adverse effects on the integrity of these sites as a result of increased recreational pressure from new residential development stemming from the Plan.

# 6.3 Loss of Functionally Linked Land

## The Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar

6.3.1 The following allocations have been identified to be located within land parcels that have the potential to provide habitat that could support a significant population of designated bird species, and thus could act as functionally linked land:

- Former Istil site Rushenden Road/Thomsett Way
- Three Lakes Park, Church Road, ME10 3NL
- Ridham Dock – redevelopment
- Smeed Dean Works, Eurolink Industrial Estate, Castle Road
- South of Queenborough Creek

6.3.2

6.3.3 At the Local Plan level there are no recent non-breeding bird surveys available to inform a more detailed assessment. All sites identified above should provide policy or supporting requiring the need to determine if the land parcel or neighbouring affected land does indeed act functionally linked land by inclusion of the following (or similar text): "**The applicant will be required to provide evidence that the development will not result in a Likely Significant Effect. To achieve this, surveys will be required to determine habitats and current use of the site and surrounding land parcels to determine if it does support a significant population (A significant population is classified as a site that regularly used by more than 1% of the population of qualifying bird species) of qualifying species. Where habitats are suitable, non-breeding bird surveys will be required to determine if the site and neighbouring land constitute a significant area of supporting habitat. Surveys should be required to be undertaken during autumn, winter and spring and at more than 1 year of surveys may be needed (to be agreed in consultation with the local planning authority and Natural England). If habitat within or adjacent to the site is identified to support**

**significant populations of designated bird features avoidance measures and mitigation will be required, such as the creation of replacement habitat nearby, and the planning application will likely need to be supported by a project specific Habitats Regulations Assessment to ensure that the development does not result in adverse effects on integrity.**"

6.3.4 It is considered that allocating sites for development prior to full wintering bird surveys being undertaken is appropriate and legally compliant in this case. Firstly, the law accepts that ecological investigation to support plan development must be tiered, with more detailed investigation undertaken at each subsequent stage:

- The Court of Appeal[69] has ruled that provided the competent authority is duly satisfied that mitigation can be achieved in practice (in other words that solutions exist that are likely to be effective) this will suffice to enable a conclusion that the proposed development would have no adverse effect.
- The High Court[70] has ruled that for 'a multistage process, so long as there is sufficient information at any particular stage to enable the authority to be satisfied that the proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully resolved before a decision maker is able to conclude that a development will satisfy the requirements of the Habitats Regulations'.
- Advocate-General Kokott[71] has commented that 'It would also hardly be proper to require a greater level of detail in preceding plans [than lower tier plans or planning applications] or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure'.

6.3.5 Secondly, there is a low risk of any of these allocated sites proving undeliverable due to loss of functionally-linked land. The functionally-linked habitats in question are common, widespread and easily recreated (or managed in a more favourable manner) and the species in question do not have highly specific habitat requirements and are sufficiently widespread in their use of this functionally-linked land that development is only likely to affect a small amount of their overall foraging resource.

6.3.6 With the above recommendation it can be concluded that the Plan will not result in an adverse effect on the integrity of the international sites.

# 6.4 Water Quantity, Level and Flow

## The Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar

### Surface Run-Off

6.4.1 The development allocated in the SLP has the potential to alter the water quantity / level in the SAC / Ramsar in two main ways. Firstly, an increase in the coverage of impermeable urban surfaces might result in faster water surface run-off, resulting in altered water supply to the site. This is a particular threat for settlements that lie close to the SPAs / Ramsars. Surface run-off is considered to be a risk factor for flooding up to several hundred metres from ecological receptors. Any development that increases the volume of impermeable surfaces has the potential to increase the 'in-combination' water supply to the site, particularly following intense rainfall events. Provided the magnitude of effect is sufficiently high, local hydrological changes may occur.

6.4.2 Sustainable Drainage Systems (SuDS) are considered the main approach to reduce the volume of surface run-off that reaches sensitive ecological receptors by limiting the occurrence and magnitude of flooding. SuDS are interventions that manage surface water at source by limiting run-off to pre-

[69] No Adastral New Town Ltd (NANT) v Suffolk Coastal District Council Court of Appeal, 17th February 2015
[70] High Court case of R (Devon Wildlife Trust) v Teignbridge District Council, 28 July 2015
[71] Opinion of Advocate General Kokott, 9th June 2005, Case C-6/04. Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland, paragraph 49.
http://curia.europa.eu/juris/document/document.jsf?docid=58359&doclang=EN

development greenfield rates. Depending on local drainage characteristics / soil type and the type of development proposed, a variety of different techniques may be employed as SuDS, including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. The ultimate aim of SuDS is to control the quantity of run-off (by slowing and / or holding back some of the water) to protect the natural water cycle. This is reflected in the SLP through Policy ST3. This identifies that '*new development uses nature-based solutions to provide connected, accessible and multi-functional green spaces, which prioritise… sustainable drainage and pollution prevention'*

6.4.3 Additionally, while at this stage of assessment only the Strategic policies are available it is noted that policy C9 will be dedicated to sustainable drainage and policy C10 will be dedicated to Water quality and water resources. Policy content to this effect is included in the SLP and adverse effects of the SLP on the Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar regarding water quality from surface run-off can therefore be excluded.

## Water Abstraction

6.4.4 The second main way in which the SLP may impact upon the water level in the Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar is through abstraction of potable surface water and / or groundwater for the public water supply. If the regional water resources were sufficiently depleted, this would likely lead to a reduction in the water supply to the SPAs/Ramsars with knock-on effects on their plant and invertebrate communities. The SLP seeks the development of approx. 17,024 dwellings at an average occupancy of 2.4 people per household. Notably, public water supply is only considered to be an issue where new housing will require increases to existing Environment Agency (EA) abstraction consents or the use of previously unexploited water sources. This is because existing consents have already undergone the EA's Review of Consents (RoC) process, which considers the Conservation Objectives of Habitats sites.

6.4.5 Potable water in Swale is supplied two different water companies, Southern Water (SW) and South East Water (SEW).

6.4.6 SW's eastern supply area covers several areas of kent including the western portion of Swale borough. The Water Resources Management Plan (WRMP) for Southern Water for a 50-year period between 2025 and 2075[72], indicates that the supply-demand balance for its this area will go into a deficit. The Water Resources Management Plan proposes active steps to be undertaken by SW to address the supply-demand balance. These include:

- groundwater options to provide more water in Petersfield (1.6 million litres per day), Petworth (4 million litres per day) and West Chiltington (3.1 million litres per day) from 2031.
- a water recycling scheme near Littlehampton, to transfer water to the Pulborough area by 2031 to provide up to 15 million litres per day
- water transfers from neighbouring water companies SES Water and South East Water that together could provide up to 20 million litres per day
- a new reservoir, near Henfield, to store water from the River Adur to supply up to 19.5 million litres per day to parts of Sussex
- a desalination plant near the tidal River Arun to provide up to 40 million litres per day, which may be needed in the longer term if more significant reductions to how much water we can abstract from the environment are needed.

6.4.7 This SW WRMP includes several supply-side options which could have a potential impact on water quantity, level and flow including increased groundwater abstraction and the construction of a new surface water reservoir. However, these lie relatively far from the hydrological catchment of the Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar and therefore there is no potential for these new water abstractions to affect the hydrological regime in the site. These findings are in accordance with the screening HRA undertaken by SW on the WRMP, which assessed potential in-

[72] Southern Water. (2024). Water Resources Management Plan 2025 to 2075. Available at: https://www.southernwater.co.uk/about-us/our-plans/water-resources-management-plan/

combination impacts resulting from the plan. This concluded that the Water Resource Management Plan will not have an adverse effect on Habitats sites.

6.4.8 SEW's supply area is divided into eight Water Resource Zones (WRZs) and Swale Borough is partially located within WRZ8. In turn, for management purposes, the WRZs are organised into three larger areas, namely Sussex, West and Kent (within which Lewes District is included). SEW serves an area that is under serious water stress, which is defined by the EA as a geographic area where current and future household demand covers a high proportion of effective rainfall. This places significant pressure on water resources as there is a high risk that additional abstraction will result in depletion of freshwater bodies. Positively, the existing stress on water resources has resulted in a compulsory metering programme that commenced in 2011, permeating approx. 90% of households by 2019/20.

6.4.9 The Water Resources Management Plan (WRMP) for South East Water for a 50-year period between 2025 and 2075[73], indicates that the supply-demand balance for its Kent area will go into a deficit. The Water Resources Management Plan proposes active steps to be undertaken by SEW to address the supply-demand balance. These include:

- Leakage reductions
- Water efficiency measures
- Regional water transfer with collaborating water companies
- Improved connectivity between component WRZs
- New surface water reservoirs (New Arlington Reservoir and Broad Oak Reservoir)

6.4.10 Most of these options are demand-management options, which are positive because they seek a higher degree of sustainability without the need for increased water abstraction. However, a potential impact on water quantity, level and flow is associated with the construction of new surface water reservoirs, such as those identified at New Arlington and Broad Oak. However, review of the EA catchment data explorer indicates that these new reservoirs lie relatively far from the hydrological catchment of the Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar and therefore there is no potential for these new water abstractions to affect the hydrological regime in the site. These findings are in accordance with the screening HRA undertaken by SEW on the WRMP[74], which assessed potential in-combination impacts resulting from the plan on 33 Habitats sites. This assessed multiple preferred and alternative options (including the new surface water reservoirs) and concluded that the Water Resource Management Plan will not have an adverse effect on Habitats sites.

6.4.11 Given that there is no hydrological linkage between the new surface water reservoirs proposed by SEW or the supply-side measures proposed by SW and the Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar, it is concluded that the SLP will not result in adverse effects on the integrity of these sites regarding water quantity, level and flow, both alone and in-combination.

# 6.5 Visual and Noise Disturbance from Construction Works

## The Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar

6.5.1 The Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar are designated for waterfowl, waders and seabirds, which are all sensitive to visual and noise disturbance from construction works. ToLSE identified that LSEs on these sites, regarding this impact pathway cannot

[73] South East Water. (2024). Water Resources Management Plan 2025 to 2075. Available at: https://cdn.southeastwater.co.uk/SewHousehold/Documents/WRMP2023/Final/SEW_WRMP24_Technical_Overview_Document.pdf
[74] South East Water. (2024). WRMP24 Habitats Regulations assessment report. Available at: https://cdn.southeastwater.co.uk/SewHousehold/Documents/WRMP2023/Final/SEW_WRMP24_HRA_Report.pdf

be excluded. Disturbance may result from both visual and aural stimuli, although it is well recognised that there is a paucity of response data particularly in relation to avifaunal responses to construction noise. In recent years, for the noisiest construction methods (e.g. piling, which generates 120 dB at source) and considering an acceptable noise level of 70 dB at birds, a 200m threshold distance has been identified for noise disturbance. This was based on field observations of bird responses to noise disturbance events and utilising the standard distance decay rates for noise (across open areas). However, both the source of noise and bird species involved are important considerations in identifying potential noise disturbance impacts. For example, sudden irregular noise events may evoke bird responses at lower thresholds (approx. 60 dB) than more prolonged noise events.

6.5.2 An alternative approach to using absolute noise disturbance thresholds has been developed in recent years and is now formally accepted by Natural England on some development projects. Most bird species show a degree of habituation to disturbance stimuli as a result of repeated exposure in their natural habitats. This has potentially important implications as some noise levels may cause little to no disturbance in areas with existing loud soundscapes. As such, using absolute noise thresholds may greatly overestimate the threat that construction noise poses in some areas and place undue burdens on developers. Consequently, frequently the absolute change in noise levels between the pre-construction and construction periods is now used to assess potential impacts of noise disturbance. This comparison is enabled by undertaking pre-construction baseline noise measurements at receptor locations and contrasting these with noise models informed by construction parameters (e.g. location, type and duration of construction methods). This comparative noise impact assessment provides a valuable alternative and, potentially, more meaningful approach to evaluating construction impacts on SPA and Ramsar birds.

6.5.3 In contrast, visual disturbance on birds has been more frequently studied. Visual stimuli will typically create a disturbance effect before associated noise begins to have an impact. For example, Cutts et al. (2013) report that most species will show a flight response when approached to within 100-150m in intertidal sand- or mudflats. Generally, disturbance associated with visual stimuli will be highest where workers operate outside of equipment, large plant is involved, and works are undertaken at high speeds and close to birds. Visual disturbance is not necessarily easily predictive or intuitive due to other factors, such as conspicuousness and visibility to birds. For example, a lone worker in open habitat may trigger a major flight response at further distances than the operation of large plant. It is now commonly accepted that there are likely to be minimal visual disturbance impacts beyond 300m distance to source, although species-specific variation has been documented.

6.5.4 Overall, AECOM considers that a precautionary 300m buffer captures all allocations that represent a concern regarding visual and noise disturbance from construction works. Table 3 lists all residential and employment allocations within 300m of Swale's SPAs and Ramsar sites. AECOM advises that mitigation measures will be required to protect the bird populations in these SPAs and Ramsar from adverse visual and noise disturbance impacts.

**Table 3: Site allocations within 300m of a SPA and Ramsar**

| Site Name | Nearest SPA and Ramsar | Distance to SPA and Ramsar (m) |
|---|---|---|
| Land at West Street | Medway Estuary and Marshes | Immediately adjacent |
| South of Queenborough Creek | Medway Estuary and Marshes | Immediately adjacent |
| West of Rushenden Road, Queenborough | Medway Estuary and Marshes | Immediately adjacent |
| Ridham Dock - redevelopment | The Swale | Immediately adjacent |
| Smeed Dean Works, Eurolink Industrial Estate, Castle Road | The Swale | Immediately adjacent |

| | | |
|---|---|---|
| Three Lakes Park, Church Road, Sittingbourne, ME10 3NL | The Swale | 89m |

6.5.5 Overall, several recommendations regarding visual and noise disturbance from construction works are made to guide development proposed in the SLP. Given Swale situation amidst several Habitats sites designated for sensitive bird species, the advice regarding visual and noise disturbance is the following:

- **To minimise the effect of visual and noise disturbance, it is recommended that any construction work (and associated road infrastructure) within 300m of the The Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar be undertaken during periods when bird populations in these sites are low.**
- **Furthermore, given the potential presence of sensitive bird species on functionally linked habitat near development allocations, it is advised that such a distance is also maintained regarding functionally linked habitat. Construction within 300m of the SPAs / Ramsars, or functionally linked habitat parcels, should be carried out during the months when most qualifying species are unlikely to be present in great numbers. This particularly applies to construction processes associated with high noise levels (e.g. impact piling).**
- **If construction cannot be timed to avoid periods with high bird populations, then an impact assessment will need to be undertaken to confirm that noise levels will remain at acceptable noise levels (agreed upon with Natural England) near qualifying bird assemblages. This may encompass the comparison of modelled construction noise levels to pre-construction baseline noise measurements. Mitigation of noise impacts may be required, including the provision of screens, selection of less noisy equipment or techniques, damping and noise shielding of equipment or avoidance of lighting in sensitive locations.**
- **Construction sites within 300m of known bird roosts in the SPAs and Ramsars or functionally linked habitats should have appropriate screening in place to minimise visual disturbance.**

6.5.6 Given the length of this recommendation, AECOM advises that the above paragraphs are included in the supporting text of, or in condensed form within, an appropriate policy of the SLP. Provided that the above addition to the policy framework of the SLP is made, it is concluded that the Plan will not result in adverse effects on Habitats sites regarding visual and noise disturbance from construction works.

## 6.6 In Combination Effects

6.6.1 The Bird Wise North Kent Mitigation Strategy is specifically intended to mitigate the impacts of development from multiple developments and plans across the recreational catchment of the North Kent SPAs. Therefore, the requirement for development to contribute appropriately to this strategy means that recreational pressure has already been considered 'in combination' with other plans and projects.

6.6.2 The assessments regarding water quantity, level and flow rely on the assessment of water availability and resources produced by SW and SEW in their water management plans. These documents and their associated HRAs take into account the entire hydrological catchment and therefore inherently provide an in combination assessment with regards to this impact pathway.

6.6.3 No other local authority is located within 300m of any site allocated by this local plan which has the potential to cause impacts via noise and visual impacts during construction works. Therefore this impact pathway cannot lead to in combination effects.

# 7. Conclusions & Recommendations

7.1.1 This HRA assessed the potential implications of the policies and site allocations included in the Swale Local Plan on the following Habitats sites:

- The Swale SPA/Ramsar
- Medway Estuary & Marshes SPA/Ramsar
- Queendown Warren SAC
- Blean Complex SAC
- Outer Thames Estuary SPA
- North Downs Woodlands SAC

7.1.2 Following the Test of Likely Significant Effects, Appropriate Assessment was undertaken of potential linking impact pathways that could not be screened out and were identified to potentially result in an adverse effect on the integrity of an international site. Appropriate Assessment was undertaken regarding the following:

- Atmospheric Pollution on:
  - The Swale SPA/Ramsar
  - Medway Estuary and Marshes SPA/Ramsar
  - North Downs Woodlands SAC
- Recreational Pressure on:
  - The Swale SPA/Ramsar
  - Medway Estuary and Marshes SPA/Ramsar
- Loss of Functionally Linked Land on:
  - The Swale SPA/Ramsar
  - Medway Estuary and Marshes SPA/Ramsar
- Water Quantity level and Flow on:
  - The Swale SPA/Ramsar
  - Medway Estuary and Marshes SPA/Ramsar
- Visual and Noise disturbance of Construction Works on:
  - The Swale SPA/Ramsar
  - Medway Estuary and Marshes SPA/Ramsar

## 7.2 Atmospheric Pollution

7.2.1

## 7.3 Recreational Pressure

7.3.1 In accordance with the Bird Wise North Kent Mitigation Strategy, all residential development within 6km of the North Kent Bird sites could result in an adverse effect on the integrity of the SPA as a result of increased recreational pressure. The strategic Mitigation Strategy is funded by developer contributions. It provides for a range of mitigation and avoidance strategies. As such to ensure no adverse effects on the integrity of the designated sites occurs, any net new residential development

within 6km of the North Kent Bird sites will be required to contribute to the Mitigation Strategy and provide the appropriate financial contributions.

7.3.2 The requirement for contributions towards this mitigation strategy is detailed within Policy ST 11: Conserving and enhancing the natural environment.

7.3.3 It is noted that there are four residential sites allocated in the SLP that lie immediately adjacent to either The Swale SPA/Ramsar or Medway Estuary and Marshes SPA/Ramsar. Given the proximity of these sites to Habitats sites, AECOM recommended that these allocations should go beyond contributing to the Bird Wise North Kent Mitigation Strategy and deliver on-site recreational pressure management. We recommend that this be secured in the local plan by including policy text for these allocations that includes text to the effect of "**The applicant will be required to provide evidence that the development will not result in a Likely Significant Effect. To achieve this, measures to control recreational pressure should be incorporated into site design and layout including, for sites large enough to accommodate it, on site semi-natural recreational greenspace to divert residents away from the coast and measures to discourage direct access into the SPA from the development site such as planting and other features to make direct access more difficult. The planning application will likely need to be supported by a project specific Habitats Regulations Assessment to ensure that the measures implemented provide adequate mitigation to ensure that the development does not result in adverse effects on integrity due to recreational pressure.**"

7.3.4 With the implementation of the above recommendation, it can be concluded that the Plan will provide sufficient protective policy framework to ensure no adverse effects on the integrity of these sites with regards to increased recreational pressure as a result of the SLP.

## 7.4 Water Quantity Level and Flow

7.4.1 The development allocated in the SLP has the potential to alter the water quantity / level in the Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar via an increase in the coverage of impermeable urban surfaces and via abstraction of potable surface water / groundwater for the public water supply.

7.4.2 Sustainable Drainage Systems (SuDS) are considered the main approach to reduce the volume of surface run-off that reaches sensitive ecological receptors. SuDS are interventions that manage surface water at source by limiting run-off to pre-development greenfield rates. This is reflected in the SLP through Policy ST3. This identifies that '*new development uses nature-based solutions to provide connected, accessible and multi-functional green spaces, which prioritise… sustainable drainage and pollution prevention'*. Adverse effects of the SLP on the Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar regarding water quality from surface run-off can therefore be excluded.

7.4.3 The SLP will increase residential and employment development within Swale borough, for which there is a statutory obligation to deliver potable water. If the water supply to new developments would require the exploitation of additional water sources in hydrological connectivity with the Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar, this could reduce the freshwater supply to these sites. However, a review of SEW's WRMP indicates that the supply-demand deficit will be primarily addressed through demand management measures. The SW WRMP proposes a number of supply-side measures to meet the needs of areas supplied by southern water, including areas of Swale Borough. The supply-side options identified in the SEW and SW WRMP do not extract freshwater from the hydrological catchment of the SAC / Ramsar, implying that there is no potential for impacting the site's water supply. This assessment is in agreement with the SEW's and SW's screenings HRA of their WRMPs, which concluded no LSEs on Habitats sites.

7.4.4 Give the above, it is concluded that there will be no adverse effect on the Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar with regards to water quantity level and flow as a result of the SLP.

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# 7.5 Loss of Functionally Linked Land

7.5.1 The following allocations have been identified to be located within land parcels that are believed to contain coastal and floodplain grazing marsh that could support designated bird species, and thus could act as functionally linked land:

- Former Istil site Rushenden Road/Thomsett Way
- Three Lakes Park, Church Road, ME10 3NL
- Ridham Dock – redevelopment
- Smeed Dean Works, Eurolink Industrial Estate, Castle Road
- South of Queenborough Creek

7.5.2 All sites identified above should provide policy or supporting requiring the need to determine if the land parcel or neighbouring affected land does indeed act functionally linked land by inclusion of the following (or similar text). "**The applicant will be required to provide evidence that the development will not result in a Likely Significant Effect. To achieve this, surveys will be required to determine habitats and current use of the site and surrounding land parcels to determine if it does support a significant population (A significant population is classified as a site that regularly used by more than 1% of the population of qualifying bird species) of qualifying species. Where habitats are suitable, non-breeding bird surveys will be required to determine if the site and neighbouring land constitute a significant area of supporting habitat. Surveys should be required to be undertaken during autumn, winter and spring and at more than 1 year of surveys may be needed (to be agreed in consultation with the local planning authority and Natural England). If habitat within or adjacent to the site is identified to support significant populations of designated bird features avoidance measures and mitigation will be required, such as the creation of replacement habitat nearby, and the planning application will likely need to be supported by a project specific Habitats Regulations Assessment to ensure that the development does not result in adverse effects on integrity.**"

7.5.3 With the above recommendation it can be concluded that the Plan will not result in an adverse effect on the integrity of the international sites.

# 7.6 Visual and Noise Disturbance from Construction Works

7.6.1 Overall, AECOM considers that a precautionary 300m buffer captures the site allocations that represent the biggest threat regarding visual and noise disturbance from construction works. The SLP allocates five sites that lie within this screening distance and have the potential to result in visual and noise disturbance in the construction period. To avoid adverse effects on the populations of qualifying birds, detailed recommendations are made to guide development proposed in SLP. Given Swale Borough's proximity to two Habitats sites designated for their bird interest, this text should be included in the supporting text of, or, in condensed form, within an appropriate policy of the SLP. AECOM provides the following advice regarding visual and noise disturbance from construction works:

- **'To minimise the effect of visual and noise disturbance, it is recommended that any construction work (and associated road infrastructure) within 300m of the The Swale SPA/Ramsar and Medway Estuary and Marshes SPA/Ramsar be undertaken during periods when bird populations in these sites are low.**
- **Furthermore, given the potential presence of sensitive bird species on functionally linked habitat near development allocations, it is advised that such a distance is also maintained regarding functionally linked habitat. Construction within 300m of the SPAs / Ramsars, or functionally linked habitat parcels, should be carried out during the months when most qualifying species are unlikely to be present in great numbers. This particularly applies to construction processes associated with high noise levels (e.g. impact piling).**

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- **If construction cannot be timed to avoid periods with high bird populations, then an impact assessment will need to be undertaken to confirm that noise levels will remain at acceptable noise levels (agreed upon with Natural England) near qualifying bird assemblages. This may encompass the comparison of modelled construction noise levels to pre-construction baseline noise measurements. Mitigation of noise impacts may be required, including the provision of screens, selection of less noisy equipment or techniques, damping and noise shielding of equipment or avoidance of lighting in sensitive locations.**
- **Construction sites within 300m of known bird roosts in the SPAs and Ramsars or functionally linked habitats should have appropriate screening in place to minimise visual disturbance.**

7.6.2 Provided that the above recommendations are included in the SLP, it is concluded that the SLP will not result in adverse effects on Habitats sites regarding visual and noise disturbance from construction works.

