Swale BOROUGH COUNCIL

Local Plan Review 2021








Pre-Submission Document (Regulation 19)

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Contents

1 Introduction

What is a local plan?

1.0.1 The Local Plan is the document that contains the policies for how the borough will change over the period up to 2037/38, which is the end date of the plan. It identifies the amount of development that will take place, the areas and sites where development is expected to be accommodated and where it will be restricted. It sets out policies for how planning applications will be decided.

1.0.2 Once adopted, the plan will form part of the 'development plan' for the borough. This means that legally, it will be the main consideration in deciding planning applications in Swale.

1.0.3 The local plan review will replace the existing local plan, Bearing Fruits and will roll forward unimplemented development land allocations that are essential to meet the development needs of the borough for the plan period. This will mean that the Council's development plan will consist of the Local Plan Review that will supersede and replace Bearing Fruits. Kent County Council Minerals and Waste Local Plan will continue to provide the policy framework for waste and minerals and all SPDs will roll forward as they relate to the 'parent' policy in this plan once approved. Along with the Faversham Creek Neighbourhood Plan, any further neighbourhood plans prepared by town and parish councils will also make up the "statutory development plan" and will have important status in determining future planning applications in the area.

Why is the local plan being reviewed?

1.0.4 The adopted local plan, Bearing Fruits 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 2038.

1.0.5 Swale Borough Council is reviewing its adopted local plan to:

- deliver the spatial objectives of the Swale Borough corporate strategy that better reflects Council objectives including responding to the Council's Climate and Ecological Emergency and subsequent Action Plan;
- reflect changes to national planning policy and guidance, particularly the new National Planning Policy Framework introduced in February 2019 and the requirement to review local plans every 5 years;
- extend the plan period to 2038 in order to ensure that there will a 15 year time horizon from adoption for strategic policies as recommended in the NPPF in order to anticipate and respond to long term requirements and opportunities, such as those arising from major improvements in infrastructure;
- provide for additional new housing, employment and other development that will be required to meet future needs over the extended plan period as required by the government.

How are local plans prepared?

1.0.6 Local plan preparation follows a process set out by government. Local plans must be informed by evidence and engagement with communities to identify the issues and potential options for addressing them. The evidence base for this Local Plan Review is set out in appendix i. It also includes other documents, strategies and plans that have influenced the content of this review but is not an exhaustive list. The Council undertook consultation in the spring of 2018 with the 'Looking Ahead' document. The main issues raised have informed this document, influencing how and where the Borough's development needs should be met and helped to identify priorities for our communities such as delivering affordable housing and responding to climate change.

How to use this document

1.0.7 It is important that this document is read as a whole. Whilst there might, for example be a policy dealing with a specific type of development or site, other policies in the plan may also be relevant, for instance around amenity or design.

1 Introduction

What are we consulting on in this document?

1.0.8 This document is the pre-submission draft of the Local Plan Review, sometimes referred to as the 'Regulation 19 plan'. This consultation seeks representations as to legal compliance and soundness of the Local Plan only. It sets out the strategic vision, objectives and spatial strategy for the Borough, as well as the planning policies that will guide future development. Once the consultation period for this document ends, the Council will submit the document to the Secretary of State for examination along with all of the representations received. The Secretary of State will appoint an independent planning inspector who will assess this plan for its 'soundness'. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework.

Plans are sound if they are:

- Positively prepared – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

How and when to make comments

1.0.9 Any comments on the content of this document will need to be made in writing and submitted to the Council within the statutory six week consultation period. It is advisable to consider the guidance notes for responding to this consultation that accompanies this document because all representations made must be based on whether the Plan is considered to be "Sound" and/or Legal Compliant. Representations must therefore be submitted on the Representation Form which is available on the Council's website.

Next steps

1.0.10 The comments received will be summarised and provided to the planning inspector under Regulation 22 of the Local Plan Regulations along with the submission version of the Local Plan Review and accompanying documents.

2 Our vision, challenges and strategic objectives

Introduction

2.0.1 The NPPF requires local plan policies to set out an overall strategy for the pattern, scale and quality of development in their borough to address the Borough's priorities for the development and use of land.

2.0.2 The strategy for a local plan has several influences. These are summarised in the figure below.



Picture 2.0.1

2 Our vision, challenges and strategic objectives

2.0.3 The table below highlights some of the key characteristics of the borough.

Area	144.2 square miles
Strategic location	North Kent Bordered by: Medway Council (west), Maidstone Borough (south), Ashford Borough (south east) and Canterbury (east).
Transportation links	Strong transportation links east/west along the M2 and A2 and for rail services between London and Canterbury/the coast including High Speed services. North/south links via A249 and A251 are weaker.
Population	Total: 148,500 (mid-2018 estimates) Split: 49.5 Male; 50.5 female Average age: 40.5 years Aged 0-14: 28,300 – 19.1% Aged 15-64: 91,700 – 61.7% Aged 65+: 28,400 – 19.2%
Urban/Rural spilt	Most of the borough is rural in character. Largest rural settlements are Boughton, Teynham, Newington, Iwade, Eastchurch and Leysdown Principal town: Sittingbourne Other towns: Faversham and Sheerness
Assets and constraints	Ramsar: Medway Estuary; Swale Estuary and Marshes Special Areas of Conservation: Queendown Warren; The Blean complex Special Protection Area: Swale SPA; Medway Estuary and Marshes SPA; Outer Thames Estuary SPA Sites of Special Scientific Interest (SSSIs): The Swale; Medway Estuary and Marshes; Sheppey Cliffs and Foreshore; Church Woods; Ellendedn Wood; Queendown Warren; Purple Hill Marine conservation zone (MCZ): Swale Estuary; Medway Estuary Listed buildings: 1,440 Conservation areas: 50 Scheduled monuments: 22 Historic Parks and Gardens:4

Rivers and waterways	The Medway Estuary; The Swale, Milton Creek, Conyer Creek, Oare Creek, Faversham Creek
Dwelling stock	Total: ??(date source date) Private sector: Private registered provider: Other public sector: Local authority: 0

Table 2.0.1

2.0.4 Preparing a local plan review provides an opportunity to address key challenges facing the Borough, shown by the evidence and by the Corporate Plan and other Council documents such as the Council's Climate and Ecological Emergency declaration and Action Plan. Indeed, the Local Plan Review plays a fundamental role in how the Council and the Borough can respond to mitigating the effects of climate change, helping deliver the objective of a carbon zero borough by 2030.

2.0.5 The key challenges addressed by this Local Plan Review are:

- How to deliver a carbon zero borough by 2030
- How to meet the varied housing needs of the growing population in the right places
- How to support the needs of the local economy so that it can continue to be competitive and create quality local jobs
- How to deliver the infrastructure requirements needed to support growth and create high qualities places
- How to deliver sustainable growth while protecting and enhancing our historic and natural assets
- How to manage change in our town centres so that they remain vital, competitive and attractive places to meet, live, work and enjoy
- How to embed sustainable and active travel options and behaviour into our existing and new developments to improve air quality, reduce traffic accidents, reduce congestion and improve the health and wellbeing of residents

Responding to the Climate and Ecological Emergency declaration, 2019

2.0.6 The National Planning Policy Framework sets out that 'plans should take a proactive approach to mitigating and adapting to climate change' in line with the provisions of the Climate Change Act 2008, which itself was updated in 2019 with a net zero carbon by 2050 emissions target. Local planning authorities are bound by the legal duty set out in Section 19 of the 2004 Planning and Compulsory Purchase Act (as amended by the 2008 Planning Act) to ensure that, taken as a whole, local plan policies contribute to mitigation and adaptation to climate change.

2.0.7 Swale Borough Council declared a Climate and Ecological Emergency in 2019 (with a borough wide net zero by 2030 target) and in response to this developed a 'living' Action Plan in 2020. https://services.swale.gov.uk/meetings/documents/s16228/Climate%20Appendix%20I%20Annual%20Report.pdf

2.0.8 The 2021 Progress Report, examines the baseline energy consumption and emissions and references research from the Tyndall Centre which has determined that for Swale to reach net zero by 2050 would require annual emissions reduction across the borough of between 13 and 25% annually.

2.0.9 The Department for Business, Energy and Industrial Strategy releases figures forCO_2 emissions for all local authorities. These demonstrate, that due to the nature of business in Swale, Swale has higher energy consumption and carbon emissions from the commercial and industrial sectors that other Kent

2 Our vision, challenges and strategic objectives

districts. BEIS sets out that in 2018 16% of emissions came from domestic properties, 30% from transport and 54% from industrial and commercial emissions. Whilst emissions are falling, for example, between 2017 and 2018 total carbon emissions fell by 1.93% this falls far short of the 13-25% annual reduction required.

2.0.10 The Local Plan Review, taken as a whole, seeks to contribute to mitigating and adapting to climate change. The strategy itself seeks to maximise the use of brownfield land, particularly in Sittingbourne Town Centre and focuses new development at sites accessible to railway stations at Queenborough/Rushenden, Sittingbourne, Teynham, Faversham and Neames Forstal on sites that are safe from flood risk and where active travel and climate change adaptation can be progressed. A suite of strategic and development management policies including those on transport, health, the natural environment, water, flooding and sustainable design and construction aim to mitigate and adapt to climate change and enable Swale to play its part in rising to the climate challenge.

2.0.11 The Local Plan Review is limited in its influence over important contributions to emissions, in particular those from industrial emissions and existing development. However, within the sphere of its control it seeks to radically reduce emissions to zero carbon by 2030 from new domestic and commercial buildings (see DM 3 and DM 4) and to turn around the reliance the Borough has traditionally had on fossil fuel-based on-road transport.

2.0.12 To reach the government's net zero by 2050 target will be a challenge and will need leadership from government and support from individuals and the private sector. To reach the Borough's net zero by 2030 target will be even more difficult. However, the Local Plan Review's contribution is clear and progress will be monitored as part of the Local Plan Review, assessed within the Climate and Ecological Emergency Progress reporting process and open to public scrutiny.

Our rich, extensive ecological and landscape interests and the need to maintain their protection

2.0.13 The Borough's outstanding environment is influences by its geology, soils, topography, history and biodiversity. There are three broad landscape types – the chalk of the Downs, the central agricultural plain and the clay marshes of the Thames Estuary. The chalk grasslands, fields, valleys and woodlands of the North Downs, comprising part of the Kent Downs Area of Outstanding Natural Beauty dominates the southern reaches of the Borough. Its slopes and valleys fall coastward, criss-crossed by narrow and sometimes sunken lanes. Beyond the chalk are the rich agricultural soils on the plains around Watling Street, the Roman road now the A2. Here are some of the most productive soils in the country. London clay underlies the northern and coastal boundaries of the Borough. At 111 km, the coast has a major influence on landscape and wildlife. Around the Swale and Medway, extending inland to the edges of the three main towns, is a continuous belt of marsh is prone to tidal flooding; its mudflats, grazing and salt marshes cut by ditches, dykes, inlets and creeks. These watercourses and marshes provide important ecological habitats, in particular for wintering and passage birds.

2.0.14 Historically, the settlement pattern and growth has been heavily influenced and shaped by the Borough's environmental assets. This approach continues to drive the emerging development strategy. Not only does the development strategy seek to avoid development at these areas but also to consider the recreational disturbances on the Medway and Swale Estuary and Marshes site that is designated at international level for its landscape and ecology. We need to manage recreational pressures on internationally important habitats and are working with North Kent districts to ensure that indirect impacts upon estuarine habitats can be compensated through habitat creation/management and the implementation of the Strategic Access Management and Monitoring Strategy that enables developer contributions to be levied to implement it. For more info see https://northkent.birdwise.org.uk/

2.0.15 Conserving and enhancing our outstanding natural environment is at the heart of our strategy as Swale is recognised for the quality of its estuaries, woodlands, valleys and downlands. To achieve enhancements overall, this means protecting and enhancing valued landscapes, geology and soils and co-ordinated working to secure coherent ecological networks and a reversal in declines in the quality and

diversity of the environment. On a wider level, our strategy also recognises the value of ecosystems for the support they give to society, such as for food, water, flood, disease control, recreation and health and well-being.

2.0.16 Achieving a net-gain in biodiversity and development will play a crucial part of our strategy, from avoiding important habitats to integrating and enhancing biodiversity in landscaping and open spaces, through to the design of the streets and buildings themselves.

A dynamic and competitive economic sector

2.0.17 Only 50 miles from central London, with good transport links, including the High Speed Rail Link and easy road access to the motorway network, international rail services and ports Swale has a strong and diverse economy. The current local plan, Bearing Fruits already provides sufficient sites to meet employment needs within the short to medium term and additional sites at Faversham and at Lamberhurst Farm will contribute to meet further needs. Mixed-use developments on strategic sites are expected to deliver 1 to1 provision of homes to jobs and a more flexible approach to the redevelopment and intensification of existing strategic employment sites is proposed by the emerging strategy. Greater flexibility at the town centres will also provide opportunity for a range of businesses and employment opportunities and support town centre vitality and viability in response to difficulties presented by the coronavirus pandemic and general shifts in shopping patterns.

2.0.18 Our strategy focuses on creating a strong supply of employment land and improving the quality of our economic offer. It will enable the Borough to branch out into currently 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 to both serve different locations and the needs of differing sectors. We will be flexible, accommodating unexpected opportunities and allowing for the upgrading and renewal of existing older sites. Swale's manufacturing sector is strong and our strategy will seek to stabilise the sector and support the emergence of more niche and advanced manufacturing activities.

2.0.19 Tourism is a major contributor to the local economy and 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.

2.0.20 Our strategy anticipates growth in agriculture and horticulture and 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 they can be successfully integrated within their locality.

2.0.21 Improving school performance will bring improved skills into the local workforce, but this more mobile workforce will need to be able to work and/or set up businesses locally by providing flexible planning policies that support a greater choice of opportunity. 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 the Borough, and promote closer links between learning and employment opportunities.

2.0.22 The Council's vision for the Local Plan Review sets out what it intends to achieve for the borough through new development and is as follows:

2.0.23 Generally, new development would come forward to meet local needs and have contributed to supporting low carbon/zero carbon and renewable energy initiatives, enhance the natural environment through biodiversity net gain, ensuring quality design and place making capitalising on the borough's extensive natural and heritage assets.

2 Our vision, challenges and strategic objectives

2.0.24 At Sittingbourne, a re-focussed town centre aimed at securing a vital and viable retail heart supported by leisure and dinning opportunities, whilst enabling new high density residential and community activity. This has been achieved by wider regeneration, public realm improvements, and reconfigured and improved transport connections at and around the town.

2.0.25 At Faversham, a thriving market town and heritage designation that has successfully managed 21st century demands. It has been achieved by enabling sympathetic and symbiotic growth whilst reducing congestion and air quality issues along the A2.

2.0.26 At Sheerness, Minster and Queenborough, the promotion of coastal and port rejuvenation making most use of its heritage assets whilst supporting the needs of the local communities.

2.0.27 At our rural and maritime communities, enable development to maintain and improve local services to cater for the local daily needs of its residents and to support vibrant communities whilst maintaining the quality of the local countryside environments in which they are set and protecting their heritage.

Strategic objectives

2.0.28 Strategic objectives seek to guide the location of development and shape it through strategic policies. Taking account of the influences on the Review and the key challenges facing the borough and its communities, a set of objectives have been defined to set the framework for the detailed policies that follow. These are shaped by local evidence, government policy and Council priorities and are to:

1. provide for homes and jobs that are best suited to meet identified local needs
2. support and sustain communities across the borough, big and small, by planning to meet identified needs, including needs for community facilities and infrastructure;
3. 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. locate development in the least constrained parts of the borough in reasonable proximity to transport hubs
5. provide a mixed portfolio and locations of sites, big and small to meet a range of needs throughout the duration of the plan period up to 2038
6. deliver a level of investment and growth at key locations to facilitate significant improvements to support infrastructure e.g. schools, healthcare and highways and active travel options for the benefit of local communities
7. focus development on the contribution that larger sites can deliver in a proportionate way to meet wider plan objectives and ensure delivery in the plan period.

2.0.29 The borough's identified development needs will first be met on brownfield sites in sustainable locations/within settlement confines and on land at low risk of flooding within existing settlements and on land with the least environmental or amenity value. However, the quantum of development needed for the plan period cannot be met in its entirety on sites that meet this 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 (golden threads).

2.1 (Section to remove)

2.2 Development strategy

The development strategy for Swale

2.2.1 The Local plan review 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 (2022 - 2038).

2.2.2 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 identified local needs; focussing opportunities
- 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 mixed portfolio and locations of sites, big and small to meet a range of needs throughout the duration of the plan period up to 2038
- 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 active travel options for the benefit of local communities
- To focus development on the contribution that larger potential sites could deliver in a proportionate way to meet wider plan objectives and ensure delivery in the plan period.

2.2.3 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.

2.2.4 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.

2.2.5 The development strategy for this Local Plan Review must be considered within the context of the strategy and proposals set out in Bearing Fruits. This development strategy seeks to partner with the approach in BF to deliver a range of complementary sites that meet development needs whilst respecting what the market and infrastructure providers can deliver during the various stages of the plan period.

2.2.6 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. Significant amounts of development have been forthcoming in these locations but much of it is 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' 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.

2.2.7 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. Completion of the improvements are scheduled to be completed in ????? Until such time as the improvements are completed, delivery is constrained by Grampion conditions that limits the number of dwellings that can be built/occupied on these sites until such time as the improvements are completed.

2.2.8 It would be difficult to deliver additional dwellings in and around Sittingbourne as existing allocations are completed, not least because this would further impact on viability that has historically been finely balanced.

2.2.9 Faversham, the borough's secondary town has seen much lower levels of planned growth, historically. 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

2 Our vision, challenges and strategic objectives

designations. Along with the wider rural areas, viability is strong but there are concerns around affordability of housing, infrastructure capacity and local job opportunities. To support infrastructure investment and improve affordability, Faversham is a key focus for mixed use allocations

2.2.10 The initial consultation on the local plan review in 'Looking Ahead' included a set of principles to guide decision-making on which opportunities should be considered in more detail and sought views on where future development should be located. This has been reflected in the strategy…

3 Local Plan strategy for Swale

3.0.1 Officer to add content here....

3.1 Explaining the development strategy for Swale

3.1.1 Explaining the development strategy

3.1.2 The development strategy for this Local Plan Review must be considered within the context of the strategy and proposals set out in Bearing Fruits. This development strategy seeks to partner with the approach in BF to deliver a range of complementary sites that meet development needs whilst respecting what the market and infrastructure providers can deliver during the various stages of the plan period.

3.1.3 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. Significant amounts of development have been forthcoming in these locations but much of it is 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. Further extended growth beyond the current confines of Sittingbourne along the lines of 'business as usual', 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.

3.1.4 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. Completion of the improvements are scheduled to be finished in 2023. Until such time as the improvements are completed, delivery is constrained by Grampian conditions that limits the number of dwellings that can be built/occupied on these sites.

3.1.5 It would be difficult to deliver additional dwellings in and around Sittingbourne as existing allocations are completed, not least because this would further impact on viability that has historically been finely balanced. Sittingbourne town itself contains a significant amount of development opportunities for redevelopment and this regeneration is a major element of the emerging development strategy. This approach makes the best use of brownfield land and provides opportunities to support the commercial core of the town in light of responding to the impacts of the coronavirus pandemic.

3.1.6 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. Lower Road is at capacity in transport terms and any further development that results in additional traffic movement on this road cannot be supported without major investment. Other opportunities exist on the Isle of Sheppey at Sheerness where small scale ad hoc redevelopment in and around the town centre is expected to deliver around 200 additional dwellings over the life of the plan. Redevelopment opportunities exist in and around Queenborough and Rushenden where Homes England have facilitated remedial works to get sites identified in the Q&R Masterplan ready to be developed. The emerging 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 including a contribution to the national coastal path.

3.1.7 Faversham, the borough's secondary town has seen much lower levels of planned growth, historically. 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 strong but there are concerns around affordability of housing, infrastructure capacity and local job opportunities. To support infrastructure investment and improve affordability, Faversham is a key focus for new mixed use allocations in the emerging strategy. The opportunity for an urban extension to the south east and east provides development of a scale that will

3 Local Plan strategy for Swale

deliver infrastructure to support both new and existing communities. Faversham Neighbourhood Planning Group are preparing a new neighbourhood plan that will identify further development sites and support connections that integrate the town and the new development.

3.1.8 Swale includes a number of vibrant rural communities, many of which offer a broad range of shops and services that meet many of the day-to-day needs but residents still need to travel to access the full range of services needed, for example, employment and education. Teynham is one such settlements that enjoy a broad range of shops and services and also has a train station, thereby providing travel alternatives to the private car. The land immediately to the west, south and east is free from high level constraints and is not covered by any local landscape designations. Teynham is also relatively close to Sittingbourne and can easily access the broader range of shops and services located here. The A2 runs through the centre of Teynham and there is an Air Quality Management Area (AQMA) to the eastern edge of the village. Development in this location would create an opportunity to provide a link road to the south that could divert through-traffic away from the village centre. Further community infrastructure, employment provision and open space would be some of the benefits that would be delivered by strategic development in this location. However, development here will need to given further consideration including significant master planning and community engagement and it is therefore identified as an 'Area of Opportunity' to bring forward development in the middle to later years of the plan.

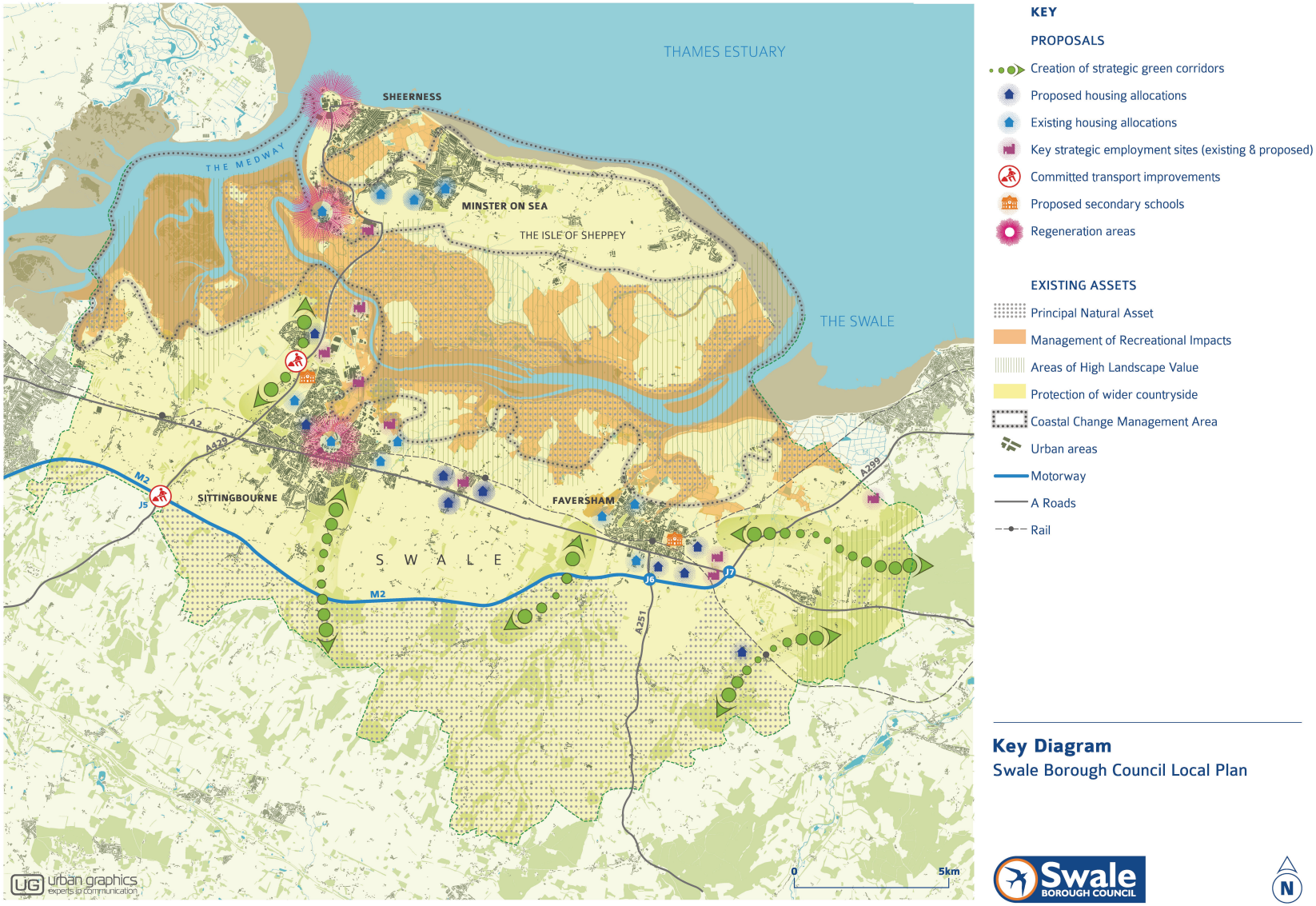
3.1.9 Small scale development in other rural locations might be acceptable but the general quantum of development needed to deliver additional infrastructure could be so large it would impact on the character of the settlement and could exacerbate existing infrastructure capacity issues in the short to medium term. With this in mind, small scale development has been allocated at Neames Forstal, Selling. Whilst this settlement does not afford as broad a range of shops and services as the larger rural communities, it has a train station thereby providing a genuine alternative to the private car. This small scale development will support the provision of an off road safe pedestrian/cycle route to nearby Selling village and a community orchard.

3.1.10 Further development on unallocated sites will be supported where the application of the Council's Small Sites policy and/or Park Homes policy.

3.1.11 Key Diagram

3.1.12 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.

3.2 The Key Diagram



Picture 3.2.1

4 Strategic Policies

4.1 Introduction

4.1.1 The NPPF requires local plan to provide the framework for setting out the scale of development required during the plan period.

4.1.2 This includes the need for new homes and for employment land to provide the jobs needed to support sustainable communities. Schools, medical facilities, shops, leisure facilities and open space are some of the other development needs that are to be planned for through this Local Plan Review.

4.1.3 The Council accepts that meeting the local housing need in full with a housing target of 16,608 for the period of the Local Plan Review is a Government imposed requirement that has to be pursued in the interests of meeting the Government's estimated future housing and economic needs of the Borough. Within this overall figure, the Council will also meet its needs for Gypsy and Traveller pitches and for a Travelling Show people plot.

4.1.4 The relationship between the level of homes and jobs is an important one for the achievement of sustainable development. This has been ensured via the parallel economic and demographic work undertaken for the housing and employment evidence which has assessed the level of jobs growth needed. Community infrastructure needs are planned for through the Infrastructure Delivery Plan (IDP).

4.1.5 The Swale Employment Land Review (ELR) 2018 concludes that the employment land needs for the period 2016 to 2036 is for an additional 15ha of office space. A further 41ha of industrial and warehouse land is required. However, 26ha of the additional 41ha can be considered in the longer terms, as it is a margin, and would only be needed to replace windfall losses over which there is considerable uncertainty due to recent permitted development rights (PDR) changes.

4.1.6 Strategic policies set out how development will be managed across the Borough. These policies are applicable, in the majority of cases, borough-wide. In decision-taking on planning applications, these strategic policies will be used alongside relevant site specific policies and local requirements. The policies are applicable to allocations set out in this Plan as well as other development proposals that may come forward during the plan-period.

4.2 Quantum of new housing land

4.2.1 The Borough's Local Housing Need for 2022 to 2038 (the timeframe for this plan) has been informed by a local housing needs assessment, conducted using the standard method in national guidance. The need of 1,038 dwellings per annum represents an increase of 33.8% 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 Review is therefore seeking to allocate additional sites to accommodate the uplift in numbers for the period 2022 to 2038. The figure for additional dwellings needed for this period is calculated as follows:

Bearing Fruits

(2014 to 2021) 776 per annum; 8 x 776 = 6,208

plus

Local Plan Review

(2022 - 2038) 1038 per annum 16 x 1,038 = 16,606

Total need for based on OAN/standard method calculation (2014 - 2038) = 22,814

Less existing supply of 14,966*

Total additional allocations required is 7,850 (without any windfall allowance)

Less a windfall allowance of 130 dwellings per year for the last 12 years of the plan period (1,560)

Total number of new dwellings needed in the Local Plan Review - 6,290

Table 4.2.1

4.2.2 *As at 31 December 2020.

4.3 Quantum of new employment land

4.3.1 Quantum of New Employment Land

4.3.2 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 allowing for the upgrading and renewal of our existing, older sites.

4.3.3 Our strategy has seen some growth in the out of town retail sector and we remain confident over the delivery of emerging retail schemes in central Sittingbourne. 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.



Picture 4.3.1 Modern, start-up units

4.3.4 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.

4.3.5 The needs of the office sector cannot be met easily within the existing land supply. Our strategy for office is supportive of its expansion, especially for central Sittingbourne, around the A249 and at Faversham. Some 55% of the Borough's workforce commute for jobs outside Swale, and while generally the distances 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.

4.3.6 Tourism is a major contributor to the local economy and we will capitalise on 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 has strong potential to diversify its economy around tourism, especially its food and drink based offer. On Sheppey we need to address declines in its traditional seaside tourism offer through modernisation and improvements in quality.

4.3.7 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.

4.3.8 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.