# Appendix A Maps

**Figure 4: Habitats sites in and within 10km of Wealden District in relation to sites allocated in the Wealden Local Plan.**

# Appendix B Likely Significant Effects (LSEs) Screening

**Table 4: Likely Significant Effects (LSEs) screening assessment of policies contained in the SLP.**

Where the 'LSEs Screening Outcome' column is shaded orange, LSEs of the policy cannot be excluded, and it is taken forward to Appropriate Assessment (AA). Where that final column is shaded green, a realistic pathway of impact is not present, and the policy is screened out from AA.

| Policy Number & Name | Policy Content | LSEs Screening Outcome |
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| Policy ST1 – Delivering sustainable Development in Swale | To deliver sustainable development in Swale that provides both mitigation and adaptation to climate change, all development proposals will contribute to:<br>1. Build a strong competitive and green economy by meeting identified needs for inward investment and indigenous growth on allocated and suitable sites, including meeting the needs of under-represented sectors;<br>2. Ensure the vitality of town centres by: strengthening the principal centre role of Sittingbourne; improving the role of Sheerness as the Island's main centre; or consolidating, proportionate to its scale and character, Faversham's role as a centre for the town itself and its local catchment;<br>3. Support a prosperous rural economy, especially for sustainable farming and tourism, or where enabling communities to meet local needs or benefiting countryside management;<br>4. Accord with the Local Plan settlement strategy;<br>5. Offer the potential to reduce levels of out-commuting and support the aims of the Swale Local Transport Strategy, including the promotion of zero carbon and active transport;<br>6. Support high quality communications infrastructure;<br>7. Deliver a wide choice of high quality, low carbon homes by:<br>a. meeting the full, objectively assessed need for housing in the housing market area;<br>b. providing housing opportunity, choice and independence with types of housing for local needs; and<br>c. keeping vitality within rural communities with identified housing needs, proportionate to their character, scale and role;<br>d. promoting energy efficiency, renewable energy and district heat networks on new developments;<br>e. promoting the use of recognised certification schemes to demonstrate the environmental quality of new housing.<br>8. Achieve good design through reflecting the best of an area's defining characteristics;<br>9. Promote healthy communities through: | This policy is not associated with LSEs on Habitats sites.<br><br>The policy lays out broad requirements for development within the plan area. The policy does not allocate quanta or locations of residential or employment development. Therefore, no impact pathways to Habitats sites are present.<br><br>Overall, this policy is screened out from further appraisal in the Appropriate Assessment. |

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| | a. location of development to achieve safe, mixed uses and shared spaces;<br>b. rejuvenation of deprived communities;<br>c. the Local Plan implementation and delivery plan and schedule;<br>d. safeguarding services and facilities that do or could support communities;<br>e. maintaining the individual character, integrity, identities and settings of settlements;<br>f. protecting, managing, providing and enhancing open spaces and facilities for sport and recreation;<br>g. implementing the Swale natural assets green infrastructure strategy; and<br>h. enabling and fostering the conditions for cultural enterprises to establish and flourish within Swale.<br>10. Meet the challenge of climate change, flooding and coastal change through:<br>a. promotion of sustainable, low carbon and resilient design and construction, the installation and use of renewable energy, the efficient use of natural resources and the management of emissions;<br>b. the management and expansion of green infrastructure; and<br>c. applying planning policies to manage flood risk and coastal change;<br>11. Protect and enhance the natural environment by:<br>a. applying international, national and local planning policy for:<br>(i) areas designated for their biodiversity (inc. Nature Improvement Areas), geological or landscape importance; and/or<br>(ii) priority habitats and populations of protected and notable species;<br>b. using landscape character assessments to protect, and where possible, enhance, the intrinsic character, beauty and tranquillity of the countryside, with emphasis on the estuarine, woodland, dry valley, down-land and horticultural landscapes that define the landscape character of Swale;<br>c. integrating the benefits of ecosystems to society across all policy areas;<br>d. achieving plentiful native landscaping of local provenance in and around developments;<br>e. achieving net gains in biodiversity within and around developments by use of such measures as natural/semi-natural greenspace and the creation of coherent ecological networks;<br>f. avoiding significant harm to biodiversity or, when not possible, adequately mitigating it, or, as a last resort, compensating for it with off-site action at identified Biodiversity Opportunity Areas or other appropriate locations;<br>g. using areas of lower quality agricultural land for significant levels of development (singly or cumulatively) where compatible with other criteria; and;<br>h. applying national planning policy in respect of pollution, despoiled, degraded, derelict, contaminated, unstable and previously developed land;<br>i. having regard to the Local Nature Recovery Strategy. | |

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| | 12. Conserve and enhance the historic environment by applying national and local planning policy through the identification, assessment and integration of development with the importance, form and character of heritage assets (inc. historic landscapes). | |
| Policy ST2 – Swale's Settlement Hierarchy | By use of previously developed land within defined built up area boundaries and on sites allocated by the Local Plan, development proposals will be permitted in accordance with the following settlement strategy:<br><br>1. The principal town and main Borough urban centre of Sittingbourne will provide the primary urban focus for growth where development will support town centre regeneration and make the best use of previously developed and vacant or underused land;<br>2. Faversham, as one of the Borough's secondary towns, will provide a key focus for growth where development includes a sustainable urban extension and will deliver significant infrastructure improvements;<br>3. Redevelopment at Rushenden as an expansion to the Regeneration Area of Queenborough & Rushenden to provide landscape led regeneration that will provide new homes, jobs, infrastructure, open space and community facilities;<br>4. Village service centres provide the tertiary focus for growth.<br>5. Small villages with built-up area boundaries that can provide some services and offer more sustainable travel options than private car travel on infill and redevelopment sites within the built up areas boundaries where compatible with the settlement's character, amenity, landscape setting, heritage or biodiversity value; and<br>6. At locations in the open countryside, outside the built-up area boundaries shown on the Proposals Map, development will not be permitted unless supported by national planning policy and able to demonstrate that it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities. | This policy is not associated with LSEs on Habitats sites.<br><br>This is a broad development management policy detailing settlements that will be the main focus of development. This policy does not identify any type, specific location or quantum of development<br><br>Overall, this policy is screened out from further appraisal in the Appropriate Assessment. |
| Policy ST3 – Climate Change | 1. All new development must demonstrate how it will mitigate and adapt to climate change and create places which respond to the local and national Climate Emergency by demonstrating that:<br>a. the location and choice of sites, linkages to other sites, layout and land-uses of development have been chosen to mitigate and adapt to climate change;<br>b. new development uses nature-based solutions to provide connected, accessible and multi-functional green spaces, which prioritise climate mitigation and adaption, biodiversity enhancement, health and wellbeing, flood risk mitigation, sustainable drainage and pollution prevention, in accordance with policies ST7 Good design, ST8 Health and Wellbeing, ST10 Promoting sustainable transport and active travel; ST11 Conserving and enhancing the natural environment and the corresponding development management policies;<br>c. the principles of sustainable design and adaptation, including addressing overheating and creating places that are comfortable to live in and are adapted to climate change, as set out in Policy C1 Sustainable design and construction principles, are considered from the very start of the site selection and design process and integrated into the development;<br>d. new development is net zero carbon in operation, in line with Policies C2 Net zero operational in new build residential development and C3 Net zero operational in new build non-residential development.<br>e. embodied carbon and waste is minimized in line with Policy C4 Embodied carbon and waste; | This policy is not associated with LSEs on Habitats sites.<br><br>This is a positive policy, requiring that development within the plan area mitigate and adapt to climate change including being net zero in operation and incorporating factors of sustainable design and adaptation. This policy does not identify any type, specific location or quantum of development<br><br>Overall, this policy is screened out from further appraisal in the Appropriate Assessment. |

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| | f. renewable energy is enabled where it is appropriate for its site, in line with Policy C5 Renewable energy development and infrastructure;<br>g. existing and new development will be safe from the impacts of climate change, including coastal change and flood risk and contributes to necessary infrastructure where appropriate, in line with policies C6 Coastal Change Management, C7 Implementing the Medway Estuary and Swale Coastal Risk Management Strategy, C8 Flood Risk and C9 Sustainable drainage. Where existing areas are at risk, positive approaches to adaptation and relocation are sought, in accordance with policy C6 Coastal Change Management;<br>h. new development will seek to protect the ecosystem services on which we rely (including our water, air and soil) from all types of pollution and land instability in line with policies C10 Water quality and water resources, C11 Air quality and C12 Pollution and land instability. | |
| Policy ST4 – Development needs for the Borough | 1. The Council seeks to meet its development needs through the implementation of existing consented sites and by and by allocating sites for development as set out in this Local Plan.<br><u>Swale's development needs for jobs and homes 2027 – 2042</u><br>2. Land is identified by the Local Plan Review to meet the following development targets:<br>▪ B Class Employment floorspace provision (ha): 73ha<br>▪ Housing provision: 17,024 (1,064 dwellings per annum)<br>3. The Council will monitor and review the Local Plan as required by national policy. Infrastructure requirements to support housing and employment will be delivered as set out in the Infrastructure Delivery Plan. | LSEs of Policy ST4 on Habitats sites cannot be excluded.<br><br>Policy ST4 identifies a net increase of 17,024 dwellings and 73ha of employment floorspace that will be delivered during the Local Plan period. Depending on their location, may contribute to the following impact pathways:<br><br>• Atmospheric pollution<br>• Recreational pressure<br>• Loss of functionally linked land<br>• Water quantity, level and flow<br>• Visual and noise disturbance from construction works<br>Overall, Policy ST4 is screened in for Appropriate Assessment. |
| Policy ST5 – Building a Strong, Competitive Economy | Actions by public, private and voluntary sectors will work towards the delivery of the Local Plan economic strategy.<br>1. Development proposals for current employment sites that re-provide the same employment land uses will be supported.<br>2. Development proposals for employment use on sites used for non-employment purposes will be encouraged where they meet the needs identified in the Council's Employment Land Review and/or where other considerations weigh in their favour.<br>Development proposals will be encouraged where they:<br>3. Stabilise losses of jobs within the manufacturing sector or exploit competitive strengths in the Swale economy including uplifting sectors related to the visitor economy and expansion of the pharmaceutical and science sectors;<br>4. Bring forward an increase in homegrown business creation and inward investment, including those able to encourage younger people to retain and use their skills within Swale; | Policy ST5 is not associated with LSEs on Habitats sites.<br><br>This policy seeks to protect existing employment sites. It also supports the intensification of existing employment sites and sets requirements for the expansion or redevelopment of existing employment sites. |

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| | 5. Encourage educational facilities or an expansion of vocational learning, developing links between institutions and the private sector or work-based learning at key locations;<br>6. Grow opportunities for the creative and cultural sector through opportunities in underused properties or new developments for creative start-up space, skills hub, and flexible public facing creative exhibitions and events;<br>7. Contribute to the delivery of a comprehensive land portfolio for the Borough by:<br>a. safeguarding and maximising the potential of identified 'Strategic Employment Sites';<br>b. bringing forward the stock of existing committed employment sites for industrial use;<br>c. addressing qualitative issues with new provision at Local Plan allocations to support established industrial markets, additional office space, the release of poorer quality locations and the broader upgrade of the supply; or<br>d. managing existing and future employment potential by upgrading older industrial areas.<br>8. Include sectors that are under-represented in Swale, and/or that may potentially enable a reduction in commuting out of the Borough;<br>9. Avoid proposals that would harm existing employment locations and allocations where appropriately located and suitable, viable for users under normally functioning economic conditions or required to meet the identified needs for the plan period;<br>10. Address future challenges to the agricultural and woodland/forestry industries with sustainable and appropriate proposals to create new markets and greater resilience;<br>11. Safeguard or enhance Swale's 'Principal Tourism Assets' and consolidate or widen the Borough's tourism potential, particularly where embracing principles of sustainable tourism;<br>12. Focus larger scale development where they utilise the strategic and primary road networks;<br>13. Support sectors attractive to the local population who would otherwise out-commute for work;<br>14. Facilitate the delivery of digital infrastructure, including access to high speed Internet connectivity from all new developments;<br>15. Create improved resilience for existing businesses by measures to address flood risk, climate change and natural processes and lead to an expansion of businesses in the low carbon sectors; or<br>16. Provided the Local Plan strategy is not significantly compromised, and sites cannot be found within criterion 7, meet unanticipated needs on appropriate sites within one or more of the following 'Priority Locations':<br>a. the extension of an existing employment site;<br>b. where benefits to deprived communities can be achieved;<br>c. sites well related to the A249, A2, Sittingbourne Northern Relief Road or A299 Thanet Way; or<br>d. re-use of heritage assets or where delivering significant benefits to the conservation of landscape or biodiversity. | This policy does not propose any allocation or quantum of additional development of employment or residential sites. Therefore, this policy has no likely significant effects. |
| Policy ST6 – Delivering a wide Choice of High-quality Homes | Development proposals will, as appropriate:<br>1. Provide affordable housing in accordance with Policy H1;<br>2. Be steered to locations in accordance with Policy ST 2 (Swale's Settlement strategy), including:<br>i. at local plan and neighbourhood plans allocations and Community Right to Build initiatives;<br>ii. Windfall sites where, its design, layout and landscaping would support and enhance the character of the area and can demonstrate that development of the site within its local context, would benefit the existing community and support sustainable development.<br>iii. town centres when contributing to their vitality and viability; or<br>iv. Deprived communities when improving local housing markets and supporting communities.<br>3. Use densities determined by the context and the defining character of the area; | Policy ST6 is not associated with LSEs on Habitats sites.<br><br>Policy ST6 identifies mix, affordability and density of housing developments. This policy also requires that development meet certain space standards.<br><br>This policy area does not propose any allocation or quantum of additional development of employment |

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| | 4. Provide dwellings that meet minimum space standards M4(2) on 95% of all dwellings and the accessible standards M4(3) on the remaining 5% of dwellings;<br>5. Achieve the mix of housing types needed as reflected in the findings of the latest Housing Market Assessment or similar needs assessment, and for affordable homes to use the information from the Council's Housing Register to ascertain specific needs at that time;<br>6. Meet the housing requirements of specific groups including families, older persons or disabled and other vulnerable persons;<br>7. Bring vacant homes back into use and up to the relevant standards; and<br>8. Achieve sustainable, healthy and high quality designed homes in accordance with Policy ST 7 Good Design, ST8 Health and Wellbeing and policies GD1 Local Design Principles and C1 Sustainable design and adaption principles. | or residential sites. Therefore, this policy has no likely significant effects. |
| Policy ST7 – Good Design and Placemaking | All development will be required to achieve high-quality design that delivers sustainable, resilient and locally distinctive places. Development proposals must demonstrate how they respond to the following principles:<br>1. **Character and Identity** - Reinforce and enhance the distinctive qualities of Swale's coastal, creek, estuarine and rural landscapes, its historic towns, villages and settlements, and its built and archaeological heritage. Development must contribute positively to local identity and sense of place, responding positively to local character and context while allowing for high-quality and innovative design.<br>2. **Inclusion and Safety** - Create inclusive environments that promote health, wellbeing and social interaction. Development must ensure that spaces are safe, accessible, easy to navigate and reduce opportunities for crime.<br>3. **Connectivity and Permeability** - Provide a clear, legible and well-connected network of streets, routes and spaces that are attractive and permeable. Development should prioritise walking, cycling and public transport, and provide strong and integrated connections within sites and to the surrounding urban and natural environment, including links to the coast, countryside, green spaces and heritage assets where appropriate.<br>**4.** **Sustainability and Climate Resilience** - Maximise resource efficiency and minimise carbon emissions, while integrating multifunctional green and blue infrastructure that supports amenity, biodiversity net gain, water management and climate adaptation. Given Swale's particular vulnerability to flood risk, climate change and sea level rise, development must demonstrate resilience to current and future climate impacts.<br>**5.** **Well-managed and Built to Last -** Ensure buildings and spaces are durable, adaptable, and designed for longevity, delivering a high standard of amenity. Development must support clear arrangements for long-term stewardship, management, and maintenance, and contribute positively to Swale's built and natural environment.<br>**6.** **Context -** Ensure that the use, scale, height, massing, density, and appearance of development are appropriate to their location, responding positively to both the immediate context and the wider area. In smaller settlements, rural areas, and sensitive coastal, creekside, and historic environments, development should take account of the established character, grain, and setting.<br>**7.** **Public Spaces** - Deliver high-quality, well-designed public spaces and public realm that support social interaction, community cohesion and opportunities for recreation and cultural activity. Public spaces should respond to and celebrate Swale's distinctive character, including its maritime, industrial and landscape heritage.<br>**8.** Development should comply with the detailed requirements of Policy GD1 (Local Design Principles), relevant design codes and masterplans, which provide more specific guidance on achieving these principles.<br>**9.** Major and sensitive development proposals will be required to engage with the Council's Design Review Panel at an early stage, in accordance with the Council's Design Review Protocol. | Policy ST7 is not associated with LSEs on Habitats sites.<br><br>Policy ST7 is a design management policy that sets certain design criteria for development within the plan area.<br><br>This policy area does not propose any allocation or quantum of additional development of employment or residential sites. Therefore, this policy has no likely significant effects. |
| Policy ST8 – Health and Wellbeing | The Council, working in conjunction with relevant organisations, communities and developers, will undertake targeted interventions to identify Swale's most disadvantaged families and communities, improve | Policy ST8 is not associated with LSEs on Habitats sites. |

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| | our understanding of the issues they face, and develop new ways of working to reduce social exclusion and enhance opportunities and quality of life to reduce health inequalities.<br><br>Development proposals will, as appropriate:<br><br>1. Bring forward accessible new community services and facilities, including sufficient health facilities with developers contributing towards the provision of built facilities and other improvements to healthcare services, as set out in the Infrastructure Delivery Plan;<br>2. Safeguard existing community services and facilities where they are viable or can be made so, or where replacement facilities can be provided without leading to any shortfall in provision: access to open space to facilitate physical activity, cultural activity, activities which strengthen social bonds, healthy eating learning, childcare and youth provision;<br>3. Safeguard or provide multifunctional open space, sport and recreation in accordance with INF3 Open space, sport and recreation provision, additionally enabling access to nature in accordance with the green infrastructure strategy in ST11 Conserving and enhancing the natural environment;<br>4. Promote healthier options for transport, including cycling and walking by ensuring that the site chosen for the new place is suitable for sustainable transport links with other places, where appropriate is designed to be mixed use, compact and provided with safe pedestrian and cycle routes to make active travel easier in accordance with ST10 Promoting sustainable transport and active travel;<br>5. Improve or increase access to a healthy food supply such as allotments, markets and farm shops;<br>6. Limit new hot food takeaways within 400m of a school perimeters;<br>7. Create social interaction and safe environments through mixed uses and in the design and layout of new development in accordance with ST6 Delivering a wide choice of high-quality homes ST7 Good design;<br>8. Create a healthy environment that regulates local climate by providing open space and greenery to achieve shading and cooling, particularly within existing urban environments in accordance with B5 Woodland, orchards, trees and hedgerows;<br>9. Address air quality in accordance with C11 Air quality;<br>10. Ensure mitigation and adaptation to climate change through sustainable design and construction in accordance with C1 Sustainable design and adaptation principles; and<br>11. Undertake and implement a Health Impact Assessment for relevant proposals that are:<br>a. Required to undertake Environmental Impact Assessments; or<br>b. Within Swale's most deprived wards; or<br>c. Identified as required by the Local Plan. | Policy ST8 seeks to support the health and wellbeing of residents. This includes the safeguarding of open space and community facilities as well as promoting healthier options for food and transport.<br><br>The policy does not allocate quanta or locations of residential or employment development. Therefore, no impact pathways to Habitats sites are present.<br><br>Overall, Policy ST8 is screened out from further appraisal in the Appropriate Assessment. |
| Policy ST9 – Planning for Infrastructure | The Council will work with Kent County Council, infrastructure providers, applicants and other key stakeholders to ensure that growth over the plan period is supported by necessary infrastructure, facilities and services in a timely manner to meet the needs of communities.<br>1. The Council will resist the loss or change of use of existing social and community facilities unless it can be demonstrated that:<br>a. The facility is no longer needed for its existing purpose, and the site or building is not needed for an alternative social or community use;<br>b. The current or alternative community uses are not viable; or | Policy ST9 is not associated with LSEs on Habitats sites.<br><br>Policy ST9 is a development management policy, requiring new development to ensure there is sufficient infrastructure provision. This policy also |

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| | c. The services can be re-provided in a facility of better quality on the same site or in an alternative location that is equally accessible to the community served.<br>2. Development proposals, including those allocated in this plan, which give rise to the need for infrastructure improvements will be expected to mitigate their impact either individually or cumulatively and at a rate and scale to meet the needs that arise from that development or a phase of that development. As such development may require to be phased to ensure the co-ordination with delivery of necessary infrastructure. Where appropriate, developers will be expected to collaborate on the provision of infrastructure needed to serve more than one site.<br>3. The council will regularly update the Infrastructure Delivery Plan to determine the scope, cost and range of infrastructure improvement required to continue supporting the delivery of the Local Plan. | resists the loss and change of use of existing social and community facilities.<br><br>This policy does not control either the quantum or location of new development. There are no linking impact pathways present.<br><br>Overall, Policy ST9 is screened out from further appraisal in the Appropriate Assessment. |
| Policy ST10 – Promoting Sustainable Transport and Active Travel | New development will be located in accordance with Policies ST 1 and Policy ST 2, Local Plan allocations and approved Neighbourhood Plans, which minimise the need to travel for employment and services and facilitate sustainable transport. The Council will promote an uptake of sustainable transport and active travel through the prioritisation of walking, wheeling and cycling, in line with the hierarchy of road users, and the Council's adopted Swale wide Local Cycling and Walking Infrastructure Plan (LCWIP) and Faversham's LCWIP, along with public transport within all new developments.<br>The Council will:<br>1. Promote walking within the borough by ensuring that developments improve the pedestrian environments by supporting public realm improvements including the provision of high-quality safe road crossings, seating, signage and landscaping that are safe and easy to walk through;<br>2. Promote cycling in the borough by ensuring that developments provide and make a contribution towards high quality and safe cycle routes, provide for accessible, secure cycle parking taking into account the size and location of the development, and make provision for high quality facilities that promote cycle usage including showers, lockers and dryers;<br>3. Ensure walking and cycling routes are linked to new and existing communities with services and facilities, public transport and the Green Grid network and are accessible for all users;<br>4. Safeguard and promote the provision of public transport in the borough by ensuring that development contributes towards improvements to bus network infrastructure including access to bus stops, shelters, passenger seating, waiting areas, signage and timetable information. Contributions will be sought where the demand for bus services generated by the development is likely to exceed existing capacity. Contributions may also be sought towards the improvement of other forms of public transport in major developments where appropriate;<br>5. Where appropriate, be required to provide for the interchange between different modes of transport including the provision of facilities to make interchange easy and convenient for all users – as set out in Policy INF1;<br>6. Facilitate the greater use of waterways for commercial traffic, where this would not have an unacceptable adverse environmental impact, through working with the Port of Sheerness and other bodies;<br>7. Contribute to transport network improvements, where capacity is exceeded and or safety standards are unacceptably compromised with particular emphasis on those identified in the Infrastructure Delivery Schedule and in paragraph 4.2.112 above; | Policy ST10 is not associated with LSEs on Habitats sites.<br><br>Policy ST10 is a positive development management policy, requiring new development to support public transportation and active travel. This also includes the support of use of waterways for commercial traffic, and maintaining and improving the highway network where required to improve transport flows.<br><br>This policy does not control either the quantum or location of new development. There are no linking impact pathways present.<br><br>Overall, Policy ST10 is screened out from further appraisal in the Appropriate Assessment. |

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| | 8. Make best use of capacity in the network by working together with transport providers to improve the transport network in the most sustainable way, and extending it where necessary, as demonstrated by Transport Assessments and Travel Plans in support of development proposals – as discussed in INF1;<br>9. Support the provision of major new transport infrastructure in accordance with national and local transport strategies; and<br>10. Maintain and improve the highway network at key points to improve traffic flows and respond to the impact of new development and regeneration, as set out in the existing Local Transport Strategy. | |
| Policy ST11 – Protecting and Enhancing the Natural Environment | 1. Actions by public, private and voluntary sectors will:<br>a. use nature-based solutions to safeguard, restore and enhance the size, quality, diversity and interconnectedness of the natural environment in Swale and reverse the decline in nature, including furthering the delivery of Swale's Green and Blue Infrastructure Network and Strategy and the Kent and Medway Local Nature Recovery Strategy;<br>b. recognise and value natural capital and ecosystems for the wider services they provide, such as for food, water, flood mitigation, disease control, recreation, health and well-being, climate change mitigation;<br>c. provide a focus and opportunities for social inclusion, community development and lifelong learning(?);<br>2. All non-householder development proposals will, as appropriate, demonstrate via a Natural Environment Statement how the development:<br>a. is appropriate to its location, steered to land of least environmental value and avoids: internationally, nationally and locally designated sites of importance for nature; nationally and locally designated landscapes; best and most versatile agricultural land, in accordance with policies B1 Biodiversity and geodiversity conservation and Biodiversity Net Gain and B2 Conserving and enhancing valued landscapes and B6 Agricultural Land;<br>b. follows the mitigation hierarchy by avoiding, then mitigating, and only as a last resort, compensating for adverse impacts on biodiversity and the natural environment;<br>c. provides protection, enhancement and recovery to the most valuable existing habitats and species (Habitats and Species of principle importance under s.41 of the NERC Act), and the creation of new habitats;<br>d. contributes to the recovery and expansion of Swale's natural environment, by fully responding to the Council's Biodiversity Baseline Study, the Green and Blue Infrastructure Strategy, Natural England's Green Infrastructure Strategy and contributes to the targets of identified Biodiversity Opportunity Areas and of the Kent and Medway Local Nature Recovery Strategy.<br>e. protects and enhances the intrinsic character and natural beauty of the countryside and the borough's urban natural environment;<br>3. All applications will accord with Policy B1 Biodiversity, geodiversity and biodiversity net gain with regard the hierarchy of biodiversity and geological designations as well as for land that is not specifically designated, but contains features of biodiversity and geodiversity value.<br>4. All relevant development will set out, via a Biodiversity Gain Plan, how development will achieve a measurable, by a recognised metric, net gain of 20% in biodiversity, in accordance with Policy B1 Biodiversity, geodiversity and biodiversity net gain;<br>5. All relevant development with require the completion of project specific Habitats Regulations Assessment (HRA), to ensure there are no likely significant effects upon any European designated site. For residential sites within 6km of an access point to any of the North Kent Marshes, development must contribute to its Strategic Access Management and Monitoring Strategy or undertake their own HRA;<br>6. All development will:<br>a. increase opportunities for nature, 'green' the borough and assist with adaptation to the changing climate in existing and proposed development by contributing to the planting of a strategically significant network of street trees, trees in and around formal open spaces and in new gardens, green roofs and green walls, and contribute | Policy ST11 is not associated with LSEs on Habitats sites.<br><br>Policy ST11 is a positive development management policy, requiring new development to protect and enhance the natural environment. This includes requirements for all relevant development to prepare project specific Habitat Regulations Assessments. This policy also requires development to contribute to the councils Green and blue infrastructure strategy.<br><br>This policy does not control either the quantum or location of new development. There are no linking impact pathways present.<br><br>Overall, Policy ST11 is screened out from further appraisal in the Appropriate Assessment. |

| | | |
|---|---|---|
| | to approaches to improve the network of habitats at scale and locally (eg though the inclusion of swift and bat boxes and hedgehog highways);<br>b. deliver a high standard of design quality and promote nature-based solutions to protect the intrinsic natural beauty and character of our natural environment in accordance with policies ST7 Good design, GD1 Local Design Principles, B4 The Separation of Settlements – Important Local Countryside Gaps, B8 Rural Lanes and B9 The keeping and grazing of horses and maximise the social, economic, health and environmental benefits of green and blue infrastructure<br>c. provide new recreational facilities in accordance with Policy INF3 Open space, sport and recreation provision, exploiting opportunities to increase green infrastructure whilst linking urban and countryside areas and to create new 'green' footpath and cycle links between new and existing developments and services and facilities for both recreation and commuting, in accordance with ST 10 Promoting Sustainable Transport and Active Travel and INF1 Managing transport demand and impact;<br>d. create natural environments that promote health and wellbeing and protect Local Green Spaces in accordance with policies ST8 Health and Wellbeing and INF4 Local Green Spaces.<br>e. ensure mitigation and adaptation to climate change is a defining element of any proposals, in accordance with ST 3 Climate Change and the Development Management Climate Change Policies C1 to C5, prioritising nature-based approaches.<br>f. take account of and integrate with natural processes, such as natural flood management, utilising sustainable urban drainage in accordance with Policies C8 Flood Risk and C9 Sustainable Drainage;<br>g. ensure development is safe from the risks of flooding and coastal change and does not increase flood risk elsewhere, in accordance with C6 Coastal Change Management, C7 Implementing the Medway Estuary and Swale Risk Management Strategy and C8 Flood Risk;<br>h. demonstrate how pollution will be prevented and local environmental conditions, including air, soil and water quality are to be improved by development and how contaminated or unstable land will be remediated;<br>i. demonstrate how natural resources will be protected and ecosystem services supported, in accordance with C10 Water quality and water resources, C11 Air Quality and C12 Pollution and Land Instability<br>j. protect, enhance and manage the value, character, amenity and tranquillity of the Borough's landscapes, in accordance with Policies B2 Conserving and enhancing valued landscapes and B3 The Kent Downs National Landscape and B7 The Coast.<br>k. Demonstrate the protection, enhancement and management, as appropriate, of seascape and coastal processes in accordance with C6 Coastal Change Management, B7 The Coast and C7 Implementing the Medway Estuary and Swale Coastal Risk Management Strategy. | |
| Policy ST12 – Conserving and Enhancing the Historic Environment | 1. Heritage assets within the Borough are an irreplaceable resource that contribute to its character, identity, economy, and quality of life. Development affecting heritage assets will be required to conserve and, where appropriate, enhance their significance, including their setting, in a manner proportionate to their importance.<br>2. Designated heritage assets will be given great weight in decision-making. Any harm to, or loss of, their significance, including their setting, must be clearly justified and will be weighed against the public benefits of the proposal. Substantial harm or total loss will be exceptional and will only be permitted where substantial public benefits outweigh that harm or loss.<br>3. Applications affecting non-designated heritage assets, directly or indirectly, will be assessed through a balanced judgement, having regard to the significance of the asset and the scale of any harm or loss.<br>4. Development proposals must respond, where applicable, to the following principles:<br>5. Conserve and respond positively to the significance, form and character of settlements, historic landscapes and heritage assets; | Policy ST12 is not associated with LSEs on Habitats sites.<br><br>This policy is a development management policy that protects designated and non-designated heritage assets.<br><br>This policy area does not propose any allocation or quantum of additional development of employment |

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|---|---|---|
| | 6. Support the sensitive and sustainable use of heritage assets, including those identified as being at risk on national or local registers;<br>7. Promote the understanding, appreciation and enjoyment of heritage assets through interpretation, education and, where appropriate, public access;<br>8. Ensure that measures to address climate change and sustainable development are sensitively designed and implemented to avoid unacceptable harm to the significance of heritage assets;<br>9. Recognise the importance of archaeological remains, historic landscapes and the broader setting of heritage assets; and<br>10. Recognise and account for cumulative or incremental impacts on heritage assets and their settings.<br>11. Where appropriate, conservation and enhancement measures will be secured through planning conditions or obligations. | or residential sites. Therefore, this policy has no likely significant effects. |

# Appendix C Site Allocations

**Table 5: Site allocations within the SLP**

| Site Allocation | Land Use type | Number of Dwellings | Floorspace sqm | Nearest Habitats Site | Coastal and Floodplain Grazing Marsh | Approx. Distance to the Nearest Habitats Site (km) |
|---|---|---|---|---|---|---|
| Bell House, Bell Road | Houses | 120 | 0 | The Swale SPA/Ramsar | N | 2.2km |
| Former Bus Depot, East Street | Houses | 22 | 0 | The Swale SPA/Ramsar | N | 2.0km |
| The Classic Cinema, High Street, Sittingbourne, ME10 4PE | Houses | 50 | 0 | The Swale SPA/Ramsar | N | 2.1km |
| 10-14 High Street, Sittingbourne, ME10 1PD | Houses | 3 | 0 | The Swale SPA/Ramsar | N | 2.2km |
| Land at Tonge Road | Houses | 19 | 0 | The Swale SPA/Ramsar | N | 1.0km |
| St Michaels House and Langs Bar, St Michaels Road, Sittingbourne | Houses | 30 | 0 | The Swale SPA/Ramsar | N | 2.2km |
| ISP, Church Street | Houses | 15 | 0 | The Swale SPA/Ramsar | N | 2.5km |
| Lady Dane Farm Buildings, Love Lane | Houses | 25 | 0 | The Swale SPA/Ramsar | N | 1.0km |
| Land at Graveney Road, East of Faversham (Site A) | Houses | 177 | 0 | The Swale SPA/Ramsar | N | 0.9km |
| Land at Lion Field | Houses | 68 | 0 | The Swale SPA/Ramsar | N | 1.5km |
| Syndale Park, London Road, Faversham, Kent, ME13 0RH | Houses | 9 | 0 | The Swale SPA/Ramsar | N | 1.7km |
| Land at West Minster off of Brielle Way, Sheerness | Houses | 76 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 1.1km |

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|---|---|---|---|---|---|---|
| Land Brielle Way, Sheerness | Houses | 76 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 0.5km |
| Halfway Houses Primary School, Southdown Rd | Houses | 60 | 0 | The Swale SPA/Ramsar | N | 1.7km |
| Hollybush Farm Caravan Park, Oak Lane, Minster-on-Sea, ME12 3QR | Houses | 124 | 0 | Outer Thames Estuary SPA | N | 0.5km |
| Estuary View, Bell Farm Lane, Minster-on-Sea, ME12 4JA | Houses | 15 | 0 | Outer Thames Estuary SPA | N | 0.9km |
| Golden Leas Holiday Park, Bell Farm Lane, Minster-on-Sea, ME12 4JA | Houses | 232 | 0 | Outer Thames Estuary SPA | N | 0.7km |
| Land at West Street | Houses | 80 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | Immediately adjacent |
| South of Queenborough Creek | Houses | 380 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | Immediately adjacent |
| Former Istil site Rushenden Road/Thomsett Way | Houses | 240 | 0 | Medway Estuary and Marshes SPA/Ramsar | Y | 0.3km |
| West of Rushenden Road, Queenborough | Houses | 278 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | Immediately adjacent |
| The Foundary, Rushenden Road | Houses | 37 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 0.3km |
| Land adjacent to Leysdown Road, Eastchurch, ME12 4BN | Houses | 62 | 0 | Outer Thames Estuary SPA | N | 1.9km |
| Land south of Little Groves, Leysdown Road | Houses | 53 | 0 | Outer Thames Estuary SPA | N | 1.0km |
| Sheppey Beach Villas, Manor Way, ME12 4QQ | Houses | 133 | 0 | Outer Thames Estuary SPA | N | 0.7km |

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|---|---|---|---|---|---|---|
| Digswell, Lower Hartlip Road, Hartlip, ME9 7SX | Houses | 11 | 0 | Queensdown Warren SAC | N | 2.2km |
| Amethyst Horticulture, Land at Newington Nurseries, London Road, Newington, ME9 7NY | Houses | 52 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 2.2km |
| Barrow Green Farm, Barrow Green | Houses | 30 | 0 | The Swale SPA/Ramsar | N | 1.4km |
| Land Adjoining Mayfield, London Road | Houses | 13 | 0 | The Swale SPA/Ramsar | N | 2.2km |
| Land at Claxfield Road | Houses | 127 | 0 | The Swale SPA/Ramsar | N | 2.2km |
| Land at Claxfield Road (Site 2) | Houses | 12 | 0 | The Swale SPA/Ramsar | N | 2.2km |
| Land off Colonels Lane | Houses | 15 | 0 | Blean Complex SAC | N | 3.3km |
| The Former Garden Hotel (no 169), The Street | Houses | 10 | 0 | The Swale SPA/Ramsar | N | 3.3km |
| Land at Norton Ash Garden Centre | Houses | 100 | 0 | The Swale SPA/Ramsar | N | 1.5km |
| Land at Street Farm, Pond Farm Road (Site B) | Houses | 15 | 0 | Queensdown Warren SAC | N | 4.8km |
| Home Farm, Breach Lane, Lower Halstow, ME9 7DB | Houses | 16 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 0.9km |
| Land at Forge Lane, Upchurch | Houses | 20 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 0.6km |
| Land south of Forge Lane and Holywell Primary School and East of Chaffes Lane | Houses | 84 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 0.6km |
| Land off Chaffes Lane | Houses | 14 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 0.5km |
| Land at Long Field, Chaffes Lane | Houses | 50 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 0.5km |

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|---|---|---|---|---|---|---|
| Land west of Warden | Houses | 139 | 0 | Outer Thames Estuary SPA | N | 1.0km |
| Three Lakes Park, Church Road, ME10 3NL | G&T Pitches | 4 | 0 | The Swale SPA/Ramsar | Y | 0.08km |
| Bakers Place, Lomas road, ME9 8BB | G&T Pitches | 2 | 0 | The Swale SPA/Ramsar | N | 0.7km |
| Emley Road, ME12 3SS | G&T Pitches | 1 | 0 | The Swale SPA/Ramsar | N | 1.2km |
| The Peartree, Greyhound Road, ME 12 | G&T Pitches | 1 | 0 | The Swale SPA/Ramsar | N | 1.0km |
| 5 The Laurels, Bell Farm Lane, ME12 4JA | G&T Pitches | 3 | 0 | Outer Thames Estuary SAC | N | 0.4km |
| Land At Warden Road / Rear Of Orchard Cottage (Mary's Place) ME12 4GJ | G&T Pitches | 2 | 0 | Outer Thames Estuary SAC | N | 1.8km |
| Keycol Farm, Keycol Hill, ME9 8NA | G&T Pitches | 2 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 2.9km |
| Breach Farm Paddocks, Breach Lane | G&T Pitches | 1 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 2.0km |
| Mattsfield, Boxted Lane, ME9 7BX | G&T Pitches | 4 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 1.5km |
| Halstow Cross, ME9 7ER | G&T Pitches | 3 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 0.6km |
| Jack Russell Place, ME9 7AB | G&T Pitches | 3 | 0 | Medway Estuary and Marshes SPA/Ramsar | N | 0.3km |

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|---|---|---|---|---|---|---|
| Windmill Farm, ME9 7XF | G&T Pitches | 3 | 0 | Queendown Warren SAC | N | 0.4km |
| Ridham Dock - redevelopment | Employment | 0 | 250000 | The Swale SPA/Ramsar | Y | Immediately adjacent |
| Land at Pheasant Farm (west), Howt Green, Sittingbourne | Employment | 0 | 16000 | The Swale SPA/Ramsar | N | 1.5km |
| Land fronting east side Bobbing Hill, Sittingbourne | Employment | 0 | 10000 | Medway Estuary and Marshes SPA/Ramsar | N | 3.5km |
| Land adj. Kemsley Substation, ME10 2FE | Employment | 0 | 50000 | The Swale SPA/Ramsar | N | 0.5km |
| Smeed Dean Works, Eurolink Industrial Estate, Castle Road | Employment | 0 | 43000 | The Swale SPA/Ramsar | Y | Immediately adjacent |
| Land north of Keycol Hill (Yellow/Blue parcel) | Employment | 0 | 296000 | Medway Estuary and Marshes SPA/Ramsar | N | 3.2km |
| Land East of Faversham expansion | Employment | 0 | 210000 | The Swale SPA/Ramsar | N | 1.0km |
| Land adj to A2 at Love Lane and west of Salter's Lane to Brenley Corner (the Duchy site) | Employment | 0 | 200000 | The Swale SPA/Ramsar | N | 1.4km |
| Land at Marshlands Farm, Lower Road, Minster | Employment | 0 | 56000 | The Swale SPA/Ramsar | N | 0.8km |
| South of Queenborough Creek | Employment | 0 | 10000 | Medway Estuary and Marshes SPA/Ramsar | Y | Immediately adjacent |
| Newington Industrial Estate - southern expansion | Employment | 0 | 20000 | Queendown Warren SAC | N | 2.1km |
| Land to the west and east of Newington Industrial Estate, Newington, ME9 7NU | Employment | 0 | 31400 | Queendown Warren SAC | N | 2.1km |
| Land at Radfield Farm, London Road, Bapchild | Employment | 0 | 30000 | The Swale SPA/Ramsar | N | 1.6km |

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|---|---|---|---|---|---|---|
| Hartlip Industrial Estate, Hartlip (extension to) | Employment | 0 | 59000 | Queendown Warren SAC | N | 1.6km |
| Grove Farm | Employment | 0 | 51000 | Medway Estuary and Marshes SPA/Ramsar | N | 3.2km |
| Lamberhurst Farm,Yorkletts - proposed southern expansion | Employment | 0 | 32000 | Blean Complex SAC | N | 0.3km |
| Waterham Industrial Estate - expansion east | Employment | 0 | 5000 | The Swale SPA/Ramsar | N | 0.5km |
| South East Faversham | Mixed | 2500 | 54000 | The Swale SPA/Ramsar | N | 1.4km |
| Land west of existing Bobbing Village | Mixed | 2500 | 52100 | Medway Estuary and Marshes SPA/Ramsar | N | 1.4km |

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Swale Local Plan

# INFRASTRUCTURE DELIVERY PLAN



DRAFT

June 2026

Swale BOROUGH COUNCIL

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# Swale Infrastructure Delivery Plan


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# 1 Introduction

**1.0.1** The infrastructure Delivery Plan (IDP) establishes the infrastructure and service needs required to support the development proposed in the Local Plan over the plan period. The IDP will also coordinate the delivery of identified infrastructure in a timely and sustainable way.

**1.0.2** The IDP has been prepared following engagements with infrastructure providers and service delivery organisations over the course of preparing the Local Plan. These engagements enables the IDP:

- Provide a baseline position for current infrastructure provision, identifying shortfalls and potential constraint to development; and
- Set out specific infrastructure and service requirement in respect of the council's proposed growth strategy contained in the plan. It also identifies, where appropriate, the specific infrastructure requirement.

**1.0.3** An Infrastructure Delivery Schedule (IDS) is being produced alongside the IDP to support the Local Plan based on its growth strategy, some of the infrastructure projects identified in the previous version of the Infrastructure Delivery Scheme (IDS) remain relevant as they are being implemented. Through engagement with those infrastructure providers and service delivery organisations identified in the IDS as being the lead delivery agency, an up-to-date position on the delivery of infrastructure projects has been established and is reflected in the IDP.

**1.0.4** The IDP, therefore, draws together the latest evidence and information available to the council regarding identifying the key site-specific infrastructure requirements for the site allocations identified through the Local Plan preparation process. These are also reflected in the IDS.

**1.0.5** The Infrastructure Delivery Schedule will be used to inform the council's annual Infrastructure Funding Statement (IFS). This will set out details of developer contribution receipts from Section 106 and Section 278 Agreements and projects and the infrastructure that has or will be provided using this funding[1].

**Purpose of Document**

**1.0.6** There is a requirement for the council to provide evidence that the proposed Local Plan is deliverable and sustainable. This document provides evidence on the consideration of the main infrastructure need resulting from proposed developments in the local plan. It shows the cost, sources of funds, delivery timetable and inform the framework for planning with partners on management of infrastructure delivery.

**1.0.7** This document is intended to be a live document; but it should not be treated like an implementation plan for projects, it will however demonstrate the council's commitment to infrastructure development as well as the monitoring. It should be read together with the accompanying IDS.



1 from Section 106 and Section 278 Agreements

# 2 Background

2 Background

## 2 Background

**Type of Infrastructure**

**2.0.1** Infrastructure can be grouped into three broad categories:

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

**2.0.2** Different types of infrastructure are also required to support different scales of development within an area:

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

**2.0.3** The IDP is a ‘living document’ and updates may include other types of infrastructure, as strategic priorities in the borough are reviewed.

**2.0.4** Some types of infrastructure will be fundamental to the delivery of the Local Plan development strategy and to support the intended levels and locations of growth. The IDP does not, therefore, include every infrastructure scheme or project planned in the Borough. Rather, the IDP focuses on the infrastructure required to support the development proposed in the Local Plan and does not include the provision of infrastructure that would normally be part of the site development process.

**2.0.5** It is important to note that the IDP is a mechanism to identify the future infrastructure requirements of development proposed in the Local Plan. It does not seek to address deficiencies in existing infrastructure provision although there may be circumstances where supporting growth might be most effectively achieved through upgrading existing facilities, for instance through extending existing schools. The focus of the IDP will be on the new infrastructure that will be key to the delivery of the planned growth set out in the Local Plan or the successful development of individual allocations rather than the improvement to or remedying infrastructure deficiencies in existing provision.

**2.0.6** This IDP update, therefore, considers the following types of infrastructure:

- Social Infrastructure
  - Health care
  - Education
  - Social provision
- Physical Infrastructure
  - Transport (highways, sustainable and public transport)
  - Water supply and treatment
  - Utilities (electricity, gas)
  - Broadband
  - Waste facilities

- Green and Blue Infrastructure
  - Open Space
  - Sports provision
  - Built Facility
  - Playing Pitch

**Plan Period**

**2.0.7** The proposed plan period for the Local Plan is 2027 to 2042. Identifying infrastructure over the plan period of a local plan can be difficult as few infrastructure providers actively plan for that length of time, therefore, identification of infrastructure needs in the later years of the plan period may be subject to change. In addition, infrastructure needs may be influenced by changes in technology and changes to the arrangements for the planning and delivery of infrastructure.

**2.0.8** It is also clear that where growth is planned for through significant new developments, there may not be the certainty and/or funding secured for any necessary strategic infrastructure at the time the plan is produced. Therefore, the council will need to be clear on the infrastructure needed to deliver growth in the early stages of the plan period and to be able to demonstrate that this is deliverable in a timely manner. In the later stages of the plan period, there is a degree of flexibility as strategic infrastructure requirements will only need to be demonstrated as reasonably achievable within the timescales envisaged.

**2.0.9** As mentioned previously, the IDP is intended to be a living document. Planning for infrastructure is a continuous and iterative process and the IDP can only represent the council's understanding of the infrastructure required to support the development proposed at the time the IDP is prepared. The IDP will, therefore be updated at appropriate stages during and beyond the plan making process to reflect the latest available information on infrastructure requirements and provision.

# 3 National Context

**3.0.1** As contained in the National Planning Policy Framework and Planning Practice Guidance, Local Planning authorities are mandated to identify the infrastructure needs and how it will be funded and delivered. Throughout the plan making process, there should be collaborative working between planning authorities and delivery partners including infrastructure providers, service delivery organisations, other strategic bodies such as Local Enterprise Partnerships, developers, landowners and site promoters. Infrastructure deficit should be identified along with opportunities to address them.

## 3.1 National Planning Policy Framework

**3.1.1** The NPPF places considerable emphasis upon viability at the plan making stage and that the contributions expected from development should not undermine the deliverability of the plan. A Whole Plan Viability Assessment has been undertaken and is a key element of the evidence relating to the delivery of the Local Plan.

**3.1.2** The National Planning Policy Framework (NPPF) (2024)[2] provides the national planning policy context for plan making. According to paragraph 8, in achieving sustainable development, identifying and co-ordinating the provision of infrastructure is highlighted in the overarching economic objective.

**3.1.3** In this document, the infrastructure needs to support new development in the Local Plan and broad costs of projects and the sources of funding available, where known is presented. Its purpose is to offer certainty regarding the infrastructure required to deliver the planned level of growth in the borough till 2042

**3.1.4** The NPPF also indicates:

- Plans should be shaped by early, proportionate and effective engagement between plan makers and infrastructure providers (paragraphs 16 and 25);
- Strategic policies should make sufficient provision for (amongst other things) transport, telecommunications, water supply, wastewater, flood risk and coastal change management, energy, community facilities such as health, education and cultural infrastructure) and green infrastructure (paragraph 20);
- Strategic policies should look ahead over a minimum 15-year period form adoption, to anticipate and respond to long term requirements and opportunities, such as those arising from major improvements in infrastructure (paragraph 22);
- There should be effective and on-going joint working between strategic policy making authorities and relevant bodies in helping to determine where additional infrastructure is necessary (paragraph 25);
- Plans should set out the contribution expected from development, such as that needed for education, health, transport, flood and water management, green and digital infrastructure (paragraph 35);
- Planning policies should seek to address potential barriers to investment such as inadequate infrastructure and services (paragraph 86);
- Planning policies should set out how high quality digital infrastructure, essential for economic growth and social well-being, will be delivered and upgraded over time (paragraph 119);

## 3.2 Planning Practice Guidance

**3.2.1** The national Planning Practice Guidance (PPG) provides more detailed guidance on the implementation of the NPPF. In respect of the role and function of the Local Plan in delivering infrastructure, it reiterates a number of the points made in the NPPF around identifying what infrastructure is required and how it can be funded and brought forward and undertaking early discussions with infrastructure and service providers to identify requirements and opportunities for addressing infrastructure deficits[3].

2 https://assets.publishing.service.gov.uk/media/67eaf5623041f783cca46251/NPPF_December_2024.pdf
3 Planning Practice Guidance - Plan making, paragraph: 059 Reference ID: 61-059-20190315

**3.2.2** Where large scale developments, such as new settlements or significant extensions to existing villages and towns are proposed, the PPG[4] provides guidance on how it can be demonstrated that there is a reasonable prospect they can be developed within a set timescale. It states that strategic policy making authorities should engage with infrastructure providers so they are aware of the nature and scale of such proposals, and work collaboratively with them to ensure the infrastructure requirements are not beyond what could reasonably be considered to be achievable within the planned timescales.

**3.2.3** The PPG also provides guidance on plan making and viability[5]. It states that plans should set out the contributions expected from development, including the infrastructure needed. The IDP is, therefore, intended to fulfil the requirement of identifying the infrastructure required to support the growth planned in the Borough over the plan period.

4 Planning Practice Guidance - Plan making, paragraph: 061 Reference ID: 061-060-20190315
5 Planning Practice Guidance - Viability, paragraph: 001 Reference ID: 10-001-20190509

# 4 Sub-Regional Context

**Southeast Local Enterprise Partnership/Kent and Medway Economic Partnership (Defunct)**

**4.0.1** Local Enterprise Partnerships (LEP) played a key role in determining local economic priorities and investment to drive economic growth and improve infrastructure in their area. They are able to access investment to support infrastructure developments that unlock wider economic growth, create jobs and build houses through growth deals with central government.

**4.0.2** The Southeast LEP (SELEP) covered an area encompassing the local authority areas of East Sussex, Kent, Medway, Southend and Thurrock. The latest Growth Deal for the southeast was agreed in February 2017. Several projects in the Borough have benefitted from funding from the SELEP local growth funding. As part of the levelling and devolution agenda, Government funding for Local Enterprise Partnerships ceased in April 2024 with responsibilities falling to upper tier local authorities – KCC in the case of the Swale borough area.

**Transport for the South East**

**4.0.3** Transport of the Southeast (TfSE) was established in 2017 as a shadow sub-national transport body covering sixteen transport authority together with stakeholders representing protected landscapes, transport operators, district and borough authorities and national agencies including Network Rail and Highways England [(6)] .

**4.0.4** The role of TfSE is to strategically influence future investment in road and rail in the southeast with the aim of unlocking the potential for growth where the lack of transport infrastructure has been a barrier to sustainable development. TfSE are seeking to become a statutory sub-national transport body, submitting a proposal to formalise their role to Government in July 2020. In October 2020, the Transport Secretary announced the outcome of this submission, advising TfSE that he was not, for the present time, going to progress TfSE's request for statutory status or the transfer of powers.

**4.0.5** Despite the outcome of the proposal, TfSE continues to work closely with the department for transport. The recent publication A Strategic Investment Plan [(7)] for the South East 2026 includes projects IG17 - A2 Brenley Corner Enhancements and MR07 North Kent Line / Chatham Main Line - Line Speed Enhancements which are relevant to the borough.

**Kent County Council**

**4.0.6** Kent County Council (KCC) are responsible for the delivery of significant elements of infrastructure in its role as local highway authority, lead local flood authority, education authority, waste disposal authority and in the provision of libraries and social care.

**4.0.7** KCC have prepared a Growth and Infrastructure Framework [(8)] to provide a view of emerging development and infrastructure requirements to support growth across Kent and Medway.

**4.0.8** The GIF also provides a strategic framework for identifying and prioritising investment across a range of infrastructure. The GIF Update (2018) estimated that the infrastructure required to deliver planned growth across Kent and Medway to 2031 would cost £16.38 billion, with transport infrastructure accounting for 60% of this cost. However, the GIF indicated that 24% of the total infrastructure required was neither secured nor expected from developer contributions or investment by infrastructure providers: this left a funding gap of £3.96bn.

6 Transport for the South East https://transportforthesoutheast.org.uk/about-us/#:~:text=Why%20we%20do%20it,a%20partnership%20first%20and%20foremost

7 https://transportforthesoutheast.org.uk/app/uploads/2026/04/SIP-2026.pdf

8 https://www.kent.gov.uk/about-the-council/strategies-and-policies/service-specific-policies/economic-regeneration-and-planning-policies/planning-policies/growth-and-infrastructure-framework

### NHS Kent and Medway Integrated Care Board (ICB)

**4.0.9** NHS Kent and Medway ICB was created on the 1st of July 2022 under the health and Social Care Act [9]2022 which abolished the Clinical Commissioning Group that preceded the organisation. The Kent and Medway Integrated Care System (ICS) is a partnership of health, care and wider community organisation that come together to plan and deliver services that improve health and wellbeing to people in the area, the ICB specifically represents the NHS within this structure finding collaborative solutions to long standing health and care issues [10].

9 https://www.legislation.gov.uk/ukpga/2022/31/contents

10 https://www.kentandmedway.icb.nhs.uk/download/docm93jijm4n762.pdf?ver=4260

# 5 Local Plan Context

**5.0.1** On adoption of the Bearing Fruit Local Plan in 2017, inspectors agreed an early review of the plan to allow for transport modelling and mitigation schemes to address the effect of planned development on the strategic road network and the local highway network. The area of concern was the harmful impact required mitigation at Key junctions on the A249 would have on the traffic flow and safety on the Local Highway Network which will result in increased queuing and congestion on parts of the A2 corridor between Teynham and Newington.

**5.0.2** The Transport Modelling work was carried out at the time and identified a number of network improvements. These were in addition to already committed schemes. While mitigation measures were identified, and tested, further modelling is to be undertaken in order to identify additional, if any, transport mitigation measures that may be required.

**5.0.3** At the time of writing this IDP, the new Swale Borough Council Local Plan document is being prepared where a Reg 18 consultation on vision objectives and Development Management policies held between January to February 2026 and will be followed with a Reg 19 consultation in July 2026. The local plan is programmed to be submitted in December 2026 with adoption anticipated for 4th quarter of 2027.

**5.0.4** The Council's strategy for infrastructure planning in the Regulation 19 Local Plan is to deliver sustainable growth supported by timely and coordinated infrastructure provision. Policy ST 8 sets out how the council will secure developer contributions for the infrastructure necessary to mitigate the impacts arising from development while Policy ST 9 sets out the key transport improvements that will be required during the plan period, including strategic and local road network improvement schemes. The individual site allocation policies set out the requirements for comprehensive masterplanning (where this is appropriate for the sites concerned) and the infrastructure requirements to be addressed by the developments.

**5.0.5** A new transport modelling work has been commissioned with initial output identifying key issues, the IDP will be updated with outputs and mitigation from the piece of work when it becomes available.

## 5.1 Scale and Distribution of Growth

**5.1.1** The Housing need has increased from 776 homes per annum(dpa) determined in the Bearing fruit Local Plan (2017) to 1,064 [11] dpa based on the Governments Standard Method for calculating a Local Authority Housing Need. This will mean a target of close to 16,000 homes over the plan period.

**5.1.2** The need for employment land in the Borough in the previous iteration of the IDP was estimated as 41 hectares for B2/B8(Industrial and Storage) uses and 15 hectares for B1 uses (Office and Light Industry). The latest Swale Employment Land Review Update sets out the demand for industrial land which has been faster and stronger than anticipated in the 2018 Employment Land Review. Led by the strategic distribution of market particularly retail and third-party logistics as well as freight and wholesalers. The requirement now is at 73 Ha with the demand of 48 ha, plus a margin of 25 Ha. The requirement for office has also shifted significantly with demand and availability remaining low [12].

## 5.2 Spatial Distribution

### Spatial Distribution

**5.2.1** The overall approach to development distribution over the plan period is set out in the emerging local plan and this has been informed by a range of technical evidence.

**5.2.2** Historically, development has been focused on Sittingbourne as the borough's principal settlement and to a lesser extent, the western edge of the isle of Sheppey reflecting that part of the borough's location

11 https://swale.gov.uk/__data/assets/pdf_file/0005/50629/2025_Housing_Land_Supply_PS_2025_26_NovemberREDUCED.pdf
12 https://swale.gov.uk/__data/assets/pdf_file/0003/463215/ELR-Update-2024-002-AA.pdf

on the eastern edge of the Thames gateway growth corridor. Faversham and the rest of Swale have experienced more modest scale of growth. From an infrastructure perspective, the key issues arising from this approach has been around connectivity, accessibility and highway network capacity. Consequently, several highway improvement schemes were identified in the adopted Local Plan IDS.