4.3.9 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 will 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, endeavor 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.

4.3.10 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 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. New employment, with a focus on office-based employment will also be provide to compliment the new housing to the east of the town. Securing new sites that sit comfortably with the town and its surroundings is a key objective.

4.3.11 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.

4.3.12 Ensuring the vitality of town centres

4.3.13 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.

4.3.14 Supporting a prosperous rural economy

4.3.15 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.

4.3.16 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. See policy DM 8.

4.3.17 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.

4.3.18 Swale's Jobs and Housing ratio

4.3.19 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 was identified in the ELR as a practical means of delivering jobs, and a one: one ratio would help to reduce our out-commuting rate, thus reducing congestion and air pollution and help to foster and grow our own economy.

4.3.20 Employment Need

4.3.21 The Swale Employment Land Review 2018 (ELR) evidences the scale and quality of new land needed to support the Borough's growth over the period of 2016 – 2036. For office sector growth the study concluded that Swale needs up to an additional **15 ha of office land** to accommodate our future job growth. However, as the ELR noted, there was significant uncertainty around this calculation and the way we will use office space in the future. This is now even more uncertain given it is unclear how the office market will respond in the longer term to the effects of Covid-19 and the increase in home working. Recognising this the plan takes a cautious view to new land allocations and will look to focus new office growth in our town centres and where we can deliver office space alongside our new housing growth. This however, will be kept under review.

The ELR concluded that in addition to the existing supply of allocated employment land (108 ha) a further

41ha of industrial and warehouse land

is required. However, 26 ha of the additional 41 ha can be considered in the longer term, as it is a margin, and would only be needed to replace windfall losses over which there is considerable uncertainty due to recent PDR changes. The ELR recommended that to meet market demand new land needs to be attractive to the strategic warehouse sector. This is in contrast to real market conditions where immediate supply is perceived to be restricted.

4.3.22 Employment Allocations

4.3.23 There are a number of employment allocations which were made in the adopted Local Plan 2017, that are unimplemented or have been partially implemented. These are set out in Policy A 3.

4.3.24 This table shows the proposed employment allocations:

Site Name	Employment Floorspace (Ha)
SE Fav (Duchy) (*This is just the top right-hand section by*	10ha of industrial and warehouses.

4 Strategic Policies

Brenley Corner, not the employment provision pepper potted throughout the development.)	*Their employment which is pepper potted through the development will include offices/retail/small artisan workshops, etc.*
East Fav (Attwood)	At least 10ha.
Lamberhurst Farm	A 3.19 ha extension to an existing employment area, creating a 5.5 ha employment allocation. (1 ha of landscaping so 2.19 ha of new employment with an intensification of the existing site.)
Sittingbourne Town Centre	Office provision.
Rushenden Marshes	10 ha of new provision. (Not just what is being relocated.)

Table 4.3.1

Policy ST 1

Development needs for the Borough

The Council seeks to meet its development needs through the implementation of existing sites in Bearing Fruits and additional sites as set out in this Local Plan Review.

Swale's development needs for jobs and homes 2022 – 2038

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

B Class Employment floorspace provision (ha): 56ha (of which 15ha for office floorspace)

Housing provision: 16,608 (1,038 dwellings per annum)

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.

Swale's development strategy and settlement hierarchy

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

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

4.3.27 Other key drivers that shape this strategy include delivering sustainable growth, addressing climate change and enhancing health and wellbeing.

4.3.28 The Borough of Swale has significant 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 constraints. Of the remaining 40%, there are areas that are locally important for their landscape value or high quality agricultural land, for example. With additional land to find to meet our development needs, difficult choices have had to be made.

4.3.29 The first port of call has been to consider the availability of brownfield sites. Focussing development on brownfield sites is concept that the Council have followed for several years. There are limited opportunities now and within this context, Sittingbourne town centre has been identified as providing considerable redevelopment potential that will yield a minimum of 850 dwellings. There are several pockets of land throughout the town suitable for development of varying sizes. A comprehensive Supplementary Planning Document will be prepared that will identify these sites and areas of opportunity that will deliver the new homes and other investment into the town that will support and enhance its vitality and viability as the Borough's principal town centre.

4.3.30 Other brownfield sites will come forward at Faversham through the emerging Faversham Neighbourhood Plan and in Sheerness that could come forward on an adhoc basis or through a master plan document that could be prepared.

4.3.31 Nevertheless, there are insufficient brownfield sites to deliver the quantum of development needed and the Local Plan Review must look elsewhere to deliver sustainable growth.

4.3.32 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 the table below.

4.3.33 SETTLEMENT HIERARCHY AS PER BEARING FRUITS

4.3.34 In combination with the development planned in Bearing Fruits, Sittingbourne, as the Borough's principal town remains the main focus for sustainable growth. With the largest share of the Borough's population and economy, it is tightly constrained by environmental designations. The regeneration of the town centre needs to continue to capture the benefits of a growth in population.

4.3.35 Faversham

4.3.36 Isle of Sheppey

4.3.37 Rural local service centres

4.3.38 Other villages with built up area boundaries

4.3.39 Outside the built up area boundaries

Policy ST 2

Swale Settlement Strategy

The use of previously developed land within defined built up area boundaries and on sites allocated by the Local Plan Review (including rolled forward sites from Bearing Fruits), development proposals will be permitted in accordance with the following settlement strategy:

4 Strategic Policies

1. The 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;

2. The town of Faversham will provide a key focus for growth where development includes a sustainable urban extension and will deliver significant infrastructure improvements including a new new secondary school, open space, jobs and homes

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

4. Area of opportunity at Teynham

5. Neames Forstal, Selling

6. Neighbourhood Plans – Faversham and others

7. Windfall sites

Delivering sustainable development in Swale

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

4.3.41 • economic;

4.3.42 • social; and

4.3.43 • environmental.

4.3.44 The policies in the Local Plan seek opportunities to make a positive contribution to these dimensions. 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 the 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.

4.3.45 Policy ST3 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 to demonstrate their commitment through specific actions. Any presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Habitats and Wild Birds Directives is being considered, planned or determined.

Policy ST 3

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

d. 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. the Local Plan implementation and delivery plan and schedule;

d. safeguarding services and facilities that 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; and

g. implementing the Swale natural assets green infrastructure strategy;

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;

4 Strategic Policies

11. Conserve and enhance the natural environment by:

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

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

(b) priority habitats and populations of protected 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; and

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).

4.3.46 The requirement in the PPG and NPPF to plan for business uses - office and industrial/warehousing allocations remains. New use class E does not affect this, for the time being at least. The ELR gave us 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/EiP if Government legislation changes.

4.3.47 Building a strong, competitive economy

4.3.48 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.

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

4.3.50 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.)

4.3.51 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 80.)

4.3.52 The creation of the South East Local Enterprise Partnership (SELEP) in April 2011 includes Government, Councils, businesses and education providers from Kent, Greater Essex and East Sussex. Their vision is "a more productive and prosperous economy in which everyone has the opportunity to succeed." Their ethos is to work:

- SMARTER to improve productivity
- FASTER to accelerate housing and infrastructure delivery
- TOGETHER, collaborating across the South East with Government and with business to ensure SELEP achieves more than individual members can by working in isolation

4.3.53 Kent County Council (KCC) were starting to prepare a Productivity and Enterprise Strategy but this was superseded by Covid- 19 recovery plan work. As such, there is no real county-wide economic strategy currently. However, the Economic Renewal and Resilience Plan was launched in August and is an 18 month plan but is a Kent and Medway Economic Partnership strategy, rather than one 'owned' or adopted by KCC as policy.



Picture 4.3.2

4.3.54 Swale's Economic Improvement Plan 2020-2023 outlines that there is an opportunity to contribute to strengthening our economy for the future, to deliver improved quality and choice in local employment opportunities and enhance quality of life for residents. It sets out Swale's priorities:

- Raising Swale's profile
- Securing investment and infrastructure

4 Strategic Policies

- Supporting local business
- Improving skills

4.3.55 Prior to Covid-19 our economy was growing, dominated by manufacturing and a number of small niche sectors. We are 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 regional and county averages and have declined more rapidly during current recession. Most of our stock of employment space comprises industrial uses, with comparatively modest amounts of office accommodation, although this has grown in recent years.

4.3.56 This policy, along with ST1, supports the goals and objectives of the LEP to strengthen economic development in the Borough. It supports our Local Plan Strategy and addresses the issues highlighted by the Swale Employment Land Review (2018), the Strategic Market housing Assessment (2020), the Local Housing Needs Assessment (2020) and the Retail and Leisure Needs Assessment (2019) to produce a strategy to meet employment needs over the Plan period.

4.3.57 In line with the evidence on need this policy supports our future potential growth sectors (see Statement *) 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 burgeoning creative industry sector; and
- expansion proposals in the pharmaceutical sector.

4.3.58 This policy confirms and encourages the appropriate development of the following 'Existing Strategic Employment Locations', as set out in ST 2 and within Regeneration and town centre policies as appropriate, at:

- Sittingbourne, Sheerness and Faversham town centers;
- Ridham, Kemsley, Eurolink and the Kent Science Park in the Sittingbourne area;
- Neatscourt and the Port of Sheerness on the Isle of Sheppey; and
- North west Faversham and at the Brewery complex toward the centre of the town.

4.3.59 An objective of the Council is to promote port related activities in and around the Sheerness Port estate (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. (Add links to their separate policies when they're done.)

Statement Statement 1

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

4.3.60 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.

4.3.61 Agriculture is also an important economic sector and the industry needs to keep pace with the changing context brought about by climate change, food security, global markets, major food retailers and changing legislation/guidance.

Statement Statement 2

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).

- For arable farming (e.g. winter wheat), the output from BMV land is estimated at £900 – £1,300 per ha. The estimated gross margins are between £4.9 and £9.5 million.
- For soft fruits, the output from BMV land is estimated at £43,000 – £109,000 per ha. The estimated gross margins are between £1.5 and £66 million.
- These Gross margins are similar (but not equivalent) to Gross Value Added (GVA), and are worth between 0.3% and 3% of the £2 billion of GVA in Swale.
- It is estimated that there are between 1,250 and 2,500 FTE jobs in agriculture and food and drink manufacture in Swale. This represents approximately 3 - 5% of the 47,400 FTE jobs in Swale. BMV can also provide other 'ecosystem services' benefits such as flood water storage, ecological and landscape values.

(Value of Best and Most Versatile Agricultural Land in Swale October 2015. Eftec for Swale Borough Council.)

4.3.62 The Rural Economy policy DM 8 aims to support the agriculture sector adapt to the challenges it faces and continue to be a key feature of Swale's economy.

4.3.63 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.

4.3.64 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 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

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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 DM 7 'Loss of employment floorspace and land' gives more detailed guidance on the evidence that the Council requires.

4.3.65 Given the outstanding environment in Swale, Policy ST 4 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 *), with this policy supporting their growth and, if necessary, their protection from inappropriate development proposals.

Statement Statement 3

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, 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

• 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 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.



Picture 4.3.3 Sheerness Beach

4.3.66 For our town centers 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 centers and a diversification into the ‘experience’ sector rather than traditional retail.

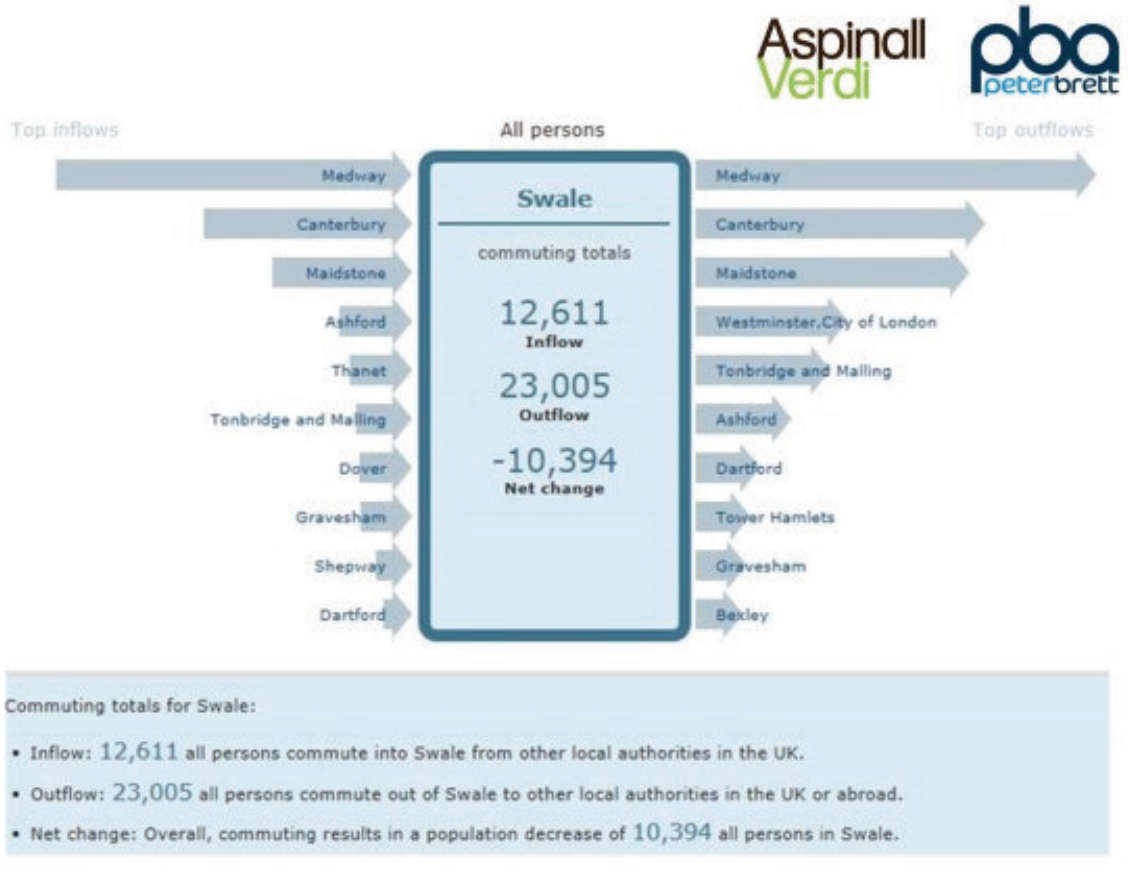
4.3.67 We cannot anticipate every business opportunity. This policy indicates a series of 'Priority Locations' where, when demonstrated that an existing employment location or allocation is unsuitable or unavailable for the development in question, appropriate sites will be considered. For such proposals, 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.

4.3.68 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.

4.3.69 Swale is a net exporter of labour, with a net outflow of 10,394 working commuters, and aside from 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 currently the focus of out-commuting.

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Picture 4.3.4 Commuting flows - into/out of Swale (Swale ELR 2018)

4.3.70 Unemployment levels in Swale in October 2020 were 6.6%, above the South East average of 5.2% and Kent's 6%. For comparison, as these figures will be affected by Covid-19, Swale's unemployment in February 2020 was 3.6% compared to 2.9% in Kent and 2.1% in the South East. Against the Kent average, Swale has a comparable economic activity rate, but a lower proportion of workers at higher skill levels and below average earnings. (KCC Economic Indicators, www.kcc.gov.uk) Improving the skills performance of the local labour supply is needed. This policy supports the use of development funding though the use of clauses in S106s for apprenticeship training opportunities.

4.3.71 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 DM 13 Provision of Broadband Infrastructure provides detailed guidance on this matter.

Policy ST 4

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. Contribute to the delivery of a comprehensive land portfolio for the Borough by:

a. safeguarding and maximising the potential of identified 'Existing Strategic Employment Sites';

b. bringing forward the stock of existing committed employment sites for industrial use; and

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

c. managing existing and future employment potential by upgrading older industrial areas.

7. Include sectors that are under-represented in Swale, and/or that may potentially enable a reduction in commuting out of the Borough;

8. 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;

9. Address future challenges to the agricultural and woodland/forestry industries with sustainable and appropriate proposals to create new markets and greater resilience;

10. Safeguard or enhance Swale's 'Principal Tourism Assets' and consolidate or widen the Borough's tourism potential, particularly where embracing principles of sustainable tourism;

11. Focus larger scale development where they utilise the strategic and primary road networks;

12. Support sectors attractive to the local population who would otherwise out-commute for work;

13. Facilitate the delivery of digital infrastructure, including access to high speed Internet connectivity from all new developments;

14. 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

15. 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

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d. re-use of heritage assets or where delivering significant benefits to the conservation of landscape or biodiversity.

Delivering a wide choice of high quality homes

4.3.72 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.

4.3.73 The Council is committed to delivering housing through the Local Plan Review 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: Working Together for a Better Borough (2020 – 2023) identifies as Priority 1: Building the right homes in the right places and supporting quality jobs for all. It acknowledges that this will be achieved through this Local Plan Review to ensure 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.

4.3.74 The strategic priorities of the Swale Borough Housing, Homelessness & Rough Sleeping Strategy 2019-2023 are to deliver affordable homes; to prevent homelessness; to reduce the need for emergency and temporary accommodation; 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.

4.3.75 Provision is made in this Local Plan for at least X,XXX (unimplemented allocations in BF plus new LPR sites) dwellings to address the identified local housing need using the standard method set out in the national planning practice guidance. This need will be provided through the delivery of rolled forward sites from Bearing Fruits that are yet to be implemented and from new allocations also set out in this plan. Major new housing development will be delivered at the strategic sites identified in Policy XX.

4.3.76 In addition to the strategic sites and smaller 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 Local Plan. The Small and Medium Housing Sites policy, Policy XX will be used to guide and assess applications for windfall sites that is expected to deliver additional dwellings.

4.3.77 Faversham Creek Neighbourhood Plan is already adopted and Faversham Town Council is in the process of preparing their Neighbourhood Plan that will see the identification and development of additional dwellings for between 150 and 200 dwellings over the life of the plan. Other areas have designated their Neighbourhood Planning Areas and commenced work on their plans with a view to progressing them in the near future.

4.3.78 The Swale Strategic Housing Market Assessment (SHMA), July 2020 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 2022 to 2038 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.

4.3.79 The government's standard method local housing need calculation for Swale of 1,038 is disaggregated using the Long Term Balancing Housing Markets model (LTBHM) 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.

4.3.80 In terms of size profile, the greatest demand in market housing is for 3 bed properties, then 2 bed properties, and 4+ bed properties, the lowest demand being for 1 bed properties.

4.3.81 For Help-to-Buy/Starter Homes, the demand is reasonably level with 3 bed properties, 2 bed properties, 1 bed and 4+ bed and for shared ownership, the demand is highest for 2 bed properties, 1 bed and 3 bed properties and then 4+ bed properties.

4.3.82 The SHMA concluded that affordable rent demand is highest for 3 bed properties, then 1 bed properties, 4+ bed properties and then followed by demand for 2 bed properties. Given that the SHMA 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.

4.3.83 The tenure split for the new dwellings in the Borough is for 72.8% market housing; 18.0% affordable rent; 4.3% shared ownership and 4.9% help to buy/starter homes.

4.3.84 Additional sheltered housing and registered care spaces (nursing and residential care) is also required. The evidence report also concluded that the need for new adapted housing is required for an additional 4,200 households (and therefore should meet M4(2) space standards) and of those, 500 dwellings should be M4(3) Category 3 homes, i.e. dwellings suitable for wheelchair users.

4.3.85 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. Viability evidence confirms this can be achieved and that 25% of new dwellings can achieve the higher standard of M4(3)

Policy ST 5

Delivering a wide choice of high quality homes

Development proposals will, as appropriate:

1. Be steered to locations in accordance with Policy ST 2 (Swale's development strategy), including:

i). at local plan allocations, Neighbourhood plans and Community Right to Build initiatives;

ii). Windfall sites where the small scale of development, 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

2. use densities determined by the context and the defining character of the area

3. provide affordable housing in accordance with Policy DM 15

4. Provide dwellings that meet minimum space standards M4(2) on 75% of all dwellings and the accessible standards M4(3) on the remaining 25% of dwellings

5. Achieve the mix of housing types needed as reflected in the findings of the Strategic 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

4 Strategic Policies

7. Bring vacant homes back into use and up to the relevant standards; and

8. Achieve sustainable and high quality design in accordance with Policy ST 6 and policies DM 3 on sustainable design and construction.

Local Plan Review - Design Policy

Requiring Good Design

4.3.86 Swale Borough Council considers that high quality urban design, landscape design and building design is required to enable healthy and happy lifestyles within sustainable communities for its residents and businesses. We must plan and build differently, carefully, beautifully and with a greater conscience for what we are creating for those that come after us.

4.3.87 Local distinctiveness and culture are important for placemaking in Swale. A new development may successfully be able to create a sense of place by addressing the following:

1. Discover the unique qualities of the physical and natural environment then identify how to both conserve what is special, learn from the findings and apply to new development to create distinctive character.
2. Understand how people move around, connect with their social and physical environment, interact and integrate to create walkable communities whilst considering how technology could change this.
3. Make places better for people by understanding who will live and work in them and appreciating their needs coupled with regard for the environment by ensuring the right mix of uses whilst allowing for flexibility and agility to adapt to change in the future.

4.3.88 There is renewed appreciation of the value of good design as set out in updated national policy, the release of new guidance and the promise of more to come:

1. The National Planning Policy Framework (NPPF) stresses that good design is a key aspect of sustainable development and together the two achieve healthy, inclusive and safe places.
2. The National Design Guide (NDG) illustrates how a well-designed place that is beautiful, enduring and successful can be achieved in practice. The Council expects a high level of engagement with this guidance by applicants.
3. The Building Better, Building Beautiful Commission advise how to promote and increase the use of high-quality design for new neighbourhoods in the report ‘Living with Beauty’ which identifies a number of far ranging priorities and policy recommendations to enhance the quality and design of buildings and spaces, including the need for a greater use of form-based codes. Ministry of Housing, Communities and Local Government (MHCLG) is advancing the preparation of a National Model Design Code, that will set the basis for a consistent approach to Design Codes across England, with an emphasis on the preparation of Codes by Local Authorities and Community Forums as part of local plans. The Council will engage with this process in the future.



Typical of recent Swale Pockets of 'bubbles' of development are segregated from each other and from other land uses. This approach will no longer be permitted.

~ ~

Typical of old Swale All land uses are well integrated with an interconnected network of uses and streets. This approach is to be pursued in the future.

Picture 4.3.5

4.3.89 The Council encourages developers to consider using the Council's design panel, or similar and respond positively to the provisions of the previously stated documents and the following (and successor) publications:

4.3.90 **Building for a Healthy Life** (the new name for Building for Life 12): Homes England, NHS England and NHS Improvement. A widely used design tool for creating places that are better for people and nature. Cited by NPPF as a tool helpful for assessing and improving design quality.

4.3.91 **Putting Health in Place: NHS England:** The Healthy New Towns programme informed ten healthy new town principles which demonstrate to housebuilding, local government, healthcare and local communities how to create new places that offer people improved choices and chances for a healthier life.

4.3.92 **The Manual for Streets:** Department for Transport. Empasises that streets should be places in which people want to live and spend time in, and are not just transport corridors. Aims to reduce the impact of vehicles on residential streets by planning street design intelligently and pro-actively, giving a high priority to the needs of pedestrians, cyclists and users of public transport.

4.3.93 **Kent Design Guide** (and appendices). Prepared by the Kent Design Group, it provides the criteria necessary for assessing planning applications. Helps building designers, engineers, planners and developers achieve high standards of design and construction. WE ARE AWAITING THE UPDATE OF THIS

4.3.94 **Secured by Design**: Police Service. An initiative that focuses on crime prevention of homes, commercial premises and schools by promoting the use of security standards for a wide range of applications and products. Now supported locally by Design for Crime Prevention, part of the Kent Design Guide.

4.3.95 Design guidance from Kent Downs Area of Outstanding Natural Beauty unit. Includes its **Landscape Design Handbook** and **Rural Streets and Lanes Design Handbook**.

4.3.96 **Active Design Guidance**: Sport England. A set of design guidelines to promote opportunities for sport and physical activity in the design and layout of development. Promotes sport and activity through three key Active Design principles of - improving accessibility, enhancing amenity and increasing awareness.

4.3.97 Swale Borough Council Supplementary Guidance and Documents. These include guidance on house extensions, shop fronts and advertisements, landscaping, and converting rural buildings, together

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with a Supplementary Planning Document on Landscape Character and Biodiversity Assessment and Guidelines 2010 and the Urban Extension Landscape Capacity Study (2010). Parking SPD, Town Centre SPD.

Policy ST 6

Good design

As part of its strategy to create lively places with a mix of uses, distinctive character, safe streets and spaces that are pleasant and human in scale, the Council promotes high quality design, in all parts of the Borough, that is sensitive, inspired, imaginative and responds to its context.

All development proposals will be of a high quality design that is appropriate to its surroundings.

The National Design Guide and other documents listed above will be used to inform planning and other applications.

Health and wellbeing

4.3.98 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 especially the link between housing and health'.

4.3.99 The National Planning Policy Framework (NPPF) (para 91) 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. Planning for and protecting existing services and open space are also recognised by the NPPF as important elements of creating healthy communities.

4.3.100 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' 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
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

4.3.101 The Department of Health and Social Care have published guidance 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 listed

as, 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.

4.3.102 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 which sets out recommendations on eating healthily and achieving a balanced diet.

4.3.103 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.

4.3.104 Health Equity in England: The Marmot Review 10 Years On (2020) 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.

4.3.105 Kent and Medway Councils have set up a joint Health and Wellbeing Board 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.

Key health 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 2019 reveals levels of health/deprivation significantly worse than the England average in the following areas: mortality rate of those under 75 years of age; long term unemployment; smoking during pregnancy; breastfeeding initiation; teengage pregancies; perecentage of children in low income households; and prevalence of smoking in adults.

2. The level of chidhood obesity is significantly higher in the (former) Swale Clinical Commissioning Group (CCG) area compared against the Kent average. For reception age children it was 26% above the Kent average and around 36% for those at year 6[(1)].

3. There are significant health inequalities depending on where people live within the Borough. Life expectancy is about 9 years lower for men and four years lower for women in the most deprived areas of Swale than those in the least deprived areas.

4.3.106 There are signficant 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.

1 North Kent Needs Assessment (February 2019), Kent Public Health Observatory

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4.3.107 The Council has undertaken an audit of open space and determined standards to be applied to new developments. These can be found in policy DM17 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.

4.3.108 This policy brings together all the relevant matters affecting health to provide an integrated approach. If fully implemented, an integrated approach toward 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

4.3.109 Environmental Impact Assessments are required, or for larger developments within Swale's most deprived wards.

Policy ST 7

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 heathcare 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, activities which strengthen social bonds, healthy eating learning, childcare and youth provision;

3. Safeguard or provide multi-functional open space, sport and recreation in accordance with DM 17 Open space, sport and recreation provision, additionally enabling access to nature in accordance with the green infrastructure strategy in ST 10 Conserving 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 ST 9 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 perimeter through management of opening times: opening hours will be restricted such that hot food takeaways will not be permitted to operate between 12.00 to 14.00 and 15.00 to 17.00;

7. Create social interaction and safe environments through mixed uses and in the design and layout of new development in accordance with ST 5 Delivering a wide choice of high quality homes and ST 6 Requiring good design;

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 DM 29 Woodland, orchards, trees and hedgerows;

9. Address air quality in accordance with DM 33 Air quality;

10. Ensure mitigation and adaptation to climate change through sustainable design and construction in accordance with DM 3 Mitigating and adapting to climate change through sustainable design and construction; 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.

Planning for Infrastructure

4.3.110 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.

4.3.111 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 [2] and the need for engagement with infrastructure providers to determine where additional infrastructure is necessary [3].

4.3.112 Infrastructure can include roads and other transport facilities, public transport, 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 this Local Plan.

4.3.113 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 might 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.

4.3.114 The IPD 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.

4.3.115 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.

2 National Planning Policy Framework (February 2019), MHCLG paragraph 8a
3 National Planning Policy Framework (February 2019), MHCLG paragraph 26

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4.3.116 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.

4.3.117 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.

4.3.118 The Local Plan is based on a whole plan viability approach. The Whole Plan Viability Assessment [4] has tested whether the Local Plan strategy, taken as a whole, is realistically 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 has found that the policy requirements in this plan are viable across most site typologies.

4.3.119 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 57 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 [5], 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.

4.3.120 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:

1. 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
2. Contributions to local infrastructure delivery to mitigate the impact arising from the development, such as education or health provision; then
3. Affordable housing provision; then
4. Other developer contributions that would not fall into the above.

Any changes to this priority will be set out in the council's annual Infrastructure Funding Statement.

4.3.121 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.

4.3.122 All new development should contribute towards the cost of new infrastructure. Infrastructure funding by developers is most often secured through planning obligations [6] or the Community Infrastructure Levy (CIL), which is not being progressed at the present time. 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.

4 Swale Whole Plan Viability Assessment, Aspinall Verdi (December 2020)
5 Planning Practice Guidance – Viability (last updated 1 September 2019)
6 Either through a Section 106 agreement or Section 278 Highway agreement (with Kent County Council)

Policy ST 8

Planning for Infrastructure

The Council will work with 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.

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.

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.

Where it is not possible to deliver the policy requirements in full, a viability assessment should be submitted in line with national Planning Practice Guidance. Where a reduced level of policy contribution than that required by the Local Plan is agreed, this may be subject to reassessment at appropriate trigger point(s) agreed between the council and the applicant.