**5.2.3** The spatial strategy in the emerging Local Plan relies on two strategic sites in the eat and west of the borough, with residual housing requirement met by non-strategic sites across the Borough so that there is a more even spread of development. In accordance with the spatial distribution, site allocations have been identified in the following locations.

| Reference (Planning/SLAA) | Development Name | HH, Dwellings | Employment, floorspace (sqm) |
|---|---|---|---|
| SHELAA/258 | Bell House, Bell Road | 120 | |
| SHELAA/262 | Former Bus Depot, East Street | 22 | |
| SHELAA/351 | The Classic Cinema, High Street, Sittingbourne, ME10 4PF | 50 | |
| SHELAA/332 | 10-14 High Street, Sittingbourne, ME10 1PD | 3 | |
| SHELAA/270 | Land at Tonge Road | 19 | |
| SHELAA/396 | St Michaels House and Langs Bar, St Michaels Road, Sittingbourne | 30 | |
| SHELAA/267 | ISP, Church Street | 15 | |
| SHELAA/081 | Lady Dane Farm Buildings, Love Lane | 25 | |
| SHELAA/111 | Land at Graveney Road, East of Faversham (Site A) | 177 | |
| SHELAA/393 | Land at Lion Field | 68 | |
| SHELAA/381 | Syndale Park, London Road, Faversham, Kent, ME13 0RH | 9 | |
| SHELAA/418 | Land at West Minster off of Brielle Way, Sheerness | 76 | |
| SHELAA/421 | Land Brielle Way, Sheerness | 76 | |
| SHELAA/244 | Halfway Houses Primary School, Southdown Rd | 60 | |
| SHELAA/402 | Hollybush Farm Caravan Park, Oak Lane, Minster-on- Sea, ME12 3QR | 124 | |
| SHELAA/408 | Estuary View, Bell Farm Lane, Minster-on-Sea, ME12 4JA | 15 | |
| SHELAA/412 | Golden Leas Holiday Park, Bell Farm Lane, Minster-on-Sea, ME12 4JA | 232 | |
| SHELAA/216 | Land at West Street | 80 | |
| SHELAA/217 | South of Queenborough Creek | 380 | |

# 5 Local Plan Context

| Reference (Planning/SLAA) | Development Name | HH, Dwellings | Employment, floorspace (sqm) |
|---|---|---|---|
| SHELAA/218 | Former Istil site Rushenden Road/Thomsett Way with yield of 240 residential units | 240 | |
| SHELAA/220 | West of Rushenden Road, Queenborough | 278 | |
| SHELAA/223 | The Foundary, Rushenden Road | 37 | |
| SHELAA/344 | Land adjacent to Leysdown Road, Eastchurch, ME12 4BN | 62 | |
| SHELAA/143 | Land south of Little Groves, Leysdown Road | 53 | |
| SHELAA/323 | Sheppey Beach Villas, Manor Way, ME12 4QQ | 133 | |
| SHELAA/346 | Digswell, Lower Hartlip Road, Hartlip, ME9 7SX | 11 | |
| SHELAA/368 | Amethyst Horticulture, Land at Newington Nurseries, London Road, Newington, ME9 7NY | 52 | |
| SHELAA/277 | Barrow Green Farm, Barrow Green | 30 | |
| SHELAA/286 | Land Adjoining Mayfield, London Road | 13 | |
| SHELAA/153 | Land at Claxfield Road | 127 | |
| SHELAA/154 | Land at Claxfield Road (Site 2) | 12 | |
| SHELAA/037 | Land off Colonels Lane | 15 | |
| SHELAA/044 | The Former Garden Hotel (no 169), The Street | 10 | |
| SHELAA/206 | Land at Norton Ash Garden Centre | 100 | |
| SHELAA/022 | Land at Street Farm, Pond Farm Road (Site B) | 15 | |
| SHELAA/324 | Home Farm, Breach Lane, Lower Halstow, ME9 7DB | 16 | |
| SHELAA/306 | Land at Forge Lane, Upchurch | 20 | |
| SHELAA/308 | Land south of Forge Lane and Holywell Primary School and East of Chaffes Lane | 84 | |
| SHELAA/312 | Land off Chaffes Lane | 14 | |
| SHELAA/319 | Land at Long Field, Chaffes Lane | 50 | |
| SHELAA/321 | Land west of Warden | 139 | |
| HELAA/435 | Three Lakes Park, Church Road, ME10 3NL | 4 | |

| Reference (Planning/SLAA) | Development Name | HH, Dwellings | Employment, floorspace (sqm) |
|---|---|---|---|
| HELAA/424 | Bakers Place, Lomas road, ME9 8BB | 2 | |
| HELAA/434 | Emley Road, ME12 3SS | 1 | |
| HELAA/432 | The Peartree, Greyhound Road, ME 12 | 1 | |
| HELAA/436 | 15 The Laurels, Bell Farm Lane, ME12 4JA | 3 | |
| HELAA/431 | Land At Warden Road / Rear of Orchard Cottage (Mary's Place) ME12 4GJ | 2 | |
| HELAA/427 | Keycol Farm, Keycol Hill, ME9 8NA | 2 | |
| HELAA/426 | Breach Farm Paddocks, Breach Lane | 1 | |
| HELAA/428 | Mattsfield, Boxted Lane, ME9 7BX | 4 | |
| HELAA/429 | Halstow Cross, ME9 7ER | 3 | |
| HELAA/433 | Jack Russell Place, ME9 7AB | 3 | |
| HELAA/430 | Windmill Farm, ME9 7XF | 3 | |
| CFS24 (and R1) | Ridham Dock - redevelopment | | 250000 |
| SBC17/005 | Land at Pheasant Farm (west), Howt Green, Sittingbourne | | 16000 |
| SBC17/ 008 | Land fronting east side Bobbing Hill, Sittingbourne | | 10000 |
| CFS34 | Land adj. Kemsley Substation, ME10 2FE | | 50000 |
| CFS2024/129 | Smeed Dean Works, Eurolink Industrial Estate, Castle Road | | 43000 |
| CFS2024/188 | Land north of Keycol Hill (Yellow/Blue parcel) | | 296000 |
| CFS50 | Land East of Faversham expansion | | 210000 |
| SBC17/ 094 | Land adj to A2 at Love Lane and west of Salter's Lane to Brenley Corner (the Duchy site) | | 200000 |
| REG31 97 | Land at Marshlands Farm, Lower Road, Minster | | 56000 |
| SLA18/207 | South of Queenborough Creek | | 10000 |
| REG30 44 (R10) | Newington Industrial Estate - southern expansion | | 20000 |
| CFS2024/142 | Land to the west and east of Newington Industrial Estate, Newington, ME9 7NU | | 31400 |

# 5 Local Plan Context

| Reference (Planning/SLAA) | Development Name | HH, Dwellings | Employment, floorspace (sqm) |
|---|---|---|---|
| SBC17/ 025 | Land at Radfield Farm, London Road, Bapchild | | 30000 |
| SBC17/ 095 | Hartlip Industrial Estate, Hartlip (extension to) | | 59000 |
| CFS2024/177 | Grove Farm | | 51000 |
| LPR247 0 (R15) | Lamberhurst Farm,Yorkletts - proposed southern expansion | | 32000 |
| CFS5 (R8) | Waterham Industrial Estate - expansion east | | 5000 |
| SHELAA/114 | Southeast Faversham | 2500 | 54000 |
| SHELAA/012 | Land west of existing Bobbing Village | 2500 | 52100 |

Swale Local Plan Site Allocations

# 6 Neighbourhood Plans

**6.0.1** The Regulation 19 Local Plan establishes the strategy for the pattern and scale of development across the Borough. The majority of these will be delivered through allocations made in the Local Plan.

**6.0.2** However, both the Faversham and Boughton and Dunkirk Neighbourhood have determined their own allocations through the preparation of Neigbourhood Plans for their areas[13]. Faversham Neighbourhood Plan will deliver around 219 dwellings within the Neighbourhood Plan area and this figure has been accounted for in the assessment of infrastructure requirements for Faversham. Boughton and Dunkirk Neighbourhood Plan proposed a small allocation for around 10 - 12 dwellings.

13 Faversham Neighbourhood Plan https://favershamtowncouncil.gov.uk/neighbourhood-plan/ and Boughton and Dunkirk Neighbourhood Plan http://www.boughtonanddunkirkneighbourhoodplan.org.uk/

# 7 Engagement

**7.0.1** There have been discussions with infrastructure providers to further understand the infrastructure that will be needed in the Borough for the growth proposed over the Plan Period.

**7.0.2** Infrastructure providers, partners and stakeholders were contacted to review and provide information on projects already contained in the IDP and to consider new projects that would be needed to support the delivery of the Local Plan.

## 7.1 Infrastructure and Service Providers

**7.1.1** Discussions have taken place with infrastructure providers to gain an understanding of what infrastructure is needed to support growth over the plan period.

**7.1.2** At the early stages on plan making, an Infrastructure and Utilities Workshop was held in June 2018 and was attended by neighbouring local authorities and a range of organisations involved in the provision and/or delivery of infrastructure including representatives from Highways England, the local Clinical Commissioning Groups, Southern Water, Network Rail and KCC (education, highways). The workshop provided an opportunity for an initial discussion about infrastructure constraints and potential barriers to growth in the Borough.

**7.1.3** In May 2020, each infrastructure providers and service delivery organisation were contacted requesting their further engagement on the IDP. They were asked to provide an updated position on any significant infrastructure capacity/delivery issues that may limit growth across the Borough, advise of any plans or investment strategies that could inform the preparation of the IDP and provide details of any key infrastructure investments and improvements planned to serve Swale Borough.

**7.1.4** Lead delivery agencies were also requested to review the infrastructure projects identified in the adopted Local Plan IDS and confirm whether the projects remained current or provide updated details if the projects had progressed/further information was available.

**7.1.5** In July 2020, the views of infrastructure providers were sought on the implications of the potential growth scenarios at the the time.

**7.1.6** In January 2021, infrastructure/service providers were given the opportunity to comment on a draft version of the IDP. The purpose of this was to identify anything in the document that needed to be updated or anything else that was relevant and should be included in the IDP at that stage.

**7.1.7** A new Local Development Scheme was agreed at the Council meeting on 30th July 2025, stakeholders were contacted after this to provide update on projects in the IDP and also given an opportunity to add new projects. Stakeholders were also notified on the Local Plan Growth Strategy which was agreed at full council on the 1st of April 2026. Stakeholders and providers were asked for additional input on the infrastructure needed to support the strategy for the plan.

## 7.2 Duty to Cooperate

**7.2.1** There is a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis with neighbouring local authorities and other bodies on strategic matters. The identified strategic matters, the bodies engaged and the outcome of that engagement is set out in the council's Duty to Cooperate Statement of Compliance, which will be published alongside the Regulation 19 Local Plan. The strategic matters relevant to planning for infrastructure include:

- impact on the strategic road network (M2 Junctions 5, 6 and 7 and the A249 within Swale) arising from proposed development sites (National Highways, KCC and adjoining local authorities)
- cross boundary education provision (KCC and Canterbury City Council)

**7.2.2** Discussions on the identification and delivery of infrastructure has been undertaken through effective collaboration with infrastructure providers from early in the plan making process. As set out in Section 7.1, the council has engaged with infrastructure providers and will continue to do so to ensure that the IDP provides the most up to date picture of the infrastructure needs of the Borough and monitoring progress in the delivery of infrastructure projects, their costs and funding source.

# 8 Document Structure and Infrastructure Delivery Schedule

**8.0.1** The IDP sets out for each infrastructure type an overview of the current level of provision, an analysis of infrastructure capacity issues that may occur as a result of the delivery of the planned Local Plan growth and the infrastructure required to enable this growth to be delivered.

**8.0.2** The Infrastructure Delivery Schedule sets out details of infrastructure projects, the lead agencies that would be involved in implementation, an overview of the risks and contingencies associated with each project and, where known, delivery timescales, costs and potential sources of funding. Where appropriate the projects identified are linked to specific sites.

**8.0.3** In preparing the Schedule, the projects listed in the adopted Local Plan IDS have been reviewed and updated with projects that have been completed removed.

# 9 Funding and Delivery

**9.0.1** Infrastructure requirements will be funded and delivered by a variety of different mechanisms. Some infrastructure projects may be funded by the infrastructure provider themselves or through developer contributions secured through the planning process.

**9.0.2** The main ways over which the planning system can have a direct influence on securing infrastructure provider are:

- Section 106 Agreements - used to secure site specific infrastructure through negotiation with the developer and only where it is necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. Provision may be made either through the making of a financial contribution or by the developer delivering provision on site. The Section 106 Agreement will set out trigger points for the delivery of infrastructure or payment of a financial contribution;
- Section 278 Agreements - completed between the developer and highway authority (Kent County Council) where development requires work to be carried out on the existing adopted highway; and
- Planning conditions - provide an important mechanism for providing essential on-site design requirements and critical infrastructure within the site. They can also be used to prohibit the occupation of the development or the development commencing until supporting infrastructure has been provided (Grampian condition).

**9.0.3** The IFS[(14)]is published annually and provides details of all developer contributions that have been collected and spent within the last financial year and also sets out how developer contributions will be allocated within the next financial year.

**9.0.4** Whilst it is expected that site specific infrastructure will be able to be funded by the above mechanisms, other sources of potential funding may be available, including:

- Direct funding and provision by statutory undertakers - under their legal obligations and statutory functions. This could be secured through the service providers capital investment programmes or through established procedures (developer charges) whereby the service provider works with the developer to ensure appropriate on-site infrastructure, and where necessary off-site infrastructure, is in place;
- Central government funding pots for example - The National Housing Delivery Fund (NHDF);
- Brownfield, Infrastructure and Land Fund (BILF)
- Homes England's new grant and investment model (2025–2030);
- Local Enterprise Partnership Growth Fund;
- Local Authority's Capital Programme;
- Borrowing;
- Private sector funding; and
- Forward funding - often used in order to deliver infrastructure early.

**9.0.5** At the time Bearing Fruits 2031 was prepared, it was envisaged that the council would proceed with the introduction of CIL although the viability assessment undertaken at the time indicated a challenging viability situation over significant areas of the Borough, where only a modest or no CIL charge would be possible if development were to remain deliverable. Therefore, as it was unclear whether implementing CIL would be of benefit to Swale in terms of providing sufficient funding to deliver the required infrastructure, combined with anticipated changes to the practice on developer contributions (which the Government were consulting on at the time), proceeding with a charging schedule was paused in 2017.

14 Swale Infrastructure Funding Statement https://swale.gov.uk/news-and-your-council/performance-and-transparency/infrastructure-funding-statements

# 9 Funding and Delivery

**9.0.6** Sometimes different funding sources have to be combined to pay for new infrastructure. The Infrastructure Delivery Schedule shows which funding sources could potentially contribute to each infrastructure project.

**9.0.7** Due to funding constraints it may not be possible to secure the delivery of all the infrastructure identified. As such, some element of prioritisation of infrastructure provision is necessary depending on the degree to which it is required to deliver development.

**9.0.8** The provision of infrastructure has been categorised as either:

- Critical - delivery of identified infrastructure is critical to enable growth and without it, development cannot commence;
- Necessary - the identified infrastructure is necessary to support and/or mitigate impact arising from the develoment but the precise timing and phasing is less critical and development may be able to commence ahead of its provision; and
- Important - delivery of the identified infrastructure is important to build sustainble communities but timing and phasing is not critical over the plan period.

**9.0.9** It is also possible that the prioritisation of specific elements of infrastructure may change over time i.e. move from 'important' to 'critical'. A fourth category of projects are those identified as 'aspirational'; these projects have been identified through engagement with members and with local knowledge and can be of benefit to the borough. The IDP briefly touches on these as a starting point for future consideration and the onset of building the required evidence to move such projects forward.

**9.0.10** In addition to understanding the infrastructure needs to support planned growth, it will also be important to understand the phasing of growth and what impact this may have on the need for phased funding and delivery of infrastructure. The housing trajectory will, therefore, be key to understanding when sites are expected to come forward and the impact of this on infrastructure delivery.

**9.0.11** Where available the Infrastructure Delivery Schedule includes information on potential funding sources. However, where this is yet to be determined, the council will continue to work with service providers and other agencies to identify possible sources of funding for the infrastructure.

# 10 Social Infrastructure

**10.0.1** This section provides information on health, education and social infrastructure following discussions with the relevant service providers.

**10.0.2** For the purposes of the IDP health care includes GP services and hospitals. It does not take into account wider primary care service needs such as dentists, pharmacies, opticians and community health, although these services will be impacted by the demand from population growth. This is dependant on the commissioning intentions of the appropriate NHS body.

## 10.1 Healthcare

**Background**

**10.1.1** Inequalities in health are a concern in Swale and there are signficant differences between those in the more deprived areas of the Borough and the more affluent: life expectancy is about 8 years lower for men and four years lower for women in the most deprived areas of Swale than those in the least deprived areas[(15)]. It is important that community needs are supported through appropriate physical and social infrastructure and by other facilities and key services which contribute to improving the wellbeing and the overall quality of life experienced by residents.

**10.1.2** The Kent and Medway Integrated Care Partnership comprise four partnership including Swale and Medway Health and Care Partnership(H&CP) which covers the geography of Swale with an overarching system of local commissioners, providers of health and social care, voluntary sector and other providers working in a seamless way. The Kent and Medway ICB is a statutory consultee on Local Plans.

**10.1.3** Group of neighbouring GP Practices Primary Care Networks (PCNs) provide community, social and primary care services and ensures that local needs and knowledge and challenges are reflected in wider planning and delivery of healthcare service. They work together to strengthen GP services in partnership with other community, mental health, social care, pharmacy, hospital and voluntary services. There are currently PCNs covering Sheppey, Sittingbourne and Faversham.

**10.1.4** The Sheppey and Sittingbourne PCNs have collectively seen a rise in registered patients since 2020. The breakdown by individual PCN is set out in the table below[(16)]. The main reason for the large variation between PCN list size change is due to the closure of three practices and dispersal of patient registrations to new practices.

| PCN | Headcount GP (FTE GP) | Number of practices (As at February 2026) | Number of practices (2020) | Combined registered patient list As at February 2026) | Combined registered patient list (2020) |
|---|---|---|---|---|---|
| Sheppey<br>• Sheerness Health Centre<br>• Sheppey Healthy Living Centre<br>• St George Medical Centre<br>• The OM Medical Centre<br>• Vel Surgery | 26(21.18) | 5 | 6 | 49,081 | 47,373 |

15 https://www.kpho.org.uk/joint-strategic-needs-assessment/health-and-social-care-maps#tab1
16 https://www.kpho.org.uk/joint-strategic-needs-assessment/health-and-social-care-maps#tab1

# 10 Social Infrastructure

| PCN | Headcount GP (FTE GP) | Number of practices (As at February 2026) | Number of practices (2020) | Combined registered patient list As at February 2026) | Combined registered patient list (2020) |
|---|---|---|---|---|---|
| Sittingbourne<br>• Chestnuts Surgery<br>• Grovehurst Surgery<br>• Green Porch Medical Partnership<br>• Memorial Medical Centre<br>• Meads Medical Centre<br>• Medic Care Surgery | 28(20.66) | 6 | 9 | 60,089 | 68,514 |
| Aspire Medical PCN** [17]<br>• London Road Medical Centre | 4(1.78) | 1 | 0 | 6,935 | 0 |
| Faversham<br>• Faversham Medical Practice<br>• Newton Road Surgery | 25(16.91) | 2 | 2 | 33,047 | 31,447 |
| Total | 83(60.53) | 14 | 17 | 149,152 | 147,334 |

Table 10.1.1 Swale Primary Care Network Practice Size

**10.1.5** NHS Kent and Medway published a Developer Contributions Guide in March 2025 [18] . The guide recognises the role of planning in sustainable development and highlights the impact of growth and infrastructure as a material consideration. The guide therefore sets out the developer contributions which may be required by the NHS for growth and mitigate against adverse impacts on infrastructure. Developer Contribution, S106 Planning Obligation In the case of Swale Borough Council, play a crucial role in ensuring that appropriate health infrastructure is delivered in a timely manner in the right location.

**10.1.6** The NHS developer contribution guide is expected to be used alongside development plan and forms the basis for NHS responses to growth strategies and evidence for the IDP and viability assessment.

**10.1.7** Some of the infrastructure and services that Kent and Medway ICB seek contributions for include but are not limited to:

- Primary Care
- Acute (Secondary) Care
- Mental Health
- Community Health Care

17 Aspire PCN has one GP Practice in Swale



18 https://www.kentandmedway.icb.nhs.uk/download/developer-contributions-guide-2025.pdf?ver=2612

**10.1.8** Where capital projects may be required due to population growth from development adversely impacting healthcare facilities. Additional funding can be sort on a case-by-case basis to ease burden and NHS Kent and Medway will assess whether there is reasonable prospect of securing capital funding elsewhere other than the developer.

**10.1.9** The likely population growth from development is generated using calculations from a specific model where inputs include total number or dwelling, housing mix and phasing. Infrastructure is planned and tested throughout the plan making process with NHS Kent and Medway Engaging with SBC. Based on this, the appropriate healthcare infrastructure required is set out.

| Service area | Threshold for seeking s106 Contributions | Expected Contribution | Index |
|---|---|---|---|
| Primary care | 20 dwellings or more | Up to £2,000 per unit | BCIS All-in Tender Price |
| Community care | 20 dwellings or more | Up to £400 per unit | BCIS All-in Tender Price |
| Secondary / acute care | 300 dwellings or more | Up to £4,800 per unit | BCIS All-in Tender Price |

Table 10.1.2 Contribution Guide (NHS Kent and Medway Service 2024/2025)

**10.1.10** The Social Infrastructure Demand Management (SidM), a health location and analytics platform is used by the NHS for targeted and accurate evidence to optimise the use of limited resources and support the developer contribution process. The assumptions used by the model is derived from established sources such as census, local authority housing data, healthcare activity data, space standards and amongst others.

**Proposed/planned health provision**

- Sittingbourne Memorial Hospital
- Refurbishment of Ground Floor of Frank Lloyd Unit
- Relocation of Sheppey Healthy Living Centre (Minster Medical Centre)
- Reconfiguration / expansion of General Practice capacity in Faversham

**10.1.11** The schemes are itemised in the infrastructure delivery schedule; as the council continues engaging with the Kent and Medway ICB, the IDP will be updated when additional health infrastructure or the need for this becomes known.

## 10.2 Education

**Background**

**10.2.1** Education covers early years (Ages 0 – 4), nursery, primary (ages 4 -11), secondary (ages 11 - 16), further education (post 16) and special education provision.

**10.2.2** Kent County Council is the Strategic Commissioner of Education Provision in Kent, and as the Local Education Authority (LEA), have a statutory duty to ensure sufficient primary and secondary places are available to meet the educational needs of the County's population, regardless of whether schools are maintained by the local authority, have academy status or are free schools.

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**10.2.3** KCC's approach to school place planning is set out in the Commissioning Plan for Education Provision, a five-year rolling plan updated annually using the latest demographic information. The latest version of the Commissioning Plan covers the period 2026-2030 .[19].

**10.2.4** KCC acknowledges that the funding pressure on the county's capital budget continues, the cost for delivering school places is currently met from basic need grant from the government, prudential borrowing by the county council and section 106 property developer contributions. Government funding for 'Basic Need' is allocated on a formula based upon information provided by local authorities concerning forecast numbers of pupils and school capacity.

**10.2.5** Another way to deliver some of the school provision is through The Department for Education's (DfE) Free Schools Programme though not a significant contributor to places overall[20].

**10.2.6** Additional need for school places from housing growth is influenced by a number of factors including the location of development, the rate at which dwellings are built and the rate at which children reach school age as well as the types and mix of housing built. The additional pupil numbers that will be generated by the Local Plan housing growth needs to be considered against any surplus capacity in existing school provision. Account is taken of existing capacity prior to seeking developer contributions. Where surplus capacity above the operating surplus is expected to exist after the needs of the indigenous population are served, this becomes available to support the need arising from new housing. In cases where services are not expected to be able to cope with the indigenous population's needs, the costs of increasing service capacity are identified but are not passed onto developers. Only needs arising from additional housing which cannot be accommodated within a surplus service capacity in the area are developers asked to contribute towards.

**10.2.7** The Government Guidance 'Securing Developer Contributions for Education' [21], indicates that the Department for Education expects LEAs should seek developer contributions to support the funding of school places commensurate with the need arising from development.

**10.2.8** There are some general principles that KCC apply in determining overall needs and costs of education provision, some of the relevant ones include:

- New primary schools are preferred to be two forms of entry (FE) (420 places) with a nursery;
- New secondary schools are preferred to be between 6FE and 8FE;
- In areas of housing growth, developer contributions will be required to fund or part fund new and additional school provision;
- Where land is required for a new school on site, it is expected that the developer will provide a fit for purpose site at no cost;
- Where a need for a new school is identified against a site, other sites that benefit will be required to contribute towards both land and build costs;
- The benchmark cost per pupil for primary school expansion is £19,331.20 and new schools £25,290.00;
- The benchmark cost per pupil for secondary school expansion is £26,646.36 and new schools £27,935.96; and
- SEND per pupil (expansion only) = £50,893.35.

**10.2.9** Apart from the above overarching principles, there are other specific guidelines that apply to Primary, secondary, Special Education Needs, Expansion of Popular Schools and New Provision, small schools and family of schools.

19 KCC Commissioning Plan for Education Provision in Kent 2022-2026 https://www.kent.gov.uk/__data/assets/pdf_file/0003/195915/Commissioning-Plan-for-Education-Provision-in-Kent.pdf
20 https://www.kent.gov.uk/__data/assets/pdf_file/0003/195915/Commissioning-Plan-for-Education-Provision-in-Kent.pdf
21 Department for Education and Ministry of Housing, Communities and Local Government https://assets.publishing.service.gov.uk/media/64d0f70d7a5708001314485f/Securing_Developer_Contributions_for_Education.pdf

### Planning Group Areas

**10.2.10** Groupings of schools are used for provision planning. These planning groups are geographically aligned within groups of wards known as planning areas with some comprising just a single ward.

- Primary - Faversham
- Primary - Faversham Rural East
- Primary - Faversham Rural South
- Primary - Sittingbourne East
- Primary - Sittingbourne South
- Primary - Sittingbourne North
- Primary - Sittingbourne Rural West
- Primary - Sheerness, Queenborough and Halfway
- Primary - Sheppey Central
- Primary - Sheppey Rural East

**10.2.11** Sufficiency rates are calculated using these primary planning areas, there are also smaller geographic levels, such as planning groups.

**10.2.12** LPAs work with KCC under Duty to Cooperate or similar to address issues around cross-boundary school catchments with the council working with KCC and Canterbury City Council on this.

**10.2.13** All residential sites including those with smaller units and windfall developments will generate demand for:

- Early Years provision
- Primary and secondary school places
- Special Educational Needs and Disabilities (SEND) provision, which faces a countywide strategic pressure.

**10.2.14** Multiple smaller allocations can have a greater cumulative infrastructure impact than a single strategic site.

### Early Years Education

**10.2.15** The provision of early years education is complex being a mix of maintained (local authority run), private, voluntary and independent facilities and childminders.

**10.2.16** Kent County Council provides calculation of sufficiency of childcare places for children Aged 0-4 Years Old, the assessment of sufficiency is derived by comparing the total available childcare supply of places with the forecast number of childcare places required in each age group. In instances where there is deficiency in some primary planning areas, there is a consideration for the surplus that may exist in neighbouring planning areas and also that parental preference and travel to work patterns may make children travel to adjacent areas and travel to access settings.

**10.2.17** Supporting the sufficiency, sustainability and quality of early years and childcare provision remains crucial in the aim to ensure a long term, sufficient supply of places. The supply of Free Entitlement places for 9 months to four-year-olds is kept under review as planned new housing developments are built and potentially increase the demand for places.

**10.2.18** In Swale, for the 2025/26 Academic Year, the population of 0–4-Year-Old is 7,870 with 5,087 places required and 5,662 places available for a surplus 575 places[22]. This figure though indicating a surplus for the borough as a whole, can however vary across planning areas and groups in the borough.



22 https://www.kelsi.org.uk/__data/assets/pdf_file/0004/91237/Childcare-Sufficiency-Assessment.pdf

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| Planning Area (Swale) | Required | Available | Surplus / Deficit |
|---|---|---|---|
| **Faversham** | 139 | 197 | +58 |
| **Faversham Rural East** | 42 | 74 | +32 |
| **Faversham Rural South** | 21 | 14 | **–7** |
| **Sheerness, Queenborough & Halfway** | 159 | 169 | +10 |
| **Sheppey Central** | 78 | 99 | +21 |
| **Sheppey Rural East** | 23 | 20 | **–3** |
| **Sittingbourne East** | 149 | 196 | +47 |
| **Sittingbourne North** | 177 | 287 | +110 |
| **Sittingbourne Rural West** | 62 | 58 | **–4** |
| **Sittingbourne South** | 133 | 230 | +97 |

Table 10.2.1 Under 2 Year Olds (Planning Areas)

| Planning Area (Swale) | Required | Available | Surplus / Deficit |
|---|---|---|---|
| Faversham | 164 | 199 | +35 |
| Faversham Rural East | 48 | 71 | +23 |
| Faversham Rural South | 24 | 21 | –3 |
| Sheerness, Queenborough & Halfway | 194 | 226 | +32 |
| Sheppey Central | 93 | 129 | +36 |
| Sheppey Rural East | 22 | 45 | +23 |
| Sittingbourne East | 187 | 279 | +92 |
| Sittingbourne North | 211 | 263 | +52 |
| Sittingbourne Rural West | 70 | 94 | +24 |
| Sittingbourne South | 163 | 241 | +78 |

**Table 10.2.2 2 Year Olds (Planning Areas)**

| Planning Area (Swale) | Required | Available | Surplus / Deficit |
|---|---|---|---|
| Faversham | 412 | 444 | +31 |
| Faversham Rural East | 108 | 115 | +7 |
| Faversham Rural South | 67 | 98 | +31 |
| Sheerness, Queenborough & Halfway | 488 | 389 | –98 |
| Sheppey Central | 234 | 175 | –60 |
| Sheppey Rural East | 69 | 57 | –12 |
| Sittingbourne East | 435 | 439 | +3 |
| Sittingbourne North | 561 | 490 | –71 |
| Sittingbourne Rural West | 113 | 124 | +12 |
| Sittingbourne South | 441 | 414 | –27 |

**Table 10.2.3 3 & 4 Year Olds (Planning Areas)**

**There is notable deficit in Sheerness, Queenborough & Halfway, Sheppey central, and Sittingbourne North for 3 & 4 year olds.**

### Special Education Needs and Disability

**10.2.19** The Children and Families Act 2014[23] is the statutory basis to identify, assess and provide special educational needs to individuals age (0 – 25 years) who require it. Special education needs (SEN)



23 https://www.legislation.gov.uk/ukpga/2014/6/contents/enacted

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support is provided in pre-school, school or college to those who require additional help beyond just provision of spaces. Education, Health, and Care Plan (EHCP), is a document issued to individuals identified with long term needs that cannot be met through SEN support alone.

**10.2.20** In 2025, there were 1,076 pupils in Swale with Education, Health and Care plans (EHCs)[24]

**10.2.21** The Kent SEND Strategy 2025–2028 [25] highlights that Some children and young people need additional support to access educational opportunities outlining the approach to deliver the statutory requirements for the additional needs.

**10.2.22** KCC's strategy for SEND includes the commissioning of new special schools, expansions of existing schools and the establishment of satellites and specialist resource provision (SRP). In Swale future provision currently includes the commissioning of 150 specialist school places and 50 SRP places.

**10.2.23** In anticipation of the development now proposed across the Borough, KCC have indicated that there will be a need for a mixture of SEN provision, including:

- Proposed new SEN Primary School on Isle of Sheppey;
- Contributions toward Specialist Resource provision (SRPs) and APs in mainstream and primary and secondary schools across the Borough; and
- Expansion of Secondary school provision on Isle of Sheppey.

**10.2.24** In January 2025, Nore Academy, a new special school on the Isle of Sheppey was opened. Some future agreed and planned Special School Additional Provision in Swale include:

- 20 potential additional places in the Expansion of special school 6th form, (Meadowfield School) proposed for 2026
- 30 potential additional places in new satellite for special school (Aspire Primary) proposed for 2026

**10.2.25** The SRP's planned include Lansdowne Primary 20 potential additional places planned for 2026, Richmond Primary school with 40 additional places planned for 2026, Faversham Primary Planning Group with 20 places for 2027 and Isle of Sheppey Secondary planned for 2027 for 50 places.

**10.2.26** In consideration of broadening the designation of existing Specialist Resource Provisions (SRPs) which involves updating the official SEN (Special Educational Needs) classifications of established school-based provisions to support a wider or different range of needs. Westlands (secondary) School is planned for change in 2026.

**Primary Education**

**10.2.27** Primary places are planned on the basis often school planning group areas within Swale Borough. Forecasts in the Commissioning Plan 2025- 2029 indicate that over the five-year period there will be surplus capacity across Swale overall but that there are differences between the school planning groups.

**10.2.28** Within the Faversham Planning Group, the Commissioning Plan shows there will be pressure from 2027/28 for Year R of 0.6FE, this will be affected by build out rate and occupation of the housing developments in the area. This will result in a need for additional places and a feasibility study has been undertaken for the expansion of St Mary's of Charity Primary School by 1 FTE to meet the need required.

**10.2.29** KCC has provided an update to this where the allocation of the strategic site Land at SE Faversham has been considered which will be providing one 3FE primary school. The prediction from figures is that 3.3FE will be required and managed with expansion of existing schools. This will require funding.

24 https://www.kelsi.org.uk/__data/assets/pdf_file/0005/204698/Facts-and-Figures-2025.pdf
25 https://www.kent.gov.uk/__data/assets/pdf_file/0008/208448/Strategy-for-children-with-special-educational-needs-and-disabilities.pdf

**10.2.30** The Sittingbourne East, South, North and Rural West Planning Groups, though surplus is indicated across the commissioning plan period, It is anticipated that in the medium to long term, as new housing developments are built and occupied, a new 2FE primary school will be established to serve the need from the Wises Lane development in the Sittingbourne South planning area. The need for additional capacity is set out below:

- **RURAL WEST SITTINGBOURNE** - 0.5FE required, but no capacity and no expansion possibility due to various site constraints. Funding would be required in adjoining Planning Groups.
- **SITTNGBOURNE NORTH -** Land West of Bobbing provides one 3FE school, there is however a 3.3 FE forecast need.
- **SITTINGBOURNE SOUTH** - No pressures as only 15 dwellings = 4 pupils.
- **SITTINGBOURNE EAST -** 0.5FE identified need, this may potentially create pressure on existing capacity[26].

**10.2.31** The Isle of Sheppey has a need for one 3FE Primary school requiring a site to come forward and funding or a one 2FE school with potential to expand West Minster (funding required). The Queenborough and Rushenden site allocation has included a site for Education provision, there is however demand for SEND provision as well as Primary school on Sheppey.

**Secondary Education**

**10.2.32** There are five planning groups for secondary school places within Swale Borough, or which cross the Borough boundary. Three of these are non-selective (Faversham, Isle of Sheppey and Sittingbourne) and two are selective (Sittingbourne and Sheppey as well as Canterbury and Faversham)[27].

**10.2.33** For Faversham non-selective planning group, the forecast indicates there are sufficient Year 7 places across the commissioning plan period with pressure on places in 2027/28 and then surplus in 28/29. There is however sustained pressure in the medium and long term 2032/33. Including Land at SE Faversham, 3FE will be required, this will be accounted for in Abbey School expansion funded by Land at SE Faversham.

**10.2.34** The isle of Sheppey non-selective planning group includes two schools East Kent College Sheppey Secondary and Leigh Academy Minster. Year seven forecast show a pressure of places from 2026/27 continuing across the commissioning plan period. The forecast in the commissioning plan considers the historical travel flows of pupils travelling off the Isle of Sheppey for their education in Sittingbourne schools leading to additional pressure on places in Sittingbourne non-selective planning group. Owing to the establishment of two schools on the isle of Sheppey is September 2024, the issue is being addressed helping the reversal in volume of pupils travelling off the isle to Sittingbourne schools. Based on the growth planned for the emerging Local Plan, 2.6 FE will be required in the area.

**10.2.35** Sittingbourne Non-Selective Planning Group include three schools: Fulston Manor School, The Westlands School and The Sittingbourne School. The deficit in the planning group fluctuates with pressure exacerbated by pupils from the Isle of Sheppey mentioned earlier. Temporary bulges are needed for 2026/27 before a permanent expansion to meet ongoing need. In the long term a new 6 FE secondary school on the North Sittingbourne Quinton Road housing development between 2030 and 2033 will be commissioned to meet the need from new housing. On the other hand, the Sittingbourne and Sheppey Selective Planning Group which includes two schools - Borden Grammar School (Boys) and Highsted Grammar School (Girls) has forecast indicating sufficient year 7 places with a surplus capacity across the commisioning plan period.

**10.2.36** Canterbury and Faversham Selective Planning Group comprise of Barton Court Grammar School, Simon Langton Girls' Grammar School, Simon Langton Grammar School for Boys and Queen Elizabeth's Grammar School. From 2027/28, there will be pressure of up to 1.5FE which will need to be met.

26 Primary schools on site within Highsted developments would mitigate the development and also cover the 0.5 if approved, the schools would realistically come forward beyond the plan period.

27 https://www.kent.gov.uk/__data/assets/pdf_file/0003/195915/Commissioning-Plan-for-Education-Provision-in-Kent.pdf

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| Planning Group | By 2026–27 | By 2027–28 | By 2028–29 | By 2029–30 | Between 2030–33 | Post 2033 |
|---|---|---|---|---|---|---|
| Faversham (Primary) | | 1FE expansion of St Mary's of Charity | | | | |
| Sittingbourne South (Primary) | | | | | 2FE new Primary School at Wises Lane | |
| Faversham Non-Selective (Secondary) | | | 1FE expansion of Abbey School | | | |
| Isle of Sheppey Non-Selective (Secondary) | Up to 30 temporary places | Up to 2FE permanent expansion | | | | |
| Sittingbourne Non-Selective (Secondary) | Up to 30 temporary places | Up to 2FE permanent expansion | | | | 6FE new provision – NW Sittingbourne / Quinton Road |
| Canterbury & Faversham Selective (Grammar) | | 0.5FE expansion of Simon Langton Girls' School | | | | |

Table 10.2.4 Planned Commissioning – Swale

## 10.3 Social Provision

**10.3.1** The development proposed in the Local Plan will result in additional demand on social care services, community learning, library and youth services. No specific projects have been identified for inclusion in the IDP.

**10.3.2** However, where there is no spare capacity to meet the additional demands arising from new developments and developer contribution will be sought towards the provision of additional facilities locally to mitigate development impacts. The developer contributions sought are currently:

i. Adult Social Care -188.88
ii. social care- £146.88 per dwelling
iii. community learning and Skills - £34.21 per dwelling
iv. Libraries, Registration and Archive - £62.63 per dwelling
v. Integrated Children's Services (Youth)- £65.50 per dwelling

**10.3.3** ASC and ICS shared facility has been proposed on site at Southeast Faversham for Family Hub and Adult social care and third sector support agencies.

**10.3.4** **ASC: Accessible/adaptable housing:** The provision of good quality, accessible and affordable housing is integral to supporting older and vulnerable people to live as independently as they can for as long as possible. It is required that new properties need to meet the accessibility standards set out in part M4(2) of the Building Regulations wherever possible, with an appropriate proportion of new homes provided to M4(3) wheelchair accessible standard.

**10.3.5** **Supported living**: Expansion needed for all groups, especially as reliance on residential care is reduced.

**10.3.6** **Extra Care:** There is a particular need for additional extra care schemes across on the Isle of Sheppey. The care schemes should be intergenerational and needs rather than age led.

**10.3.7** **Residential / Nursing:** Increase is required in residential provision, but this will be met partly by alternative services. Increase required in residential nursing provision in Swale. Increase in residential and nursing provision for people with complex / bariatric needs. Residential and nursing provision only to be in buildings that are fit for purpose. Assistive technology to be built into new schemes from the offset.

**10.3.8** **Libraries**: Funding should go towards libraries, look to expand and improve Sittingbourne Library to meet new development community needs. Also funding towards mobile services across the Borough's rural areas.

## 10.4 Open Space

**10.4.1** Open spaces contribute to the health, well-being, cultural heritage, landscape, education, climate change mitigation, biodiversity and movement for people and wildlife. The Open Space and Play Study provide detail regarding the provision that exists, condition, distribution and overall quality of open spaces within the Borough.

**10.4.2** In order for planning policies relating to open space to be 'sound', there is a requirement for local authorities to carry out a robust assessment of need for open space, sport and recreation facilities. The methodology used in undertaking the assessments has followed best practice including the planning practice guidance [28].

| Typology | Primary purpose |
|---|---|
| Parks and gardens | Parks and formal gardens, open to the general public. Accessible, high-quality opportunities for informal recreation and community events. |
| Natural and semi-natural greenspaces | Supports wildlife conservation, biodiversity and environmental education and awareness. |
| Amenity greenspace | Opportunities for informal activities close to home or work or enhancement of the appearance of residential or other areas. |
| Provision for children and young people | Areas designed primarily for play and social interaction involving children and young people. |
| Allotments | Opportunities to grow own produce. Added benefits include the long-term promotion of sustainable living, health and social inclusion. |



28 https://www.gov.uk/government/collections/planning-practice-guidance

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| Typology | Primary purpose |
|---|---|
| Cemeteries, churchyards and other burial grounds | Provides burial space but is considered to provide a place of quiet contemplation and is often linked to the promotion of wildlife conservation and biodiversity. |

Table 10.4.1 Open space types and definition

**Open Space Accessibility catchments**

**10.4.3** Accessibility catchments can be used as a tool to identify deficiencies of open space in a local area. This is achieved by applying them to create a distance catchment. The study displays the results of the catchment to highlight any potential deficiencies in access to provision.

| Open Space Type | Catchment |
|---|---|
| Parks & gardens | 9-minute walk time (710m) |
| Natural & semi-natural greenspace | 9-minute walk time (720m) |
| Amenity greenspace | 6-minute walk time (480m) |
| Provision for children and young people (LAP) | 1-minute walk time (100m) |
| Provision for children and young people (LEAP) | 5-minute walk time (400m) |
| Provision for children and young people (NEAP) | 12.5-minute walk time (1000m) |
| Provision for children and young people (Informal provision e.g., MUGA, Skate Park) | 9-minute walk time (700m) |
| Allotments | No standard set |
| Cemeteries | No standard set |

Table 10.4.2 Accessibility catchment times/distances

| Analysis area | Parks and gardens | | Natural & Semi-Natural | | Amenity greenspace | | Allotments | | Play provision | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 0.86 | | 1.45 | | 0.45 | | 0.16 | | 0.05 | |
| | Current provision | + / - | Current provision | + / - | Current provision | + / - | Current provision | + / - | Current provision | + / - |
| Faversham | 0.47 | -0.39 | 1.66 | +0.21 | 0.36 | -0.09 | 0.24 | +0.08 | 0.05 | Level |
| Sheppey | 1.72 | +0.86 | 1.25 | -0.20 | 0.47 | +0.02 | 0.14 | -0.02 | 0.06 | +0.01 |
| Sittingbourne | 0.50 | -0.36 | 1.46 | +0.01 | 0.49 | +0.04 | 0.13 | -0.03 | 0.04 | -0.01 |

Table 10.4.3 Current provision shortfalls against recommended standards by analysis area (hectares per 1,000 population)

**10.4.4** The Open Space and Play Study show that all analysis areas are observed as having shortfalls in some form of open space. Three relevant recommendation identified by the study are listed below:

- **Recommendation 1 -** Sites helping, or with the potential to help, serve areas identified as having gaps in catchment mapping should be prioritised as opportunities for enhancement.
- **Recommendation 2 -** Ensure low quality/value sites helping to serve potential gaps in accessibility catchments are prioritised for enhancement.
- **Recommendation 3 -** Review areas with sufficient provision in open space and consider how they may be able to meet other areas of need.

**10.4.5** The Council is in the process of commencing work on new documents that will separate Play and Open Space. The IDP and IDS will be updated in the future to include finding from these documents.

## 10.5 Built Sports Facilities

**10.5.1** One of the priorities of the Swale Borough Council Corporate Plan [29] under the umbrella of "Community" is to enable residents live, work and enjoy their leisure time safely in the borough and to support community resilience.

**10.5.2** The vision for sport and leisure in Swale as contained in the council's Built Facility Assessment and Strategy 2024 – 2038 (BFS) is That the residents of Swale are encouraged, motivated, informed and have the opportunity to be more active and healthier. Enabling them to live life to the full, be happy and well, reaching their full potential, by:

1. Providing the right activities in the right places to the right people; and
2. Providing accessible, affordable and good quality facilities and places to participate in sport and physical activity.

**10.5.3** BFS is part of the evidence base for the Local Plan, there is an aim to contribute towards meeting future demand, taking into account population/housing growth. The strategy identifies that there is a need to:

a. Seek to redevelop and extend swimming pool provision at Sheppey Pool from 6 lanes to 8 lanes;
b. Retaining existing levels and quality of community accessible (including pay and play) sports halls, swimming pools, and fitness stations as a minimum; and
c. Consider how best to facilitate enhanced and dedicated gymnastics facilities and explore feasibility of increasing indoor bowls provision.

**10.5.4** TableTable 10.5.1 shows a summary of facilities priorities in the borough, the Built Facility Assessment and Strategy document in Par 6.30 also contains an action plan which includes a list of recommendations and actions to help realise the vision and aims for sport and leisure facility provision in Swale.

| Facility Type | Priority for Future Provision | Location |
|---|---|---|
| Sports Halls | Retain provision of existing levels of community accessible and affordable sports hall facilities as a minimum<br><br>Community access to an additional 9.5 badminton courts by 2038 (sport specific needs to address include: badminton, boccia, hockey, netball and table tennis)<br><br>Refurbish/redevelopment of existing ageing facilities<br><br>It may also be possible to secure additional access for community pay and play at existing education facilities. | Boroughwide<br><br>Boroughwide<br><br>Education sites and SBC facilities e.g. Fulston Manor School, Oasis Academy, Queen Elizabeth's Academy and The Abbey School. |



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

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| Facility Type | Priority for Future Provision | Location |
|---|---|---|
| | Potential to use planning obligations CIL from housing developments to improve facilities. Link to formal community use agreements. | |
| Swimming Pools | Retain provision of existing levels and quality of community accessible and affordable swimming facilities as a minimum.<br><br>Seek to redevelop and extend water provision at Sheppey Pool from 6 lanes to 8 lanes (under-supply of water space of 188.49 sq. m by 2038). Sections106 funding will be required to provide additional swimming pool capacity for the new developments.<br><br>Consideration should also be given to reviewing the current pool programmes at the public pay and play pool facilities in Swale to ensure that the majority of hours are given to the most popular activities. | Boroughwide<br><br>Sheerness Pool, Swallow Leisure centre, Sittingbourne and Faversham Pools |
| Health and Fitness | Maintain provision of pay and play accessible health and fitness provision space, at Sheppey Sports Complex and Swallows Leisure Centre. | Sheerness and Sittingbourne Faversham Pools, Sheppey Leisure Complex |
| Squash | Retain existing levels of provision within the borough. | Boroughwide |
| Indoor Bowls | Explore increasing indoor bowls provision potentially through use of developers' contributions i.e.s106 (Swale BC is not using CIL) | Sittingbourne |
| Gymnastics and Trampolining Boxing | Potential for club-led development of additional dedicated gymnastics facilities Potential for club-led development of dedicated boxing facilities. There is potential to look at s106 contributions to investment | Boroughwide |
| Activity Halls | Develop use of community centres for informal sport and physical activity. | Boroughwide |
| General Provision | Overall, and specifically through the housing growth agenda, provision of more active environments, reflecting active travel, safe cycle routes to school, the need to link existing and new communities with walking/cycling/jogging routes | Boroughwide |

Table 10.5.1 priorities for future investments

## 10.6 Playing Pitches

**10.6.1** The council's Playing Pitch Strategy (PPS) is a strategy that helps the council fulfil effectively the Sport England objectives relating to promoting, protecting, enhancing and providing sports facilities as appropriate as set out in Sport England's Planning for Sport Guidance. The document audits the demand and supply of pitches and ancillary facilities within Swale. The PPS contains recommendations for each sport/pitch type and Individual Site Action Plans. The sites within the areas of deprivation have been prioritised and included in the IDS. the shortfall for each pitch type is shown in Table 10.6.1, and a summary of recommendations is presented in Table 10.6.2.

| Sport | Pitch Type | Current Capacity 2025 | | Future Capacity 2040 | |
|---|---|---|---|---|---|
| Football - Grass Pitches | Adult pitches | 11.5 MES Current Shortfall | | 29 MES Future Shortfall | |
| | Youth Football 11v11 | 4.5 MES Current Shortfall | | 19 MES Future Shortfall | |
| | Youth Football 9v9 | 0.5 MES No Current Shortfall | | 15 MES Future Shortfall | |
| | Mini Soccer 7v7 and 5v5 | 3.5 MES No Current Shortfall | | 28 MES Future Shortfall | |
| 3G AGPs | Full size with sports lighting | Current Shortfall 4 5 3G AGPs | | Future shortfall of 9 3G AGPs | |
| Rugby Union | Senior | Midweek Training under sports lighting. Current Shortfall 8.5 MES | Match Play and Weekend Training. Current Equal Balance Supply and Demand MES | Midweek Training under sports lighting. Future shortfall 12 (11.36 rounded up) MES | Match Play and Weekend Training. Future shortfall 8 (7.59 rounded up) MES |
| Hockey AGPs | Full size with sports lighting | Overplay 1 MES Saturdays 1 AGP Future Shortfall | | 1 AGP Future Shortfall | |
| Cricket | Natural grass wicket | 115 MES per season No current shortfall | | Future shortfall 258 MES per season | |
| Athletics | Entry Level Field and Track | Current - Athletics Tracks Provision required (entry level for track and field activity and running clubs/groups e.g. mini tracks and endurance loops). | | Future - Athletics Tracks Provision required (entry level for track and field activity and running clubs/groups e.g. mini tracks and endurance loops). | |
| Lawn Bowls | Bowls Greens | No current shortfall | | No future shortfall | |

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| Sport | Pitch Type | Current Capacity 2025 | Future Capacity 2040 |
|---|---|---|---|
| Tennis | Tennis Courts and Padel Courts | Identified current shortfall | Identified future shortfall 6 tennis courts and 15 padel courts. |
| Netball | Netball Courts | No current Shortfall | 11 Netball courts future shortfall – MUGAs must provide netball court markings in the future. |

Table 10.6.1 Summary Current and Future Need

| Objective | Recommendation |
|---|---|
| OBJECTIVE 1: To protect the existing supply of outdoor sports facilities to meet current and future needs | • Recommendation 1: Ensure, that all existing outdoor sports facilities are protected through the implementation of local planning policy.<br>• Recommendation 2: Secure tenure and access to sites for participation-focused development clubs, through a range of solutions and partnership agreements.<br>• Recommendation 3: Ensure continued use of education facilities where there is a need. |
| OBJECTIVE 2: To enhance outdoor sports provision and ancillary facilities through improving quality and management of sites | • Recommendation 4: Improve quality of playing pitches and ancillary facilities. Consider playing pitches and ancillary sites in areas of multiple deprivation.<br>• Recommendation 5: Secure external funding in partnership with other stakeholders; and<br>• Recommendation 6: Secure developer contributions. |
| OBJECTIVE 3: To provide new outdoor sports facilities where there is current or future demand to do so | • Recommendation 7: Monitor team demand growth annually for all pitch sports to inform the supply of pitches required to meet demand. Particularly monitor the growth for each pitch sport for Disability team growth and Women and Girls participation.<br>• Recommendation 8: Identify opportunities to add to the overall stock to accommodate both current and future demand possibly at multi sports sites and areas of multiple deprivation.<br>• Recommendation 9: Rectify quantitative shortfalls through the current stock, particularly considering sites with areas of multiple deprivation. |

Table 10.6.2 Summary of recommendations

# 11 Physical Infrastructure

## 11.1 Roads

**11.1.1** Within the Borough, National Highways (NH) is responsible for the national strategic road network (SRN). Most other roads are managed and maintained by KCC, as the local highway authority, but there are also a number of private roads.

**11.1.2** The road network in Swale is focused east/west along the M2/A2 corridor with the A249 and A251 providing the main north/south routes. Traffic and transport capacity issues are significant limitations of the existing network and at key junctions between the local and strategic highway network giving rise to capacity issues at peak hours, typically queuing from slip roads onto the main carriageway of the strategic road network (SRN).

**11.1.3** To address these issues, a number of committed highway improvement projects across the Borough to the SRN and the local road network are already planned, funded through a mix of public funding and developer contributions. These will provide capacity and operational improvements and will facilitate existing development commitments and allocations in the adopted Local Plan and are summarised below.

**11.1.4** To support the emerging Local Plan, a transport modelling is being undertaken to assess and identify the necessary mitigation measures to accommodate the development planned over the plan period.

**11.1.5** The intention of the modelling assessment is to establish any key capacity constraints on the highway network to delivering the planned level of growth, evidence the extent of the problems and enable solutions to be found to those issues. The modelling work currently being undertaken as at the time of writing this report has identified a a list of hotspots, further analysis is required and the output will be included in the updated version of the IDP and the IDS. These will be in addition to already committed schemes.

**11.1.6** Previously identified road infrastructure requirement like junction and corridor improvements identified below and in the Infrastructure Delivery Schedule will require developer contributions. It should be noted that as the highway modelling is strategic in nature, additional junction/network improvements may be required following more detailed transport assessments of the transport impacts of individual development proposals.

### 11.1.1 Vision and Validate Approach

**11.1.1.1** The NPPF[30] in paragraph 109 encourages a vision-led approach to transport issues for solutions that deliver well-designed, sustainable and popular places . DfT Circular 01/2022 [31]presents a shift from the “Predict and Provide” method of transport planning for infrastructure to a “vision and validate” model. “Predict and Provide” predicts future demand and provide capacity while a “vision and validate” model provides transport solutions set to the outcome communities want to achieve. This is also emphasised in the Transport Decarbonisation Plan (2021)[32]. According Circular 01/2022, the vision led approach include ‘vision and validate,’ ‘decide and provide’ or ‘monitor and manage’ and National highways is committed to supporting local authorities in achieving the aim. KCC is also committed to delivering with district planning authorities a ‘decide and provide’ (also known as ‘vision and validate’) approach to planning and site development[33].

**11.1.1.2** Vision and Validate describe a transport movement vision with the validate aspect ascertaining the vision is being implemented based on monitoring. Monitoring entails observing the travel patterns over time and put in measure that is required as a result of observation. The approach adapts to need per time responding as circumstances change creating a more sustainable solution.

30 https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
31 https://assets.publishing.service.gov.uk/media/681a1c42a8cdfb0ccdb8e0cc/strategic-road-network-delivery-sustainable-development.pdf
32 https://www.gov.uk/government/publications/transport-decarbonisation-plan
33 https://www.kent.gov.uk/__data/assets/pdf_file/0018/216180/Transport-assessment-and-travel-plan-guidance.pdf

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**11.1.1.3** As expansion of transport infrastructure face more challenges and constraint, there is a need to rethink how transport infrastructure supports growth considering its economic, social and environmental impact. It is useful to conceive and recognise targets that will achieve more sustainable outcome and work towards this, an example of target can be less cars on the road, more cycling and walking or more public transport usage. The council has recently adopted Swale Local Cycling and Walking Infrastructure Plan (LCWIP). The Local Plan also includes Policy ST 10 on Promoting Sustainable Transport & Active Travel. This will also help to further embed the vision led transport solution in proposed developments in the borough. Aspects of this are already currently in use with “monitor and manage” concepts integrated into some of the recent major proposals in the borough. The local plan has embedded health, climate change and environmental needs including reduction in carbon emissions to the local plan policies including those on transport. The IDP through the delivery schedule also contain priority projects from the LCWIP as well as other public transport improvement projects that will support this approach.

**11.1.1.4** The council's approach to achieving this is an expectation for proposals to support the council’s vision and objective and demonstrate how the vision and validate approach will be incorporated. Proposals will also be expected to submit a Monitor and Manage strategy and developers will be expected to engage with the council and highway authorities to:

a. Prepare a vision for the development in compliance with national and local objectives of limiting the need to travel;
b. Prepare a sustainable transport strategy which may change as need change and the development progress.
c. Prepare a monitor and manage strategy that will be agreed with the council and will take account cumulative impact and include clearly defined triggers.

**11.1.1.5** The IDP has identified schemes and projects, whose implementation will be dependent upon the rate of development coming forward, the identification of funding and the availability of resources. Where relevant these schemes and projects have been referenced in the IDP and/or included in the Infrastructure Delivery Schedule. This will be updated as new evidence and information becomes available and after the ongoing transport modelling work is completed.

## 11.1.2 Strategic Highways

**11.1.2.1** Swale is ranked as a category 1 authority, National Highways notes that Congestion issues in Swale at various junctions could inhibit economic growth and identified as government priorities for levelling up[(34)].

**11.1.2.2** Within the Borough, the M2 and A249 (spur from the M2 to Sheerness) form the SRN with the wider motorway network of the M20, M25 and M26 a short distance away. There are three motorway junctions within the Borough: Junctions 5 (J5) to the southwest of Sittingbourne, Junction 6 (J6) to the south of Faversham and Junction 7 (J7) to the southeast of Faversham.

**11.1.2.3** On the A249 approach to M2 Junction 5, delays are exacerbated by seasonality due to travel to coastal destinations and Europe via the Port of Dover and the Channel Tunnel.