4.3.123 Promoting Sustainable Transport and Active Travel

4.3.124 One of the aims 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 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.

4.3.125 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 pedestrians and cyclists 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 transport hierarchy for Swale is set out in Figure X within Policy DM 10 on Managing Transport Demand and Impact.

4.3.126 The Council declared a Climate and Ecological Emergency in 2019 (with a borough wide net zero by 2030 target) and in response to this developed a ‘living’ Action Plan in 2020. Moving towards embedding sustainable and active travel within Swale and it's communities will play a key role in helping to work towards achieving this ambitious goal.

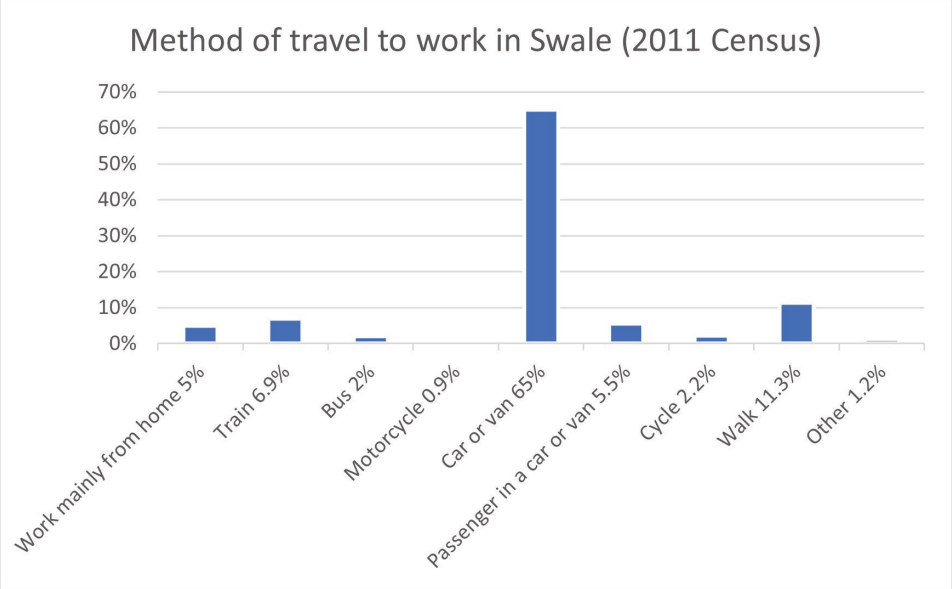
4.3.127 Travel Patterns

4 Strategic Policies

4.3.128 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. Swale has the third largest population in Kent, and in the last 10 years more employment floorspace has been built than anywhere else in the county and Swale has the fourth highest level of dwelling completions over the 10 years to 2014. Swale has high levels of road and fuel use, a below UK average use of public transport, an underdeveloped public transport network and higher than average proportion with no access to a car. Although the increase is modest (1.5% given the increase in workforce between these years), an extra 3,900 persons were commuting between 2001 and 2011, mostly to the nearest larger towns beyond Swale.

4.3.129 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%. 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. Figure X below shows the travel to work mode share.

4.3.130 These results also reflect the 2011 Census results for car ownership in Swale. The proportion of households with one or more cars available has increased to just under 80%, which is an increase on 2001 figures and now makes Swale identical to the Kent average. Kent car ownership as a whole is higher than the national average (80% of households compared with 74% nationally). The rate of increase in car ownership in Swale has been twice the national rate of increase over this period.



Picture 4.3.6 Method of Travel to Work in Swale

4.3.131 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.

4.3.132 The UK has seen traffic levels and commuting patterns turned on their heads during 2020. Commuting patterns in Swale are considered to be largely back to normal, other than rail travel into larger hubs such as London. However, Covid travel behaviours and commuting are likely to have been affected and the longer-term impacts of that on Swale are unknown. This presents an opportunity to enable more sustainable travel to be embedded in policy, development and any schemes taken forward within the borough.

4.3.133 Rural Lanes

4.3.134 Whilst the development strategy of the Plan and supporting Transport Strategy 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 the context of Policy DM 12.

4.3.135 Health and Air Quality

4.3.136 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 are 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 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 aims to make active travel an attractive and realistic choice for short journeys in Swale. ADD link to DM 33 Air Quality.

4.3.137 Swale Transport Model

4.3.138 SECTION TO BE UPDATED FROM FINALISED MODELLING IN SPRING 2021

4.3.139 A multi modal strategic transport model has been undertaken during drafting of the Local Plan to reflect the development strategy and proposals of this plan. A total of four scenarios have been tested in the AM (8-9) and PM (17-18) peaks in the year 2037. The scenarios which were tested prior to the preferred option of sites being chosen are detailed below in Table **.

Table 4.3.2 Local Plan Review Modelling Scenarios

4.3.140 Scenario 1054 Do-Something has been taken forward and the outputs from the model have demonstrated that the expected pattern of growth across the Borough as contained in the Local Plan can be accommodated. This however is subject to necessary highway modifications and policies which generate a reduction in trip rates based on the provision of sustainable and active travel options for new development. Further detail on the transport model and its sites are set out in the Swale Transport Strategy 2022-2037. ADD IN LINK WHEN FINALISED

4.3.141 Key schemes

4.3.142 The following transport network schemes are seen as necessary to support growth and the full implementation of the Local Plan strategy:

1. Improvements to M2/Junction 5 via Highways England national road delivery programme project commencing 2021
2. A249/Key Street junction improvements (existing HIF scheme);
3. A249/Grovehurst junction improvements (including pedestrian and cycle way links between new development allocations at North West Sittingbourne to employment areas at Ridham) (existing HIF scheme);
4. A249/ Bobbing junction may also need to be re-assessed as part of the A249 corridor and the associated development being promoted together with Key Street and Grovehurst junctions;
5. Mitigation may be required at key points on the County highways network, particularly within the A2 corridor, to support new development and complement improvements to the A249 corridor junctions;
6. Sittingbourne town centre road layout, traffic management and calming measures, and car parking arrangements to support regeneration developments (some funding already secured from the SELEP Local Growth Fund);
7. Improvements to the A2500 Lower Road, Sheppey;

4 Strategic Policies

8. Other highway network improvements, (not necessarily associated with new development proposals) to resolve existing issues as set out in the Local Transport Strategy;
9. Continue to support the Quality Bus Partnership and work with rail transport operators to promote use of public transport through enhancement of services and terminals;
10. Provision of walking and cycling routes to link new and existing communities to local services, facilities and public transport;
11. Implementation of a Faversham to Sittingbourne safe cycling route and a priority bus route; and
12. Implementation of the new car parking strategy for Borough.

4.3.143 The Council will work with Kent Highways, as the Highways Authority, on an A2 mitigation strategy to manage the flows of traffic on the A2 and the roads that feed on to it, especially where there are air quality, traffic congestion and road safety issues. This will cost an estimated £1-2m (depending on land values and land availability.)

4.3.144 Furthermore, the modelling report has recommended a number of mitigations for the borough which includes schemes relating to the allocated development sites. This is encompassed within the Infrastructure Delivery Plan set out in the Swale Transport Strategy 2022-2038 ADD LINK WHEN FINALISED.

4.3.145 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.

4.3.146 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.

4.3.147 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.

4.3.148 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.
- The Department for Transport Circular 02/2013: Strategic Road Network and the delivery of sustainable development (September 2013) 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.
- For the 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.

- The key issues for the Local Plan are to promote development patterns which minimise the need to travel; encourages the use of sustainable means of transport and minimises journey lengths for everyday 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.
- 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.
- 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, highway authorities and the Local Economic Partnership (for Kent, Essex and East Sussex).

4.3.149 Car Parking

4.3.150 The NPPF also 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 These must be referred to for all residential and non-residential developments within the borough. Further detail on this can be found in Policy DM 11.

4.3.151 Promoting Sustainable Transport and Active Travel policy

4.3.152 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.

4.3.153 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 transport hierarchy (figure ** in Policy DM 10) should be adhered to when appraising all transport schemes within the borough.

Policy ST 9

Promoting Sustainable Transport and Active Travel

New development will be located in accordance with Policies ST 1 to Policy ST 3, 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 sustainable transport and active travel through the prioritisation of walking, cycling and public transport within all new developments. In addition to new developments the Council will seek to provide improvements across the borough which promote and uptake of sustainable and active travel.

The Council will:

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;
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;

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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;
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;
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 DM 10;
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;
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 ** above;
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 Policy DM 10;
9. Support the provision of major new transport infrastructure in accordance with national and local transport strategies; and
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 Kent Local Transport Strategy (LTP4) and in the Swale Transport Strategy.

Conserving and Enhancing the Natural Environment

4.3.154 Our diverse and outstanding natural environment is a defining characteristic of Swale. This policy sets out how the natural environment should be considered across a range of issues; more specifically how together their protection, enhancement and management can contribute to our own quality of life, as well as benefiting the natural environment for both the present and the future.

4.3.155 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 moving to a low carbon economy, mitigating and adapting to climate change.

Statement Statement 1

What Do we Expect from New Developments?

Swale expects all new developments to:

• 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;

• Be comprehensively integrated into the Green and Blue Infrastructure network (add link to the map) for both nature and humans;

• Have the principle of a 20% increase in biodiversity net gain at the heart of the design of the development;

• Link with the existing active travel network and provide for its expansion, to allow residents to safely walk and cycle around their neighbourhood and between their homes, work, services and facilities and transport hubs;

• Reflect the most up to date guidance and best practice;

• 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;

• Be designed, from the start, to achieve climate change mitigation and adaptation;

• Integrate landscape protection and enhancement into schemes, linking landscapes to green and blue infrastructure and biodiversity net gain;

• 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

• Have the natural environment and climate change adaptation as a golden thread running through their development proposals.

4.3.156 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.)

4.3.157 The NPPF looks to the planning system to conserve and enhance the natural and local environment through a number of measures including:

- 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 from natural capital and ecosystem services – including from best and most versatile agricultural land and trees and woodland;
- maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- minimising impacts on, and providing net gains for biodiversity by establishing coherent ecological networks resilient to current and future pressures;
- 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; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land. (National Planning Policy Framework 2019.MHCLG. Paragraph 170)

4.3.158 Swale Borough Council declared a climate and ecological emergency on 26 June 2019. The purpose of the declaration was to draw attention to the urgent need to reverse the decline in biodiversity in Swale and to take effective action to reduce carbon emissions in the borough and this Policy will help to achieve this.

4.3.159 In assessing the impacts of development upon the natural environment, the Council will recognise and value our ecosystems for the wider services they provide to society, such as for food, water, flood mitigation, disease control, recreation and, importantly, health and well-being. Whilst it will safeguard the

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network of national and natural asset designations in the Borough, across all areas, designated or not, we will expect the use of landscape character and biodiversity assessments to drive natural asset focused developments.



Picture 4.3.7 Elmley Marshes, Isle of Sheppey

Biodiversity Net Gain

4.3.160 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 requires 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.

4.3.161 The NPPF (Paragraph 70) states that planning policies and decisions should contribute to, and enhance, the natural and local environment by minimising impacts on, and providing net gains for biodiversity. The Government's 25 Year Environment Plan (2018) 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 Environment Bill. Policy DM 24 sets out how the Local Plan will achieve this.

Green and Blue Infrastructure

4.3.162 The NPPF defines green infrastructure as a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. (National Planning Policy Framework 2019. MHCLG. Annex 2 Glossary, Page 64.) It expects local planning authorities to set out a strategic approach in their Local Plan to maintaining and enhancing networks of habitats and green and blue infrastructure. (National Planning Policy Framework 2019. MHCLG. Paragraph 171.) As well as providing the attractive environments within which people will want to live, work and invest, green and blue infrastructure has the following multiple benefits to the health and wellbeing of both people and nature:

- new open space and facilities to increase participation in sport and recreation;
- connections with our natural environment;
- new and enhanced habitats for biodiversity, including when the mitigation of adverse development impacts arising from development becomes necessary;
- resilience and adaptation of species and habitats to climate change;
- the opportunity to manage the risks to those in vulnerable areas such as from flooding;
- providing opportunities for social inclusion, community development and lifelong learning;
- the conservation and enhancement of valued landscapes, spaces and heritage;
- counters to the effects of noise and pollution; and
- a safe network of car free routes linking home, work, school and areas of recreation.

4.3.163 These multiple benefits of green infrastructure can attract new investment, raise land and property values by enhancing their amenity value, as well as helping businesses to retain a skilled and highly motivated workforce because of the attractive living and working environment created. This, in turn, supports Swale's economic ambitions.

4.3.164 Green and Blue Infrastructure (GBI) is recognised as critical infrastructure for the health of Swale's residents, wildlife and habitats. GBI is the network of multi-functional green and blue spaces which make up the essential ecosystems for both people and nature.

4.3.165 A large proportion (around 60%) of Swale's environment is already recognised internationally, nationally and locally for the diversity of its wildlife and habitats, recognising the quality of Swale's environment. The aim of the GBI Strategy, and the network in the Local Plan, is to improve the quality, accessibility and multi-functionality of these assets and the linkages between them.

4.3.166 Swale faces a number of challenges including high levels of inactivity amongst residents, concentrated pockets of poor air quality, a north-south wildlife corridor severance, pockets of traffic congestion and the challenge of sustainably managing a growing visitor economy. These can all be improved by enhancing and growing the GBI network in Swale.

4.3.167 The Swale Green and Blue infrastructure Strategy (September 2020) ADD link looks at Swale's current GBI resource, Swale's priorities for GBI, the multi-functionality of GBI and the opportunities in Swale both with our existing GBI and for new GBI provision.

4.3.168 One of the principal drivers of GBI planning is to manage land and water in a more sustainable way. While most types of GBI have a primary purpose or function, it is usually desirable for functions to co-exist, leading to multifunctional GI and the ability to use land more effectively and efficiently for the benefit of people and nature. By promoting multi-functionality, GBI allows the same area of land or water to perform several functions, offering a range of benefits for people and ecosystems.

4.3.169 The range of functions delivered by GBI include improving health and wellbeing, providing recreation spaces, the provision of food, improving air quality, supporting and enhancing wildlife and habitats, mitigating and adapting to climate change, managing water resources, reducing flood risk, providing 'active travel' opportunities and supporting heritage and cultural assets. Across Swale, GBI can deliver up to 22 functions.

4.3.170 GIS analysis has been used to map the multi-functionality of Swale's existing GBI, giving a useful indication as to where investment in GBI would deliver maximum benefits for both people, wildlife and habitats. Typology mapping has identified where certain types of GBI are lacking or are abundant in Swale. GBI functions operate at multiple scales, all working together to form part of an interconnected green and blue network.

4.3.171 Often there is a need to manage potential conflict between different components of GBI, particularly biodiversity vs recreation as cannot always complement each other. It is often a question of having sufficient scale to zone out areas for GBI that will fulfil different functions.

4.3.172 The Strategy now includes Urban GI Strategies for Sittingbourne, Faversham and Sheerness and Minster and provides guidance for incorporating GBI into new developments.

4.3.173 Applicants need to demonstrate how their development proposal fits into the GBI network and further enhances it and how they have incorporated GBI into their proposals.

4.3.174 A natural environment and green and blue infrastructure network for Swale has been defined and mapped, comprising two main broad elements. These are:

1. The existing network: comprising open space, the principal public footpath and cycling network and landscape and biodiversity designations. This forms the basis of maintaining and enhancing the existing level of assets in the face of future change; and

2. The future network shows where it might be extended on a strategic scale, for example:

- as a result of an assessment of sports or open space needs;
- where biodiversity may need to change and or migrate as a result of future climate change;

- where development leads to the need to create new habitats and landscapes through mitigation, compensation and biodiversity net gain in locations such as Biodiversity Opportunity Areas, or areas identified in a future Local Nature Recovery Strategy; and
- where there are obvious gaps that can be filled to make for a more comprehensive and cohesive network.

4.3.175 It highlights locations where there is either existing planned long term strategic activity or where it is expected that future strategic initiatives and emphasis will be placed. It is intended to guide both the consideration of development proposals and partnership working. It should be noted that the Strategy Map serves only to illustrate the broad approach to the protection and enhancement of the network at a strategic scale and is not representative of the boundaries of actual land parcels or initiatives. Site specific proposals are therefore expected to refer to source material and undertake their own assessments in order to demonstrate the most appropriate contribution towards the overall strategy. The strategy map is not a full representation of assets and opportunities within Swale and applicants should refer to the Swale GBI strategy for more detailed mapping.

Add in Natural Environment and GBI Network map when finalised.

Potential adverse impacts on European designated wildlife sites

4.3.176 A particular issue where the green and blue infrastructure strategy and this policy will play a key part is where potential adverse impacts on European designated wildlife sites are identified, for example, as a result of increased recreational pressures on bird habitats on the North Kent Marshes. These are matters affecting both the preparation of the Local Plan and for relevant development projects, both of which are required to comply with the Habitats Regulations Assessment process.

4.3.177 North Kent partners have put in place a Strategic Access Management and Monitoring Strategy (SAMMS) that includes the measures needed to mitigate growth. This will also include a mechanism to ensure that residential development financially contributes toward mitigation measures, such as wardening, management or habitat creation. SAMMS will be used to support the determination of planning applications and inform any future Local Plan Review and if implemented, a Community Infrastructure Levy.

4.3.178 To address the issue in both the short and longer terms, requires management and containment of pressures. Where mitigation and/or compensation is required, it must be provided in an appropriate way either as a result of the cumulative impact of Plan proposals or individual development proposals. An integral part of the SAMMS will be 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.

4.3.179 Please see the Partnership's website for more detailed information Bird Wise

Climate change

4.3.180 Swale Borough Council has declared a Climate and Ecological Emergency and set a target for the borough to be net zero carbon by 2030. The role of planning in mitigating and adapting to climate change is a key feature of the NPPF and is a golden thread running through policies in this plan, including ST 6 Design, ST 7 Health and wellbeing, DM 3, DM 4 as well as this policy. All applications should seek to include mitigation and adaptation to the impacts of climate change at the heart of their design development from high level decisions as to the location and linkages, through landscape design and the inclusion of green and blue infrastructure, to the detail design of buildings.

4.3.181 There are many co-benefits of habitat creation including carbon sequestration. Nature based interventions can deliver carbon reductions at a fraction of the cost of engineered solutions and when delivered effectively can enhance the stocks of natural assets and the ecosystem services they provide. Land management choices can either maintain or increase the carbon store for long periods of time or

result in net emissions. Therefore, land use and management choices can have an important role in determining the amount of carbon released into the atmosphere or stored in the soil (mitigation) and, as a consequence, in global climate regulation.

Landscape

4.3.182 The NPPF states that the planning system should contribute to conserving and enhancing the natural environment by protecting and enhancing valued landscapes. Policy DM 25 sets out a criteria-based planning policy, against which proposals for development on or affecting protected landscapes can be judged and this policy makes appropriate distinctions between international, national and locally designated sites, offering protection that is appropriate for their status and importance and the contribution that they make to establishing and improving wider ecological networks.

4.3.183 Swale has the national designation of the Kent Downs Area of Outstanding Natural Beauty (AONB) and the aim of their Management Plan is to secure conservation and enhancement within the AONB while supporting local communities.

4.3.184 The NPPF states that great weight should be given to conserving landscape and scenic beauty in AONBs and that they have the highest status of protection in relation to landscape and scenic beauty. The setting of the Kent Downs is also extremely important in development management decisions taken in Kent.

4.3.185 At a borough level, Swale also has a number of local landscape designations, known as the Areas of High Landscape Value. Policy DM 25 sets out criteria for development impacting these areas.

4.3.186 As well as designated landscapes, the NPPF outlines the importance of protecting and enhancing valued landscapes and the Council uses its Landscape Character and Biodiversity Appraisal (2011) 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 set 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.

Pollution and contaminated land

4.3.187 Most of the Borough has high environmental quality which needs protecting, and some areas that would benefit from improvements. Therefore, protection of the environment through maintaining or enhancing air, soil and water quality, minimising or reducing nuisance which affects human senses (such as noise and odour), can protect health and safeguard residential amenity.

4.3.188 Environmental protection policies are linked with objectives to mitigate the impacts of climate change, and require new development to provide environmental improvements. Swale is committed to protecting existing environmental quality and where possible reducing adverse effects on the local and natural environment as a result of changes in activities or from new development. ADD Link to Policies DM 33 and DM 34.

Coast

4.3.189 Swale's 111km coastline is one of the borough's defining features and an essential part of its green & blue infrastructure network. However, it faces particular threats, including from climate change (including coastal squeeze of habitats, flooding and erosion) as well as the pressures of development generally. Policies DM 31 and 32 aim 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 and ambitions for Swale's visitor economy. ADD link to DM 8.

Water, flooding and drainage

4 Strategic Policies

4.3.190 Clean and plentiful water is essential to our health, the economy and the environment and is an essential element of our natural capital. Increased development, coupled with the impacts of climate change, is adding to pressure on water quality and resources and increasing the chances of flooding. Policies DM 35, DM 36 and DM 37 seek to address these issues and link opportunities to reduce flood risk, improve water quality and provide multifunctional benefits.

Agricultural Land

4.3.191 Agricultural land is an essential element of natural capital that provides important ecosystem services. Swale has some of the highest quality agricultural land in England. Policy DM 30 seeks 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 a range of other sustainability considerations.

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. Development proposals will, as appropriate:

1. Demonstrate their contribution to the expansion of Swale's natural environment and green and blue infrastructure, including within new and existing developments, by:

a) delivering a high standard of design quality to maximise the social, economic, health and environmental benefits of green and blue infrastructure;

b) providing a focus and opportunities for social inclusion, community development and lifelong learning;

c) achieving a measurable, by a recognised metric, net gain of 20% in biodiversity;

d) providing new recreational facilities in accordance with Policy DM17, exploiting opportunities to link urban and countryside areas and to create new footpath and cycle links between new and existing developments and services and facilities for both recreation and commuting;

e) taking account of and integrating with natural processes, such as natural flood management and utilising sustainable urban drainage; and

f) including proposals to ‘green’ existing and proposed developed areas by increasing opportunities for nature in domestic gardens, streets and buildings, including street trees and in and around formal open spaces and sports provision, green roofs, green walls;

g) Contribute towards a significant improvement in the size, quality, diversity and interconnectedness of Swale’s habitats, to deliver a coherent and high quality ecological network as part of the wider green and blue infrastructure network and any future Local Nature Recovery Network;

h) Provide 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 where possible

2. Recognise and value ecosystems for the wider services they provide, such as for food, water, flood mitigation, disease control, recreation, health and well-being, climate change mitigation;

3. Protect the integrity of the existing green and blue infrastructure network as illustrated by the Natural Environment and Green and Blue Infrastructure Strategy Map, having regard to the status of those sites designated for their importance as set out by Policy DM24;

4. Increase opportunities for the movement and dispersion of species across Swale and into surrounding areas;

5. Ensure mitigation and adaptation to climate change is a defining element of any proposals;

6. Ensure development is safe from the risks of flooding and coastal change and doesn't increase flood risk elsewhere;

7. Protect, enhance and, where appropriate, manage the value, character, amenity and tranquillity of the Borough's landscapes;

8. Enhance and extend the network, where assessment indicates it is necessary, (including when management, mitigation and/or compensatory actions are required to address adverse harm) and be guided by the Natural Environment and Green and Blue Infrastructure Network and Strategy Map, in order to prioritise actions that contribute to the targets of identified Biodiversity Opportunity Areas of a future Local Nature Recovery Strategy;

9. Ensure that there is no adverse effect on the integrity of a SAC, SPA or Ramsar site, alone or in combination with other plan and projects, as it would not be in accordance with the aims and objectives of this Local Plan;

10. Require the completion of project specific Habitats Regulations Assessment, in accordance with Policy DM24, 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;

11. Demonstrate the protection, management and enhancement, as appropriate, of biodiversity, landscape, seascape and coastal processes;

12. Contribute to the objectives of the Kent Biodiversity Strategy as developed by the Kent Nature Partnership;

13. Make the enhancement of biodiversity and landscape their primary purpose;

14. Apply national planning policy in respect of pollution, despoiled, degraded, derelict, contaminated and unstable land and seek opportunities to improve the environmental quality of the borough's soils, air and water; and

15. Meet all of the points in box ** "What Do we Expect from New Developments?"

4.3.192 Conserving and enhancing the historic environment

4.3.193 Swale's built heritage is one of its greatest assets. The Borough has a wealth of historic areas, buildings, and features reflecting its Roman and medieval legacy, its naval and maritime history, and its industrial and agricultural past can still be seen in its principal landscapes of the central North Downs, The Blean, the northern fruit belt, the northern coast and marsh and the Isle of Sheppey. Other important historic landscapes shaped by human intervention are the Borough's grand-scale parklands and more formal gardens and landscape features focussed around imposing country houses such as Doddington Place.

4.3.194 Whilst the NPPF and development management policies are likely to be sufficient to deal with detailed proposals affecting heritage assets, this section sets out the significance of our assets at the strategic level and how our Local Plan strategy for heritage is integrated across a range of issues.

4 Strategic Policies

4.3.195 Heritage assets are defined by the NPPF as a building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. They include designated heritage assets and assets identified by the local planning authority during the process of decision making or through the plan-making process (including local listing).

4.3.196 One of the NPPF's core planning principles is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of current and future generations. It requires local plans to provide a positive strategy for the conservation and enjoyment of the historic environment and to recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

4.3.197 Swale Borough Council adopted a Heritage Strategy in March 2020; the key deliverables have been divided over a period of 12 years through a series of 4 consecutive 3-year actions plans. In addition to the projects centred around conservation and management of existing building stock and identifying non-designated heritage assets, the Council is also committed to developing, disseminating and encouraging further understanding of the heritage diversity within the borough by producing the following heritage theme papers during the 12-year period of the adopted Heritage Strategy as follows:

1. Archaeology
2. Aviation and defence heritage
3. Industrial Heritage
4. Maritime and defence heritage
5. Agricultural, horticultural and rural heritage
6. Towns and high streets
7. Villages and hamlets
8. Churches, chapels and memorials
9. Historic Landscapes
10. Museums, collections & Archives (digital/traditional)
11. Portable/moveable heritage

4.3.198 These themes have been chosen due to the particular vulnerability and typically poor level of understanding of these heritage types, and the Council will be starting off this heritage theme topic paper series in 2020/21 with a paper on archaeology. Beyond the first three topic papers on archaeology, aviation & defence heritage and industrial heritage, the order in which the topic papers will be produced has not yet been agreed and this will be determined through the subsequent actions plans to be produced in support of the adopted Swale Heritage Strategy.

4.3.199 When considering the impact of a proposed development on a designated heritage asset, the NPPF states that considerable importance and weight should be given to its conservation. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification and substantial harm to or loss of a grade II listed building, park or garden should be exceptional.

4.3.200 The Local Plan strategy ensures that consideration of the historic environment is central to decision-making. Within each Core Policy, allocation or development management policy, there will rarely

be a situation where there is not a relationship with heritage in some form, whether from green infrastructure, landscape, regeneration, economic development, transport, infrastructure planning, tourism, town centres and climate change. Policy CP8 recognises this interrelationship.

4.3.201 The Borough's rich legacy of heritage assets, both designated and non-designated, allows a broad strategic overview of their significance to be outlined in terms of their importance to the character and distinctiveness of the Borough. This is illustrated by Map 5.7.1 and Statement 7. Such assets act as drivers for regeneration and tourism within the Borough and can give developments an identity and character specific to the area. Heritage assets may offer opportunities for potential partnership working with the Council, with amenity groups, building preservations trusts and/or civic societies.

Statement Statement 4

Strategic overview of Swale's heritage assets

Swale's diverse range of heritage assets make a substantial positive contribution to the borough's local character and distinctiveness. They are an irreplaceable resource which justifies conservation and enhancement in a manner appropriate to their significance. Listed buildings, conservation areas, registered parks & gardens and scheduled monuments are all designated heritage assets. However, the term heritage asset includes any valued component of the historic environment, be it a building, monument, site, place, area or landscape, which is positively identified as having a degree of significance meriting consideration in planning decisions.

Both designated and non-designated assets are identified by the council during the plan-making process and through the planning application process. Their identification is a response to the recognition that they hold meaning to society and this justifies a degree of protection in planning decisions.

A recent study undertaken by Historic England about how the COVID-19 pandemic has impacted our social lives includes our access to and engagement with our precious heritage and it has found that 'historic places convey a sense of uniqueness and awe and are strong emotional pillars connecting communities… heritage can also improve personal wellbeing, by helping us understand our past, our individual and communal identity and help us connect with the places where we live'.

The heritage sector therefore has an important role to play in our individual mental wellbeing in the future, and visiting heritage can ease the challenges associated with dementia and Alzheimer's disease.

The Royal Society of Arts, in partnership with the British Council, recently conducted a study in light of the Black Lives Matter movement. The RSA identified six domains of heritage: historical built environment; museums, archives and artefacts; industrial heritage; parks and open space; landscape and natural heritage; and culture and memories. Heritage is therefore both tangible and intangible. The study concluded that:

We all have 'heritage' and it belongs to everyone but heritage narratives can reinforce power inequalities. Some heritage is privileged over others. Narratives around heritage, identity, place and belonging can be controversial. They can exclude the heritage of minorities and they can sometimes be hijacked by far right, nationalist agendas about national identity and who belongs. In reality, there are multiple heritages: 'established' heritage, working class heritage, Black heritage, South Asian heritage, place-based heritage. Harnessed positively, the authors believe heritage can help bring diverse communities together and bridge the increasingly polarised public discourse in the UK.'