**11.1.2.4** There are consistently significant delays on the M2 between J5 and J6. J5 along with J7 are identified within the top 50 casualty locations on the SRN nationally[(35)]. The A249 between the A2 and M2 carries the lightest traffic flows on the SRN but has a low rate of journey reliability. Improving safety and congestion issues at J5 and J7 of the M2 are identified as key challenges in the Highways England Kent Corridor to M25 Route Strategy [(36)].

**11.1.2.5** National highways notes that the Isle of Sheppey and wider Borough are effectively a cul-de-sac resulting in all but very localised traffic normally making use of the SRN. As such, future development needs

34 https://storymaps.arcgis.com/stories/09193216e0e04ac09a0f0c6df61975ac
35 https://assets.publishing.service.gov.uk/media/5a82e[illegible]5274a2e87dc3af4/Kent_Corridors_to_M25_Final.pdf
36 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/600312/Kent_Corridors_to_M25_Final.pdf

to carefully consider the transport implications and associated infrastructure issues on the SRN and local highway network, including the M2/A2/A249 corridor. As the major roads are linked across the Borough the cumulative impact across all major junctions needs to be considered. National Highways have also indicated the need, due to known capacity issues within the Borough, for the phasing of large-scale development with the timescales for the delivery of planned junction improvements or improvements identified as a consequence of bringing forward the Local Plan. They also emphasise that this should be combined with maximising the move to sustainable transport use and following a vision led approach.

**11.1.2.6** A transport modelling based on proposed developments in the emerging local plan is currently in the works, it will reconsider the road network in the borough highlighting issues and proposing mitigation where necessary. This section will be updated with results from the exercise when it is available.

**11.1.2.7 M2 Junction 4**

**11.1.2.8** Despite not being located in the borough, J4 can be impacted by development coming forward in the plan. National Highways' strategic aim for the junction is to avoid delays for the Strategic Road Network, to maintain the planned benefits of the Lower Thames Crossing and the bifurcation strategy which concerns the A2/M2 strategic road corridor [37]

**11.1.2.9 M2 Junction 5**

**11.1.2.10** National Highways have completed improvements to the A249 Stockbury Roundabout at J5, as it was operating over capacity. The project's centrepiece, nearly a mile long, the flyover allows traffic to bypass the previously heavily congested Stockbury roundabout [38], two bridges supporting the Stockbury Flyover and Two new dedicated slip roads provide direct access from the A249 to the M2, bypassing the Stockbury roundabout entirely to reduce congestion.

**11.1.2.11** The aim of the scheme is to:

- improve journey times: reducing delays meaning people will have quicker and more reliable journeys;
- make journeys safer: improving the junction will improve safety for all road users;
- support economic growth: increasing capacity at the junction will support the future housing and employment growth in the area;
- help cyclists and pedestrians working with the local authorities aim to improve facilities for pedestrians, cyclists and other non-motorised users; and
- deliver high standards of highway design: resulting in a scheme that is in keeping with the local environment, minimising environmental impacts and where feasible make conditions better [39].

**11.1.2.12** Congestion is still expected to worsen in the future due to the planned development and population growth. National Highways has mentioned the the junction still needs to be considered in terms of merge diverge assessment and traffic not overwhelming the slip road.

**11.1.2.13** Looking forward, the future consideration includes ensuring the corridor avoids delays and enjoy the planned benefit for the Lower Thames crossing and the bifurcation strategy which concerns the A2/M2 corridor.

**11.1.2.14** There is a need to diagnose the capacity shortfall based on planned changes to the wider road network and growth impacts over time. There is a need for the completion of an 'Options Phase' to inform planning of future Road Investment Strategy activity and any dependency associated with development growth pressures.

**11.1.2.15 M2 Junction 6**

37 https://www.kent.gov.uk/__data/assets/pdf_file/0006/208545/Local-Transport-Plan-5.pdf
38 https://nationalhighways.co.uk/our-roads/south-east/m2-junction-5-improvements/
39 https://nationalhighways.co.uk/our-roads/south-east/m2-junction-5-improvements/

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**11.1.2.16** J6 is not a well-used junction due to its layout and proximity to J7 and there is currently some spare capacity at the junction. There is, however, a risk of traffic on the A2/A251 queuing back to J6 and National Highways have highlighted the possible need for additional mitigation over the completed A2/A251 junction improvement scheme.

**11.1.2.17 M2 Junction 7**

**11.1.2.18** J7 (Brenley Corner), where the M2 and A2 meet, is a pinch point on the strategic transport route for traffic travelling onto Canterbury and Dover, particularly for HGVs travelling to the Dover port. The junction is currently operating at capacity level with the current configuration of the junction regularly creating peak hour congestion as traffic on the SRN mixes with traffic on the local road network leading to queuing on the approach roads. The capacity of the junction, therefore, is not only a constraint to development locally but also more widely across north and east Kent, particularly development in local authority areas along the M2/A2 corridor and also has wider strategic impacts on the economy of the southeast. This is identified in KCC's LTP5 [40]

**11.1.2.19** There is currently no committed national improvement scheme to mitigate the above issues although KCC have proposals for minor improvements to the local roads approaching the junction. An improvement scheme to remove the congestion due to the gyratory, creating a continuous M2/A2 route and providing for a free flow of traffic is planned.

**11.1.2.20** A committed scheme in the borough is the Oare Gravel Works/Faversham Lakes consented development (LPA Reference: SW/14/0257) [41] for road markings revisions. The work is yet to commence on this.

**11.1.2.21** The Land at Southeast Faversham [42] which benefits from a resolution to grant also considers impact at this junction, National Highways requires improvement to the junction prior to 1,500 dwelling occupation improvement is carried out.

**11.1.2.22** As mentioned , the junction has strategic relevance and It is noteworthy that there is also a committed scheme on the junction linked to the urban extension application at canterbury of up to 4,000 dwellings , it includes widening on both A2 approaches, sections of the roundabout circulatory, and conversion of the A2 East arm from signal control to priority control. The trigger point at which the scheme is to be implemented is prior to occupation. The trigger point for this will not however be reached for several years.

**11.1.2.23** There are other applications in the pipeline considering the impact and improvement of the junction.

**11.1.2.24 A249 Junctions**

**11.1.2.25 Key Street and Grovehust Road**

- A249 junctions at Key Street and A249 Grovehurst Road [43][44]improvement schemes are now complete. The aim of the improvements is to reduce congestion, improve journey time reliability and provide additional road capacity for planned new housing as well as improve facilities for pedestrians and cyclists. £38.1 million was awarded by The Housing and Infrastructure Fund and £500,000 in developer contributions were received for the scheme. National Highways are of the opinion that the

40 https://www.kent.gov.uk/__data/assets/pdf_file/0006/208545/Local-Transport-Plan-5.pdf
41 https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZVRZKJTA002
42 https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S55GJZTY0XI00
43 https://www.kent.gov.uk/roads-and-travel/road-projects/in-progress-road-projects/a249-grovehurst-road-and-interchange-junction
44 https://www.kent.gov.uk/roads-and-travel/road-projects/in-progress-road-projects/a249-key-street-junction

junctions may need to be reconsidered depending on the quantum of development that will be relying on the junctions in the Local Plan.

- A249 Bobbing– the junction currently experiences significant congestion during the peak hours. An improvement scheme for this junction to increase capacity forms part of the planning application(s) for the development of the Northwest Sittingbourne mixed use allocation [45]. Transport assessment work in connection with the planning application indicates that 100 dwellings could be completed before the requirement for an interim mitigation scheme with full mitigation required before occupation of the 450th dwelling. Another planning application related to the scheme is Land to the West of Bobbing [46]This is awaiting decision. National Highways' comment regarding the planning application is that no more than 600 dwellings is occupied before the improvement scheme is completed.

### 11.1.3 Local Highways

**11.1.3.1** Local transport policy is the responsibility of KCC and as such joint working is required to ensure that land use planning aligns.

**11.1.3.2** The fifth Local Transport Plan (LTP5)[47] covers a wide range of transport related priorities to 2037. LTP5 tagged 'striking the balance' is sets an ambition to improve the health, wellbeing, and economic prosperity of lives in Kent by delivering a safe, reliable, efficient and affordable transport network across the county and as an international gateway. It intends to do this by delivering emission-free travel by getting effective dedicated infrastructure to electrify vehicles, increase public transport use and make walking and cycling attractive. The LTP identifies Local Road Network Priorities which include Supporting the shift to electric vehicles through new charging points and local road freight management.

## 11.2 Public and Sustainable Transport

### 11.2.1 Rail

**11.2.1.1** Rail services are currently provided by Southeastern trains. Network Rail is the provider and maintainer of railway infrastructure, including rail tracks, and fulfil the role as a statutory consultee on planning applications and Local Plan consultations. Network Rail and Southeastern have formed the South Eastern Railway (SER) to bring track and train together on the journey towards Great British Railways (GBR).

**11.2.1.2** Within the Borough, there are stations at Newington, Sittingbourne, Teynham, Faversham and Selling, with high speed Southeastern trains stopping at Sittingbourne and Faversham. The branch line between Sittingbourne and Sheerness is a community rail line providing a half hourly passenger service, with inter stops at stations at Kemsley, Swale and Queenborough. Sittingbourne and Faversham are fully accessible stations with step free access to, and between, all platforms. The remaining stations in the Borough have limited or no step free access which limits those able to access the rail network. Improving accessibility at stations remains a key means of promoting sustainable transport. Development close to Newington and Teynham would increase pressure of accessibility and contributions would be sought to mitigate the impact of development.

**11.2.1.3** Development proposed in the Local Plan at settlements served by a rail station would provide a catalyst for increased patronage. However, ticket revenue generated by increased patronage is not automatically recycled or ring fenced for improved facilities at stations. Therefore, there remains a reliance on bidding for funding through the Department for Transport (DfT) or seeking third party funding contributions. Further, SER is undertaking a review of station car parks within Swale to determine where pressures and constraints exist on demand. Sittingbourne, Queenborough and Faversham station car parks are especially constrained and SER is exploring opportunities to providing additional capacity. Rail travel has largely

45 https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=map&keyVal=P7OO67TY0XI00
46 https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=map&keyVal=RFL0S3TYG8W00
47 https://www.kent.gov.uk/__data/assets/pdf_file/0006/208545/Local-Transport-Plan-5.pdf

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recovered since Covid-19 and, whilst work patterns have altered, Tuesdays – Thursdays are extremely popular days to travel. Leisure travel has also shown a significant increase in use in recent years. As such, there are constraints being felt across the rail network that may be worsened by development.

**11.2.1.4** Some Local Plan allocations are in locations where development may have an impact on the operation of level crossings in the vicinity of the site through increased pedestrian/cyclist/vehicular traffic using the level crossing. Network Rail's has indicated that their preferred solution would be the closure of crossings. The impact of development on the use of level crossings will require consideration as part of a Transport Assessment and, if required, the identification of appropriate mitigation measures.

**11.2.1.5** Engagements with members and residence has brought forward aspirational projects which can be beneficial to the borough. These include car park at Swale station, Crown Quay Lane widening and northern access to Sittingbourne station. Members have observed car parking constraint at Swale station and aspire for the station to be expanded to a Swale Parkway Station. This will have the potential benefit of reducing traffic in congested urban areas of Sittingbourne and Sheerness by encouraging commuters away from the town centre car parks. It will also lead to modal shifts where from cars to trains by making access to the train network easier for those travelling in from the rural areas of Sheppey and Iwade.

## 11.2.2 Walking and Cycling

**11.2.2.1** The Department for Transport (DfT) published the first Cycling and Walking Investment Strategy in 2017 with the purpose of encouraging Cycling and Walking to become a key mode for short journeys or a stage in longer ones through Safer mobility and streets. A guidance was also developed for Local Cycling and Walking Infrastructure Plans for local bodies. The plans are a “strategic approach to identifying cycling and walking improvements required at a local level”.

**11.2.2.2** The Swale Local Cycling and Walking Infrastructure Plan[48] was adopted in March 2026 and covers Sheppey and Sittingbourne whilst incorporating the work of the Faversham LCWIP [49]. The Swale LCWIP identifies an aspirational high-level network of future walking, wheeling, and cycling corridors across the borough along with the infrastructure required to achieve this.

**11.2.2.3** The Kent Cycling and Walking Infrastructure Plan [50] was developed by KCC working with the districts councils and funding has been secured for the delivery of proposals in recent years. The two routes selected within Swale by the plan are Sheerness to Leysdown and Sittingbourne to Faversham. A third Route extends outside the borough from Sittingbourne to Maidstone. Each of this route have specified intervention. A similar process was carried out for walking with Sittingbourne identified as a walking zone in the borough.

**11.2.2.4** The route corridor across Sheppey aims to complement and improve the local cycle network. This includes the Explore Kent Sheerness Way Ships and Chips circular route and the Sheppey Light Railway Greenway. The corridor from Sittingbourne to Faversham supplements local aspirations for Faversham and provides options complementing or including the National Cycle Network route to connect into the west side of Faversham.

**11.2.2.5** The walking zone in Sittingbourne is proposed in the Kent Cycling and Walking Infrastructure Plan and aims to improve access within the town centre, improve pedestrian safety, provide access to the retail to the north of the railway line and improve journeys to school.

These LCWIPs have an important role in supporting growth and development. By linking proposed routes to housing and site allocations, the LCWIP provides a valuable evidence base for developers preparing Travel Plans and Transport Assessments, helping to ensure that new development supports and contributes to high-quality active travel infrastructure.

48 https://swale.gov.uk/your-council/strategies-and-policies/active-travel
49 https://favershamtowncouncil.gov.uk/wp-content/uploads/2024/06/Faversham-LCWIP-Sep-24-clean.pdf
50 https://letstalk.kent.gov.uk/kent-cycling-and-walking-infrastructure-plan

### 11.2.3 Bus Provision

**11.2.3.1** Swale's bus network covers the Borough well with several routes and frequencies, although a number of these are subsidised in order to ensure bus routes are available for those in locations which need them. There has, however, been a reduction in bus usage over the past few years and there is a lack of adult passengers during peak travel times. Through the Swale Quality Bus Partnership, a number of improvements to routes and services were implemented and there is a need to build on these to develop a robust high-quality network.

**11.2.3.2** Developers of all major sites will be required to consider bus service provision and allocations will need to be appropriately master planned to ensure prioritised bus access within and into/out of sites and the provision of bus infrastructure. It is likely that there will also be a requirement on developers to support services, which may be through the extension of existing routes, to ensure residents of the new developments have the option of bus travel from the earliest opportunity.

**11.2.3.3** The National Bus Strategy Kent Bus Service Improvement Plan 2024 (BSIP) [51] was published as an update to the first Kent Bus Service Improvement Plan which fulfils the two main NBS requirements for LTAs and bus operators which is to:

- To produce and publish a BSIP by 31 October 2021
- To introduce a new statutory system for setting up and regulating bus services in the county by April 2022. This included using franchising or Enhanced Partnerships (EPs), as made possible under the 2017 Bus Services Act

**11.2.3.4** An EP was established for the county in April 2022 by KCC and bus operators. Swale is part of the East Kent EP scheme area which includes Ashford, Canterbury, Dover, Folkestone and Hythe and Thanet. In the EP, most bus services are provided by group operator Stagecoach with the exception of Swale where independent operator Chalkwell provides most of the local network, partly on a commercial basis. KCC are trying to introduce multi-operator bus ticketing scheme with a trial A trial scheme implemented in Swale in 2023[52] [53].

## 11.3 Utilities

**11.3.1** This section provides an update in respect of the following utilities: electricity, gas, water and telecommunications infrastructure.

### 11.3.1 Electricity

**11.3.1.1** National Grid Electricity Transmission (NGET) owns and maintains the electricity transmission system in England, distributing the energy to the electricity network operators, so it can reach homes and businesses.

**11.3.1.2** UK Power Networks (UKPN) are the Distribution Network Operator covering Swale.

- Queenborough and Rushenden- there is a 6.6kV main sub-station in the vicinity of the Rushenden South site.
- Sheerness- the area is served by a 6.6kV mainsub-station.
- Sittingbourne- there are two 11kV main sub-stations serving the area
- Faversham- the east of Faversham is served by an 11kv main sub-station

51 https://www.kent.gov.uk/__data/assets/pdf_file/0015/204414/Kent-Bus-Service-Improvement-Plan-2024.pdf
52 https://www.kent.gov.uk/__data/assets/pdf_file/0005/204636/East_Kent_EP.pdf
53 https://www.kent.gov.uk/__data/assets/pdf_file/0004/206968/BSIP-2025-26-delivery-plan.pdf

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**11.3.1.3** Each site would need to be considered on its own, taking into account the current network at the time a planning application was made and when more detailed development proposals, particularly for employment sites, and the likely loading requirements are known. Developers should submit an application to UKPN for any supply upgrade or new supply.

**11.3.1.4** Development should also:

- Safeguard all existing NGET transmission assets, including overhead lines, underground cables and substations.
- Support future reinforcement and expansion, including works required for the Great Grid Upgrade and other strategic national infrastructure projects.
- Ensure development proposals located near transmission assets demonstrate that they will not compromise safety, operability, maintenance access, asset replacement, or future network expansion.
- Safeguard existing and potential access routes required for the delivery and removal of Abnormal Indivisible Loads (AILs) associated with the construction, replacement and maintenance of transmission-scale equipment, including large transformers at strategic substations.
- Resist development or highway alterations that would prejudice, constrain or render impracticable AIL access, unless suitable mitigation or alternative agreed routes can be secured.
- Encourage early engagement with NGET to identify and resolve any potential impacts at the earliest possible stage of the planning process.

## 11.3.2 Gas

**11.3.2.1** National Grid Gas plc owns and operates the high-pressure gas transmission system across the UK. Gas then leaves the transmission system and enters the four gas distribution networks where pressure is reduced for public use.

**11.3.2.2** SGN, are the gas distribution company covering the southeast. There are two network grids covering the Borough: Ashford and Medway. SGN has confirmed that all the allocation can be supported except Land South East Faversham which could not be supported in whole. An all-electric energy system is however planned for the development.

## 11.3.3 Water Infrastructure

**11.3.3.1** Water and water recycling infrastructure is funded from a combination of a water company's business plan - which itself is funded through customer bills and developer charges directly sought by the water company for effective connections and improvements to supply and drain water to new development.

**11.3.3.2** Two water companies serve the Borough: Southern Water (covering the whole Borough for wastewater treatment and providing water supply on the western side of the Borough, including the Isle of Sheppey) and Southeast Water (providing water supply in the eastern side of the Borough).

**11.3.3.3** Both companies have published Water Resource Management Plans (WRMP) [(54)]. These are statutory plans that all water companies produce every five years. They look at least 25 years ahead to forecast how much water will be available and how much it will be needed in the future to meet demand. If demand is greater than the water available, these plans identify the most cost-effective solutions to fill the gap.

**11.3.3.4** In addition, water companies work on a five-year business planning cycle through which funding for new resource developments or improvements are secured. Proposals for the five-year period are contained in the published five-year Asset Management Plans (AMP) which are agreed through a regulatory process currently led by Ofwat. The AMP covers the building and modernising of water pipes to ensure a

54 https://www.southeastwater.co.uk/about/our-plans/future-water/ and https://www.southernwater.co.uk/about-us/our-plans/water-resources-management-plan/

reliable supply, the reduction of the number of overflows from sewers and improvement of water and wastewater treatment works to deal with growing population and climate change. The current AMP period is 2025 - 2030 and it is referred to as AMP8.

**11.3.3.5** Statutory water companies must undertake a series of checks and then plan investment in line with water industry funding routes and cycles. The planning system has a role in seeking to ensure the combined impacts of urban creep and climate change protect the quality of the water environment.

## Southern Water

### 11.3.3.6 Water supply and wastewater management

**11.3.3.7** Southern Water have worked to identify the strategic asset investment priorities for the 5-year investment period of the AMP. The work has produced the Drainage and Wastewater Management Plan (DWMP) and the Water Resources Management Plan (WRMP) as the main routes to assess and prioritise these types of strategic investment proposals.

**11.3.3.8** Local network reinforcement required for the needs of a specific development is generally funded through an infrastructure charge applied to the water connection fees paid by the developer (unless, for example, a strategic network reinforcement programme is needed for a broader area – which can then be funded through strategic asset investment) seeFigure 11.3.3.1below.

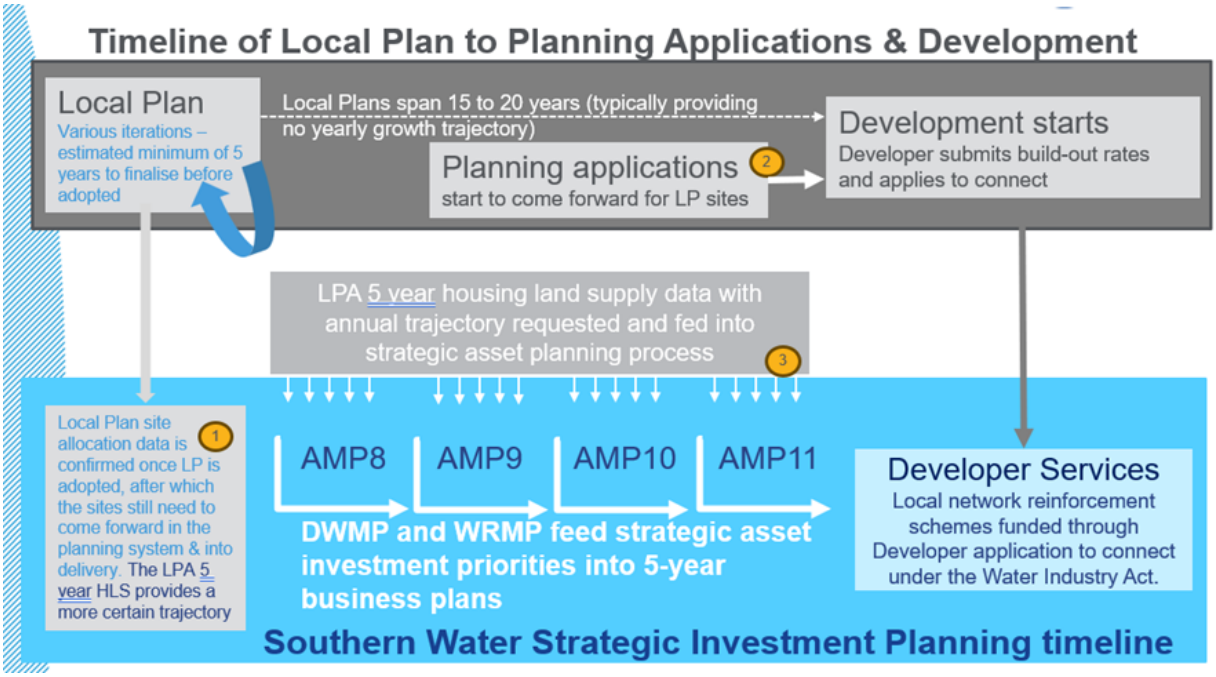



Figure 11.3.3.1 sources of growth data that feed into different asset investment processes

**11.3.3.9** Any infrastructure investment is planned, delivered and funded through two main mechanisms – one relates to local network reinforcement, the other to more strategic asset investment needs. The examples below illustrate these two investment types:

a. Any upgrades (reinforcements) that are needed on the network specifically to accommodate a new development, are funded through the infrastructure charge to developers. The infrastructure charge fee structure with sustainable development incentives for southern water is explained here https://www.southernwater.co.uk/media/3u1ni0eb/new-connection-charging-arrangements-24_25-v14.pdf
b. Wastewater Treatment Works (WTWs) treat wastewater collected from homes and businesses within their catchment via a network of connecting pipes and pumping stations. WTWs are significant assets and represent strategic infrastructure. Upgrades to WTWs are funded through the water industry's 5 yearly investment planning – for which Ofwat approves the spending requirements for each 5-year

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period (AMP) based on customer generated income. The current investment period is referred to as AMP8 and covers the years from 2025 to 2030.

**11.3.3.10 Wastewater Treatment Works capacity and Dry Weather Flow indicators**

**11.3.3.11** Wastewater treatment works are assessed annually for capacity against forecast growth using both Local Plan information and census/ONS data. Every WTW operates in accordance with the EA permits designed to protect water quality, The volumetric permit sets the maximum Dry Weather Flow (DWF) that is permitted to recycle to the environment. There are two main considerations for WTW capacity, treatment process capacity and dry weather flow (DWF) headroom.

**11.3.3.12** Where future growth is projected to exceed the current DWF permit limit, Southern Water would apply for a change to the permit, requesting an increase in the DWF limit to serve the growth coming forward.

**11.3.3.13 Wastewater Treatment Works and Nutrient Neutrality**

**11.3.3.14** The full extent of Southern Water's AMP8 investment in nutrient removal is provided through the WINEP schemes agreed by the Environment Agency per water industry investment period (current AMP8 is from 2025 to 2030).

**11.3.3.15** Under the Levelling Up and Regeneration Act 2024, the Government has placed a requirement on water companies to improve any nutrient significant plants by 31 March 2030 to ensure they operate to the highest Technically Achievable Limit (TAL).

**11.3.3.16** In this table we refer to wastewater treatment works (WTW) and to different types of storm overflow.

| Wastewater Catchment | Scheme Type/ Driver | **Outline** | Estimated AMP8 Investment | IDP Section |
|---|---|---|---|---|
| Faversham | WINEP – overflow, other | Improve storm capacity (Court Street Faversham CSO) | Up to £1.5m - investigations will shortlist the most suitable SuDS and other surface water separation solutions | SuDS solutions are expected. Investment may split across utilities and non-utilities community-based flood mitigating infrastructure |
| Faversham | WINEP – overflow, other | Improve storm capacity Faversham CEO | TBC - Investigations are underway to shortlist the most suitable SuDS and surface water separation solutions | Utilities Infrastructure - wastewater |
| Faversham | WINEP – overflow, other | Improve storm capacity Faversham SSO & root-cause | Up to £2.9m - investigations are underway to shortlist the most suitable SuDS and | Investment may be split across utilities and non-utilities community-based flood mitigating infrastructure |

| | | | | |
|---|---|---|---|---|
| | | spill reduction achieved through enhanced surface water management | surface water separation solutions | |
| Faversham | Growth | Increase sewage treatment capacity to support growth | £9.2m | Utilities Infrastructure - wastewater |
| Faversham | WINEP Shellfish | Enhanced microbiological treatment | £5.5m | Utilities Infrastructure - wastewater |
| Motney Hill | Resilience & optimisation | Rising main replacement Lower Halstow WPS | £1.6m | Utilities Infrastructure - wastewater |
| Isle of Sheppey – Queenborough | WINEP Shellfish | Enhanced microbiological treatment | £6.8m | Utilities Infrastructure - wastewater |
| Isle of Sheppey – Queenborough | WINEP – overflow, other (Queenborough WTW) | Queenborough WTW and SSO storm capacity improvements | Up to £34.7m - investigations are underway to shortlist the most suitable SuDS and other surface water separation solutions | Investment may be split across utilities and non-utilities community-based flood mitigating infrastructure |
| Isle of Sheppey - Queenborough | WINEP – overflow, other (South Street Queenborough CEO) | Root-cause spill reduction achieved through enhanced surface water management and Sustainable Drainage Systems (SuDS) for local flood mitigation | Up to £2.9m - investigations will shortlist the most suitable SuDS and other surface water separation solutions | SuDS solutions are expected. Investment may split across utilities and non-utilities community-based flood mitigating infrastructure |
| Isle of Sheppey - Minster | WINEP – overflow, other (Brielle Way West Minster CEO) | Root-cause spill reduction achieved through enhanced surface water management and Sustainable Drainage Systems (SuDS) for local flood mitigation | Up to £1m - investigations will shortlist the most suitable SuDS and other surface water separation solutions | SuDS solutions are expected. Investment may split across utilities and non-utilities community-based flood mitigating infrastructure |
| Isle of Sheppey - Eastchurch | WINEP – overflow, other (Barrows Brooke Eastchurch CEO) | Root-cause spill reduction achieved through enhanced surface water | Up to £1.1m - investigations will shortlist the most suitable SuDS and | SuDS solutions are expected. Investment may split across utilities and non-utilities |

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| | | | | |
|---|---|---|---|---|
| | | management and Sustainable Drainage Systems (SuDS) for local flood mitigation | other surface water separation solutions | community-based flood mitigating infrastructure |
| Eastchurch | WINEP Shellfish | Enhanced microbiological treatment | £5.7m | Utilities Infrastructure - wastewater |
| Sittingbourne | Groundwater infiltration and improved capacity | Sewer sealing is underway to reduce infiltration | £6.6m across a range of solutions | Utilities Infrastructure - wastewater |
| Sittingbourne | WINEP Shellfish | Enhanced microbiological treatment | £6.5m | Utilities Infrastructure – wastewater |
| Sittingbourne | WINEP – overflow, other (St Pauls Street Sittingbourne CSO) | Root-cause spill reduction achieved through enhanced surface water management and Sustainable Drainage Systems (SuDS) for local flood mitigation | Up to £13.3m - investigations will shortlist the most suitable SuDS and other surface water separation solutions | SuDS solutions are expected. Investment may split across utilities and non-utilities community-based flood mitigating infrastructurere [55] |

Table 11.3.3.1 Southern Water: Key AMP8 Water Industry National Environmental Programme (WINEP) investment in strategic wastewater assets:

**11.3.3.17** The IDP can be updated once solutions are further developed and the investment in utilities/non-utilities community-based infrastructure is clearer. Please also note that project plans and delivery schedules can be subject to change, in line with the risks emerging throughout each 5-year investment period.