Swale currently has: 1,439 listed building entries, comprising nearly 2000 buildings, 22 Scheduled Monuments and 4,818 sites on the Kent Historic Environment Record. There are also 50 designated conservation areas and 4 Registered Historic Parks and Gardens in the borough.

Broadly, our assets comprise:

• historic landscapes - the central North Downs, The Blean, the northern fruit belt, the northern coast and marsh and the Isle of Sheppey; early settlements around Roman Watling Street and coastal creeks;

• Saxon and Norman settlements evidenced by e.g. defensive sites and churches;

• former monastic establishments at Faversham and Minster;

• medieval farmsteads with attendant barns, oast houses and outbuildings;

• time-span (of buildings present) and urban form/morphology of Faversham;

• rural lanes and droving tracks;

• the array of coaching inns along the ancient Watling Street route (now the A2), particularly focused at Sittingbourne, together with other features e.g. milestones, associated with its travelling past;

• the legacy of historic and ongoing industries in the borough's landscapes and townscapes, including gunpowder production, milling, brewing, brick making, barge building, paper production and maritime trading;

• structures and features relating to pioneer aviators and the establishment of Great War and WW2 airfields at Leysdown and Eastchurch, at Sheppey;

• centuries of Naval history at the former Royal Naval Dockyard at Sheerness;

• Great War defences to the west of Sittingbourne and along the Sheppey coast;

• World War II defensive structures, including those of strategic importance in the Battle of Britain;

• remnants of prehistoric activity in Swale, particularly across Sheppey and at Milton Creek, Sittingbourne.

• numerous villages, hamlets and parkland estates; and

• Swale's currently unknown archaeological sites.

4.3.202 The overview in Statement 7 is not intended to be a replacement for establishing the presence and value of heritage assets when considering new development. However, given the importance of many such assets, full weight to their preservation and enhancement will be given. In order to further assist the identification of heritage assets, the council has embarked on producing a list of Swale's non-designated local heritage assets.

4.3.203 Parts of Swale's heritage are at risk. Historically, this has typically been from neglect, but more recently, it has been from changing needs and requirements. This is especially true for our high streets, where a growing demand for online shopping and housing has put the future of some buildings, and in some cases a number of our high streets as a whole at risk. For its part, the Council will aim to remove or reduce this risk over time, but will be especially supportive of sustainable proposals that bring the buildings in these areas back into viable and appropriate use, especially where they can contribute to our regeneration aspirations and make a positive contribution to the local character and distinctiveness of the area, based upon an understanding and evaluation of its defining characteristics.

4.3.204 Within historic landscapes, historic patterns of land use define the 'grain' of existing patterns of settlement and landscape. As with urban development, new development is more likely to be successfully integrated into the Borough if it respects and responds to its context and provides for a sustainable low carbon future. Its layout should take account of the historic landscape of the area. Existing patterns of roads, lanes, paths, hedgerow networks and field boundaries should help to shape new development,

allowing the older landscape to show through the modern development. Historic landscape analysis will enable judgements to be made about the relative importance of different components of the landscape so that priorities can be set for conservation and enhancement.

4.3.205 Overall, development proposals will be informed by the integrity, form and character of settlements and historic landscapes within our settlement strategy, using these assets as a strong starting place for planning change. They will also consider the broad heritage issues identified by the settlement strategy (Policy ST3), within the area strategies (policies ST 5-ST 7) and within development management policies, notably policies DM 32 - DM 38. When bringing forward development proposals, a continuous assessment of considering designated and non-designated heritage assets should be demonstrated from site and desk-based heritage assessment, master planning and development briefs through to design and access statements, as appropriate. The fruits of this important and necessary work will be apparent in the design, layout and detail of the proposals.

4.3.206 Understanding the significance of heritage assets is vital to the sustainable evolution of managing change, and maintenance of the historic environment. The idea of 'significance' lies at the core of these principles. Significance is a collective term for the sum of all the heritage values attached to a place, be it a building an archaeological site or a larger historic area such as a whole village or landscape. Applicants must include an assessment of significance of any heritage asset affected, including any contribution made by their setting, based on Historic England's guidance on the subject outlined in 'Conservation Principles' and in Statements of Heritage Significance: Analysing Significance in Heritage Assets (Historic England Advice Note 12). The level of detail to be provided in any assessment should be proportionate to the heritage asset's significance and no more than is sufficient to understand the potential impact of the proposal on that significance.

Policy ST 11

Conserving and enhancing the historic environment

To support the protection and positive management of the Borough's heritage assets, the Council prepared and subsequently adopted (in March 2020) a borough-wide Heritage Strategy. As a key objective of this adopted strategy, new development will be required to sustain and enhance the significance of designated and non-designated heritage assets in order to enhance the historic environment whilst creating for all areas, a sense of place and special identity. Furthermore, development proposals will, as appropriate:

1. Accord with the national planning policy framework (NPPF) in respect of heritage matters, together with the priorities of the adopted heritage strategy;

2. Sustain and enhance the significance of Swale's designated and non-designated heritage assets and their settings in a manner appropriate to their significance and, where appropriate, in accordance with Policies DM 38 to DM 42;

3. Respond to the integrity, form and character of settlements and historic landscapes;

4. Respond positively for the planned bringing of heritage assets into sensitive and sustainable use as set out within allocations, neighbourhood plans, regeneration areas and town centres, especially for assets identified as being at risk on national or local registers;

5. Respond positively to the conservation area appraisals and management strategies prepared by the Council;

6. Respect the significance and integrity of heritage assets, whilst meeting the challenges of a low carbon future;

7. Respond positively to the schedule of the local heritage list (non-designated heritage assets) which the Council will be putting in place within the plan period; and

8. Promote the enjoyment of heritage assets through education, accessibility, interpretation, and improved access.

5 Land allocations for new development

5.1 Introduction

5.1.1 This chapter deals with the land allocations that are necessary to meet our development targets for the period 2022 to 2038. This includes allocations for both residential development and employment land. 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 Review builds on those existing allocations and intends to roll forward those that are not yet built out as saved policies. These sites are identified in the table in appendix x. As this plan progresses through the various stages of the local plan review process, the table will be updated to reflect activity on the ground, rolling forward only those allocations that are still to come forward in their form as set out in their policies in Bearing Fruits. In due course, these saved policies will be merged into a final version of this plan.

5.1.2 In addition to the saved allocations and policies, the Local Plan Review provides for development opportunities as follows:

- mixed use development at strategic allocations at east of Faversham
- mixed use development on land at Rushenden South to complement the wider regeneration area at Queenborough and Rushenden
- an 'Area of Opportunity' to bring forward a housing-led development during the mid to later years of the Local Plan Review at Teynham
- Some smaller scale residential and employment allocations are at Neames Forstal, Selling and at Lamberhurst Farm near Dargate.
- Sittingbourne town centre is a focus for major development, bringing forward brownfield sites to deliver a range of uses, include a substantial amount of new homes

5.2 Existing committed strategic allocations

Saved housing allocations

5.2.1 Bearing Fruits was adopted in July 2017 and allocated sufficient land to deliver approximately 11,309 dwellings on additional sites to those that were already committed to meet the identified development needs at that time. The period of the Bearing Fruits local plan covered 2014 to 2031 and therefore needed to include sites that would deliver throughout the whole of the plan period, during years 2022 onwards. 2022 is now the base date of this Local Plan review and therefore it is appropriate to roll forward unimplemented development allocations. While there has been some progress in the delivery of local plan allocations, there remains a significant number of sites that are not yet implemented. These sites are identified in appendix x and are saved allocations as part of this review. Site specific policies that set out the development parameters remain in situ as part of the development plan framework. The following sites identified for residential development are at varying stages of the planning and development process. These allocations and their respective policies in Bearing Fruits are to be saved pursuant to the progression of this document.

Policy A 1

Saved Housing Allocations

The sites identified in appendix x are safeguarded for development as identified by their saved policies from Bearing Fruits. These policies will apply when determining planning applications for these sites along with the general policies and principles set out in the Local Plan Review.

5 Land allocations for new development

5.3 Existing committed housing allocations

A 1 a Smaller allocations for housing development

The sites set out in Bearing Fruits, policies A20 and A21 that are unimplemented with be rolled forward in this review as shown on the proposals map. Some of these sites have particular issues that require consideration in detail at the planning application stage in accordance with policies of the Local Plan. These matters are not repeated here. However, some allocations have specific issues that are already highlighted. An additional site is added as below.

Allocation	Commentary with specific reference to relevant allocations
Former Garden Hotel, The Street, Boughton	• Design and layout of proposals will need to take full account of the listed former hotel and its setting that may limit the capacity of the site to up to 20 dwellings • Will need to undertake ecological assessments that will also consider the presence of protected species

Table 5.3.1

Policy A 1A

Allocations on sites within existing settlements

Planning permission will be granted for residential development at the following locations (as listed and unimplemented) in Policies A20 and A21) and including the additional site of the former Garden Hotel as shown on the Proposals Map.

Development proposals will:

1. Address the matters listed in the above table (and that in Bearing Fruits as it pertains to rolled forward Policy A20 and Policy A21 sites).

2. Address whether existing open space should be retained and make new provision as required;

3. Achieve design, layout, density and landscaping appropriate to the context of the site and in accordance with Policy ST 6 Good Design;

4. Avoid adverse impacts on biodiversity where possible, mitigate adverse impacts to acceptable levels and achieve 20% biodiversity net gain. 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 Policies ST10 and DM24

6. Through the use of integrated strategies, retain existing trees and vegetation where possible and enhance through appropriate landscaping;

7. provide safe access to the site and respond to issues highlighted by an appropriate transport assessment;

8. Make the site safe from contamination and flood risk;

9. Meet open space needs in accordance with Policy DM 17;

10. safeguard the amenity of existing and new residents;

11. Achieve a mix of housing in accordance with Policy ST 5, including provision for affordable housing with Policy DM ??; and

Provide infrastructure needs arising from the development, including those identified by the Local Plan Review Infrastructure Delivery Plan.

Kent Science Park

5.3.1 1.1 Located in the rural area south of Sittingbourne, the Kent Science Park has developed across 26 hectares and comprises around 47,000 sq. m. 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.

5.3.2 1.2 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 proposals map. It provides a specialist offer within the Borough and wider region, supporting approximately 600 jobs in the bio-sciences are environmental technologies sector.

5.3.3 1.3 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 AONB 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.

5.3.4 1.4. Policy XX KSP 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 of this specialist facility.

5.3.5 1.5 Any proposals to expand the Park beyond the extent of the site shown on the proposals map should come forward in the context of a landscape strategy and framework prepared for agreement by the Council. Any 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. Attention should be given to any impacts within views of the site, especially from the Kent Downs AONB to the south.

5.3.6 1.6. 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 A 2

Kent Science Park

The Council will support proposals at the Kent Science Park, as shown on the Proposals 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 significant adverse impacts on the environment or where not possible, minimise and adequately mitigate such impacts, or compensate for them as a last resort. Additionally,

All development proposals shall:

1. comprise uses compatible or complementary with the use of the site as a 'Science Park' as defined by the UK Science Park Association;

2. exploit the existing opportunities for sustainable energy at the site and if this is not feasible or financially viable, incorporate new facilities that deliver reduced or zero carbon development in line with Policy XX

3. demonstrate, via a Transport Assessment, adequate capacity in the existing transport network, including delivery of any identified and necessary improvements to that network that shall also 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 XX Rural Lanes; and

Proposals to extend development beyond the existing boundary as defined by the Proposals Map will need to demonstrate that there is no reasonable prospect of the development needs being met within

the site through redevelopment or reconfiguration. As well as satisfying the above criteria, proposals shall additionally demonstrate that the current level of sport facilities and provision will be maintained and the development will take place in accordance with an overall landscape and ecological strategy and framework that ensures both the mitigation of impacts on designated sites and their setting, and the continuance of a high quality environment for the site and its wider environs.

5.4 Existing committed employment allocations

5.4.1 Two major locations have formed the part of the strategy for employment in Swale since the 1990s. Both benefit from outline planning permissions, with significant areas remaining to be developed. These are Ridham and Kemsley in Sittingbourne and Neatscourt on the Isle of Sheppey. Alongside this are the employment allocations from the 2017 Local Plan which are yet to be built out and are therefore carried forward.

Ridham and Kemsley, Sittingbourne

5.4.2 Situated at the northern edge of Sittingbourne, this site is suitable for B2 and B8 uses of the Use Class Order, which often require large amounts of land, although planning permission for B1 (E) and a limited range of A3 Classes have been additionally granted. Some 145, 985 sq m remains available for 'B' class uses. There is an approved development brief for the site.

5.4.3 Given its closeness to the Swale Special Protection Area and Ramsar site, a Habitats Regulations Assessment may be required and development will need to be carried out with reference to Policy ST 10 and DM 24.

5.4.4 Planning applications need to include an assessment of disturbance including noise, lighting or visual intrusion and other adverse effects on the integrity of the European designated SPA/Ramsar site both during construction and throughout the operation of the site. Planning permissions should ensure that necessary mitigation is provided as necessary to address these issues. Adequate space for the existing high voltage power lines will also need to be maintained. An archaeological assessment will determine the importance of the area and, if necessary, make proposals for mitigation.

Policy A 3a

Ridham and Kemsley, Sittingbourne

Planning permission will be granted for land allocated for economic land uses, as shown on the Proposals Map. Development proposals will:

1. Accord with the approved development brief for the site; and

2. Satisfactorily address landscape, biodiversity, archaeological and existing power line issues.

5.4.5 **Neatscourt, Queenborough, Isle of Sheppey**

5.4.6 Situated on the A249 to the east of Queenborough and forming part of the Queenborough and Rushenden regeneration area (Policy Regen 3), there remains 76,064 sq m available for 'B' Use Class Order uses. Recent development has seen the emergence of the area as a retail and leisure centre to complement Sheerness town centre, but it is important that any further proposals for retail uses do not undermine the role and retail functioning of the town and other local centers or the role of this site in meeting the Island's (and Swale's) industrial floorspace needs for the plan period.

5 Land allocations for new development

5.4.7 Development is expected to accord with the Queenborough and Rushenden Masterplan adopted in 2010 and it's 2015 Addendum. Planning applications will need to address their impacts on landscape, any necessary mitigation and compensation for loss of grazing marsh (some of which has already been implemented), protection of neighbouring residential uses and the retention and protection of existing flood defences. An archaeological assessment will need to determine the importance of the site, for instance its counter-wall, and propose mitigation if required.

Policy A 3b

Neatscourt, Queenborough, Isle of Sheppey

Planning permission will be granted for land allocated for economic land uses, as shown on the Proposals Map. Development proposals will:

1. Accord with the approved Masterplan and it's Addendum; and

2. Satisfactorily address landscape, biodiversity, retail impact and archaeological issues

Land south of Kemsley Mill

5.4.8 Located to the south of Kemsley Paper Mill and to the east of Swale Way, 3.3 ha of land is allocated for a mix of 'B' use class employment uses to achieve up to about 8,000 sq m of floorspace. Outline planning permission was granted for 800 sq m of B1 (E) and B2 for this site but this expired in mid-2019.

5.4.9 The site has good local road access to the A249 and proximity to existing employment activities. Access can be gained from Swale Way, but a transport assessment will determine the extent of contributions needed for improvements to the junction at the Grovehurst Interchange.

5.4.10 Due to the open and exposed landscape across Milton Creek and the Milton Creek country park, this is a highly visible landscape with distinctive landscape features with nearby land of international, national and local importance to biodiversity. Visual impacts are lessened to some degree by the backdrop of the imposing mill complex, but with the allocation located on a slope leading down toward Milton Creek, a poorly executed scheme could result in adverse landscape and heritage impacts due to the site's prominent position and elevation.

5.4.11 At the foot of the slope, a short distance from the allocation, is the Castle Rough Scheduled Monument, a medieval moated settlement site. Although its medieval buildings no longer exist above ground, most of the remainder of the site survives to a great extent intact and has preserved a wide range of features. Its significance is also informed by the physical evidence within the immediate area and the wider landscape with its interface between higher ground, the marshes, and estuary beyond.

5.4.12 Development of the site will need to be led by its landscape and heritage context with its siting, massing, design (inc. external lighting) and landscaping needing to minimise and mitigate visual impacts as far as possible, alongside the preservation and enhancement of the setting of the monument. The site is also crossed by National Grid's high voltage overhead power lines, the location of which should be fully considered. Together these matters will ultimately determine the amount of employment floorspace that is able to be brought forward.

5.4.13 Although separated by a road, visual impacts, and potentially, noise could adversely affect nearby residents and the design, layout, landscaping and uses proposed will seek to minimise these to acceptable levels.

5.4.14 Policies DM 3, 4, and 37 encourage the use of sustainable design and construction, renewable energy and sustainable urban drainage, all of which are particularly appropriate to this location and proposal.

5.4.15 It is likely that it will not be possible to remove all adverse impacts on landscape and heritage, but there are opportunities for adjacent land in the same ownership to form a 15.5 ha extension to the Milton Creek country park which could offer wider landscape and biodiversity enhancements and increase natural and semi-natural greenspace for the town. It should also enable heritage assets to be improved with better management, access and interpretation to Castle Rough, leading to an enhancement in the condition and appearance of the monument itself. This might be achieved through clearance of vegetation, and better access to it (signage and paths) so that the monument is better revealed, appreciated and understood. Given the proximity of the allocation to the monument, there is also potential for associated archaeological deposits to be revealed and therefore archaeological investigation to precede development should take place in accordance with relevant guidance and Policy DM 33.

5.4.16 Provided that development is able to facilitate the transfer of this land, alongside any physical improvements necessary to secure access and enhancements to landscape, heritage and biodiversity, the overall benefits of the proposals should outweigh any remaining adverse impacts. However, it will not be possible to determine this without further assessment at the planning application stage. A Habitats Regulations Assessment may also be required to determine any impacts arising to the Special Protection Area.

5.4.17 Given the context of the site and the issues arising, use of the Council's Design Panel, or similar, is strongly advocated as a means to ensure the development is successfully integrated with its surroundings.

Policy A 3c

Land South of Kemsley Mill

Planning permission will be granted for economic land uses on land to the south of Kemsley Mill, as shown on the Proposals Map. Development proposals will:

1. Bring forward proposals to minimise the potential visual, heritage and residential amenity impacts of development through high quality integrated landscape-led design, including the use of the Council's Design Panel, or similar;

2. Facilitate an extension to the Milton Creek country park to bring about enhancements to the significance, condition, appearance and appreciation of the wider landscape, biodiversity and heritage of the area;

3. Achieve the preservation and enhancement of the Scheduled Monument (including its setting) and undertake archaeological evaluation of the site in accordance with Policy DM34 and respond accordingly;

4. Contribute toward improvements to highway infrastructure where identified by a transport

assessment; and

5. Bring forward sustainable design and construction, renewable energy and sustainable urban drainage measures in accordance with Policies DM 3, 4, and 37.

Land at West Minster, Sheerness

5.4.18 This 2.5 ha site at West Minster Sheerness is allocated for 7,500 sq m of 'B' use class employment uses. The site occupies an important location on the A249 Trunk Road and on the approach to Sheerness.

5.4.19 The site has been reviewed since its allocation in both the 2008 and 2017 Local Plans and it remains the Council's view that this site is suitable for a range of employment uses. However, its size has

been reduced since the 2008 allocation to avoid biodiversity and archaeological concerns and to limit its visual intrusion into the open countryside. The standard of layout/design and landscaping associated with the proposal will be required to respond to and reflect its prominent location on the approaches to Sheerness. The archaeological potential of the site should be assessed and any impacts arising mitigated.

Policy A 3d

Land at West Minster, Sheerness

Planning permission will be granted for economic land uses on land at West Minster, as shown on the Proposals Map. Development proposals will:

1. Achieve a high standard of design and landscaping in recognition of the site's prominent location;

2. Financially contribute toward improvements to infrastructure where identified by a transport assessment; and

3. Assess, minimise and mitigate impacts upon biodiversity and archaeology.

Land at Cowstead Corner, Queenborough

5.4.20 Located between the A249, Cowstead Corner and the Neatscourt employment allocations to the west are two sites of 1.36 ha and 1.6 ha respectively. The sites form part of the wider regeneration area for Queenborough-Rushenden identified by Policy Regen 3. They present an opportunity to modestly extend and round off the existing Neatscourt employment allocation.

5.4.21 The northern site could be appropriate for hotel use (use class C1), perhaps for around 20 bedrooms. In addition to meeting a need for accommodation on the Island, the design of the building would need to reflect this prominent gateway 'first impressions' location on the rising ground at the edge of the marshes. The high quality design needed for this location will point to a better quality hotel being provided in a high quality landscaped environment, as opposed to that which would normally be achieved by the budget hotel sector. The limited size of the site may present challenges to achieving this and as such, the Council will encourage use of its Design Panel process. Archaeological evaluation and mitigation of impacts should also be undertaken at this site.

5.4.22 Planning permission will not be granted for roadside services such as truck stop facilities, refueling facilities and similar services in this prominent location.

5.4.23 To achieve the maximum developable area, access to the site should ideally be achieved from the existing employment allocation to the west. Should that not be possible, then a transport assessment will need to additionally demonstrate that a safe access can be achieved in what would be a location close to the roundabout.

5.4.24 For the land to the south of the A249, there is likely to be only limited potential to extend the employment allocation for 'B' use class uses for up to 5,600 sq m. Other than potentially being able to provide some additional capacity for the existing building plot to the west, it is likely that the majority of the site would be required for landscaping, given its prominent location.

5.4.25 Although these sites lie outside the current extent of Neatscourt employment area, they will closely relate both physically and visually to development which is planned there. As such, developers bringing forward proposals are advised to have regard to the adopted 2010 Masterplan SPD and its 2015 Addendum, to ensure that complementary schemes are proposed.

Policy A 3e

Land at Cowstead Corner, Queenborough

Planning permission will be granted for employment uses on sites north and south of the A249 at Cowstead Corner, as shown on the Proposals Map. The northern site is allocated for an hotel (use class C1), whilst the southern site for economic land uses. Development proposals will:

1. North of the A249, satisfy the Council that the design and landscape framework for the site and buildings reflect their prominent gateway location and does not include facilities associated with roadside services;

2. South of the A249, secure vehicle access from the adjacent employment land and achieve

significant landscaping reflecting the site's prominent gateway location;

3. Undertake archaeological evaluation and mitigation of impacts prior to development of either site; and

4. Be complementary to the provisions of the Queenborough/Rushenden Masterplan and it's Addendum.

Land at Selling Road, Faversham

5.4.26 This site comprises 1.8 ha for employment purposes of land and buildings situated on the western side of Selling Road and to the south of the Gunpowder Mill public house. The site is a unique and attractive opportunity for a range of small-scale employment uses appropriate to this semi-rural location. These could complement the uses already established on the eastern side of Selling Road, though new retail would need to be very carefully scrutinised given the site's location relative to the town centre. Given the modest scale of the employment envisaged, the site could achieve some 6,300 sq m of new 'B' use class employment floorspace.

5.4.27 The site sits partly within the proposed mixed-use development at East Faversham, specifically the SE Faversham site, and proposals will need to ensure a coordinated design approach.

5.4.28 Development will mainly comprise conversion of the existing buildings on the site, although where considered appropriate, the Council will permit some new build. Any such development will need to be of the highest design standard and respect the traditional vernacular of the existing buildings, especially those identified as heritage assets. Likewise, the site's future relationship with the allocation to the south will need careful thought. Future planning applications should also include an archaeological assessment, which, if required, will lead to proposals for mitigation. Due to the current nature of the site and its potential ecological value, an ecological assessment will be required.

5.4.29 Current access to the site is restricted, so uses that attract high volumes of traffic would not be appropriate without improvements to the A2/Selling Road junction and/or linkages through to the proposed development at SE Faversham (Policy MU 1c.)

Policy A 3f

Land at Selling Road, Faversham

Planning permission will be granted for economic land uses on land and buildings to the west of Selling Road, Faversham, as shown on the Proposals Map. Development proposals will:

5 Land allocations for new development

1. Comprise uses appropriate in scale to a semi-rural location;

2. Predominantly comprise the sensitive conversion and re-use of existing buildings;

3. Achieve a high built and integrated landscape design standard, respecting and reflecting the traditional vernacular of existing buildings and by securing an integrated edge with the adjacent MU1 c allocation;

4. Prepare a Transport Assessment and implement any highway and other transportation improvements necessary; and

5. Assess, minimise and mitigate potential adverse impacts upon biodiversity and archaeology.

Land at Graveney Road, east of Faversham

5.4.30 A 2.0 ha site north of Graveney Road and adjoining an existing employment area is allocated for employment purposes. The site could provide some 7,000 sq m of floorspace suitable for B1 (E), B8, or possibly B2 use class uses.

5.4.31 There are constraints to development here arising from its topography and the resulting need to place new buildings below existing site levels to reduce visual impacts on the wider open landscape around it. Access to the site will be via the proposed allocation to the east. (MU 1a.) Any remaining visual impacts will be mitigated by the retention and significant enhancement of existing vegetation, which may require use of some adjacent land.

5.4.32 It is highly likely that safeguarded minerals are present at this site and therefore the quality and quantity of the mineral and the practicalities of prior extraction should be investigated via a Minerals Assessment in line with the safeguarding mineral and prior extraction policies contained within the Kent Minerals and Waste Local Plan.

5.4.33 Achieving these objectives is likely to be best secured through a comprehensive approach with the redevelopment of the adjacent area subject to Policy MU 1a. A Transport Assessment will be required and some localised improvements, especially sustainable and active travel interventions, will be required, within this cluster of sites and to the town centre and the train station.

Policy A 3g

Land at Graveney Road, east of Faversham

Planning permission will be granted for economic land uses on land at Graveney Road Faversham, as shown on the Proposals Map. Development proposals will:

1. Secure access to the site via land to the east;

2. Undertake a Transport Assessment and provide any highway, sustainable and active travel interventions required;

3. Undertake archaeological evaluation and mitigation of impacts prior to development; and

4. Minimise adverse impacts upon the landscape and surrounding countryside to acceptable levels and landscape the site, in conjunction with the site to the east, Policy MU 1a, create an appropriate and attractive urban edge to the town.

5.5 Proposed strategic, mixed use allocations and areas of opportunity

East of Faversham Expansion

This mixed use allocation policy covers three sites: the land at Graveney Road, land at Lady Dane Farm and land at South East Faversham. This is to ensure a coherent design and movement approach across the sites.

5.5.1 The concept diagram also includes the extension to the Preston Fields site allocation.

5.5.2 Faversham is the second tier of Swale's settlement hierarchy and therefore contains a good range of services and facilities and transport options. It is an attractive and historic small market town at the centre of a rich farming hinterland and is surrounded by attractive countryside. The town's industrial and maritime heritage produce its present day character - an outstanding range of historic buildings, streets and waterways and a town centre with a strong independent retail and service sector which needs nurturing and supporting, especially in the aftermath of Covid-19 and the ensuing recession. This allocation needs to support the town centre and not act as an alternative destination for leisure and retail. The large scale of this allocation will be a challenge for Faversham's services and existing infrastructure and therefore it will require careful planning to ensure that adequate provision is made to support both new and existing residents.

Site description

This large development site is located on the eastern side of the historic market town of Faversham and is bounded by the London to Thanet railway line to the north and the M2 motorway to the south, with the historic A2 road and the London to Dover railway line running through it. The majority of the site is currently being used for agriculture; mostly top and soft fruit and arable crops with shelter breaks as the predominant landscape feature. Land is relatively flat overall with subtle undulations and then rising to the south-east – levels increase from 25m AOD to 40m AOD. From the A2 travelling east and from the M2/A2 junction the part of the site east of the railway line is visually prominent due to this topography.

5.5.3 The landscape to the south and east of Faversham comprises a combination of predominantly arable fields and areas of commercial fruit cultivation and horticulture. The presence of some commercial orchards and an associated network of shelterbelts and hedgerows throughout the area provides enclosure and helps contain the apparent scale of the landscape.

5.5.4 Landscape sensitivity has been assessed by consultants LUC both in broad terms Faversham wide and in detail specific to the site. (ADD in link.) Overall sensitivity of the site to residential development is designated 'Moderate'. Surrounding Faversham, apart from the east and south-east zones, all other areas are classified as 'High' sensitivity to residential development. The site falls within the Landscape Character area Faversham and Ospringe Fruit Belt (no. 20). The detailed assessment of the character area identifies that impacts on landscape character and visual impact can be mitigated, providing mitigation proposals are adopted, but that impacts on local landscape features and views may still remain.