**11.3.3.18 Water efficient development**

**11.3.3.19** Higher standards of water efficiency in new development will equate to greater long-term sustainability – with the potential to delay or reduce the need to increase water abstraction, which in turn will help to minimise the impacts on the environment. Demand management is a key aspect of water industry strategy for water resources and therefore should also be a core principle underpinning the water supply sections of Local Plan infrastructure planning.

**11.3.3.20** Tackling water scarcity requires a multi-faceted approach and there is an opportunity for the planning system to play a part by ensuring new development meets the highest standards of water efficiency possible at the time.

**11.3.3.21** Southern Water is committed to help customers reduce personal consumption to an average of 100 litres of water per person per day by 2040 and reduce business demand by 9% by 2037. This is appropriate to the 'serious water stress' [56] status of the Southeast. Southern Water is encouraging developers to meet or exceed this target by reducing the new connection charge for water efficient development.

55 CSO – Combined Sewer Overflows SSO – Settled Storm Overflows, and EMO (or CEO – Combined) Emergency Overflows.

56 https://www.gov.uk/government/publications/water-stressed-areas-2021-classification

| Water Supply Zone / Area | Scheme Type/ Driver | Outline | Estimated AMP8 Investment | IDP Section |
|---|---|---|---|---|
| Isle of Sheppey | Future Resource | Isle of Sheppey desalination to provide up to 20Ml/d by 2041 and 30Ml/d by 2063 | TBC | Utilities Infrastructure – water supply |
| All Kent | Water efficiency | (AMP8 – AMP12) Smart metering rollout and other water efficiency programme measures to reduce demand by 37.4Ml/d by 2049-50 | TBC | Utilities Infrastructure – water supply |
| All Kent | Leakage Programme | Implementing leakage reduction measures from 2025-26 (AMP8) to reduce leakage by 10.9Ml/d by 2049-50 (AMP12) | TBC | Utilities Infrastructure – water supply |
| Sittingbourne | Future Resource | Recycling from an industrial source to provide an additional 7.5Ml/d by 2031 | TBC – discussions have started | Utilities Infrastructure – water supply |

Table 11.3.3.2 Key Southern AMP8 investment in strategic water supply assets

**11.3.3.22** Surface water management in climate resilient communities

**11.3.3.23** Climate change is expected to have an impact on the risk of flooding in several wastewater systems. Preventing surface water from entering the foul and combined systems during heavy rainfall is the most sustainable and cost-effective way to reduce releases from storm overflows.

**11.3.3.24** The 2025 National Standards for Sustainable Drainage provides a hierarchy of discharge routes whereby rainwater and surface water should first be harvested for non-potable re-use, prior to infiltration solutions where these are practicable, with discharge to the combined sewerage system a last resort. The hierarchy does not allow surface water to connect to the foul sewer network.

**11.3.3.25** To support climate resilient communities in the face of increased scale and pace of growth, given the urban creep generated by development tension could arise initially across local network capacity, before it becomes a concern for more strategic assets. The implementation of policy supporting SuDS and tighter water efficiency standards can help to address this tension, as well as reduce longer-term impacts on water resources.

**11.3.3.26** Key surface water management investment to reduce releases from storm overflows are part of the WINEP schemes mentioned in Table 11.3.3.1 above.

## 11.3.4 Broadband

**11.3.4.1** Delivery of broadband and mobile services, to support the changing needs of businesses and communities in the Borough's urban and rural communities alike, is a key demand in Policy E2 The Rural Economy and Policy INF1 Managing transport demand & impact. This recognises that the provision of improved broadband services, which are reliable, is essential for sustainable long-term economic growth and the social well-being of residents.

**11.3.4.2** The majority of the Borough has good standard of access to broadband services, with over 95% of the Borough able to access superfast broadband (of more than 30Mps). However, just over 4% of properties in Swale had access to full fibre connections (17.2% in the UK). Provision of high-capacity broadband will support businesses and attract investment. It will also support how residents choose to work and live, facilitating social inclusion and access to services and leisure opportunities. It also has the potential to increase opportunities for home and remote working, reducing commuting journeys and the need to travel, thereby contributing towards a reduction in our communities' carbon footprint.

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## 11.4 Waste

**11.4.1** KCC is the Waste Disposal Authority in the area and as such has a statutory duty to provide Household Waste Recycling Centres (HWRCs) and Waste Transfer Stations (WTSs) with sufficient capacity to accept arisings from across the county. In Swale HWRCs are located at Sittingbourne, Faversham and Sheerness, with a WTS co-located with the Sittingbourne HWRC. The WTS is a strategic site, taking kerbside collected waste from the whole of the Swale Borough. Swale Borough Council is the Waste Collection Authority in the area responsible for kerbside collection.

**11.4.2** The additional housing growth planned over the plan period will place additional demand on the waste facilities in Swale. An Infrastructure Review undertaken in 2019 noted all three waste facilities within Swale to be at operational capacity (100%) and any increase in tonnages in the future as a result of development would require mitigation. The performance of the WTS is monitored through regular contract board meetings with the Operator and liaison with the Borough Council as the Waste Collection Authority (WCA). Regular complaints over the length of time WCA vehicles queue along the access road are received. Measures to improve efficiency of the site have been investigated and where possible implemented over the past few years i.e. installation of a second weighbridge and provision of additional infrastructure to enable food waste to be accepted. However, demand has continued to grow, such that there are now no practicable options to make further improvements at this site.

**11.4.3** Discussions with KCC suggest that there would be a need for increased operational capacity through the extension of the Sheerness and Faversham HWRCs and the relocation of the Sittingbourne HWRC onto a new site which would enable the expansion of the WTS to provide for an increase in capacity required to support growth over the plan period. These projects are reflected in the Infrastructure Delivery Schedule. The delivery of the Sheerness HWRC and Faversham HWRC projects have been pushed back to “medium term 2025-2030” to reflect the beneficial impact of the booking system. The WTS project/Sittingbourne HWRC relocation remains a short-term need and therefore the category has been changed to “critical”.

**11.4.4** KCC would also seek developer contributions towards waste infrastructure improvements. This is currently £183.67 per dwelling.

**11.4.5** The allocation of the relocated Sittingbourne HWRC has been included in the Highsted Park development. However, this is dependent on the development gaining planning permission. Relocation of the HWRC would facilitate the extension of the WTS onto the land currently occupied by the HWRC, enabling the increased capacity needed for the growth forecast in the Borough.

## 11.5 Flood Defences

**11.5.1** Many areas around the Medway estuary and Swale are low-lying and at significant risk of flooding. Over the next 100 years this risk will increase due to ageing flood defences (much of the existing flood defence network was built between the 1950s and 1970s), rising sea levels and climate change. As a result, there will be a greater risk of tidal flooding to properties, agricultural land and infrastructure and the local community.

**Contributions to Medway Estuary and Swale (MEAS)**

**11.5.2** The MEAS strategy aims to reduce flood risk to over 14,000 properties, commercial and industrial sites, infrastructure (including the A249, the road connecting the Isle of Sheppey to the mainland), regeneration areas, agricultural land and conservation sites. It will also provide habitat compensation. Development that benefits from these works is therefore being asked to contribute to their funding. This is to ensure funds are adequate and to ensure the works meet funding tests. Contributions will be sought through planning obligations and potentially also through a future Infrastructure Levy. The

National Planning Policy Framework [57] (NPPF) (para 35), explains that plans should set out the contributions expected from development, including setting out the level of contribution for infrastructure, including flood and water management.

**11.5.3** Contributions towards the MEAS strategy will be required from:

- MEAS Strategy Contribution Zone 1 - all new development in the Flood Map for Planning combined undefended 1% AEP (1 in 100-year) and 0.1% AEP (1 in 1000-year), with climate change allowance for the year 2125, area Map – Flood map for planning – GOV.UK[58]; and/or;
- MEAS Strategy Contribution Zone 2 - all new development on the Isle of Sheppey. This is due to the importance to the Isle of Sheppey's security of the road and rail infrastructure onto the island (e.g. the A249), which is at tidal flood risk and is due to be protected through the MEAS schemes.

**11.5.4** The zones are also set out on the Local Plan's Proposals Map.

**Costs and funding**

**11.5.5** In 2016/17 the first ten years of MEAS was estimated at £28m. Since then costs have increased exponentially.

**11.5.6** Government's new funding policies (Flood Defence Grant in Aid – FDGiA) mean that schemes over £3m need 10% contributions from elsewhere. This could come from local councils, the County Council (eg Highways Authority), Regional Flood and Coastal Committee, infrastructure providers (eg Network Rail, Southern Water, UK Power Networks), private companies/developers and, if adopted, the MEAS contribution policy in the emerging Swale Local Plan.

**11.5.7** Without this 10% contribution these flood defence works, which are critical to protecting existing and future communities, may not come forward, or could be delayed.

**11.5.8** It should be noted that the Environment Agency's Flood and Coastal Erosion Risk Management Strategy sets out a long-term objective for Risk Management Authorities (RMAs) to work with infrastructure provides to ensure all infrastructure investment is resilient to future flooding and coastal change.

**Contribution area:**

**11.5.9** The Local Plan Policy C7 set out that contributions would be sought as follows:

- MEAS Contribution Zone 1 - The Flood Map for Planning combined undefended 1% AEP (1 in 100-year) and 0.1% AEP (1 in 1000-year) with climate change allowance for the year 2125 **and/or**;
- MEAS Contribution Zone 2 - Isle of Sheppey rate - all new development on the Isle of Sheppey. This is due to the importance to the Isle of Sheppey's security of the road and rail infrastructure onto the island (e.g. the A249), which is at tidal flood risk and is due to be protected through the MEAS schemes.

**11.5.10** It is noted that the contribution areas are also areas with stretched viability. Any contributions towards the MEAS would need to be reasonable and viability tested.

**11.5.11** In order to begin viability testing the following rates are proposed:

**11.5.12** **Flood Zone 2 and 3 zone rate**:

- £500/dwelling
- £20/sq m for all other buildings up to a cap of £10,000 at which point it reduces to £4/sq m for every further square meter

**11.5.13** and/or

57 https://assets.publishing.service.gov.uk/media/6[illegible]83cca46251/NPPF_December_2024.pdf
58 https://flood-map-for-planning.service.gov.uk/map?seg=fz,fzcl&cz=592462.7,167541.7,12.842593

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**11.5.14** **Isle of Sheppey rate**:

- £100/dwelling
- £4/sqm for all other buildings up to a cap of £2,000 at which point it reduces to £2/sq m for every further square meter

**11.5.15** Please note that sites on the Isle of Sheppey, within flood zone 2 or 3 will be required to pay both rates.

**11.5.16** It should also be note that:

- Contributions are not a payment ‘to be protected’ – but rather a contribution to a wider strategy that considers the strategy area as a whole.
- EA programme will be prioritised based on asset condition and risk to properties - not on quantity of proposed development.
- Contributions do not negate the need for landowners to continue to maintain their own defences.
- Contributions cannot be used to justify inappropriate development, and sites will still need to demonstrate they are safe for the lifetime of the development.
- Contributions do not confer a requirement on the EA to carry out works.
- Achieving 10% contribution doesn’t necessarily mean schemes will get FDGiA (although greater contributions should increase the priority).
- Contributions will be used across the borough, rather than at the development location.
- Contribution figures will increase in line with inflation. The figures set out above are for May 2026.

# 12 Appendix 1: Infrastructure Delivery Schedule

| Infrastructure Category | Old Project Reference | New Project Reference | Infrastructure Project | Project description | Location | Trigger for Timing of Delivery | Short Term 2025 - 2030 | Medium Term 2030 - 2035 | Long Term from 2035 | Indicative cost (£) | Funding secured (£) | Potential Funding Sources | Delivery Lead | Delivery partners and stakeholders | Priortisation 1 - Critical 2 - Necessary 3 - Important 4- Aspirational | Contributing sites | Comments (including risks and contingencies) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| PHYSICAL INFRASTRUCTURE | **Highways - Strategic Road Network** | | | | | | | | | | | | | | | | |
| | **PI/02** | **PISRN/01** | M2 J7 | Junction improvement to increase capacity and free flow of traffic | M2 J5/A2 Brenley Corner | | To be determined | | | £100,000,000 | | S106/S278 | National Highways | KCC Developers | 1 | | Initially identified in RIS2 as pipeline scheme but no commitment to scheme being funded. Cost is estimated Sites in Local Plan will need to 'wash their face' in terms of mitigation impacts on J7. Subject to current modelling. |
| | **PI/05** | **PISRN/04** | Bobbing junction | Junction improvements | | | | x | | Not known | | S278 | KCC | National Highways Developers | 1 | | Works are linked to NW Sittingbourne application via S278. Anticipated implementation by 2028. |
| | **Highways - Local Highway Network** | | | | | | | | | | | | | | | | |
| | **PI/06** | **PILHN/01** | Queenborough Road/Sheppey Way/A2500 roundabout | Widen Lower Road between Barton Hill Drive and Cowstead Corner | | | x | | | Not known at this stage | | S278 | KCC | Developers | 2 | | To be provided as Section 278 works |
| | **PI/08** | **PILHN/03** | Mill Lane | Widening of Mill Lane | Between Milton Road and St Paul's Street | To be determined | | | | Not known at this stage | | S278 | KCC | Developers | 2 | Crown Quay Lane | Scheme to be assessed when planning application for Phase 2 of Crown Quay Lane allocation is submitted |
| | **PI/09** | **PILHN/04** | A2 junctions, Teynham | Junction improvements to increase capacity and facilitate development | Station Road, Lynsted Road, Claxfield Road, The Crescent and Conyer Road | To be determined | x | x | | Not known at this stage | £350,000.00 | S106 | KCC | Developers | 2 | Teynham allocations | |
| | **PI/10** | **PILHN/05** | A2 Teynham | New junction and access road | West of Frognal Lane | Start of build out of site | x | | | Not known at this stage | | Development cost | Developer | KCC | 1 | Frognal Lane - Land btwn Frognal Lane and Lower Road | Junction is required to provide acceptable access to Land btwn Frognal Lane and Lower Road development without which development of site cannot be achieved.23/505541/REM Pending S106 |
| | **PI/11** | **PILHN/06** | Frognal Lane and Lower Road, Teynham | Traffic management measures | | | x | | | Not known at this stage | | S106/S278 | KCC | Developer | 2 | Frognal Lane | |
| | **PI/12** | **PILHN/07** | Love Lane and A2, Faversham | Installation of traffic signals | | | x | | | £350,000 | £350,000.00 | S106/S278 | KCC | Developer | 2 | Lady Dane Farm | |
| | **PI/13** | **PILHN/08** | Brogdale Road/A2, Faversham | Junction improvement to local road network | | | x | | | £350,000 | £350,000.00 | S106/S278 | KCC | Developer | 2 | Perry Court Farm | |
| | **PI/14** | **PILHN/09** | Grovehurst Road new link road | New link road from local road network | Grovehurst Road to land south of Bramblefield Road | To be determined by masterplan | | | | Not known at this stage | | S278 | KCC | Developer | 2 | NW Sittingbourne -Land north of Quinton Road | |
| | **PI/15** | **PILHN/10** | Head Hill/Whitstable Road/Staple Street Road | Replace junction with roundabout | | | | x | | Not known at this stage | | S106, KCC | KCC | Developers | 3 | | |
| | **PI/16** | **PILHN/11** | A249/A2500 junction | Junction capacity improvements | | | | x | | Not know at this stage | | HE, S106 | HE | KCC, Developers | 2 | Land East of Scocles Road (22/502086) | |
| | **PI/17** | **PILHN/12** | B2600/Sonora Road | Junction capacity improvements | | | | x | | Not known at this stage | | S106 | KCC | Developers | 2 | | |

| Infrastructure Category | Old Project Reference | New Project Reference | Infrastructure Project | Project description | Location | Trigger for Timing of Delivery | Short Term 2025 - 2030 | Medium Term 2030 - 2035 | Long Term from 2035 | Indicative cost (£) | Funding secured (£) | Potential Funding Sources | Delivery Lead | Delivery partners and stakeholders | Priortisation 1 - Critical 2 - Necessary 3 - Important 4- Aspirational | Contributing sites | Comments (including risks and contingencies) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | **PI/18** | **PILHN/13** | A2 Mitigation Strategy | Manage traffic on A2 and roads that flow onto it | | | x | x | x | £1,000,000 -£2,000,000 | | S106 | KCC | Developers | 2 | | Cost is an estimate and depends on land values and availability |
| | **PI/20** | **PILHN/14** | A2 roundabout | New roundabout to provide access to land at Lady Dane Farm | East of Faversham | | | x | | Not known at this stage | | Development cost | Developer | KCC | 2 | Lady Dane Farm | |
| | **PI/21** | **PILHN/15** | Graveney Road roundabout | New roundabout to provide secondary access to land at Lady Dane Farm | East of Faversham | | | x | | Not known at this stage | | Development cost | Developer | KCC | 2 | Lady Dane Farm and Graveney Road | |
| | **PI/22** | **PILHN/16** | | Link Road between A251 and A2 (via Preston Fields site) | | | | | | | | | | | | SE Faversham (Duchy of Cornwall) application 23/50533 committee resolved for approval | |
| | **PI/23** | **PILHN/17** | Scocles Road bypass, Lower Road A2500 | Spine road and new roundabout onto Lower Rd | | | | | | | | s106 | | KCC, Developers | 2 | Land East of Scocles Road (22/502086) | |
| | **PI/24** | **PILHN/18** | A2 Faversham Shared use footway/cycleway (Duchy) | Footway widening and toucan crossings between The Mall & Brenley Corner | | | | | | | | | | KCC | | SE Faversham (Duchy of Cornwall) application 23/50533 committee resolved for approval | |
| | **PI/25** | **PILHN/19** | M2 J7 Improvements (Duchy) | Third lane on A2 eastbound approach to roundabout | | | | | x | | | | | | | SE Faversham (Duchy of Cornwall) application 23/50533 committee resolved for approval | |
| | | **PILHN/20** | Sheppey Way /Sheppey Way Roundabout, Bobbing | Junction improvements to form roundabout serving new development, and changes to services access | | | | | x | | | | KCC | Developers | | Bobbing development 22/503654 | |
| | **Parking** | | | | | | | | | | | | | | | | |
| | **PI/26** | **PIPAR/01** | Station Road, Teynham | Residents off street parking | | | x | | | Not known at this stage | | Development cost | KCC | Developer | 2 | Station Road, Teynham allocation | Scheme required to reduce congestion |
| | **PI/27** | **PIPAR/02** | Lower Road, Teynham | Residents off street parking | | | x | | | Not known at this stage | | Development cost | KCC | Developer | 2 | Barrow Green Farm allocation | Scheme required to reduce congestion |
| | **Cycling, Wheeling and Walking** | | | | | | | | | | | | | | | | |
| | | **PILCW/01** | Swale LCWIP - Cycling Route | Various measures to improve existing and provide new links/infrastructure to encourge non-car usuage | Boroughwide | | x | x | x | Not known at this stage | | S106 | SBC/KCC/Developers | Developer | 2 | All | Routes identified in the Swale LCWIP |
| | | **PILCW/02** | Swale LCWIP - Walking and Wheeling Route | Various measures to improve existing and provide new links/infrastructure to encourge non-car usuage | Boroughwide | | x | x | x | Not known at this stage | | S106 | SBC/KCC/Developers | Developer | 2 | All | Routes identified in the Swale LCWIP |
| | | **PILCW/03** | KCC LCWIP Cycling Routes - Sheerness to Leysdown and Sittingbourne to Faversham | The Sheppey route aims to complement and improve the local cycle network. The corridor from Sittingbourne to Faversham supplements local aspirations for | Sheerness to Leysdown and Sittingbourne | | x | x | x | Not known at this stage | | | KCC | KCC | 3 | | |

| Infrastructure Category | Old Project Reference | New Project Reference | Infrastructure Project | Project description | Location | Trigger for Timing of Delivery | Short Term 2025 - 2030 | Medium Term 2030 - 2035 | Long Term from 2035 | Indicative cost (£) | Funding secured (£) | Potential Funding Sources | Delivery Lead | Delivery partners and stakeholders | Priortisation 1 - Critical 2 - Necessary 3 - Important 4- Aspirational | Contributing sites | Comments (including risks and contingencies) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Faversham and provides options complementing the National Cycle Network route. | to Faversham | | | | | | | | | | | | |
| | | **PILCW/04** | KCC LCWIP Walking Routes - | The walking zone in Sittingbourne is proposed to improve access within the town centre, improve pedestrian safety, provide access to the retail to the north of the railway line and improve journeys to school. | Sittingbourne | | x | x | x | Not known at this stage | | | KCC | KCC | 3 | | |
| | **PI/29** | **PILCW/05** | Western Link | Pedestrian and cycle link to improve connectivity with the town centre | Western Link to Lower Road, Faversham | | x | | | Not known at this stage | | S106 | KCC | Developer | 3 | Western Link | |
| | **PI/30** | **PILCW/06** | Barton Hill Drive | Pedestrian and cycle link to improve connectivity | West of Barton Hill Drive to Parsonage Chase, Minster | | x | | | Not known at this stage | | S106 | KCC | Developer | 3 | Barton Hill Drive | Requires third party agreement. Implementation expected from 2024 |
| | **PI/31** | **PILCW/07** | Queenborough and Rushenden | Pedestrian links | Between Queenborough and Neatscourt | By occupation of 250th dwelling | | x | | Not known at this stage | | S106 | KCC | KCC Developer | 3 | | |
| | **PI/34** | **PILCW/08** | Queenborough and Rushenden Regeneration Area | Traffic calming/environmental enhancements to local road network | Main Road, Queenborough | By occupation of 1000th dwelling | | x | | Not known at this stage | | S106 | KCC | Developer | 3 | | |
| | **PI/35** | **PILCW/09** | East Faversham | Pedestrian and cycling routes linking sites East of Faversham with town centre and rail station | | Start of build out of sites | | x | x | Not known at this stage | | S106 | KCC | Developers | 2 | Sites within east of Faversham | |
| | **Public Transport** | | | | | | | | | | | | | | | | |
| | **PI/34** | **PIPBT/01** | Sheerness, Queenborough and Kemsley rail stations | Improvements to station facilities, public transport, pedestrian and cycling links | | | x | | | Not known at this stage | | S106 | Rail operator | Network Rail Developers | 3 | Allocations within proximity of stations | |
| | **PI/35** | **PIPBT/02** | Quality Bus Partnership | Bus priority and punctuality improvements | Various locations | | x | x | x | £540,000 | £540,000.00 | KCC Bus operators S106 | KCC | Bus operators Developers | 3 | | |
| | **PI/36** | **PIPBT/03** | Extension of bus services in Faversham and Sheerness to serve new development | | Faversham Sheerness | | | x | | Not known at this stage | | KCC Bus operators S106 | KCC | Bus operators Developers | 2 | | |
| | | **PIPBT/04** | Swale Parkway Station | Expansion of Swale Station to a Parkway Station | Swale Station | | | | | | | | Network Rail | | 4 | | This will have the potential benefit of reducing traffic in congested urban areas of Sittingbourne and Sheerness by encouraging commuters away from the town centre car parks. It will also lead to modal shifts where from cars to trains by making access to the train network easier for those travelling in from the rural areas of Sheppey and Iwade. |
| | | **PIPBT/05** | Crown Quay Lane widening | | | | | | | | | | Network Rail | | 4 | | |
| | | **PIPBT/06** | Northern access to Sittingbourne station | | | | | | | | | | Network Rail | | 4 | | |
| | **Water and Utility Services** | | | | | | | | | | | | | | | | |

| Infrastructure Category | Old Project Reference | New Project Reference | Infrastructure Project | Project description | Location | Trigger for Timing of Delivery | Short Term 2025 - 2030 | Medium Term 2030 - 2035 | Long Term from 2035 | Indicative cost (£) | Funding secured (£) | Potential Funding Sources | Delivery Lead | Delivery partners and stakeholders | Priortisation 1 - Critical 2 - Necessary 3 - Important 4- Aspirational | Contributing sites | Comments (including risks and contingencies) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Wastewater treatment works | | | | | | | | | | | | | | | | |
| | | **PIWTW/03** | WINEP – overflow, other | Improve storm capacity (Court Street Faversham CSO) | Faversham | | | | | Up to £1.5m - investigations will shortlist the most suitable SuDS and other surface water separation solutions | | AMP8 Investment | Southern Water | | | | SuDS solutions are expected. Investment may split across utilities and non-utilities community-based flood mitigating infrastructure |
| | | **PIWTW/04** | WINEP – overflow, other | Improve storm capacity Faversham CEO | Faversham | | | | | TBC - Investigations are underway to shortlist the most suitable SuDS and surface water separation solutions | | AMP8 Investment | Southern Water | | | | |
| | | **PIWTW/05** | WINEP – overflow, other | Improve storm capacity Faversham SSO & root-cause spill reduction achieved through enhanced surface water management | Faversham | | | | | Up to £2.9m - investigations are underway to shortlist the most suitable SuDS and surface water separation solutions | | AMP8 Investment | Southern Water | | | | Investment may be split across utilities and non-utilities community-based flood mitigating infrastructure |
| | | **PIWTW/06** | Increase sewage treatment capacity to support growth | | Faversham | | | | | £9.2m | | AMP8 Investment | Southern Water | | | | |
| | | **PIWTW/07** | WINEP Shellfish | Enhanced microbiological treatment | Faversham | | | | | £5.5m | | AMP8 Investment | Southern Water | | | | |
| | | **PIWTW/08** | WINEP Shellfish | Enhanced microbiological treatment | Queenborough | | | | | £6.8m | | AMP8 Investment | Southern Water | | | | |
| | | **PIWTW/09** | WINEP – overflow, other (Queenborough WTW) | Queenborough WTW and SSO storm capacity improvements | Queenborough | | | | | Up to £34.7m - investigations are underway to shortlist the most suitable SuDS and other surface water separation solutions | | AMP8 Investment | Southern Water | | | | Investment may be split across utilities and non-utilities community-based flood mitigating infrastructure |
| | | **PIWTW/10** | WINEP – overflow, other (South Street Queenborough CEO) | Root-cause spill reduction achieved through enhanced surface water management and Sustainable Drainage Systems (SuDS) for local flood mitigation | Queenborough | | | | | Up to £2.9m - investigations will shortlist the most suitable SuDS and other surface water separation solutions | | AMP8 Investment | Southern Water | | | | SuDS solutions are expected. Investment may split across utilities and non-utilities community-based flood mitigating infrastructure |
| | | **PIWTW/11** | WINEP – overflow, other (Brielle Way West Minster CEO) | Root-cause spill reduction achieved through enhanced surface water management and Sustainable Drainage Systems (SuDS) for local flood mitigation | Minster | | | | | Up to £1m - investigations will shortlist the most suitable SuDS and other surface water separation solutions | | AMP8 Investment | Southern Water | | | | SuDS solutions are expected. Investment may split across utilities and non-utilities community-based flood mitigating infrastructure |
| | | **PIWTW/12** | WINEP – overflow, other (Barrows Brooke Eastchurch CEO) | Root-cause spill reduction achieved through enhanced surface water management and Sustainable Drainage Systems (SuDS) for local flood mitigation | Eastchurch | | | | | Up to £1.1m - investigations will shortlist the most suitable SuDS and other surface water separation solutions | | AMP8 Investment | Southern Water | | | | SuDS solutions are expected. Investment may split across utilities and non-utilities community-based flood mitigating infrastructure |
| | | **PIWTW/13** | WINEP Shellfish | Enhanced microbiological treatment | Eastchurch | | | | | £5.7m | | AMP8 Investment | Southern Water | | | | |
| | | **PIWTW/14** | Groundwater infiltration and improved capacity | Sewer sealing is underway to reduce infiltration | Sittingbourne | | | | | £6.6m across a range of solutions | | AMP8 Investment | Southern Water | | | | |