5.5.5 The area is not subject to any landscape designations (national or local). However directly south of the site, south of the M2, is an Area of 'High Landscape Value – Kent Level' (HLV-KL) and to the south-east, beyond the HLV-KL, is the 'Kent Downs Area of Outstanding Natural Beauty' (KD-AONB). Although the KD-AONB is not actually adjunct to the site it is considered that the site is within the 'setting' of the KD-AONB as it is visible from the KD-AONB. Therefore, careful consideration to the potential impact on its setting must be had, especially from land at SE Faversham. Salters Lane, Selling Road, Homestall Lane, Graveney Road and Staple Street are locally designated Rural Lanes. There are some long views across the larger scale fields to the north across the Swale to the Isle of Sheppey and to the east to the wooded high ground of the Blean.

5 Land allocations for new development

5.5.6 There are two listed buildings on the SE Faversham site and one adjacent to the land at Lady Dane Farm site but no Conservation Areas covering the site.

What is proposed?

In total, this site will accommodate a minimum of 3,340 dwellings with an appropriate mix of type and tenures and affordable housing percentage, in accordance with Policies ST 5 and DM 15. It will provide a wide range of employment, including at least 20ha of land for economic land uses and a new secondary school and two new primary schools, one 2FE and one 2 or 3FE.

5.5.7 Due to the scale of the growth proposed and the need for land owners to work together, a Masterplan/development brief should be prepared, consulted upon and agreed by the Council before any planning applications are submitted. This should consider such matters as the phasing of development relative to transport and other infrastructure improvements and the need to secure an upgrade to the waste water works. At all stages, use of the Council's Design Panel, or similar, will be strongly recommended.

Key strategic issues that need addressing within the East Faversham Expansion

East of Faversham is identified for large scale growth in recognition of its location close to the town and the strategic road network of the A2 and M2. There are a number of strategic issues needing to be addressed if the town is to expand further eastwards successfully:

1. Integrating the expansion area with the existing town: The aim is for the expansion area to feel part of the town of Faversham and not a stand-alone, so new development must integrate physically and socially with a tailored response to pedestrian, cycle and street connections, linking to existing social infrastructure and the town centre.
2. Minimising visual impacts on the exposed character of much of the surrounding landscape: This affects the whole of the allocation, but more so in some locations on the northern, eastern and southern sides. The expansion will form the new built edge of Faversham and must provide an attractive and positive response to the interface with the countryside and at new gateways to the town.
3. The relationship with nearby environmental designations: The North Kent Marshes Area of High Landscape Value and the Swale and Medway Special Protection Areas, Ramsar and SSSIs are close to the northern edge of the allocation where increased populations could increase recreational and other impacts. The southern boundary of the allocation is also close to the boundary of the Kent Downs AONB.
4. Impact on the town centre: Development in this location must be complimentary to, and not compete with, the services and facilities in Faversham town centre. It is imperative that any new retail is not in competition with the town centre but is serving a local need only. Excellent sustainable and active transport options will need to be developed between the site and the town centre to facilitate good access to the town centre as the primary centre.
5. The ability of the transport network to accommodate further growth: The capacity of the M2 junctions 6 and 7 will be impacted by growth at this location and currently RIS2 funding is available only for a feasibility study of junction 7. Whilst initial transport modelling for the Local Plan has confirmed that these constraints are not necessarily insurmountable in the medium term, detailed development proposals will need to further assess these issues at the local level. A comprehensive sustainable and active transport network will need to be developed.
6. The creation of a healthy and inclusive new community: In recognition of the role that the built environment has on people's health and wellbeing development must be designed to have increased access to public green space where wildlife thrives to enable healthy play and leisure, maximise active travel, inspire healthy eating and deliver warm, energy efficient homes with better air quality inside and outside.
7. Creating sustainable places: Development must be designed to conserve energy and water, reduce waste, use renewable energy and sustainable materials where possible.
8. Creating distinctive places: By making the most of what is present both on the sites (including retaining shelter belts and respecting the existing topography), the vicinity and within the town this is about implementing a locally distinctive urban and landscape form relevant to Faversham.

5.5.8 INSERT concept diagram

Introduction to the 3 sites

Design

5.5.9 In keeping with policy ST6 requiring good design, an urban and landscape design approach is fundamental to the masterplanning of the whole allocation, informed by a local study and a thorough examination of the existing issues and opportunities for the area. It should include an urban design-led masterplan for the whole allocation, which links the new development to the existing town, creating a resilient network of streets that can be developed, in stages, over time and does not prejudice connections to future adjacent sites.

The Natural Environment

Due to the strategic scale of this allocation it will be imperative to ensure that the environmental and landscape elements are of the highest quality and are embedded in the design and layout and are informed by an ecological and landscape assessment. Measures will include:

a) The provision of 20% net gain in bio-diversity (ADD link DM 24)

b) Retaining existing hedgerows for both their ecological, landscape and visual value after an assessment for SBC to review.

Landscape

The Swale Landscape Sensitivity Assessment (May 2019) assesses this area as medium sensitivity to both residential and employment development. The settlement edge of Faversham is currently well-contained by the A2 and Love Lane and these roads, of a low rise character and relatively well-screened by established roadside hedgerows. As such, there is not a strong visual relationship with the landscape area. Nevertheless, there is some intervisibility between the two, with the local landmark of the spire of St. Mary of Charity Church, Faversham visible on the skyline from some parts of the area, and the open recreational spaces of Faversham Cricket Club and Faversham Town Football Club grounds are located within the landscape area, immediately south of the A2, imparting a transitional character between the settlement and the agricultural land beyond. The area forms a strong agricultural setting for the market town.

5.5.10 Despite the proximity to Faversham, the area retains a strongly agricultural character, albeit with limited tranquility and a recent trend towards some enlarged arable fields and a loss of structural features such as shelterbelts (though many remain), hedgerows and orchards, imparting a greater openness to the landscape, accentuated by the flat to gently undulating landform. Heritage assets such as farmsteads, together with natural features such as woodland and remnant traditional orchards, have the impression of being quite isolated within the modern agricultural landscape and road network. These attributes, in combination with the visual exposure of the area and the absence of landscape designations, indicate a moderate overall sensitivity to future change from residential and employment development.

5.5.11 The assessment gives the following guidance for development here:

1. Any new development should follow a landscape-led approach, utilising landform and natural contours to sensitively contain and provide boundaries to built form; and conserving and reinforcing the existing network of shelterbelts, hedgerows, copses and orchards, which provide landscape structure, enclosure and screening, such as those to the south of the A2. Consider the creation and restoration of such features, where these have been lost, such as in the north of the landscape area beyond the A2. This landscape-led approach should extend to the consideration of green and blue infrastructure (GBI), and opportunities to incorporate existing valued landscape features within a network of multi-functional, accessible green and blue spaces and routes, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

5 Land allocations for new development

2. Ensure consideration is given to sensitive heritage assets including Conservation Areas, listed buildings, scheduled monuments and their settings.
3. Consider incorporating important and locally distinctive skyline features and views within the general layout/design and key vistas of any new development e.g. maintain the open views to the Blean wooded ridgeline to the east, and to the Isle of Sheppey to the north; maintain and focus views to the Church of St Mary of Charity, Faversham.
4. Ensure any new development is sensitive to local character and context in terms of building scale, massing, style and materials, incorporating sensitive lighting design and native plant species of local provenance.
5. New development should also seek to conserve and enhance the special rural qualities of the designated Rural Lanes: Salters Lane, Selling Road, Homestall Lane, Graveney Road and Staple Street.
6. Maintain the rural approach to Faversham along the A2 from the chalk quarry eastwards.
7. If screen planting is proposed it must be carefully designed to fulfil its function using native species.

Employment

5.5.12 The Council have an ambition for the strategic allocations to provide one job for each dwelling, as set out in Policy ST1 and therefore this development should strive to achieve that. There are three main employment locations, as shown on the concept diagram, however it is envisaged that there will be other employment uses pepper potted throughout the developments in order to try and achieve this ambition. The employment should be provided alongside the provision housing and not as an afterthought and the S106 agreement will be worded to reflect this.

Transport

A comprehensive strategy is required to reduce the impact of private vehicles and to implement more active and sustainable travel measures. This can be achieved through a careful balance and mix of housing, employment and community facilities, thus reducing the need for residents to travel beyond the site for their everyday needs. Serious consideration should be given to the provision of a car-free or low-car dependency development for parts of the development. A wide range of measures will be required to implement this modal shift and will include a mixture of active and sustainable transport measures:

a. the provision of pedestrian and cycle routes and facilities including connections between the site and the town centre, the employment hubs, the railway station, the schools and the wider countryside. These should be naturally over-looked and appropriately lit. Pedestrian routes should link with established public rights of way. Cycle routes should link with a strategic cycle route to be developed, connecting Sittingbourne to Faversham.
b. the consideration of making permanent Faversham's '20's Plenty' trial and extending to include Love Lane, Graveney Road, the A2 though the development and Selling Road and all new roads though the development. Slower speeds across the village including the London Road. This could be an efficient way to provide a safer and more pleasant cycling and walking experience for the wider town.
c. the protection and enhancement of rural lanes within and around the allocation, including the Selling Road and Graveney Road. Consideration should be made for options to reduce speeds on rural lanes, to enhance opportunities for cycling, linking rural lanes, where safe, to a wider cycling network.
d. the provision of safe and accessible cycle parking and electric charging infrastructure in line with policy DM 10.
e. the provision of an electric car and cycle club for the allocation to reduce the reliance on private cars, linked to the provision of a new car club, improved public transport and cycle and walking networks.
f. a commitment to public transport improvements, for instance including bus prioritisation, station improvements and subsidies.
g. Public Rights of Way retained as part of a wider internal network with review of the alignment in light of the built form and open space layout.

Open space

Open space, play and sports facilities will need to be provided to meet the needs of the existing and new residents of the area, ensuring no net loss in existing provision and in accordance with the requirements of Policy DM 17. Facilities should be provided in liaison with the Borough's Greenspaces Team and recognising that open space, play and sports provision is more effective if considered holistically across the whole allocation and provided strategically and creatively.

Local Centre

A local centre with predominantly retail and community uses will be provided on the SE Faversham site which will contain a mix of uses with active ground floor uses and residential or small scale offices above. The land at Lady Dane Farm site will have a smaller local centre focused around the secondary and primary school site which will be a focus for community facilities and open space and we envisage a number of smaller retail units dotted through this site, especially to serve the employment areas. Both must provide excellent walking and cycling links to all three sites and adequate, safe cycle parking. The timing of the delivery of this will be crucial and will be set out in the S106.

Infrastructure Requirements

5.5.13 Infrastructure needs for this allocation have been identified and are outlined in the Infrastructure and Delivery Plan. Due to the likely build out time of this large scale strategic development, it is anticipated that these needs may change with time. It is anticipated that contributions towards the following will be required:

1. Southern Water say capacity at the local Waste Water Treatment works is requiring the provision of new or increased capacity and need to phase developments. There is capacity to accommodate development at Graveney Road and Preston Fields but not the two larger sites (East of Faversham and south east Faversham). Existing local sewerage infrastructure to the site as a whole therefore has limited capacity and subsequent conditions must ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure. Funding for this work would be through Southern Water's next AMP cycle (2025-2030.) Landowners and developers need to work with DSW to facilitate this upgrade and early engagement between interested parties and Southern Water is essential.
2. Further to modelling and transport assessment, Kent Highways have outlined that transport mitigation will be required which will likely include contributions towards: a mitigation strategy for the A2 (including junction improvements and bus prioritisation); air quality mitigation; a cycle and pedestrian network between Sittingbourne and Faversham; M2 J6capacity improvements over and above that currently planned in KCC A2/A251 junction improvement scheme; and M2 J7capacity improvements required as no spare capacity.
3. Kent County Council (KCC) have assessed the need for financial contributions towards

    i. towards secondary school provision (Faversham)
    ii. community provision to contribute towards libraries, community learning and youth facilities
    iii. social care and the requirements that all homes be built to Part M4(2) space and accessibility standards.
    iv. Waste Services
    v. KCC have also outlined that all homes to have Fibre to Premise broadband provision and that community buildings are built to their requirements (i.e. dementia friendly, with DDA catering areas, and toilet and changing facilities for the severely disabled)

4. No on-site health facilities are required by the NHS however, developer contributions will be expected towards expansion proposals at existing GP practices in Faversham.
5. The gas network is weak on the eastern side of Faversham and the Duchy site triggers the requirement to reinforce by itself, but it is dependent on where the site connects to the gas network. The developers will need to work with Southern Gas Networks during the Masterplanning process to agree what, if anything is required, design and costs.

5 Land allocations for new development

5.5.14 The phasing of development at East Faversham to align with infrastructure provision is going to be a key element of the masterplan, especially in relation to the waste water works capacity issues and M2 J7, and needs to be considered from the start of the development process.

Minerals safeguarding

5.5.15 It is highly likely that safeguarded minerals, Brickearth, are present at all three of these sites and therefore the quality and quantity of the mineral and the practicalities of prior extraction should be investigated via a Minerals Assessment in line with the safeguarding mineral and prior extraction policies contained within the Kent Minerals and Waste Local Plan.

Stewardship

5.5.16 Long term stewardship of a large development like this will be required and will involve the active and positive management of everything from green spaces to arts provision to commercial estates and utility infrastructure. Putting local people (and stakeholders) at the heart of this process can generate increased local support, creativity, entrepreneurialism, and better management of open space and strategic landscaping. Managing ecology and the SUDs is specialist and requires a specialist organisation.

Land north of Graveney Road

5.5.17 There is Southern Water underground infrastructure crossing the site and this will need to be considered when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements will need to be clear of all proposed buildings and substantial tree planting.

5.5.18 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.

Land at Lady Dane Farm

5.5.19 Ewell farmhouse, a Grade 2* listed building, is adjacent to the site and therefore it's setting will need to be carefully considered at the Masterplanning stage.

5.5.20 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.

Land at South East Faversham

5.5.21 This site contains two listed buildings, Grade II, at the edge of the site, the Macknade Oast's which site close to Selling Road opposite Macknade Fine Foods. The setting of these will need to be carefully considered when designing the adjacent development.

Policy MU 1

East of Faversham Expansion

The landowners and developers of all three sites will be required to co-ordinate the preparation, consultation and approval of a Masterplan/development brief and phasing plan for the whole of the allocated area, which shall be submitted to and approved by the Council before any of the planning applications are submitted. The Masterplan/development brief and planning applications will develop a framework for the land indicated on the Proposals Map and on the concept diagram based on the local study.

Development proposals will:

1. Accord with a Masterplan (developed through stakeholder consultation, including the Borough Council and Faversham Town Council), which shall demonstrate a comprehensive approach to bringing forward the whole allocation. The Masterplan will feature a series of walkable neighbourhoods, with legible streets and paths connecting neighbourhoods to nearby services and facilities.
2. Achieve high quality design based on a Design Code that shall have been approved by the Borough Council. The Design Code will be based on a characterisation study of local design typologies, and will seek to reflect the aspects of Faversham's morphology that contribute to the town's significance, including its scale, character, heritage assets, urban form, the surrounding countryside and the town's rural approaches. The Code shall also seek to integrate the existing shelter belts, hedges and retained trees into the proposed development.
3. Achieve a mix of housing sizes, types and tenures to meet the range of identified local housing needs, including affordable housing, self-build opportunities, accessible housing and housing for older people in accordance with policies ST5 and DM15.
4. Provide a mixture of economic land uses throughout the site which meet the needs identified through Swale's Employment Land Review.
5. Development proposals will meet the requirements in policy DM2 'achieving good design' and will provide a design response to the local study of urban form, landscape, architecture and heritage and should include a high quality, place-led approach to street and landscape design which encourages travel by foot and cycle whilst achieving a built design and layout which responds to the context of the site and its landform through:

    a. An integrated approach to land use for example dwellings face and overlook open space, the perimeter of schools is encased with residential for security, employment uses positively interface with residential development, residential is provided above retail and so forth;
    b. A residential layout based on perimeter blocks with a clear definition of public and private space;
    c. An integrated landscape, enabling green and blue infrastructure to be woven throughout the town from its centre to its outskirts;
    d. Existing streets and lanes must be fronted by development and respond to the different characters of the spaces for example a strong urban frontage to the west end of the A2 and Graveney Road, a strong green frontage to the eastern end of the A2 and a combined green and urban frontage with buildings facing the various lanes;
    e. A well-defined countryside edge with new development facing outward;
    f. Landscape to include locally relevant species and planting approaches such as community orchards, hedgerows etc. based on the local Landscape Character;

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g. Following a survey of what is existing, a strategy for the retention of existing topography, woodland, orchards, trees, shelter belts and hedgerows, water features such as ponds and ditches must inform the layout;
h. The impact of car parking on the public realm will be minimised and will be provided in accordance with policy DM11 parking;
i. Ideally noise barriers along the railway lines must be avoided through careful layout of development;
j. The design of homes and the scheme as a whole will seek to encourage flexible working practices, including home working; and
k. Be compliant with Policy ST 6 Design.

6. Demonstrate and provide a strong landscape framework (demonstrated by a submitted Landscape Strategy and a Landscape and Ecological Management Plan). As part of the landscape strategy and ecological management plan, the development will provide substantial natural green spaces, including woodland/copse planting, green corridors to incorporate existing/new footpath and cycle routes to improve connectivity for pedestrians and cyclists.
7. Be informed by an ecological assessment detailing the impacts upon protected species and habitats and to make recommendations for their avoidance, mitigation and, where appropriate, compensation;
8. Achieve a 20% net gain in biodiversity on the site and contribute towards the nature recovery networks.
9. In agreed locations, provide strategic planting and open space in advance of new development.
10. 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 Policies ST 10, including a financial contribution towards the Strategic Access Management and Monitoring Strategy if required.
11. Retain existing boundary vegetation, shelter belts, hedgerows (including those that are ecologically significant) and water bodies.
12. Assess biodiversity interests, including, preparation of a Habitats Regulations Assessment (HRA) to demonstrate that development is not likely to have a significant effect on a Special Protection Area (SPA);
13. Undertake a flood risk assessment to ensure that flood risk is not increased at adjacent sites and to bring forward proposals, through a drainage strategy, that create and utilise water features (including the use of sustainable urban drainage systems) within the development. These assessments and strategies should take full account of the risks of flooding associated with climate change and should be prepared to the satisfaction of the KCC as the Lead Local Flood Authority, the Environment Agency and the Internal Drainage Board as appropriate.
14. Assess impacts upon, and ensure that air quality objectives within Faversham, and especially in the Ospringe AQMA, are not compromised and any development would need to demonstrate that it, in combination with other development, would not lead to any exceedances of air quality objectives.
15. Respond to a detailed heritage assessment (including for archaeology) of the site and mitigate any impacts identified.
16. It is highly likely that safeguarded minerals, Brickearth, are present at all three of these sites and therefore the quality and quantity of the mineral and the practicalities of prior extraction should be investigated via a Minerals Assessment in line with the safeguarding mineral and prior extraction policies contained within the Kent Minerals and Waste Local Plan.
17. Incorporate measures to maximise resistance and resilience to climate change, both within the proposed development (including passive adaptation measures and renewable energy technologies) and by supporting low carbon lifestyles. These measures include EV charging points in all new dwellings, at the employment units and at the local centre. Adaptation and mitigation to climate change is fundamental to the development of the area and should be demonstrated in line with Policies DM 3 and DM 4, embracing the Council's objective for the borough to be zero carbon by 2030.

18. Reflect any measures identified as appropriate following a Health Impact Assessment at the masterplan/planning application stage.
19. Include adequate community facilities as outlined by KCC in terms of contributions to community centres, libraries, adult education, etc.
20. Provide open space in accordance with Policy DM 17. Actual amounts and types of open space will be determined at the Masterplan/planning application stage, in liaison with the Borough's Greenspaces Team, in the context of the specific details of the proposed development. In the case of sports pitch and formal play facilities, it should be possible to make this provision on site, however, 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 Masterplan/planning application stage.
21. Be supported by a Transport Assessment to determine the need and timing of improvements to the local and strategic transport networks relative to the phasing of development, whilst including improvements to the public transport network and encouraging sustainable and active travel through the upgrade of existing, and the provision of new, pedestrian and cycle links through the development within the green corridors and reinforcing the existing footpath network and connections into the town centre, the railway station and the wider countryside.
22. Bring forward such transport improvements and other mitigation as required by the Transport Assessment whilst:

    a. Enhancing and providing additional pedestrian and cyclist access between the sites, the town, the railway station and the open countryside to the north, east and south.
    b. Promoting and facilitating improvements to the A2 corridor which runs through the allocation, enhancing facilities for pedestrians and cyclists on the A2 and to enable safe crossing, especially for children to the secondary school, and contributing to higher environmental standards.
    c. Incorporating measures within the development to discourage the use of private vehicles such as accessible bike storage in all of the residential units and at the schools, local centers and employment units.
    d. Providing active and sustainable transport measures to reduce the reliance on private car use, improve air quality, reduce congestion and make for a safer public realm, including, but not limited to, the provision of a car club (for hybrid or EV cars) across the three sites, provide both a push bike and electric bike rental scheme/club, introduce bus priority measures on the sites.
    e. Designing the road layout around the proposed schools to be 'school street' compliant.

23. Provide parking in line with the adopted Parking Strategy and include a flexible parking strategy which seeks to manage the space given over to car parking, including a strategy to reduce or convert parking spaces for other uses should car ownership reduce over the period of the development.
24. Improve bus stop facilities on the A2 between Salters Lane and M2 J7 to encourage usage.
25. Provide a route, or routes, between the A2 east of Love Lane and Salters Lane to introduce network resilience and accommodate journeys by pedestrians, cyclists and vehicles, with the potential to connect to future offsite routes west of Salters Lane and north of the A2 as may be delivered by others in future.
26. The roads around the new secondary school and the two new primary schools should be designed to allow for the implementation of the 'Schools Street' concept to improve safety and air quality and to encourage walking and cycling to school.
27. Be accompanied by a costed and timetabled coordinated package of suitable measures to address capacity issues at M2 J6, M2 J7, A251/A2 and other nearby junctions and routes, to address the cumulative impacts of these developments.
28. Contribute to the implementation of any highway and other transportation improvements necessary to mitigate impacts arising from the proposed development.

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29. Ensure waste water connections at points that are adequate in their capacity with the masterplan layout to be informed by a surface water drainage strategy deriving from a detailed Flood Risk Assessment. Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.
30. The capacity of the local sewerage treatment works will need to be considered in the master planning of this site and may require phasing of development.
31. Provide for infrastructure needs arising from the development, including those identified by the Local Plan Implementation and Delivery Schedule particularly a new secondary school, a 2FE primary school on the Lady Dane farm site, a 2 or 3 FE primary school on the SE Faversham site, and outlined above.

Policy MU 1a Land at Graveney Road

Planning permission will be granted for minimum 240 dwellings set within a comprehensive landscape framework.

Development proposals will:

1. Need to 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
2. Be accompanied by a noise assessment to evaluate potential impacts and mitigations from the adjacent railway line and Graveney Road.
3. Provide evidence that the development will not result in a 'Likely Significant Effect' to any European site of biodiversity interest.

Policy MU 1b Land at Lady Dane Farm

Planning permission will be granted for a strategic mixed-use development, comprising an employment hub of at least 10ha, a minimum of 600 dwellings, a local centre, a secondary school and a 2FE primary school site, all set within a landscape framework as shown on the Proposals Map which will be comprehensively planned and designed to form a new eastern edge to Faversham, together with ecological enhancements and open space.

Development proposals will:

1. Be served from a principal roundabout access from the A2 London Road with a central spine road which connects with a further roundabout access from Graveney Road.
2. Provide a mixture of economic land uses throughout the site which meet the needs identified through Swale's Employment Land Review, including two main areas of employment, one adjacent to Love Lane and the other on the eastern end of the site close to Brenley Corner. This latter area of employment will need to be well screened with landscaping and of a high design quality as it will form the new gateway to Faversham. As such the existing copse of trees adjacent to the A2 must be retained to help screen the employment provision.
3. Provide a 10.1 ha secondary school site in the position shown on the concept diagram which will be accessed from the main spine road. The secondary school site land will be delivered through an agreed funding mechanism with KCC Education that will be contributed to on a dwelling tariff basis for all allocations and new development within the Faversham catchment.
4. Deliver a 2 FE primary school site, adjacent to the secondary school site as a through school with the agreement of KCC.
5. Be accompanied by a noise impact assessment assessing the noise from the nearby railway line on the school and adjacent housing and employment areas.

6. Respect the alignment of the existing Public Right of Way that crosses the land and use careful landscape planting and building siting to reinforce the status of this path as key movement corridor. Consideration should also be given to the potential upgrade of the PROW to allow use by cyclists.
7. The applicant will be required to provide evidence that the development will not result in a 'Likely Significant Effect' to any European site of biodiversity interest.

Policy MU 1c Land at South East Faversham

Subject to securing high quality design and an appropriate mix of uses, planning permission will be granted for a minimum of 2500 dwellings, a variety of employment space capable of supporting 2500 jobs, community infrastructure, open space and habitat creation on land at South East Faversham, as shown on the Proposals Map.

Development proposals will:

1. Incorporate a local centre that will meet many of the day-to-day needs of the development, while complementing, and not diminishing, Faversham town centre and the retail offer at Macknade Fine Foods.
2. Provide a mixture of economic land uses throughout the site which meet the needs identified through Swale's Employment Land Review, including warehouse and distribution uses on the parcel of land between Brenley Corner and the railway line. This latter area of employment will need to be well screened with landscaping and of a high design quality as it will form the new gateway to Faversham.
3. Base the development on an integrated landscape strategy that will create a strong framework of open spaces, habitat retention and creation and planting, including the use of tree lined streets within the development. The strategy will include a variety of publicly accessible open spaces to cater for the diverse needs of the community, including parks and play areas. The publicly accessible open space shall include a wooded linear park along the M2 corridor. The landscape proposals should work with underlying natural systems, enhance biodiversity within the site and provide opportunities for food growing.
4. Consider any new development in relation to the setting of the neighbouring AONB.
5. Should the Masterplan involve relocating the cricket club and/or football club, suitable new provision shall be made within the scheme, reflecting close consultation with the Clubs and both Faversham Town and Swale Council.
6. The area currently designated as Local Green Space may be required to be developed as part of this plan, which will be acceptable in principle. If so, provision shall be made for an equivalent area of new open space to be laid out and made suitable for Local Green Space designation in due course, and upon completion of the new ground, the current Local Green Space designation will no longer apply.
7. Incorporate a road system capable of being linked to the A251 should the Council promote a link through the Preston Fields site.
8. Provide for infrastructure needs arising from the development, including those identified by the Local Plan Implementation and Delivery Schedule, including a 2 or 3 FE primary school.

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Teynham Area of Opportunity

5.5.22 Teynham is centrally located within Swale and is one of the largest villages in the Borough. It is identified as a Rural Local Service Centre in Policy ST XX as it supports the needs of the existing community and the settlements around it. The village owes much of its good range of services (including primary school, GP surgery, library and retail) and public transport provision to its position along the main Roman Road Watling Street (Greenstreet).

5.5.23 Teynham village is made up of a number of historic settlements including Greenstreet, Cellar Hill and Barrow Green. The London Road running through the village marks the boundary between Lynsted with Kingsdown Parish to the south and Teynham Parish to the north.

5.5.24 The straight alignment of the London Road through Teynham owes much to its Roman origins and gives the 'high street' in Teynham a distinctive linear character. The presence of medieval and post medieval buildings (particularly around Cellar Hill), but also dotted along the London Road and in the countryside around the village, provide evidence of the long-standing agricultural prosperity of the area, made possible by the rich soils of the north Kent fruit belt. The arrival of the railway north of Greenstreet in the 19th century led to the growth of the village towards the train station. Subsequent development over the 20th century has filled in the land between Watling Street and the railway line.

5.5.25 The countryside around Teynham is rural and agricultural in character and use. The Swale Landscape Sensitivity Assessment has assessed the landscape south of the railway line around Teynham in terms of sensitivity to new development. It divided the area into two sections, reflecting landscape character. The area to the west and south-west of Teynham is described as having a broadly flat or gently

undulating landform with a moderate sense of rural character and limited natural features and visually prominent. It concludes this area has a moderate sensitivity to future change from residential and employment development with opportunities to improve the existing urban edge.

5.5.26 The area to the east, south-east and south of Teynham is more sensitive. It has a gently undulating landform, moderate to high sense of rural character and many heritage assets. It concludes that this area has a moderate to high overall sensitivity to future change from residential and employment development, with high sensitivity around the dry chalk valley to the south of the A2 (the Lyn valley) which has a smaller scale, higher scenic value, historic character and tranquillity.

5.5.27 To the east of the village is a ridgeline overlooking the Lyn valley, running north-south and which forms a natural boundary.

5.5.28 North of the railway line is the North Kent Marshes: South Swale Marshes Area of High Landscape Value. This includes historic orchard landscapes with minor hills cut by springs and valleys as well as creeks and ditches draining the marshes north of the village. The key requirement for this landscape is to conserve and enhance its qualities including biodiversity, remoteness/wildness and to avoid further development and subsequent deterioration in landscape quality. This locally designated landscape is outside the area of opportunity.

5.5.29 Important Local Countryside Gaps have been identified between Teynham and Bapchild to the west and between Teynham and Lynsted to the south due to the role these areas play in providing a sense of separation between the villages, to safeguard the open and undeveloped character of the land and to prevent coalescence. These are shown in policy DM 27.

5.5.30 There are no international, national or local biodiversity designations at Teynham.

Issues and Constraints

5.5.31 Whilst Teynham is well situated at the heart of the borough there are a number of constraints to development which need to be overcome if the opportunities for the village are to be realised.

5.5.32 The historic Watling Street which cuts through the village is key to its growth and accessibility but brings with it a number of issues:

- To access the wider vehicular network, traffic from Teynham has to travel along the A2, via Air Quality Management Areas at Teynham itself, East Street Sittingbourne or Ospringe, Faversham. Traffic between Sittinbourne and Faversham also often uses this route, in particular when there are delays on the M2 motorway
- Within Teynham itself there is congestion and delays to traffic, often association with narrow, historic junctions, exacerbated by parked / stopping vehicles
- Narrow street width and parked / stopping vehicles accentuates poor air quality; as mentioned above, part of the A2 within Teynham is a designated Air Quality Management Area
- Poor pedestrian and cycle infrastructure and environment, including inadequate frequency of pedestrian crossing locations for a high street situation, narrow footways, heavy traffic including frequent large HGVs
- Poor quality streetscape design including street clutter, limited green infrastructure and unregulated parking (including parking on pavements)
- Perception and experience of risk from the combination of heavy traffic, narrow pavements, inadequate number of pedestrian crossings, 30mph plus speeds, poor air quality and dirty particulates

5.5.33 The impacts of these issues are detrimental to people using the village and its services, businesses operating in the village, in particular along the London Road, as well as those travelling through. Without adequate mitigation any further development in the village will exacerbate these problems and must be avoided.

5.5.34 Parking is an issue across the village, with inadequate good quality parking provision and limited alternatives to car-based travel leading to inappropriate pavement parking and cars dominating the village scene.

5.5.35 Current facilities and infrastructure (eg school places, GP and Dentist provision) within Teynham are stretched, but currently allocated development should alleviate some of that with a re-built and expanded primary school and improved healthcare facilities. Beyond this, no requirements for specific new facilities have been identified by the education authority (Kent County Council) or the NHS Clinical Commissioning Group within Teynham itself although financial contributions to infrastructure are expected. This situation will be monitored and reviewed as required. Other needs that may need to be met include youth facilities. Enhancing facilities within the village will assist with reducing the need to travel for everyday needs.

Area of opportunity

5.5.36 Teynham has been identified by the Council as an 'area of opportunity' to support new housing development to take advantage of its central location, rail connections, existing facilities and potential to grow. New development would comprise around 1,100 new homes, a commensurate amount of employment and any required infrastructure. Any development must be evidence based and carefully planned to both bring new homes and businesses to the village whilst benefitting the existing community. Consultation with those who currently live and work in Teynham is key.

5.5.37 The boundary of the area of opportunity, identified on the Proposals Map and shown on drawing XX, is highly indicative at this stage and has been led by sites submitted to the Council as part of its Call for Sites, as well as the Council's aspiration that the area of opportunity includes all of the current village envelope, south of the railway. A more definitive 'area' of opportunity will need to be refined following further evidence gathering including comprehensive assessments of any new routes as well as landscape and biodiversity mitigation. The text below identifies some of the constraints that are currently identified, in particular the Lyn valley to the east of the village and the Cellar Hill Conservation Area.

5.5.38 The Council expects landowners, agents and developers with interests in developing sites within the area of opportunity to work together, and with the Borough Council, to develop a **Teynham masterplan Supplementary Planning Document (**SPD) to be adopted by the Borough Council in advance of any determination of any related planning applications. Given the complexity of the joint work and consultation required to develop an appropriate masterplan, the Council does not envisage any housing delivery from the area of opportunity until after 2028.

5.5.39 Evidence will be needed to support this. This will include:

- Updated Transport modelling is being carried out by the Council to determine the impacts of increased development at Teynham, although the Council would expect those the land interests to work in tandem with the Council to produce more detailed transport assessment and modelling work as they progress towards the submission of planning application(s).
- Air quality modelling has already been undertaken to assess the overall impacts of the local plan. Further to the results of the transport modelling, further air quality modelling may need to be undertaken. Both transport and air quality modelling will need to inform the development of the masterplan.
- As a result of transport and air quality modelling it is predicated that transport and mobility mitigation works will need to be developed for the A2 between Sittingbourne and Faversham. This will need to include A2 junction improvements, bus prioritisation schemes and the development of a dedicated cycle and pedestrian route from Sittingbourne to Faversham (via Teyhnam) as an alternative to the A2. Those with interests in developing sites across Teynham will need to work with Kent Highways and Swale Borough Council on transport and mobility mitigation and incorporating it into the masterplan for the area of opportunity. This work will also be informed by the Swale Transport Strategy, currently in development.
- A southern link route would assist in relieving London Road through the village of traffic and would help unlock development sites to the south of the village. The inclusion of a southern link route for

Teynham is being modelled as part of the transport modelling outlined above, although no specific potential alignments have yet been identified.

- There is no straightforward route for a new street. Evidence would need to be gathered as to the technical aspects,including landscape and heritage impacts and benefits to the existing village would need to be assessed against the harm caused.
- As well as a southern link route options to improve connections to the north of the A2 need to be explored. These should include enhancing pedestrian and vehicular links across the area, including from the Frognal Lane development to Station Road (via Donald Moor Avenue and Honeyball Walk). Furthermore, the benefits of a multi-modal route connecting Station Road, through the new Land at Station Road development and land south of Barrow Green to the A2 will also need to be explored. These options are also being examined as part of the transport modelling.

5.5.40 Following on from the updated transport modelling, and as part of the masterplan's development, a feasibility study for these new links would need to be undertaken by those with interests in developing sites across Teynham. This will need to include:

- Assessment of land ownerships, assuming that some land required may be outside of land submitted to the Council's Call for Sites
- Survey work and route design, working with Kent Highways to develop options for possible new and enhanced routes
- Assessment of mobility, landscape, visual, urban design, green and blue infrastructure, heritage (including archaeology), biodiversity, air quality and drainage and flood risk impacts for these options with the view to mitigating impacts and providing 20% biodiversity net gain
- Meaningful community consultation as part of the Masterplan SPD process
- A phasing plan linking the development of new routes to site build outs

5.5.41 Such are the existing issues with the London Road in Teynham (outlined earlier), it is unlikely that without the development of a southern link route, any significant development across Teynham will be able to come forward in a form acceptable to the Borough Council.

Developing a Teynham masterplan

5.5.42 The Council expects landowners, agents and developers and others with interests in developing sites within the area of opportunity to work together, with the Borough Council, to fund and produce a Teynham masterplan for development which will come forward from the mid to the end of the plan period (post 2028). It is the expectation that this will be adopted as a Supplementary Planning Document (SPD) by the Council.

5.5.43 The requirements of the masterplan will need to be informed by the needs of the community, but are likely to include:

1. **Meaningful community engagement and participation**. Teynham is an active village with a range of groups and societies, two parish councils and people with a depth of knowledge about the area in which they live and work. Whilst development brings change, and is sometimes unwelcomed, it can also be an opportunity to resolve existing issues and bring new opportunities. The community are key to identifying these issues and opportunities and safeguarding what is most precious about the area. Meaningful community engagement and participation will need to be established and maintained as part of the masterplanning process. The engagement process should actively seek to engage with the full range of Teynham's residents and businesses, including hard to reach groups.
2. Provision of **new housing**. The masterplan will need to set out how sites across the village will achieve a mix of housing types in accordance with policy ST 5, including those for affordable housing, as well as the requirements of any village/parish needs assessment.
3. Provision of **economic land uses**. The allocated development at Frognal Lane includes an expectation for over 26,000 square metres of small-scale employment provision. Any further development in the village will be required to provide an amount of economic land use to balance the housing provided, with the aim of reducing travel to work. Economic land use provision should be informed by local and

up to date evidence on need and must be of a type and design suitable for a village location. The Council would be keen to see the development of opportunities for creative, local industries which complement the existing offer in the village. Mixed use units, live-work units, shared space workplaces and spaces that encourage flexible working practices would also be encouraged.

4. An **urban and landscape design approach**, in keeping with Policy ST 6, urban and landscape design should be fundamental to the masterplanning of the area of opportunity, informed by community participation and following thorough local studies and examination of the existing issues and opportunities for the village. It should include:

    a. an urban design-led masterplan for the whole area of opportunity, which links the existing village seemlessly to allocated and future development, creating a continuously connected and resilient network of streets that can be developed, in stages, over time and does not prejudice connections to future adjacent sites. New housing and employment across the village should feel part of the village and should connect with social infrastructure, the railway station and the village centre.
    b. masterplanning which explores, responds to and enhances the best features of the existing village, development opportunities and the surrounding countryside to create a locally distinctive village and landscape form that is relevant to Teynham. Options for developing a Design Code for Teynham through the masterplanning process should be explored.
    c. a plan for the creation of healthy and inclusive communities which actively seek to improve health and wellbeing - by increasing access to public and wildlife-rich green space, enabling healthy play and leisure, maximising active travel, inspiring healthy eating and delivering warm, energy efficient and comfortable homes with good air quality inside and out.
    d. an efficient layout, based on perimeter blocks, with a clear definition of public and private spaces should be created, with fronts facing fronts and backs facing backs.
    e. integrated landscape design, enabling green and blue infrastructure to be woven throughout the village from its centre to its outskirts.
    f. an integrated approach to land use where dwellings face and overlook open space and employment uses positively interface with residential (eg homes over shops).
    g. a well-defined countryside edge with new development being outward facing and landscaped to include locally relevant species and planting approaches (eg community orchards, hedgerows etc), based on local Landscape Character. Where screen planting is proposed it should be carefully designed to fulfil its function, using native species.

5. A strategy to **reduce the impact of private vehicles and improve air quality**. Development in Teynham provides an opportunity to enhance the village by reducing the impact of vehicles. A masterplan will need to demonstrate this through:

    a. wholesale assessment of the masterplan's transport impacts, including cumulative impacts, and how these can be mitigated, for instance through the creation of new links and junction improvements along the A2 (from Sittingbourne to Faversham). Improvements to junctions within the village are likely to be required at the junctions of the A2 and Station Road, A2 and Lynsted Lane, A2 and Claxfield Road and possibly at the junction of The Crescent and Conyer Road. The needs of pedestrians and cyclists are fundamental to the design of junction improvements.
    b. a commitment to improve air quality in the village and along the A2 generally. There is currently an Air Quality Management Area (AQMA) along part of the A2 through the village and any development would need to demonstrate that it, in combination with other development, would not lead to any exceedances of air quality objectives. Furthermore, there are a number of AQMAs in Sittingbourne and Faversham/Ospringe and development would need to be assessed for its cumulative impact on air quality throughout these areas.
    c. the provision of village-wide pedestrian and cycle routes and facilities including better north-south and east-west connections to encourage travel by foot and cycle. Within the village itself, these should be fronted onto and over-looked by buildings and appropriately lit. Pedestrian routes should link and enhance established public rights of way within and beyond the village. Cycle routes should link with the strategic cycle route to be developed, connecting Sittingbourne to Faversham and any other local cycle routes.

d. the introduction of slower speeds across the village including the London Road and a comprehensive public realm improvement scheme. This could reduce the impact of traffic on the London Road in the short term and could be an efficient way to provide a safer and more pleasant cycling and walking experience for the whole village.
e. the protection and enhancement of rural lanes within and around the village, including the Lower Road (access onto this road will be restricted), Frognal Lane, Claxfied Road, Lynsted Lane, Cambridge Lane and Conyer Road. Consideration should be made for options to reduce speeds on rural lanes, to enhance opportunities for walking and cycling, linking rural lanes, where safe, to a wider cycling network.
f. the provision of cycle parking and electric charging infrastructure in line with policy ST 9 and DM 10.
g. the provision of an electric car and cycle club for the village to reduce the reliance on private cars. Consideration should be given to the provision of car-free or low-car development, linked to the provision of car clubs, improved public transport and cycle and walking networks.
h. a commitment to public transport improvements, for instance including bus prioritisation, station improvements and subsidies
i. a strategy to help resolve the existing inappropriate parking in the village (eg pavement parking and parking on the London Road) and the visual dominance of private cars. New development should demonstrate a commitment to alleviate existing parking problems across the village and the impact of car parking on the public realm. New development will be provided in accordance with Policy DM 11.

6. The creation of **sustainable neighbourhoods and adapting and mitigating to climate change** is fundamental to the masterplanning of the area of opportunity and should be demonstrated in line with the objectives of Policies DM 3, embracing the Council's objective for the borough to be zero carbon by 2030 and for new development to be water and waste efficient and to be built from materials with low embodied carbon. The masterplan will be expected to demonstrate the use of sustainable energy production, distribution and storage across the village in line with Policy DM 4.
7. The creation of **new streets** which contribute positively to the character of the village. Where new vehicular links need to be created, for instance, a new southern link route, these should be done:

a. to be as efficient as possible so that new streets serve new development as well as the wider village and are part of a wider, connected network of streets
b. to be as beautiful as possible, fronted by new development within the built-up parts of the village and tree lined and landscaped throughout
c. in a way that manages the needs of all movement modes but prioritises the needs of cyclists and pedestrians of all ages and abilities
d. to be slow speed, with a village-wide maximum speed limit of 20mph
e. to deliver 20% biodiversity net gain

8. The **protection and enhancement of landscape and heritage**, including archaeology. There are a number of existing landscape and heritage studies which help guide development around Teynham, including the Cellar Hill Conservation Area Appraisal, the Landscape Character and Biodiversity Appraisal, 2011, the Swale Landscape Sensitivity Assessment, 2019 and the Important Local Countryside Gap study, 2021. The area of opportunity masterplan should be landscape focused, include landscape and visual assessments of the impact of new development and should include the following requirements:

a. demonstration of the objectives set out in Policy DM 2 and be informed by local studies of urban form, landscape, architecture and heritage. Surveys of natural features including topography, woodland, orchards, trees, hedgerows and water features including ponds and ditches, should inform the layout of new development.
b. there are a number of listed buildings along the A2, along Cellar Hill and on the outskirts of the village as well as areas of greater landscape sensitivity (eg the Lyn valley), as outlined above. Due regard will need to be made to heritage and landscape features and their settings, as well

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as to the Cellar Hill Conservation Area and its settings. The masterplan should be informed by a heritage assessment, which also examines the potential for archaeological heritage.

c. liaison with the Council's Conservation Team, bearing in mind that the Cellar Hill Conservation Area is deemed 'at risk' and the boundaries of it are due to be reviewed in 2022.

d. the Lyn valley, running along the eastern side of the village is an attractive and distinctive feature in the local landscape. In order to limit the landscape impacts of development any growth to the east of the village between the A2 and the railway line should be limited to below the ridgeline overlooking this valley. To the south of the A2, the existing Cellar Hill Conservation Area determines the eastern extent of the village.

e. any growth to the west and south of the village should be informed by the Swale Important Local Countryside Gap study 2021 and its recommendations (including identified potential for enhancement).

f. no growth should be proposed north of the Sittingbourne to Faversham railway line.

g. all edge of settlement development to provide an attractive and positive response to the interface with the countryside, particularly at gateways to the village.

h. the character of rural lanes around the village, including Lower Road, Cellar Hill, Lynsted Lane and Claxfield Road should be retained and enhanced.

i. development should be designed so that there is always a clear transition from village to countryside around Teynham.

j. opportunities to improve landscape quality should be explored, for instance the transport depot at Radfield is prominent in views from the south. Enhancements to integrate this facility into the landscape should be explored. This could include planting a more natural buffer.

k. an assessment of the existing network of hedgerows and trees across the area of opportunity, the identification of gaps and opportunities for enhancement to landscape and biodiversity potential.

l. potential development around the village should include buffering with hedgerows, tree planting and community orchards, to maintain the rural character of the surrounding countryside

9. A commitment to integrating **biodiversity enhancement** into development. The masterplan will:

a. be informed by ecological surveys and follow the mitigation hierarchy.

b. demonstrate how biodiversity net gain of 20% will be achieved.

c. recognise that land west of Frognal Lane, land to the east of Claxfield Lane and possibly land to the west of Lynsted Lane has good sight lines to the wider countryside and the potential to act as functionally linked land to European sites of biodiversity interest on The Swale (SPA). Whilst the presence of this land does not present deliverability issues, precautionary measures during the construction and operational phase of any development may be required, following masterplanning surveys, to ensure any birds that do form a significant population of the SPA are not subject to disturbance. It is recommended that at least one season of wintering bird surveys is undertaken to inform the development of the masterplan.

d. demonstrate a commitment to reduce pressure on the SPA by ensuring provision of appropriate recreational and accessible natural greenspace within the area of opportunity for use by residents and visitors.

e. 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 Policies ST 10 , including a financial contribution towards the Strategic Access Management and Monitoring Strategy

f. be required to provide evidence that any development within the area of opportunity will not result in a Likely Significant Effect to any European site of biodiversity interest. 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 any future 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.

g. integrate appropriate mechanisms for restoring or creating traditional orchard habitat as part of green and blue infrastructure within development footprints. Loss of Traditional Orchard should be avoided as a result of development and, where-ever appropriate, new development should seek to incorporate new or existing traditional orchards.

10. The provision of **open space, play and sports facilities** to meet the needs of the existing and new residents of the village, ensuring no net loss in existing provision and in accordance with the requirements of Policy DM 17. Facilities should be provided in liaison with the Borough's Greenspaces Team and recognising that open space, play and sports provision is more effective if considered holistically across the village and provided strategically and creatively, as part of the masterplan's urban and landscape approach, with, for instance, more natural play spaces being provided on the edge of the village and more formal spaces being provided more centrally.
11. Contribution to **infrastructure**. Infrastructure needs for Teynham have been identified and are outlined in the Infrastructure and Delivery Plan. Due to the likely build out of sites in Teynham post 2028, it is anticipated that these needs may change with time. As such, those with an interest in developing land at Teynham through a masterplan, should engage with infrastructure providers at an early stage, as part of the masterplanning process. It is anticipated that contributions towards the following will be required:

    a. Further to modelling and transport assessment, Kent Highways have outlined that transport/mobility mitigation will be required which will likely include contributions towards: a mitigation strategy for the A2 (including junction improvements and bus prioritisation); air quality mitigation; connectivity improvements within the village; cycle and pedestrian network between Sittingbourne and Faversham; improvements to Teynham Railway Station; footway provision within the village; Claxfield Road/A2 junction improvements; crossing provision for the A2; parking provision for London Road residents; parking restrictions within the village; improvements to Cellar Hill and Lynsted Lane junctions.
    b. Kent County Council (KCC) have assessed the need for financial contributions towards:

        i. towards secondary school provision (Sittingbourne/Faversham)
        ii. community provision to contribute towards libraries, community learning and youth facilities
        iii. social care and the requirements that all homes be built to Part M4(2) space and accessibility standards
        iv. waste

    c. KCC have also outlined that all homes to have Fibre to Premise broadband provision and that community buildings are built to their requirements (ie dementia friendly, with DDA catering areas, and toilet and changing facilities for the severely disabled).
    d. future health facilities, as required by the relevant NHS Clinical Commissioning Group.
    e. reinforcement of the wastewater network to provide additional capacity to serve development. Early engagement between interested parties and Southern Water is essential. Southern Water have identified that that there may be a need for development to be phased in line with delivery of network reinforcement.

12. **Stewardship**. Long term stewardship of large development such as Teynham's area of opportunity will be required and will involve the active and positive management of everything from green spaces to arts provision to commercial estates and utility infrastructure. Putting local people (and stakeholders) at the heart of this process can generate increased local support, creativity, entrepreneurialism, and better management of open space and strategic landscaping. Managing ecology and sustainable drainage, for instance, is specialist and requires specialist organisations.

5 Land allocations for new development

13. **Minerals safeguarding**. It is highly likely that safeguarded minerals (Brickearth) are present across the area of opportunity at Teynham. As such, and to inform the development of the masterplan, the quality and quantity of minerals and the practicalities of prior extraction should be investigated via a Minerals Assessment in line with the safeguarding mineral and prior extraction policies contained within the Kent Minerals and Waste Local Plan.
14. **Contaminated land**. It is understood that some land across the area of opportunity (for instance at Barrow Green Farm) may be contaminated. As such an appropriate survey will need to be conducted for the area of opportunity and the land restored so that it is no longer deemed contaminated. Work to inform this should be undertaken in liaison with the Council's Environmental Health Team.
15. A **Flood risk assessment** of the area of opportunity should be prepared to inform the masterplan and a drainage strategy prepared setting out how sustainable drainage will be incorporated across the area of opportunity and incorporated into the green and blue infrastructure network to bring multifunctional benefits. These assessments and strategies should take full account of the risks of flooding associated with climate change and should be prepared to the satisfaction of the KCC as the Lead Local Flood Authority, the Environment Agency and the Internal Drainage Board as appropriate.
16. The development of the masterplan should be informed by the advice of the Council's **Design Panel** at appropriate stages throughout its development.
17. **Viability assessment** is fundamental to the delivery of a successful masterplan. The Council have an expectation that the viability evidence will be transparent and available to the community, in order that that they can understand and take part in decisions affecting what can be afforded. The masterplan needs to clearly demonstrate how elements will be paid for and by whom.
18. **Phasing** development with infrastructure provision is going to be a key element of the masterplan for Teynham's area of opportunity and needs to be considered from the start of the development process.

Policy AO 1

Teynham Area of Opportunity

1. An arc of land around Teynham, as shown indicatively on the Proposals Maps and drawing XX, is identified as an area of opportunity for development of approximately 1,100 homes, proportionate employment and accompanying infrastructure to be commenced in the mid to latter part of the plan period (post 2028).
2. Landowners, agents and developers with interests in this area are required to work together, in liaison with the Borough Council, to contribute to the production of a Teynham masterplan Supplementary Planning Document (SPD) to be adopted by the Borough Council.
3. The masterplan document will be evidenced by research and will follow the outline established in the text above and will include a commitment to:

    a. Community engagement and leadership
    b. Housing, economic land uses and infrastructure to meet local needs
    c. An urban design and landscape design approach, respecting and enhancing local landscape and heritage assets, and positively creating an efficient network of new streets to bring development forward
    d. Improving air quality and reducing the impact of private vehicles by creating viable alternatives
    e. Adaptation and mitigation to the risk of climate change, including flood risk and overheating
    f. Reversing declines in biodiversity and providing for a 20% biodiversity net gain
    g. A phased approach, delivering new development, community infrastructure and design, landscape and biodiversity gains in tandem
    h. Long term stewardship

4. Until the adoption of the Teynham masterplan SPD, no significant development (aside from allocations within the Council's 2017 adopted local plan) is likely to be approved by the Borough

Council within the area of opportunity. New development within the area of opportunity will accord with the requirements set out in the masterplan.



Picture 5.5.1

5.6 Proposed housing allocations

Land at Neames Forstal, Selling

5.6.1 This policy covers the land at Neames Forstal, Selling as shown on the Proposals Map.

5.6.2 The concept diagram sets out the extent of the proposed allocations and includes land that will fall outside of the village envelope that will deliver a landscape buffer, community orchard and off-road cycling and walking route that will connect Neames Forstal and nearby Selling village.

5.6.3 Neames Forstal sits to the south west of the railway line at Selling station at the eastern edge of the Kent Downs Area of Outstanding Natural Beauty (AONB). It is a relatively sustainable location in that it has a fibre broadband, online supermarket delivery provision, a shop, café and a train station, thereby providing a genuine alternative to private car travel to Canterbury, Faversham, and beyond. Nearby Selling contains a primary school, church, hall and pub. Boughton Under Blean, a Rural Local Service Centre is approximately 1.4 miles away and offers a range of shops and services.

5.6.4 Neames Forstal is identified for modest growth on two parcels of land adjacent to the south west and east of the village. The two sites are well connected and together will create a strong 'edge' to the village, providing up to 90 dwellings combined.

5.6.5 The western part of the village and the site to the south west falls within the AONB boundary. The impact of both the existing built form of the village and the proposed new development on the setting of the AONB will need to be addressed fully to ensure that the landscape buffer softens the edge between the built form and the farmland both in terms of short and longer views to the village.

5.6.6 The ability of the transport network to accommodate further growth in this location of this scale is enhanced by its proximity to the primary road network and the existence of the train services at Selling station. There are lobbying efforts to maintain and support an increase in train services to further support travel by alternatives to the private car and a new safe walking and cycling route to Selling will support active travel.

5.6.7 Site (a) to the west of Monica Close is allocated for up to 30 dwellings. Site (b) to the south of Fox Lane and east of Selling Road is allocated for up to 60 dwellings. The site should bring forward a range of housing types in accordance with Policy XX, including those for affordable housing.

5.6.8 The development should generally be of a low to medium density to reflect the character of the village. The form, pattern, design and materials should respond to the local character and distinctiveness of Neames Forstal. Building frontages should ideally face outwards onto its street which should then be bordered by a strong landscaped edge to soften the visual impacts of the development and provide an attractive buffer between homes and farmland and retaining existing hedgerows, tree belts and trees as much as possible. Proposals for landscaping should be set out in landscape strategy to accompany any planning application for the sites. Use of the Council's Design Panel is strongly recommended.

5.6.9 It is highly likely that the safeguarded minerals are present at this site and therefore the quality and quantity of the minerals and the practicalities of prior extraction should be investigated via a Minerals Assessment in line with the safeguarding minerals and prior extraction policies contained within the Kent Minerals and Waste Local Plan.

5.6.10 Additional open space requirements will be provided in line with Policy XX and determined at the planning application stage in light of the requirement to provide a community orchard at either or both sites to dovetail with continuing farming activities beyond the site, fitting with the wider landscape that is characterised and dominated by fruit production.

5.6.11 An ecological assessment will need to be submitted at the application stage to determine the extent and importance of habitats and species present and to make recommendations for their avoidance, mitigation and, where appropriate, compensation. Development proposals will need to deliver 20% Biodiversity Net Gain in accordance with Policy A5

Policy A 4

Land at Neames Forstal, Selling

Planning permission will be granted for up to 90 dwellings (up to 30 on site (a) and up to 60 on site (b)); a landscape buffer and community orchard; and, with safe pedestrian and cycle link to Selling village. Development proposals will:

1. Demonstrate that the proposals have fully considered and responded to the location of the sites in terms of the design, siting, mass and materials of the built, providing active frontages that face outwards at the edge of the settlement to provide a definitive edge to the village and softened by the use of an extensive landscape buffer.

2. Respond to the important landscape designation of the AONB by including a landscape buffer that maintains existing tree belts, hedgerows and trees and consists of native species that are characteristic of the landscape in this part of the AONB and community orchard adjacent to either site.

3. Provide for a mix of housing in accordance with Policy XX, including provision for affordable housing in accordance with Policy DMXX

4. Provide a safe pedestrian and cycle link to the primary school at Selling. This may be provided as an off road link as an upgrade to the existing public right of way or an alternative off road route unless it can be demonstrated that any links via Selling Road itself can be managed to ensure satisfactory levels of safety through appropriate traffic management measures.



Picture 5.6.1

5.7 Proposed employment allocations

5.7.1 Lamberhurst Farm, Yorkletts

5.7.2 The site is a 2.3ha 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.

5.7.3 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.

5.7.4 The site sits within the recently designated Hernhill Neighbourhood Plan area so the applicant would be required to liaise with the Parish Council prior to developing their plans.

5.7.5 The allocation is for a 3.19 ha extension to the existing employment area, creating a 5.5 ha employment allocation.

5.7.6 The site plays an important role in providing a mixed portfolio of employment premises for established and new businesses and 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 presents an opportunity for redevelopment to address these issues as well as make better use of the space available. Expanding the accommodation available on this site will enable the existing small and medium sized businesses to grow and expand whilst not having to relocate elsewhere.