| Infrastructure Category | Old Project Reference | New Project Reference | Infrastructure Project | Project description | Location | Trigger for Timing of Delivery | Short Term 2025 - 2030 | Medium Term 2030 - 2035 | Long Term from 2035 | Indicative cost (£) | Funding secured (£) | Potential Funding Sources | Delivery Lead | Delivery partners and stakeholders | Priortisation 1 - Critical 2 - Necessary 3 - Important 4- Aspirational | Contributing sites | Comments (including risks and contingencies) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | **PIWTW/15** | WINEP Shellfish | Enhanced microbiological treatment | Sittingbourne | | | | | £6.5m | | AMP8 Investment | Southern Water | | | | |
| | | **PIWTW/16** | WINEP – overflow, other (St Pauls Street Sittingbourne CSO) | Root-cause spill reduction achieved through enhanced surface water management and Sustainable Drainage Systems (SuDS) for local flood mitigation | Sittingbourne | | | | | Up to £13.3m - investigations will shortlist the most suitable SuDS and other surface water separation solutions | | AMP8 Investment | Southern Water | | | | SuDS solutions are expected. Investment may split across utilities and non-utilities community-based flood mitigating infrastructure |
| | **Water Supply** | | | | | | | | | | | | | | | | |
| | | **PIWTS/01** | Future Resource | Isle of Sheppey desalination to provide up to 20Ml/d by 2041 and 30Ml/d by 2063 | Sheppey | | | | | TBC | | | Southern Water | | | | |
| | | **PIWTS/02** | Future Resource | Recycling from an industrial source to provide an additional 7.5Ml/d by 2031 | Sittingbourne | | | | | TBC | | | Southern Water | | | | |
| | **PI/37** | **PIWTS/03** | Faversham Wastewater Treatment Works | Updgrade to WwTW to provide additional capacity | | To be phased in line with development | | x | | Not know at this stage | | Southern Water AMP | Southern Water | Developers Environment Agency | 2 | | |
| | **PI/38** | **PIWTS/04** | Foul sewerage network | Reinforcement of network | Sheerness, Sittingbourne, Faversham, Neames Forstal, Teynham | To be phased in line with development | x | x | x | Not know at this stage | | Agreements between utility companies and developers | Southern Water | Developers Environment Agency | 2 | | |
| | **Utility Services** | | | | | | | | | | | | | | | | |
| | **PI/39** | **PIWTS/05** | Gas network | Reinforcement of gas network | Kingsferry Bridge Faversham | Capacity improvements will be implemented as sites come forward | x | | | Not know at this stage | | SGN Agreements between utility companies and developers | SGN | Developers | 3 | | There has been no movement on this project as network pressures in the area remain strong enough to support current demand levels. |
| | **PI/40** | **PIWTS/06** | Electricity network | Reinforcement of electricity network | | Capacity improvements will be implemented as sites come forward | x | x | x | Not know at this stage | | UKPN Agreements between utility companies and developers | UKPN | Developers | 3 | | |
| | **Waste** | | | | | | | | | | | | | | | | |
| | **PI/41** | **PIWST/01** | Sheerness HWRC | Extension of site | | Not dependant on the Local Plan | x | | | £750,000 | | KCC capital funding S106 | KCC | SBC | 3 | | HWRC extension would be onto land owned by KCC |
| | **PI/42** | **PIWST/02** | Faversham HWRC | Extension of site | | Not dependant on the Local Plan | x | | | £1,250,000 | | KCC capital funding S107 | KCC | SBC | 3 | | HWRC extension would be onto land owned by KCC |
| | **PI/43** | **PIWST/03** | Sittingbourne HWRC/WTS | Relocation of HWRC site and expansion of WTS | | Not dependant on the Local Plan | | x | | £7,000,000 | | KCC capital funding S108 | KCC | SBC | 3 | | The relocation of the HWRC would required the identification of a suitable 1 hectare site. The cost of this is £5 million Relocation of the HWRC would facilitate the extension of the WTS onto the land currently occupied by the HWRC |
| | **Flood Defences** | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |

| Infrastructure Category | Old Project Reference | New Project Reference | Infrastructure Project | Project description | Location | Trigger for Timing of Delivery | Short Term 2025 - 2030 | Medium Term 2030 - 2035 | Long Term from 2035 | Indicative cost (£) | Funding secured (£) | Potential Funding Sources | Delivery Lead | Delivery partners and stakeholders | Priortisation 1 - Critical 2 - Necessary 3 - Important 4- Aspirational | Contributing sites | Comments (including risks and contingencies) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SOCIAL INFRASTRUCTURE | **Education - Primary (including SEN provision)** | | | | | | | | | | | | | | | | |
| | **SI/02** | **SIEDP/01** | Sheerness Primary Schoools | Expansion of existing schools | Sheerness | | x | x | | £928,400 | | KCC capital funding S106 | KCC | Developers | 2 | Teynham allocations | Currently at feasibility stage to rebuild school and to expand by 1FE |
| | **SI/05** | **SIEDP/02** | Primary provision of 2FE in new all through school (phase 1) | | NW Sittingbourne | | x | | | £10,200,000 | £9,793,033.00 | KCC capital funding S106 | KCC | Developers | 2 | NW Sittingbourne and Iwade | Requires provision of land. £1,704,052 developer contribution secured for this |
| | **SI/06** | **SIEDP/03** | Primary provision of new 2FE school | | South Sittingbourne | | | x | | £14,000,000 | | KCC capital funding S106 | KCC | Developers | 2 | | Requires provision of land within Wises Lane development site |
| | **SI/06** | **SIEDP/04** | Primary provision of new 2FE school | | North Sittingbourne | | | x | | £10,200,000 | | KCC capital funding S106 | KCC | Developers | 2 | | Requires provision of land |
| | **SI/07** | **SIEDP/05** | Primary provision of new 2FE school | | East of Faversham | Actutal timing to be agreed through planning application process and secured through condition on planning permission or S106 | | x | | £10,200,000 | | KCC capital funding S106 | KCC | Developers | 2 | Lady Dane Farm | Requires provision of land |
| | **SI/08** | **SIEDP/06** | Primary provision of two new 3FE schools | | South East Faversham | | | x | | £16,400,000 | | KCC capital funding S106 | KCC | Developers | 2 | South east Faversahm | Requires provision of land Depending of the mix of housing to be provided requirement for two 2FE schools could be replaced by one 3FE school (£15,300,000) |
| | **SI/09** | **SIEDP/07** | Provision of new 1FE to 2FE school | | Lady Dane Farm, Faversham (Phase 2) | | | x | | | £5,400,000.00 | KCC capital funding. S106 | KCC | Developers | 2 | Lady Dane Farm and North of Graveney Road | School site has not currently been identified. 21/502927/FULL - Phase 2 Love Lane. KCC to confirm if still required |
| | **SI/09** | **SIEDP/08** | Highsted Park Primary School | 21/503/836 N 1x2FE 21/503914 1x2FE, 2x3FE Both awaiting Appeal decision | North and East of Sittingbourne South and East of Sittingbourne | | | | | | | KCC capital funding. S107 | KCC | Developers | 2 | Land N & East of Sittingbourne Land S & E of Sittingbourne | Provision of land within development |
| | | **SIEDP/09** | Primary provision Bobbing | 22/503654 1x2FE Awaiting decision | Land West of Bobbing | | | | | | | | | | 2 | | |
| | **SI/10** | **SIEDP/10** | St Mary's County Primary School | Expansion of premises | | | | x | | £928,400 | | KCC capital funding S106 | KCC | Developers | 2 | | |
| | **Education - Secondary and Further (including SEN provision)** | | | | | | | | | | | | | | | | |
| | **SI/11** | **SIEDS/01** | Secondary provision of 6FE at new all through school (over 2 phases) | | NW Sittingbourne | Actutal timing to be agreed through planning application process and secured through condition on planning permission or S106 | x | x | | £27,000,000 | £24,407,357.00 | KCC capital funding S106 | KCC | Developers | 2 | NW Sittingbourne | Requires the provision of land. £9,215,602 developer contributions secured for this |

| Infrastructure Category | Old Project Reference | New Project Reference | Infrastructure Project | Project description | Location | Trigger for Timing of Delivery | Short Term 2025 - 2030 | Medium Term 2030 - 2035 | Long Term from 2035 | Indicative cost (£) | Funding secured (£) | Potential Funding Sources | Delivery Lead | Delivery partners and stakeholders | Priortisation 1 - Critical 2 - Necessary 3 - Important 4- Aspirational | Contributing sites | Comments (including risks and contingencies) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | **SI/12** | **SIEDS/02** | Secondary provision of 4FE new school | | East of Faversham | | x | | | £26,000,000 | | KCC capital funding S106 | KCC | Developers | 2 | Graveney Road, Lady Dane Farm, south east Faversham | Costs estimated |
| | **SI/13** | **SIEDS/03** | The Abbey School, Faversham | Expansion of existing school by 2FE | | | x | | | £6,900,000 | £2,015,283.00 | S106 | KCC | Developers | 2 | Land North Of Graveney Road | |
| | **SI/15** | **SIEDS/04** | Westlands Secondary Schoool | Expansion of existing school by up to 1.5FE | | | | | | Unknown | £1,133,286.00 | S106 | KCC | Developers | 2 | | |
| | | **SIEDS/05** | Education - SEN | | | | | | | | | | | | | | |
| | **SI/18** | **SIEDS/06** | Expansion of Queenborough & Rushenden site Sheppey SEN School | Provision of primary SEN provision | | | x | | | £9m dated 2025 costs | | KCC capital funding S106 | KCC | | 2 | | To reflect need for SEN school on Isle of Sheppey, and thereby reduce the travel of pupils away from the Island |
| | **SI/19** | **SIEDS/07** | Provision of new SEN facilities across the Borough | Expansion of premises for SPR and AP facilities at mainstream schools | | | x | x | x | Not known at this stage | | KCC capital funding S106 | KCC | Developers | 2 | | To reflect the need to address SEN facilities at capacity across the Borough |
| | **HEALTHCARE** | | | | | | | | | | | | | | | | |
| | **SI/20** | **SIHTC/01** | Sittingbourne Memorial Hospital | Maximise use of hospital site, including reconfiguration of the existing building where required | | | x | x | x | Not known at this stage | | S106 monies NHS Capital | Kent and Medway ICB/ NHS Property Services | | 2 | | Maximum utilisation of existing NHS properties is a key principle in the ICB Estates and Infrastructure Strategy |
| | **SI/22** | **SIHTC/02** | Reconfiguration/ Refurbishment of Ground Floor of Frank Lloyd Unit | Reconfiguration/ refurbishment to support proposal to relocate The Chestnuts Surgery, East Street | | | x | x | | | | S106 monies NHS Capital GP led scheme | NHS Property Services | NHS Kent and Medway ICB. The Chestnuts Surgery | 1 | | |
| | **SI/26** | **SIHTC/03** | Sheppey Community Hospital | Maximise use of the Community Hospital site, including reconfiguration of the existing building where required | | | x | x | x | Not known at this stage | | S106 monies NHS Capital | Kent and Medway ICB/ NHS Property Services | | 2 | | Maximum utilisation of existing NHS properties is a key principle in the ICB Estates and Infrastructure Strategy |
| | **SI/27** | **SIHTC/04** | Relocation of Sheppey Healthly Living Centre (Minster Medical Centre) | New building - part of Sheerness Revival Project | | | x | x | | Not known at this stage | | Levelling Up Funding | Swale Borough Council | SBC / Developers, GP practice/ NHS Kent and Medway ICB | 1 | | |
| | **SI/29** | **SIHTC/05** | Reconfiguration / expansion of General Practice capacity in Faversham | Reconfiguration/extension of existing practice buildings (Newton Place Surgery / Faversham Medical Practice) | | | x | | | Not known at this stage | | S106 monies GP led scheme | Netwon Place Surgery/ Faversham Medical Practice | NHS Kent and Medway ICB | 2 | | Project to be scoped |
| | **SI/30** | **SIHTC/06** | The Medic Care Surgery - New Premises | Extension/reconfiguration of existing premises to be considered | | | x | x | | Not known at this stage | | S106 monies NHS Capital Developer capital | The Medic Care Surgery | Developers, GP practices NHS Kent and Medway ICB | 2 | | |
| | **Social Provision** | | | | | | | | | | | | | | | | |
| | **SI/31** | **SISPR/01** | Library provison | Refurbishment or improvement of premises, additional stock and equipment | Borough wide | | x | x | x | Not known at this stage | | KCC capital funding S106 | KCC | Developers | 3 | | |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | **SI/32** | **SISPR/02** | Youth services | Additional resources and equipment | Borough wide | | x | x | x | Not known at this stage | | KCC capital funding S107 | KCC | Developers | 3 | | |
| | **SI/33** | **SISPR/03** | Community learning | Additional provision | Borough wide | | x | x | x | Not known at this stage | | KCC capital funding S108 | KCC | Developers | 3 | | |
| | **SI/34** | **SISPR/04** | Social care | Additional provision | Borough wide | | x | x | x | Not known at this stage | | KCC capital funding S109 | KCC | Developers | 2 | | |
| | **Open Space Provision** | | | | | | | | | | | | | | | | |
| | **GI/01** | **SIOSP/01** | On site open space provision | | Various | Provision as sites come forward | x | x | x | Not known at this stage | | S106 | SBC | Developers | 3 | All allocations | Provision to be made in accordance with Council's adopted open space standards |
| | **SPORTS AND PLAY PROVISION** | | | | | | | | | | | | | | | | |
| | Built Facilities | | | | | | | | | | | | | | | | |
| | **GI/02** | **SIBFS/01** | Sports Hall 1 | Community access to an additional 9.5 badminton courts by 2038 (sport specific needs to address include: badminton, boccia, hockey, netball and table tennis) | Borough wide | | | | x | Not known at this stage | | S106 | SBC/Sport England | Developers | 3 | All allocations | Provision to be made in accordance with Council's Built Facility Assessment and Strategy |
| | **GI/03** | **SIBFS/02** | Sports Hall 2 | Refurbish/redevelopment of existing ageing facilities | Education sites and SBC facilities (Sheppey dryside is being re-developed as part of the Levelling Up project) e.g. Fulston Manor School, Oasis Academy, Queen Elizabeth's Academy and The Abbey School. | | | | x | Not known at this stage | | S107 | SBC/Sport England | Developers | 3 | All allocations | Provision to be made in accordance with Council's Built Facility Assessment and Strategy |
| | **GI/04** | **SIBFS/03** | Swimming Pools | Retain provision of existing levels and quality of community accessible and affordable swimming facilities as a minimum | Borough wide | | | | | | | | | | 3 | | Provision to be made in accordance with Council's Built Facility Assessment and Strategy |
| | **GI/05** | **SIBFS/04** | Sheppey Pool | Seek to redevelop and extend water provision at Sheppey Pool from 6 lanes to 8 lanes (under-supply of water space of 188.49 sq. m by 2038). Potentially s106 funding could contribute to this investment. | Sheppey | | | | | | | | | | 3 | | Provision to be made in accordance with Council's Built Facility Assessment and Strategy |
| | **GI/06** | **SIBFS/05** | Squash Facility | Retain existing levels of provision within the borough. | Borough wide | | | | | | | | | | 3 | | Provision to be made in accordance with Council's Built Facility Assessment and Strategy |
| | **GI/07** | **SIBFS/06** | Indoor Bowls | Retain provision of existing indoor bowling rinks at Milton Recreation Ground | Sittingbourne | | | | | | | | | | 3 | | Provision to be made in accordance with Council's Built Facility Assessment and Strategy |
| | **GI/08** | **SIBFS/07** | Re-furbish the Sheppey sports hall and remodel to include activities more conducive to getting more of this specific community more active throughout their lives. | Continue to develop and progress the development of the Sheppey Leisure Complex (dryside) refurbishment project | | | | x | | | | Levelling up Fund grant; SBC officers; external consultants | SBC | | 3 | | Provision to be made in accordance with Council's Built Facility Assessment and Strategy |

| Infrastructure Category | Old Project Reference | New Project Reference | Infrastructure Project | Project description | Location | Trigger for Timing of Delivery | Short Term 2025 - 2030 | Medium Term 2030 - 2035 | Long Term from 2035 | Indicative cost (£) | Funding secured (£) | Potential Funding Sources | Delivery Lead | Delivery partners and stakeholders | Priortisation 1 - Critical 2 - Necessary 3 - Important 4- Aspirational | Contributing sites | Comments (including risks and contingencies) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Playing Pitches | | | | | | | | | | | | | | |
| | GI/09 | SIPPS/01 | Norton Park Sports Club | PitchPower Assessment has been carried out resulting in Basic assessment, Implement the Pitch Power assessment findings and build future site capacity. | Faversham | | x | x | | | | | Norton Park sports Club/ Kent CFA/ Football Foundation | | 3 | | Provision to be made in accordance with Council's Playing Pitch Strategy |
| | GI/10 | SIPPS/02 | Milton Recreation Ground | Carry out a PitchPower Assessment and implement findings to improve pitches from poor to good quality and increase capacity of play. | Sittingbourne | | x | | | | | | Swale BC/ Kent CFA/ Football Foundation | | 3 | | Provision to be made in accordance with Council's Playing Pitch Strategy |
| | GI/11 | SIPPS/03 | Murston Recreation Ground – Area of eprivation | Carry out a PitchPower assessment and implement the findings to improve the pitch quality from poor to good. Increasing the pitch quality will alleviate current overplay of adult and youth 11v11 and junior 9v9 grass pitches. | Sittingbourne | | | | | | | | Woodcombe Sports and Social Club/ Kent CFA /Football Foundation | | 3 | | Provision to be made in accordance with Council's Playing Pitch Strategy |
| | GI/12 | SIPPS/04 | Sheerness East Working Men's Club | Implement the findings to improve the adult 11v11 football pitch to a good quality to improve capacity and alleviate overplay. | Sheppey | | x | | | | | | Sheerness East Working Men's club/ Kent CFA | | 3 | | Provision to be made in accordance with Council's Playing Pitch Strategy |
| | GI/13 | SIPPS/05 | Sheppey Sports Club FC | Implement the findings of the PitchPower assessment to improve the adult 11v11 and junior 9v9 to increase capacity. | Sheppey | | x | | | | | | Sheppey Sports Club/ Kent CFA | | 3 | | Provision to be made in accordance with Council's Playing Pitch Strategy |
| | GI/14 | SIPPS/06 | Shurlands Meadow East Church | improvements to the Pavilion. | Sheppey | | | | | | Planning application 19/500887/FULL provides £8,895 for formal sport contribution towards the upgrade and enhancement of the quality of the pavilion facilities at the cricket ground Shurland Meadow. | | Shurlands Meadow Trust/Swale BC | | 3 | | Provision to be made in accordance with Council's Playing Pitch Strategy |
| | GI/15 | SIPPS/07 | Co Op Sports Club | Implement the findings of the PitchPower Assessment to increase the quality of the pitches to improve capacity of play. | Sheppey | | | | | | | | Co-op Sports club/ Kent CFA | | 3 | | Provision to be made in accordance with Council's Playing Pitch Strategy |
| | GI/17 | SIPPS/09 | Central Park Stadium | Implement the findings of the Pitch Power assessment to provide good quality pitches and increase capacity of play. | Sittingbourne | | | | | | | | Swale BC /Kent County FA/ Bredhurst Juniors FC | | 3 | | |

Table 12.0.1

See separate schedule for spreadsheet version

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# EMA5 Land East of A2/M2 Junction



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**Appendix VI: Table of Comments Made, Changes Requested and Officer Response following PTPWG 30th June 2026 on Local Plan Review – Regulation 19 Consultation Launch**

| Comments from PTPWG | Response |
|---|---|
| **Policy HOA1 Land at Graveney Road, Faversham** | |
| The introductory text at paragraph 11.1.1 be corrected to name the rail line crossing the site as "Faversham-Ramsgate" | Noted. This correction has been carried out. |
| **Policy HOA2 Land at Lion Field, Faversham** | |
| The introductory text at paragraph 11.2.1 be corrected to change the M2 footbridge reference to a level crossing | Noted. This correction has been carried out. |
| **Policy Regen 3 Queenborough and Rushenden** | |
| Whether the picture reference 9.9.2 on page 85 clearly reflects the current position on the Queenborough and Rushenden Regeneration Area sites in terms of land use and layout | This diagram has been taken from the Queenborough and Rushenden Masterplan addendum 2015 to provide context as part of the introduction to the regeneration area.<br><br>Text has been added to the Reg 19 document before the picture to make clear an indicative diagram from the masterplan is presented below. |
| Questioned the exact increase in HIF funding being higher than that referenced at paragraph 9.9.19 | Input on the funding increase is required from the strategic assets officer who is currently on leave.<br><br>For now the wording of the paragraph has been amended to include "in excess of "… £6.2 million to reflect the higher amount. The exact value will be input before the Regulation 19 document is presented to Full Council |
| **Policy STRAT1 Land west of Bobbing** | |
| That reference to the live planning application for this site be removed as a result of the resolution to grant planning consent subject to completion of a legal section 106 agreement which was made by Planning Committee | The site has a resolution to grant and this involves delegated authority to officers to complete of a legal S106 agreement before a decision notice to grant can be issued.<br><br>This site is now referred to as having a resolution to grant in the Regulation 19 Local Plan document. |
| **Policy H10 Houses in Multiple Occupation** | |
| That references to the HMO SPD and Article 4 direction be updated to reflect recent decisions | Noted.<br>Reference is now made in the introduction to the Policy that the HMO |

| | |
|---|---|
| | SPD has been adopted by the Council and that Planning Committee has placed an immediate Article 4 direction into effect on HMOs for the whole borough and that this is due to be "made" by the Council in July. |
| **Policy B6 Agricultural Land** | |
| Could the policy require consideration of the cumulative loss of agricultural land in planning decision making. | Criteria 3 of Policy B6 Agricultural Land set out<br><br>"*in order to secure permission, it must* be evidenced *that development would not result in the remainder of the agricultural holding becoming not viable and lead to accumulated and significant losses of best and most versatile agricultural land."*<br><br>To make criteria 3 of policy B6 clearer and to be considerate of members request, it has been amended in the Regulation 19 Local Plan document by splitting the criteria and creating a fourth and adding in cumulative to that policy. The criteria is now:<br><br>*3.The development would not result in the remainder of the agricultural holding becoming not viable; and*<br>*4. There is clear, justifiable overriding need when proposals will lead to cumulative significant loss of best and most versatile agricultural land.* |
| **Policy Regen 4 Kent Science Park** | |
| Add in the requirement for a masterplan, and address matters on compatible and complementary uses and review of use classes | Noted. The requirement for a masterplan has been added to this policy introduction text at paragraph 9.15.5<br><br>For clarity the uses are now listed in the Regulation 19 Local Plan document on this policy matter rather than being linked to the definition of a science park |
| **Policy HE5 Archaeology** | |
| Members questioned can the Local Plan boost what can be done with significant archaeological finds, in particular to secure display in the local area. | Policy HE5 sets out detailed criteria on what is required from applications for development that has the potential to affect archaeology sites. This includes |

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| | amongst other matters requirements for detailed field work and detailed mitigation measures where appropriate. |
| **Amendments to the Regulation 19 launch covering report** | |
| Amend recommendation 3 on the matter of Transport and Air Quality evidence by removing the word 'outstanding' to 'awaited' and to end the recommendation there. | Noted, and this was the recommendation agreed by PTPWG. The wording for the P&R recommendation additionally includes "and that engagement between PTPWG and the consultants will be ongoing" since, as with other Local Plan evidence, the transport and air quality evidence will be brought to members of PTPWG when drafted for their noting. |
| That the table in the PTPWG report setting out "housing sites removed and amended" be reworded to be clear that Homes England are stating the Queenborough and Rushenden Regeneration Area sites cannot meet the deliverability set out in the adopted masterplan and the predicament this has put the council in. | To make clear the ongoing discussions with Homes England regarding these sites the paragraph that introduces the table of sites for removal and amendment for P&R has set out the changes in deliverability of the sites and what the Council's current position is through is approach used in the HELAA. |
| Concern was raised about a Pre-Application Protocol Letter received (ahead of Judicial Review) regarding the decision made by Full Council on 1 April 2026 relating to choice of growth options. | Officers responded on the night that both internal legal advice and external counsel advice had confirmed that the Council's position and response to the proposed claim was robust and was not considered to merit any change to the course of action.<br><br>To reflect this section 6 of the P&R report has been updated to make reference to the risk of Judicial Reviews. |
| **Draft Infrastructure Delivery Plan and Schedule June 2026** | |
| Members raised concerns on three infrastructure matters that should be included as within the Infrastructure Delivery Plan (IDP) that accompanies the Local Plan. The matters are commonly known as:<br>Swale Station;<br>Crown Quay Lane widening; and<br>Northern access to Sittingbourne station. | Whilst (1) it is for the transport modelling to determine what transport solutions are needed to mitigate the impacts of the Local Plan's proposed growth, and (2) it is not the role of the Local Plan to address existing transport problems (but to mitigate for those occurring through growth in the Local Plan).<br><br>The three matters raised by members have been included within the IDP as aspirations at this stage. The IDP is a live document and will be updated on |

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| | these three matters amongst others, as the Local Plan progresses and evidence is completed that sets out required transport mitigation required. |
| **Local Green Space Assessment – preceding PTPWG 30th June item** | |
| As part of the discussion by PTPWG on the findings of the Local Green Spaces (LGS) Assessment members set out their strong views on spaces that where found in the assessment to not meet the criteria of a LGS for the purposes of the National Planning Policy Framework.<br><br>Members voted to the include the following spaces as proposed LGS:<br>• LGS/079 - Playing area and field adjacent to Vincent Gardens, Sheerness;<br>• LGS/137 - Land at Bapchild (to be changed to Village Green at Bapchild);<br>• LGS/140 - Land west of Farm Cottages, Rodmersham;<br>• LGS/144 - Land between the A2 and Grove Park Avenue, Borden; and<br>• Stones Farm Country Park be included as a proposed local green space (not included in the assessment).<br><br>Members also requested:<br>• A rename of site LGS137 to Village Green at Bapchild instead of land at Bapchild<br>• To split LGS/080 - Beachfields Park, Sheerness so that the left parcel is separated from the larger site parcel to the right and reassessed; and<br>• A correction was requested to for site 94 name reference to be changed from Borden to Bobbing in the assessment. | The assessment is being updated to reflect the members requests regarding the change of status of sites to proposed LGS and the inclusion of Stones Farm County Park, including the splitting of site LGS/080 into two and reassessing.<br><br>The amendments to site names as requested will be carried out<br><br>To reflect the additional proposed LGS requested by members the Local Greenspaces maps as part of the recommended changes to the policies map in Appendix II of the Regulation 19 Local Plan document will be updated as part of finalising the document for consultation. |
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