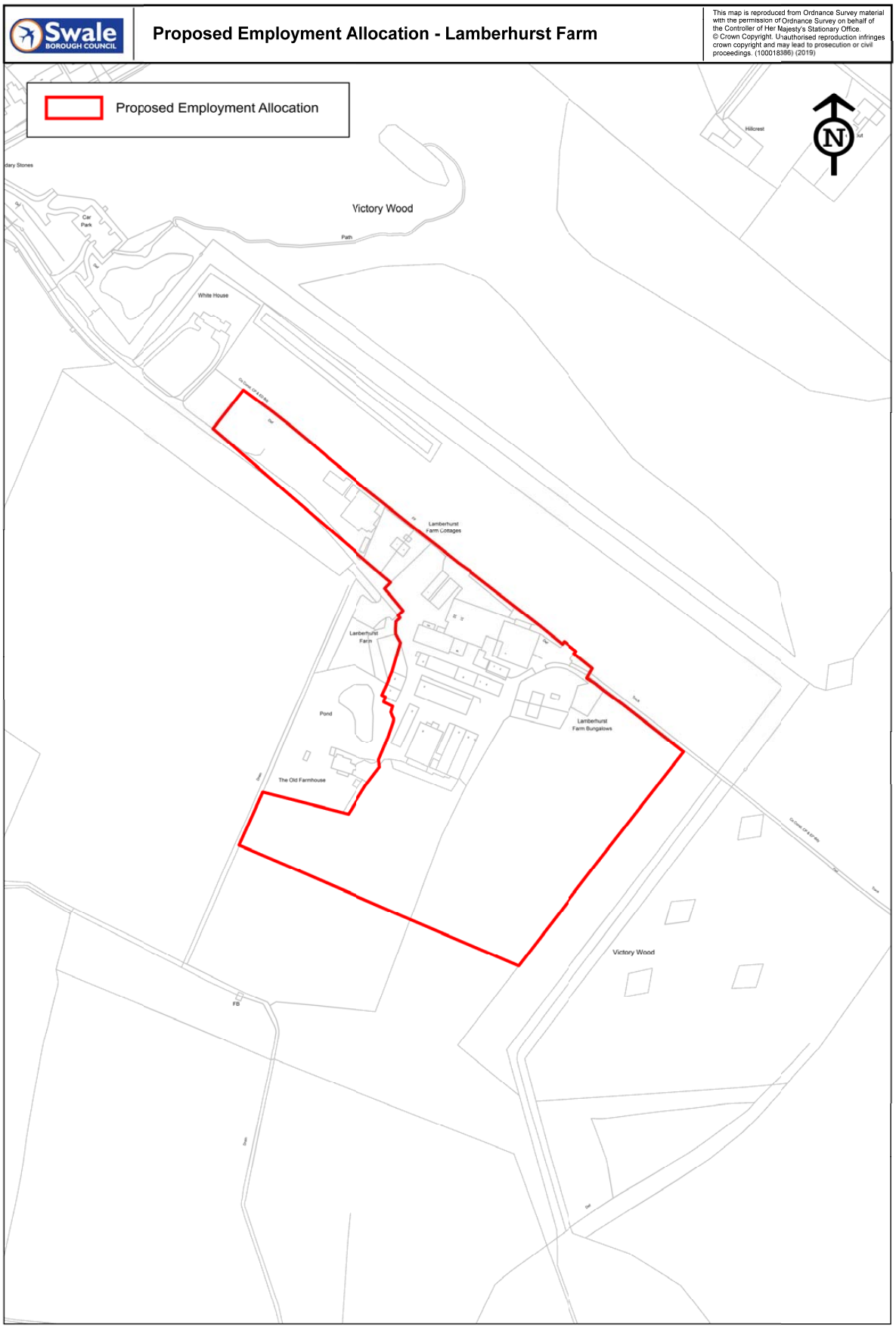
5.7.7 The setting of the Grade II listed building needs to be carefully considered when masterplanning the site.

5.7.8 A landscape and visual assessment will be required and the proposals will need to respond to these studies as well as increased landscaping to screen both the existing site, and the extension, by retaining any existing hedgerows and trees and providing a good variety and mixture of new vegetation in order to maintain the rural nature of the area. It is envisaged that at least 1 ha of the 3.19 ha extension will be landscaping.

5.7.9 There are constraints to development here arising from its topography and the resulting need to site and design new buildings sensitively to reduce visual impacts on the wider open landscape around it. Buildings should therefore be low rise. Any visual impacts will need to be mitigated by the retention and significant enhancement of existing vegetation.

5.7.10 Achieving these objectives is likely to be best secured through a comprehensive approach with the redevelopment of the existing site and the extension being planned holistically. A Transport Assessment will be required and some localised improvements, especially sustainable and active travel interventions, will be required, for the employees to both Faversham and Whitstable and their respective train stations.

5.7.11 There may be future opportunities for a large, housing led, mixed use sustainable settlement in this area but given its sensitive location it would need to be comprehensively planned. As any new mixed use development at this location would need to be of a scale to provide a new access road to the strategic road network, active and sustainable transport solutions and new services and facilities. The Council will work with Canterbury City Council, as the area straddles the borough boundary, during a future plan review to explore opportunities to deliver a new, sustainable settlement.


Swale
BOROUGH COUNCIL
Proposed Employment Allocation - Lamberhurst Farm
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Proposed Employment Allocation
N
Victory Wood
Path
Car Park
White House
Lamberhurst Farm Cottages
Lamberhurst Farm
Pond
The Old Farmhouse
Lamberhurst Farm Bungalows
Victory Wood
FB

5 Land allocations for new development

Picture 5.7.1

Policy A 5

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 Proposals Map. Development proposals will:

1. Be planned through a comprehensive approach with the redevelopment 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. 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

5. Enhance and improve the setting of the Grade II listed building.

5.8 Proposed regeneration areas

The Port of Sheerness: Regeneration Area

5.8.1 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 foreign car importers in the UK and handles thousands of tonnes of forest products and steel from all over Europe. The Port has good infrastructure, including access to the wider road and rail networks.

5.8.2 2. The role of the Port of Sheerness will be maintained and enhanced as a deep-water gateway port to Europe. The priority will be to safeguard this port function. 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, many of whom currently experience high levels of social and economic deprivation.

5.8.3 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 growth 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 physical strategy for expansion and development of the Port of Sheerness, based upon growth forecasts. The options considered include both expansion within the operational area and major land reclamation intended to facilitate new port operations and regeneration of the older historical parts of the dockyard with additional potential for housing and other mixed use development.

5.8.4 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 the 19th 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.

5.8.5 5. The Council adopted its Heritage Strategy in March 2020. The purpose of the Heritage Strategy is to provide a framework for the designation, conservation, management and physical and economic regeneration of Swale's historic buildings and areas. The Action Plan that forms part of the Heritage Strategy identifies a specific project to achieve repair and re-use of the disused and deteriorating listed buildings within the Sheerness Port operational area (including the grade I listed Boat Store). Production of a detailed and timetabled plan of action to realise the repair and re-use of the grouping of highly significant listed buildings within the Port operational area is underway as a collaboration between the Council and the landowners. Further scope to prepare a master plan to guide regeneration of the Bluetown area would further support and enhance the physical fabric and character of the area.

5.8.6 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. However, if realised, these areas would represent the single largest regeneration in Swale and one of the largest across north Kent.

5.8.7 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 Thamesteeel 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 rail network, if port activities are to be extended onto the site, the Council will expect schemes to explore the use of existing rail infrastructure on the site.

5.8.8 8. Longer 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

Policy Regen 1

The Port of Sheerness Regeneration Area

A regeneration area for the Port of Sheerness is shown on the Proposals 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 rail 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 proposals map will be supported provided that:

1. any measures required by the development to improve local access by road and rail are brought forward as part of the proposals;

2. the proposals increase the potential for the movement of freight by rail;

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; and

6. there are no other significant adverse social or environmental impacts arising as a result of the project.

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.

Sittingbourne Town Centre

5.8.9 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 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, Appleyard and Sittingbourne Memorial Hospital to the south while not in the town centre are important considerations to the town centre.

5.8.10 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 place.

5.8.11 The public realm and setting of the railway station have undergone extensive improvement and new bus stops with associated public realm have been provided in close proximity; this new public realm assists with providing easy connections to the High Street. However, 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 in the north.

5.8.12 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 house 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, post office and facilities for community groups such as Age UK on Central Avenue itself.

5.8.13 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.

5.8.14 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.

5.8.15 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 as a whole is characterised by 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 also detract from the environment and amenity of the town.

5.8.16 The National Planning Policy Framework (NPPF para 85) requires planning policies for town centres to take a positive approach to their growth, management and adaptation allowing for flexible mixed use characterful places.

5.8.17 Consultants WYG Planning were appointed in August 2018 to undertake the Retail and Leisure Needs Assessment to assess the needs for additional retail and commercial leisure for the local plan review period and undertake a 'health check' assessments for Sittingbourne town centre. The 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 1,900 sq. m. of additional convenience floorspace and between 12,300 and 22,600 sq. m. of additional comparison floorspace for the period to 2037/38.

5.8.18 Since adoption of the previous local plan a number of residential planning applications have come forward awaiting implementation including 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.

5.8.19 The Employment Land Review (2018) identified an unmet Borough-wide need for an additional 15 ha of office space, some of which could be expected to be met in Sittingbourne. A realistic prospect would be for smaller offices to be met within the town centre either above retail premises, along the alleys leading from the High Street, through suitable changes of use or purpose-built accommodation, at the eastern and western gateways or edge of town centre locations.

5.8.20 New ways of working and shopping are predicted for the future with the emphasis being on adaptations 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

5.8.21 The role and purpose of Sittingbourne town centre is set out in the settlement strategy ST 2 Swale's development strategy and settlement hierarchy. Policies for maintaining and enhancing the vitality and viability of Swale's town centres are set out in DM 5 Maintaining and enhancing the vitality and viability of town centres, 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.

5.8.22 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, whist being as flexible as possible to accommodate regeneration and investment proposals which may come forward in the plan period. New ways of working and shopping are predicted for the future with the emphasis being on adaptations which embrace flexibility and social interaction.

5.8.23 The Sittingbourne Town Centre Planning and Urban Design Supplementary Planning Document (SPD) will shape and guide 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 and
7. create opportunities for private and public sector investment.

5.8.24 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 vacancy on the High Street and in the Forum shopping centre.

5.8.25 There is scope for additional cultural and leisure facilities in the town and more variety in the night-time economy remains unmet. Support for uses such as restaurants, cafes and leisure development will be given along the High Street.

5.8.26 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 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. There is interest in providing the college from a provider. A new home for community groups in replacement of Phoenix House is also being sought.

5.8.27 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.

5.8.28 Traffic management is a key part of the regeneration strategy with remodelling and traffic calming 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.

5.8.29 The Council will be seeking a design and landscape led approach to the town centre and it will be expecting both innovative and sensitive design responses to the development opportunities that are available especially where prominent sites or land mark buildings are proposed and would expect the advice of the Council's Design Panel to be sought. 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 will play a key role in delivering successful town centre regeneration in the future. This will 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.

5.8.30 As part of the co-ordinating work prior to the submission of any planning applications, an integrated landscape strategy should be created for the town centre as a whole 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. It will bring forward a proposal for a new green grid structure for the centre formed by the expansion of street tree planting into upper Bell Road, St. Michael's Road, Eurolink Way, West Street, Station Street, Park Road, Albany Road, Cockleshell Walk and Fountain Street to echo that already present in the Avenue of Remembrance, Central Avenue and Bell Road. This will be implemented by the development of key sites in the vicinity of these streets.

5.8.31 In accordance with ST7 Health and well-being, a Health Impact Assessment should be prepared to enable an integrated approach to creating a healthier environment across the regeneration area.

5.8.32 The central area currently has relatively little housing, but the Strategic Housing Land Availability Assessment as identified capacity for at least 850 dwellings within the regeneration area. The contribution from this area to the overall housing land supply is identified in 'Development needs for the Borough for the plan period (2022 to 2038)', 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.

5.8.33 The town centre should bring forward a range of housing types in accordance with ST 5 Delivering a wide choice of high-quality homes and DM 17 Space standards for residential dwellings, including those for affordable housing. Whist we are looking towards schemes providing a minimum 20% affordable housing within the Town Centre in accordance with DM 15 Affordable housing, there could be opportunities for grant funding or commuted payments to bring forward schemes with higher proportions of affordable units

5.8.34 Open space will be required in accordance with DM 17 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

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. To consolidate and improve the retail and food & beverage (Use Class order E) offer of the town centre within the Core Shopping area on the High Street to ensure vitality, viability, diversity and activity (see DM 5 Maintaining and enhancing the vitality and viability of town centres);

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. Maintain and increase office floorspace provision above commercial premises within the town centre area with a focus on creative industries;

4. Provide for suitable car parking in accordance with the 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 ;

5. 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 ST 5 Delivering a wide choice of high quality homes).

6. Provide for residential development of suitable type and scale above commercial premises, or as part of mixed use developments, or on other suitable sites;

7. Supporting the creation of tree lined avenues along St Michael's Road and Eurolink Way with improved pedestrian and cycle routes through traffic calming and environmental enhancement;

8. 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;

9. Retain, enhance and create new open spaces and green spaces which should include tree planting (including street trees);

10. Provide public spaces, squares and public art, alongside improved lighting and street furniture;

11. Improve north south links to facilities north of the railway and Eurolink Way via Milton Road and Crown Quay Lane;

12. Provide an improved environment for the bus stops to create a bus hub:

13. A Health Impact Assessment to enable an integrated approach to be adopted across the area (see ST 7 Health and well-being) and

14. 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 DM 3 Mitigating and adapting to climate change through sustainable design and construction;

Queenborough and Rushenden Regeneration Area

Queenborough and Rushenden are two settlements that sit together on the west of the Isle of Sheppey. Bearing Fruits 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 master plan area covered most of the urban area of both settlements, some 165ha of land and buildings on both banks of Queenborough Creek.

Parts of the area have been dominated by heavy industry and poor environmental quality, but this is changing. The two areas were previously separated by a former railway line that was used to transport goods to the wharf at the end of Rushenden Marshes. This physical barrier was removed as part of the delivery of phase one of the adopted master plan supplementary planning guidance for the area.

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 support long terms plans to provide new and improved community facilities, most notably a new primary school, improved health and community facilities and new open space.

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 in 2010, notably, a reduction in the total number of dwellings for the area from 2,000 to approximately 1,180. The original Master Plan and adopted addendum have Supplementary Planning Document status and will remain important tools in delivering the regeneration of the area.

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.

Other significant achievements related to the Masterplan include:

• 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.

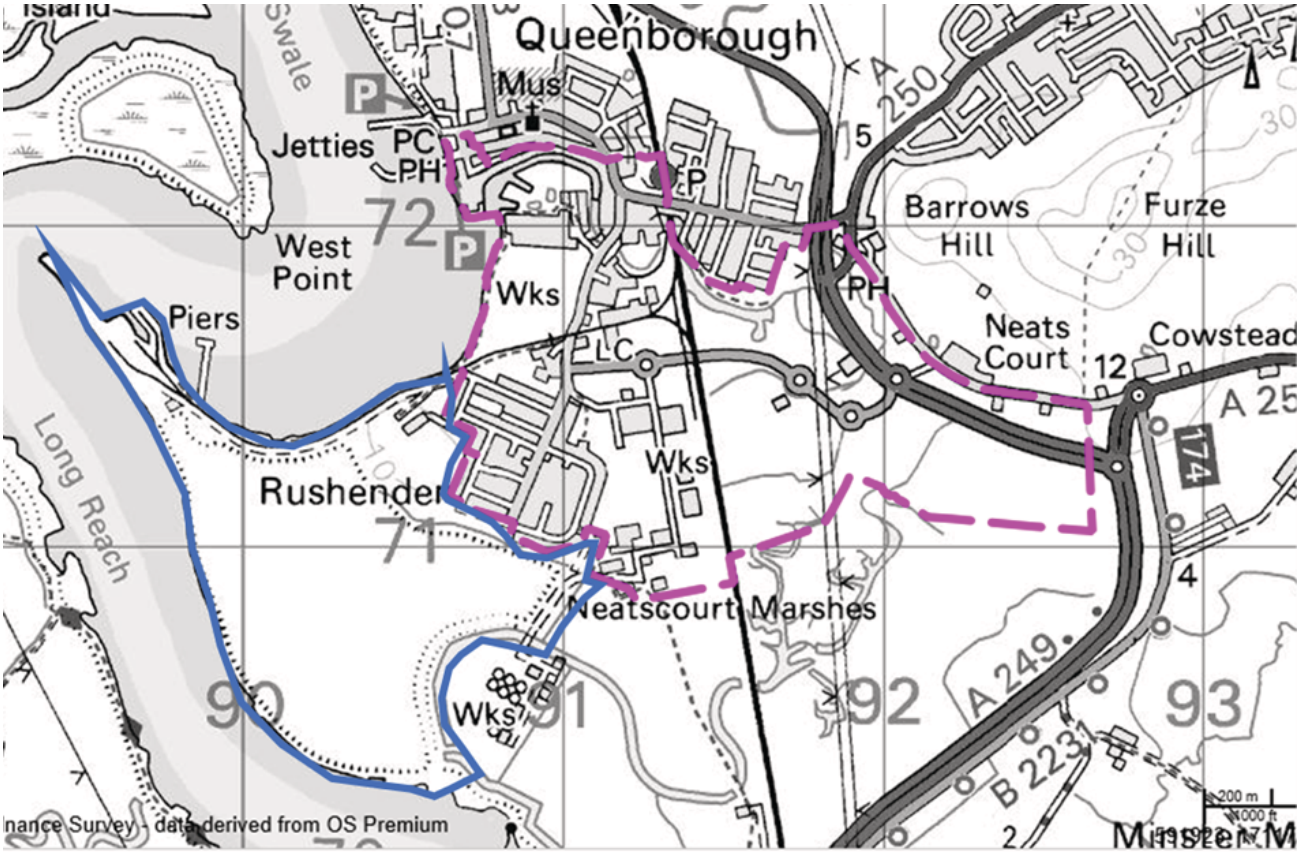
• A major new wildlife habitat has been created at the eastern end of Sheppey to mitigate and compensate for habitat lost at Neatscourt.

• Progression of the Neatscourt development including a large Morrisons supermarket, convenience and comparison retail units, a petrol filling station, fast food take aways, cafes and leisure uses.

• Completion of over 60,000 sq m of employment floorspace including Aldi regional office and distribution centre.

5 Land allocations for new development

Good progress has been made in bringing forward regeneration on this area and progress in respect of land to the south of the creek. A further landowner has aspirations to develop an additional site in this locality, Peel Ports and Peel Land and Property (PLP). The Peel companies are proposing to develop port related land south of Thomsett Way, east of the railway line, which is predominantly used for car storage and on land to the south of Rushenden adjacent to Manor Road. These proposals will involve the relocation of port related car storage on land to the south of Rushenden, releasing land to the east of Rushenden for development. As these proposals include land already covered by the master plan SPD and new land that complements the existing designation, a new masterplan will need to be prepared for the land identified by the hatching on the map below.



Picture 5.8.1

5.8.35 Pink dashed line is the existing Policy REGEN 2 area and the land outlined in blue is the extra land added to the regeneration area. The policy area for the Peel Ports land will be identified by a hatched line. It will include all of the blue area and the parcels under their control to the west and east of the railway line.

5.8.36 Until such time as a new masterplan is prepared and adopted as supplementary planning guidance for the Rushenden South area, any proposals for land to the west and east of the railway line will be required to comply with the adopted masterplan and subsequent addendum. The 'Rushenden South' master plan will need to be prepared along similar lines, i.e. that it will need to be prepared in close consultation with the community, the Council and other stakeholders. The 'Rushenden South' master plan will include land south of Thomsett Way, and once adopted as SPD area will supersede the guidance set out ''in the 'Queenborough and Rushenden' master plan where there is an overlap.

5.8.37 The Council remains committed to the original 2010 Masterplan's aim of:

5.8.38 "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."

5.8.39 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 bring significant social and economic benefits, regeneration in this location is expected to fully mitigate environmental impacts in terms of biodiversity net gain, design and layout to lessen impacts on the local landscape and to provide carbon neutral development.

5.8.40 A range of housing types should be brought forward in accordance with Policy ST 5, including those for affordable housing, with a minimum of 10% of the scheme overall expected to be affordable dwellings and be subject to ongoing review during the long term construction phases expected.

5.8.41 In accordance with Policy ST 7 a Health Impact Assessment should be prepared to enable an integrated approach to issues to be adopted across both of the regeneration areas.

5.8.42 Queenborough Creek, the 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 identified mixed-use sites into existing residential and business communities. The Council will expect all proposals to be subject to scrutiny by Swale's Design Panel (or similar) and will accord with an integrated landscape strategy prepared as part of the 2010 Masterplan SPD. Archaeological assessment and mitigation may be required as part of the planning process.

5.8.43 Land south of the Rushenden settlement is characterised by mud flats, grassland and scrubland. It is surrounded by an internationally designated site of biodiversity importance, Special Protection Area (SPA) and Ramsar. A large part of this land has been despoiled by dredging deposits and is unutilised. Regeneration of this area provides opportunities to better connect areas of priority habitat and to enhance and restore habitats within the biodiversity opportunity area. The benefits to people and wildlife of reconnecting the community to the coastline is a key objective of the Swale Green and Blue Infrastructure Strategy.

5.8.44 Although mitigation for adverse impacts on European habitats has already been implemented at the strategic level, detailed proposals will need to continue to be assessed for their impacts upon biodiversity which may lead to further mitigation and compensation needing to be provided, especially where required as part of any Habitats Regulation Assessment. Development proposals will need to reduce recreational disturbance on the SPA, by ensuring the provision of appropriate recreational and accessible natural greenspace opportunities on-site for use by residents and visitors. Such proposals will be subject to an HRA and where demonstrated as necessary to avoid likely significant effects on the SPA, a financial contribution towards wider management of recreational pressures on the North Kent Marshes will be sought in accordance with Policies ST 10 and DM 25

5.8.45 Most of this regeneration area is considered by the Environment Agency to be within the High Risk Flood Zone, but it is defended and suitable for development. Site based flood risk assessments, however, will be required for development proposals and some upgrading of defences will be needed.

5.8.46 New community facilities are proposed, most notably a new primary school and improved health and community facilities, together with new open space. Open space will be required in accordance with Policy DM 17. The generated need for open space within the Queenborough and Rushenden area is some 16.7 ha, with a further 3.1 ha of sport pitches, with contributions to formal play facilities needed either on or off-site. However, 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.

5 Land allocations for new development

Rushenden South proposals will include a significant amount of open space and landscaping. This will be necessary in order to ensure mitigation and enhancement of landscape and biodiversity. A full landscape impact assessment will be required to accompany any development proposals in this location. Any build form will need to be set back from the more vulnerable parts of Rushenden South, using open space and landscaping to soften the visual impacts of the development and support the extension of the national coastal path.

For Queenborough and Rushenden Regeneration Area

5.8.47 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 with development relying on significant proportions of high density and flatted accommodation taking advantage of the waterside location and a proposed marina. However, the recession of 2008 showed that the marina and the high density, high rise development around it was no longer viable. One area to the south of the creek, in particular, has had viability concerns, especially given contamination of the site and the presence of existing industrial uses.

5.8.48 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. However, the original Masterplan will remain adopted as a supplementary planning document.

5.8.49 Other changes to the original Masterplan included the removal of the proposed marina. There is now much greater certainty regarding the delivery of the school, which represents a key element of new social/community infrastructure, given its new location on land owned by the HCA. The school will now sit in the heart of the new residential community and on a key new pedestrian axis linking Queenborough and Rushenden.

5.8.50 The former Istil Mill and Thomsett sites have now been 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.

5.8.51 There are now more favourable signs of new housing coming forward. The area's regeneration is now led by the Homes and Communities Agency (HCA.) Progress has been made by the HCA in respect of land to the south of the creek. The first phase of houses have been built at the junction of Rushenden Road and First Avenue. This comprised of 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.

5.8.52 Insert pic of completed phase one housing.

5.8.53 In 2017, Swale Borough Council successfully made a bid of £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 £6.2million to cover increased costs in changing market conditions and availability of materials. The funds will pay 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.

5.8.54 This all makes it seem more likely that most of the scheme can now be delivered within the plan period.

5.8.55 Within the regeneration area identified on the Proposals Map, residential development will be permitted on the following sites identified in the Council's Strategic Housing Land Availability Assessment (SHLAA):

- West Street (SLA18/199) up to 80 dwellings.
- West of Rushenden Road (SLA18/220) up to 480 dwellings.
- Istil Mill Site (SLA18/214) up to 240 dwellings.
- South of Queenborough Creek (SLA18/207) up to 380 dwellings.

5.8.56 Insert MAP from MP addendum (Same as in adopted LP.)

5 Land allocations for new development

Policy Regen 3A

Policy REGEN 3(a) - Queenborough and Rushenden Regeneration Area

A regeneration area for Queenborough and Rushenden is designated as shown on the Proposals 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 scrutiny by the Swale Design Panel (or similar);

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 Policies ST3 and DM25 including a financial contribution towards the Strategic Access Management and Monitoring Strategy;

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 ST5, including provision for a minimum of 10% affordable housing and be subject to ongoing review during the long term construction phases expected;

9. Provide, at Neatscourt, 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. Where appropriate, assist with alternative accommodation for the displacement of existing businesses;

12. Through physical, environmental and economic measures, integrate the existing and new communities;

13. Assess the need for, and provide such transport initiatives and improvements as are necessary;

14. Assess and respond to any risk from flooding; and

15. Provide infrastructure needs arising from the development, including those matters identified by the Local Plan Implementation and Delivery Schedule, in particular those relating to transport, education and health.

For Rushenden South Regeneration Area

5.8.57 Rushenden South sits on the most south westerly tip of the Isle of Sheppey, bordering The Swale to the south and west. It consists of mud flats around the extent that border the waters, rising upwards towards the north and Rushenden. The central part of the site is raised land on account of dredged materials from The Swale deposited here as part of the port operational activities to deepen the shipping channel. The land is flat and overgrown and markedly higher than the original grazing marshlands. In landscape terms, the site falls within the North Swale (Sheppey) Marshes and is an area of high landscape importance.

5.8.58 The Swale Landscape Sensitivity Assessment has assessed the landscape in terms of sensitivity to development. The area has medium to high sensitivity for residential use and high sensitivity for employment uses. These impacts will need to be fully addressed through the detailed masterplan that is required before development should commence.

5.8.59 A high proportion of this regeneration area is considered by the Environment Agency to be within the High Risk Flood Zone, but it is defended or it can be defended and therefore suitable for development. Site based flood risk assessments, however, will be required for development proposals and some upgrading of defences may be needed.

5 Land allocations for new development

Policy Regen 3B

Rushenden South Area

A regeneration area for the Rushenden South Area is designated as shown on the Proposals 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 for the Rushenden South area to deliver a minimum of 850 dwellings, open space and landscaping, employment development to provide a more diverse and higher density range of employment uses, recognising that the existing open storage land uses around Cullet Drive provide very low level employment density.

2. Contribute towards the creation of a distinctive sense of place for the new development that also reflects the area's waterside location and wider area;

3. Demonstrate sensitive and innovative design, which responds to the challenge of creating new townscape and be subject to scrutiny by the Swale Design Panel;

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 Policies CP 7 and DM 28, including a financial contribution towards the Strategic Access Management and Monitoring Strategy;

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 CP 5, including provision for affordable housing at a minimum of 10% and be subject to ongoing review during the long term construction phases expected;

9. Secure those improved services and facilities necessary for a healthy, sustainable community with a particular focus on significantly improving facilities within the Rushenden area;

10. Where appropriate, assist with alternative accommodation for the displacement of existing businesses;

11. Through physical, environmental and economic measures, integrate the existing and new communities;

12. Assess the need for, and provide such transport initiatives and improvements as are necessary;

13. Assess and respond to risk from flooding; and

14. Provide infrastructure needs arising from the development, including those matters identified by the Infrastructure Delivery Plan.

15. The development will be delivered in accordance with the following site-specific principles:

1. The provision of a safe and suitable vehicular access;

2. Incorporation of any necessary flood risk mitigation;

3. Investigation of potential land contamination; if further work and mitigation is identified, this will be completed as required.

4. The design must respect the site's location as a key entrance to Rushenden and ensure an acceptable relationship between existing and proposed residential and employment uses.

5. The creation of a green coastal edge to include the provision of public open space and the delivery of a coastal path within the allocation boundary;

6. New development will be expected to respect any existing ecological constraints on site and where necessary, provide appropriate mitigation and enhancements.

These requirements will be achieved through the use of planning conditions, Section 106

and other legal agreements.



Picture 5.8.2

6 Neighbourhood plans

6.0.1 The Localism Act (2011) introduced rights and powers to allow local communities to shape new development by coming together to prepare neighbourhood plans. These can be taken forward by Town and Parish Councils or 'neighbourhood forums', which are community groups intended to undertake neighbourhood planning in areas without parishes. Such forums should apply to the local planning authority for appropriate recognition to take the lead of a Neighbourhood Plan.

6.0.2 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.'

6.0.3 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.'

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

6.0.5 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

6.0.6 facilities, or allocation of key sites for specific kinds of development. It may 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.

6.0.7 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.

6.0.8 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.

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

6.0.10 Currently Swale has five designated neighbourhood plan areas - Faversham Creek, Boughton and Dunkirk, Minster, Hernhill and Faversham. One Neighbourhood Plan, Faversham Creek, has been 'made'.

6.0.11 For further guidance on how to undertake a Neighbourhood Plan please visit Neighbourhood Planning Guide

6.0.12 Faversham Creek Neighbourhood Plan

6.0.13 The Faversham Creek area is part of the town's extensive conservation area and contains a number of historic buildings, together with traditional marine related activities and a series of green spaces. All contribute to the character of the area and represent an important asset to the town.

6.0.14 The Creek is operating under a number of complex constraints. Navigation is restricted in parts by a loss of depth and width to the channel and there is no longer safe navigation for large craft in the Basin due to silting. Navigation into the Basin is also restricted by a defective swing bridge at Bridge Road. Navigation could also be improved by dredging, but in addition to its costs, there are likely to be limitations imposed on large scale industrial dredging of the Creek by the Swale Special Protection Area (SPA). Kent County Council (KCC) have now put a temporary bridge in place as the existing bridge was no longer fit for purpose and they are working on designs for a new bridge. The local community raised £125,000 towards a new swing bridge and KCC, Faversham Town Council and Swale Borough Council have committed money towards a new bridge.

6.0.15 Flood risk, particularly in relation to the re-use of previously developed land within the 1:20 year flood zone of Faversham Creek, must be carefully assessed and managed, whilst a number of these sites are likely to be contaminated and require some remediation work. The Faversham Creek Strategic Flood Risk Assessment 2010 Amendment (Faversham Creek Flood Risk Assessment) designated the Neighbourhood Plan area as Flood Zone 3a(i) for the purpose of performing the Sequential and Exception Tests in Faversham Creek only. It is land having a 1 in 20 or greater annual probability of sea flooding in a defended scenario, where the land is previously developed.

6.0.16 A further issue is that the attractive waterside environment of the creekside area has not had the same investment to improve the quality of its environment as the town centre. There are also a number of historic buildings in need of restoration.

6.0.17 For these reasons, the regeneration of Faversham Creek, whilst protecting the rich maritime, industrial and landscape heritage for economic, environmental and educational purposes, is the principal objective. This has been strongly supported by local consultation over a number of years. Faversham Creek NP previous work and studies This analysis indicated that the Neighbourhood Plan should seek to regenerate Faversham Creek by focusing on:

1. clusters of heritage assets and marine-related activities with regeneration potential;
2. navigation improvements to the Creek through a combination of sluicing and smaller scale injection dredging;
3. protecting and enhancing important green spaces and upgrading the public realm within the area; and
4. maximising pedestrian links between the Creek and the town, along the creekside and to wider countryside routes.

Statement 1

Faversham Creek NP Vision

Faversham Creek is a place where we can celebrate the town's rich history and attractive appearance; where we can enjoy spending time, both on and off the water; where boats, residents and visitors want to be; where developments integrate the needs of people and nature and where there is a distinctive character and identity rooted in traditional industries and enriched by new businesses.

6.0.18 Within the areas of heritage/marine-related activity adjoining the Creek, listed and other historic buildings and maritime uses, wharves and moorings important to the character of the Creek should be retained and, where necessary, restored alongside complementary redevelopment opportunities. Given the location of these areas within the functional floodplain, and the historic association with the Creek, workshops/business uses, facilities for moored boats (e.g. showers/toilets) and small scale retail and restaurant uses would be best able to address these issues and improve the visitor attraction to the area.

6 Neighbourhood plans

Functional flood plain is defined as land where water has to flow or be stored in times of flood Dependent on design, amenity and flood risk considerations, residential development could be permitted above ground floor level to assist with the viability of mixed use schemes and to provide activity throughout the day and evening. On some sites, mixed-use development would be unsuitable and on these sites 100% residential development would be acceptable. New buildings should be of a sensitive design with their scale and context respecting the setting of the listed building and the adjoining creekside buildings.

6.0.19 The Faversham Creek Streetscape Strategy, prepared by Faversham Town Council and adopted by the Swale Joint Transportation Board, seeks to extend town centre streetscape enhancements to the creekside area. The principal aim of the strategy is that improvements in the public realm around Faversham Creek should respond to and enhance the character and distinctiveness of the creekside area. The Strategy outlines the guiding principles regarding the improvements to the streetscape of the creekside area and establishes guidelines for the design of specific items in the overall environment, both built and natural. The Strategy also sets out guidance for creek streetscape enhancements for discrete areas of the creekside. The priorities for implementation are set through the Neighbourhood Plan process.

6.0.20 Policy NP1 is guided by the adopted Faversham Creek Neighbourhood Plan. It includes the allocation of specific sites and levels of development, the parameters for development as well as proposals for improvements to accessibility and public realm. Proposals will be delivered through the granting of planning permission and the implementation of improvements set out in the Neighbourhood Plan. Whilst Policy ST1 has indicated a level of new housing as arising from the Neighbourhood Plan area, this is solely for the purposes of demonstrating its potential contribution to the overall supply of housing in the Borough. The Neighbourhood Plan process determined the final levels of employment, housing and other uses in this area.

6.0.21 Faversham Town Council had a designation approved in 2020 for a Neighbourhood Plan area for the whole of Faversham and once that Neighbourhood Plan is adopted it will supersede this Faversham Creek Neighbourhood Plan.

Policy NP 1

Faversham Creek Neighbourhood Plan

Within the Faversham Creek Neighbourhood Plan area, as shown on the Proposals Map, priority will be given to the regeneration of Faversham Creek by retaining maritime related activities (including the retention and improvement of wharves and moorings, including for large craft) with complementary redevelopment opportunities for workshops/business uses, residential, small scale retail and restaurant uses. Where relevant, development of the area will:

1. Accord with the Neighbourhood Plan;

2. Provide for the restoration of and enhancement to the settings of listed and other important historic buildings;

3. Protect open space and nature conservation interests and upgrading of the public realm;

4. Improve navigation of the Creek (subject to appropriate mitigation of the impacts on the adjacent International Designations and the Shellfish Waters);

5. Provide a publicly accessible creekside walkway;

6. Require high quality designs which respect their context;

7. Be acceptable in terms of flood risk; and

8. Re-mediate contaminated sites.

7 Development management policies

7.0.1 Introductory text...Officer to add content here....

7.0.2 General development criteria

7.0.3 As per the National Planning Policy Framework, the overarching objectives of the planning system are to protect and enhance the natural, built and historic environments; support strong, vibrant and healthy communities; and help build a strong, responsive and competitive economy [7]. In seeking to achieve such sustainable development, the aim of this policy is to provide a useful starting point in the consideration of proposals which will help to ensure that important matters such as design, the environment and amenity are taken into account at the outset. Policy DM 1 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.

Policy DM 1

General development criteria

All development proposals will, as appropriate:

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

Achieving Good Design

7.0.4 In seeking to achieve high quality design or the conservation and enhancement of the natural and built environment, the Council sets criteria against which planning applications will be considered. Inclusion in a single policy can usefully limit their detailed repetition in the wording of other policies.

7.0.5 This Policy is therefore a useful starting point for anyone considering making a planning application or reserved matters and will help ensure that important matters, such as sustainable design, the safeguarding of environmental features and amenity, are taken into account at the outset.

7.0.6 The policy should not be considered in isolation but read in conjunction with all the other policies in the Plan and relevant Supplementary Planning Documents and Guidance.

7 National Planning Policy Framework (February 2019), MHCLG paragraph 8

7 Development management policies

Policy DM 2

Achieving Good Design

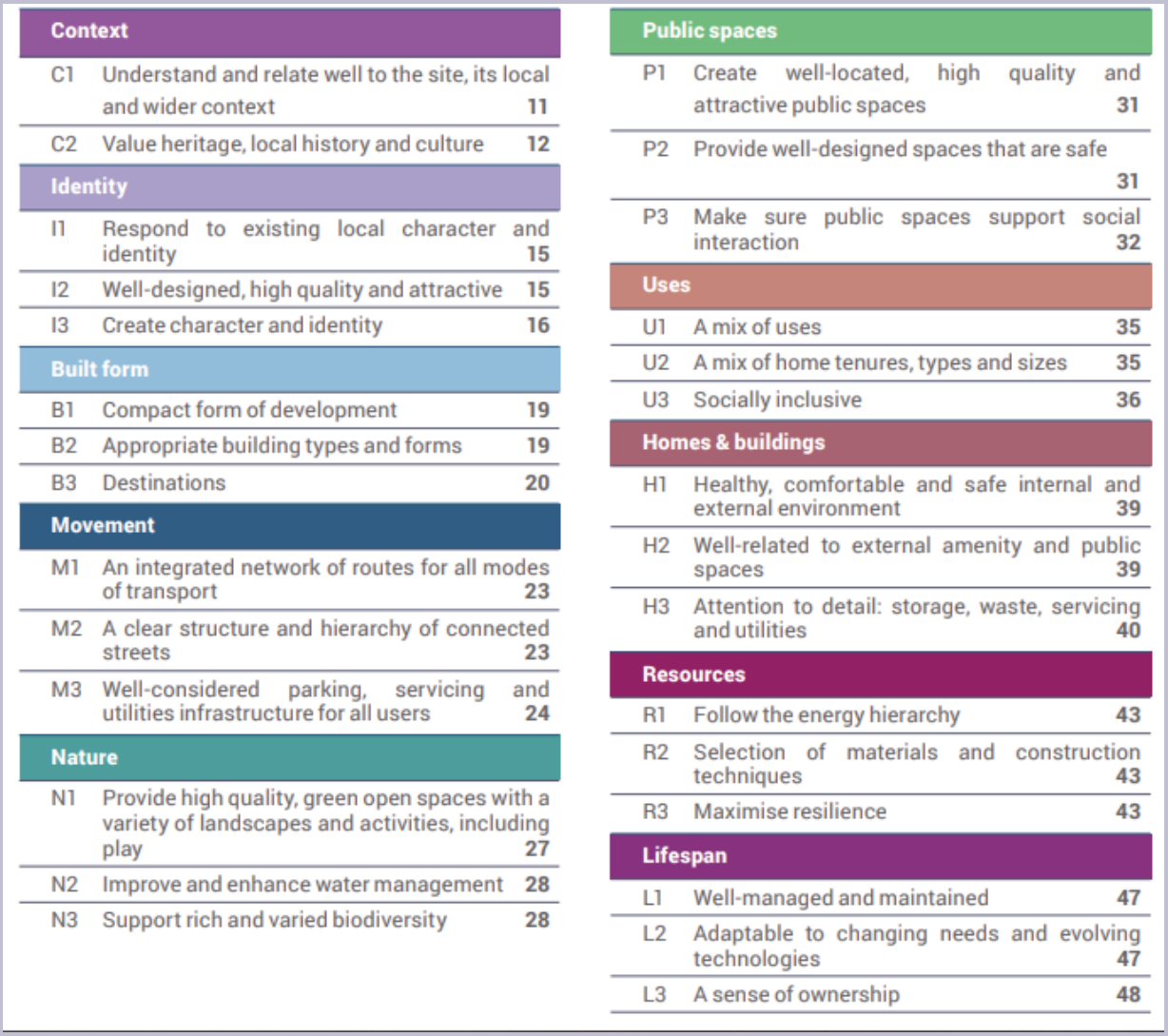
Development proposals will accord with:

i. the policies and proposals of the adopted Development Plan unless material considerations indicate otherwise, and

ii. adopted Supplementary Planning Documents and Guidance.

All development proposals will be of a high quality urban, landscape and architectural design that are appropriate to their surroundings.

Development proposals will respond to the content of the National Design Guide with specific emphasis on the following:



Picture 7.0.1

1. Context

The response to the physical, social and economic context of the site will be clearly set out;

A local study will be required for developments of more than 50 dwellings to develop an understanding of local landscape character, local urban development (relevant local towns) and contextual development. Faversham and Sittingbourne are unique on the north Kent coastline as they grew based on their location on the banks of creeks. The majority of Swale's towns and villages also respond to their rural setting of the Downs dip slope, often in full plain view from parts of the Downs;

The local study will cover:

i. Urban form,

ii. Block pattern and size,

iii. Development to space relationships, such as building heights to street widths,

iv. Open space typologies,

v. Built response to topography,

vi. Local Landscape Characters at national and Local levels,

vii. Local habitats and species as well as patterns of vegetation,

viii. Boundary treatments,

ix. Architectural vernacular and details

The development framework will be based on a design response to a local study. Once your local study is complete the elements that have informed the design of the development framework will be identified.

The local study should be a stand-alone document and once finalised will not change whilst the development framework is likely to evolve further.Heritage context will be highlighted in depth.

2. Identity

A local study will be undertaken (urban design, landscape character and architecture) and the design response to the study applied to the place will be clearly set out.

3. Built form

Development will be arranged in perimeter blocks with exposed 'rears' and 'sides' facing the public realm kept to a minimum;

Where there are exposed rears on an adjacent existing site then rears are permitted on a site boundary otherwise only frontage is permitted on site boundaries;

In order to achieve the desirable block form densities will be increased; and

Physical, social and economic 'landmarks' will be identified.

4. Movement

Focus will be given to walking and cycling connections between neighbourhoods to social infrastructure and to public transport facilities;

Vehicular connections will be made not only to the distribution network but also to adjacent neighbourhoods with a street hierarchy based which will be based on a dispersed approach to vehicular movement. Cul-de-sacs will be avoided;

7 Development management policies

Future possible vehicular, cycle and pedestrian connections to adjacent sites will not be prejudiced;

Residential car parking will not dominate the public realm and street parking will be provided in bays rather than at the side of the carriageway;

Car ports rather than garages will be encouraged;

Parking courts may be considered if dwellings overlook the space and the spaces is well designed with good tree cover; and

Reference will be made to Swale Borough Council's SPD on Parking

5. Nature

A connected network and variety of multi-functional landscapes and open spaces will be provided. Demonstration will be required of the positive response to:

i. Retention of existing woodland, trees and hedgerows, as well as achieving biodiversity net gain (see DM 24 Biodiversity, geological conservation and biodiversity net gain and DM 29 Woodland, orchards, trees and hedgerows);

ii. Green infrastructure (see ST 10 Conserving and enhancing the natural environment and DM 17 Open space, sport and recreation provision);

iii. Contribution to strategic water management (see DM 35 Water quality and water resources and DM 36 Flood Risk);

iv. Climate change mitigation proposals (see DM3 Mitigating and adapting to climate change through sustainable design and construction); and

v. a high standard of locally native plant species and trees (of local provenance and supportive of biodiversity) for soft (including green walls) landscape in a pattern which respects the landscape character (see DM 25 Conserving and enhancing valued landscapes).

In addition, assessment and response will be given to landscape character, condition, sensitivity and any limitations arising from its overall capacity for change, together with the guidelines set out within the Landscape Character and Biodiversity Assessment and Guidelines and Urban Extension Landscape Capacity Study.

6. Public spaces and private or communal gardens

Public spaces, which include streets, will be well designed and accessible to all to support social interaction. (see DM 17 Open space, sports and recreation provision);

Street trees will be provided in contribution to the street hierarchy for shade, air quality, water management and to create attractive places (see DM 29 Woodland, orchards, trees and hedgerows);

Active frontage for natural surveillance of all open spaces and streets will be provided for all types of land uses. Entrances to buildings will be prominent, of the correct scale for the number of users and free from clutter. corners/gable ends require treatment to provide visual interest in the street scene using windows and other materials, as a well as ensuring overlooking of the street scene;

High quality robust materials will be used in the public realm;

Private gardens will be located at the rear of a house and will be a minimum of 10.5m in length;

Private front gardens will be a minimum of 50% soft landscape to contribute to flood risk reduction, green infrastructure, bio-diversity and positive design facing the public realm;

Communal gardens for houses may be provided in addition to private gardens and in which case the minimum private garden size may be foregone;

For two-or-more-bedroom flats communal residents' gardens will be provided on the basis of a minimum area of 25m2 per flat. They will be screened by above-eye-level walls or hedges from the public realm and will contain a sitting-out-area that receives sunshine during at least part of the day. Unusable strips of space between car parks or roads and buildings will not be counted as part of the communal garden provision; and

For town centre blocks of flats and one-bedroomed flats where there is access to good local open space or access to a green roof terrace or balconies the provision may be foregone.

7. Mixed and integrated uses

Development will include or provide clear connections with a mix of uses with including local services and facilities to support daily life. Schools will be located in conjunction with local retail facilities; and

Affordable housing will be provided (see DM 15 Affordable housing) and will not be placed in the 'worst' parts of the site.

8. Homes and buildings

Authentic architectural design will be required and high quality materials that are local will be expected;

New buildings should be "of their time" unless the characteristics of an area require a traditional approach;

Generic volume house types should be avoided;

The proportion for window openings is often similar to the proportion of the building facade itself: a tall, narrow building will have tall, narrow windows; a building that is more square in facade proportion will have windows that are more square;

The exterior of the building will not be cluttered with utilities; utility boxes will ideally not face the public realm and will blend with the building materials;

Where porches are provided they will be integrated in the building design and not just 'tacked-on' elements;

Attention to detail will be paid to entrances to blocks of flats with a doorway to match the scale of the building and number of occupants and well as to avoid a clutter of different elements attached to the exterior face;

The details of operation and servicing will be worked out so as not to defeat the intent of the design of the building. Storage and servicing of waste will be addressed positively and will not negatively impact on the street scene; and

Buildings will be designed to be adaptable to respond to changing lifestyles, demographics and advances in sustainability technology.

9. Resources

Layout, form and mix of uses will reduce resource requirements;

Good quality facing and roof materials will be selected from the range of regional materials characteristic of Swale ideally sourced locally to minimise distance travelled;

7 Development management policies

Opportunities for including sustainable design and construction techniques will be maximised including the use of recycled and recyclable materials, sustainable drainage systems, carbon reduction and minimising waste; and

In particular, buildings will be designed with passive solar design and fabric first principles. (see DM3 Mitigating and adapting to climate change through sustainable design and construction)

10. Lifespan

Places, spaces and buildings will be designed for longevity; and

Stewardship, delivering successful, large-scale developments requires a clear understanding of how the assets generated by them will be managed in perpetuity. Community assets such as parks and community centres are vital elements of high-quality, attractive places, but their long-term management arrangements must be considered from the outset. Relevant proposals must therefore demonstrate how such management will be undertaken by, or on behalf of, the community. Consideration should be given to all opportunities for asset management, engagement with existing community groups and parish/town councils, taking a staged approach to allow for due diligence and community engagement, funding streams, entrepreneurial opportunities, and how good design can make the process easier (for example through the multi-use of community buildings). Consideration should also be given to how dialogue with the local community will be maintained to understand what they want as the community evolves over time. Done well, and by putting local people at its heart, the process can generate increased local support, creativity and entrepreneurialism.

Boundaries

Attention will be paid to boundary detailing using local referencing, natural materials and appropriate treatments. Particular attention will be given to boundaries facing the public realm. Front boundaries will be low, transparent or semi-transparent of hard or soft landscape. Rear and side boundaries will not face the public realm but where this is unavoidable sturdy materials such as brick or stone walls will be provided and close-board timber will be avoided;

The majority of a secure boundary of institutions such as schools will be provided by dwellings;

Boundaries to open spaces will be open and permeable; and

Acoustic barriers will be avoided but moving buildings from the noise source but where absolutely necessary they will be of natural materials and heavily planted.

Mitigating and adapting to climate change through sustainable design and construction

7.0.7 In July 2019 Swale Borough Council declared a Climate and Ecological Emergency which included a commitment to facilitate the action required to make the borough of Swale carbon neutral by 2030. The Council has developed an Action Plan with actions for departments across the Council.

7.0.8 As a coastal borough in the south of England, Swale is particularly vulnerable to the impacts of climate change including flooding and erosion as a result of sea level rise and increased storms, overheating as a result of increased temperatures and water stress, all of which impacts humans, habitats and species. These impacts are already being felt across the borough.

7.0.9 This policy is part of a suite of policies across this Local Plan Review which seeks to mitigate and adapt to climate change and enable the Local Plan Review to play its part in enabling the Council and the UK to meet their net zero targets. Applicants for development need to recognise the interplay between objectives across policy areas. Climate change mitigation and adaptation should be considered from the very earliest stages of design development. Policies of most relevance to this theme are: Policy ST 3, ST

10 Conserving and enhancing the natural environment, ST 7 Health and Wellbeing and those on Design (ST 6 and DM 2), Transport (ST 9 and DM 10), Water quality and water resources (DM 35), Flood Risk (DM 36), Sustainable drainage (DM 37) and Biodiversity and geological conservation and biodiversity net gain (DM 24).

7.0.10 Buildings and facilities make up over 50% of greenhouse gas emissions in Swale however, new development also provides an opportunity to create buildings and places which can mitigate and adapt to climate change.

7.0.11 Ensuring new development is on a path to carbon neutrality will not, in itself, lead to carbon neutrality for the borough by 2030 because large percentages of Swale's emissions are from other sources, including existing development and industry (largely outside the scope of the Local Plan Review) and road transport (which makes up over a third of emissions in the borough). However, ensuring new development is reaching net zero carbon by 2030 will contribute to overall targets for the borough whilst bringing benefits to the residents and occupants of new development in terms of comfort and cost savings and setting an example for others to follow. A 2030 net zero target for Swale will also complement the national government's net zero target. This policy seeks to ensure that new development plays it part in reaching local and national carbon neutrality targets whilst also enabling the creation of beautiful and comfortable places for the people of Swale.

The international, national, legal and policy context

7.0.12 Climate Change has been firmly on the international agenda since the United Nations Conference on Environment and Development in Rio de Janeiro in 1992 where the UN Framework Convention on Climate Change was adopted with the aim of stabilising greenhouse gas (GHG) concentrations. This was followed in 1997 with the Kyoto Protocol which set legally binding obligations for GHG reductions and later the Paris Agreement of 2015 which included a specific target for limiting global warming to well below 2°C above pre-industrial levels.

7.0.13 The Intergovernmental Panel on Climate Change's Special Report: Global Warming of 1.5°C, published in 2018 stated that for global warming to be limited by 1.5°C, global net human-caused emissions of carbon dioxide would need to fall by about 45% from 2010 levels by 2030, reaching 'net zero around 2050'.

7.0.14 The Planning and Compulsory Purchase Act 2004, as amended by Section 182 of the Planning Act 2008, states that 'Development plan documents must (taken as a whole) 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'.

7.0.15 The Climate Change Act 2008 (amended 2019) sets out the duty of the Secretary of State to ensure that the net UK carbon account for 2050 is at least 100% lower than the 1990 baseline. This is known as Net Zero by 2050 Target.

7.0.16 The Planning and Energy Act 2008 sets out that local planning authorities may include policies in development plan documents that:

a. Require a proportion of energy used in development to be from renewable sources
b. Require a proportion of energy to be low carbon energy
c. Development to comply with energy efficiency standards that exceed the energy requirements of building regulations (in respect of energy performance or conservation of fuel and power)

7.0.17 The National Planning Policy Framework (NPPF) recognises that the planning system plays a vital role in supporting the transition to a low carbon future in a changing climate and that 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

7 Development management policies

buildings; and support renewable and low carbon energy and associated infrastructure. It goes on to say that plans should take a proactive approach to mitigating and adapting to climate change, in line with the objectives and provisions of the Climate Change Act 2008 .

7.0.18 The NPPF makes clear that new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change and that when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure. It also sets out that new development should be planned in ways that help to reduce greenhouse gas emissions, such as through its location, orientation and design and that local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

7.0.19 In determining planning applications the NPPF sets out how local planning authorities should expect new development to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption .

7.0.20 Planning Practice Guidance (PPG) makes clear that Local Plans have a statutory duty to tackle climate change and its impacts and that spatial planning is an important part of a successful response to climate change. Local planning authorities should ensure that protection of the local environment is considered alongside protection of the global environment. PPG makes clear there are many opportunities to integrate climate change mitigation into local plans, including through:

- Reducing the need to travel and providing sustainable transport
- Providing opportunities for renewable and low carbon energy technologies
- Providing opportunities for decentralised energy and heating
- Promoting low carbon design approaches to reduce energy consumptions, such as passive design

7.0.21 The PPG also gives examples of how local plans can assist adaptation to climate change through, for example, choosing sites which will be safe for the lifetime of development, considering flood risk and coastal change, considering water resources and quality and promoting adaptation through design.

7.0.22 The PPG advises that local planning authorities can set energy performance standards for new housing that are higher than building regulations, up to the equivalent of Level 4 of the Code for Sustainable Homes and they are not restricted in setting energy performance standards above the building regulations for non-housing developments (see reference to the Planning and Energy Act above). The government has proposed limits to these powers, but these limits have yet to be enacted. As such local planning authorities can set energy efficiency standards in new homes and non-domestic developments.

7.0.23 PPG also gives guidance on mitigation approaches, evidence gathering, the role of the sustainability appraisal and other sources of information. Importantly, the PPG also gives guidance on viability stating, 'it is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks, and ensure that proposals for development are policy compliant. Policy compliant means development which fully complies with up to date plan policies. A decision maker can give appropriate weight to emerging policies. The price paid for land is not a relevant justification for failing to accord with relevant policies in the plan. Landowners and site purchasers should consider this when agreeing land transactions'.

7.0.24 The Committee for Climate Change is an independent, statutory body established under the Climate Change Act 2008 to advise the UK government on emissions targets. It reports to Parliament on progress made in reducing greenhouse gas emissions and preparing for climate change. They have made clear that to limit the most damaging impacts of climate change, we need to reduce greenhouse gas emissions globally and adapt to the current and future changes in the climate. They also state that there is only limited evidence of the present UK Government taking climate change sufficiently seriously; both on reducing UK emissions and adapting to impacts from global climate change . The Committee sets out the benefits of acting now which include:

- Lower risks from climate change (such as flooding and increased food prices)
- Benefits to human health (and savings to the NHS) and the environment
- Early action to reduce emissions will reduce future costs
- Investment in technology will put the UK at the forefront of this market and gain competitive advantage
- The UK's support of wider international efforts
- Mitigation and adaptation measures are often 'low-regret' and have a range of other benefits eg protecting habitats

7.0.25 Their 2020 progress report to Parliament on Reducing UK emissions explains that the Government's scrapping of the 2016 Zero Carbon Homes standard has meant that energy efficiency progress seen in existing buildings has not be replicated in new buildings and that there are now more homes requiring zero-carbon retrofit that there were when the Climate Change Act was passed in 2008, with 1.8 million additional homes since 2007 needing to be fitted with low-carbon heat . Furthermore, although buildings emissions have fallen by 14% from 2008 to 2018 the sector is not well placed for the transition to zero emissions, emphasising the huge challenge for the buildings' sector .

7.0.26 The report sets out key priorities in infrastructure investments. One of these is that 'new buildings must be low-carbon, energy and water efficient and climate resilient' . This report follows on from a February 2019 report, UK Housing: Fit for the future? where the Committee on Climate Change set out that:

- the UK's legally-binding climate change targets will not be met without the near-complete elimination of greenhouse gas emissions from UK buildings. (It should be noted that when this was written the Government's target was to reduce emission by at least 80% on 1990 levels by 2050. It is now 100% by 2050).
- emissions reductions from the UK's 29 million homes have stalled and energy use in homes increased between 2016 and 2017
- efforts to adapt the UK's housing stock to the impacts of the changing climate are lagging far behind what is needed to keep people in the UK safe and comfortable

7.0.27 The Committee reports that ultra-high energy efficiency standards, installed alongside an air source heat pump, represent a 1.1 to 4.3% uplift on build costs relative to current standards, depending on the type of building and that to improve fabric standards and install low-carbon heat via retrofit costs up to five times more than achieving the same standards when first constructing the home.

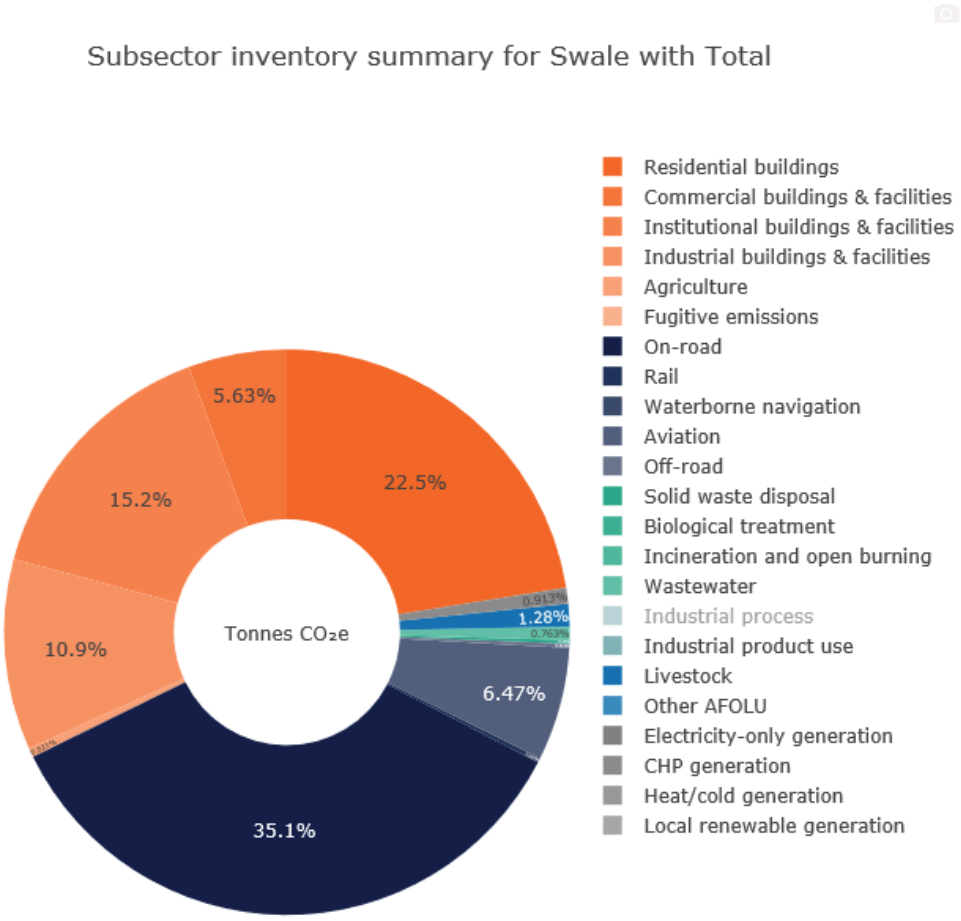
7.0.28 The Future Homes Standard: changes to Part L and Part F of the Building Regulations for new dwellings, 2019-20 sought views on options to uplift the current Part L energy efficiency standards and make changes to Part F (ventilation). It also explored options to commence the amendment to the Planning and Energy Act 2008 which would restrict local planning authorities from setting their own higher energy efficiency standards for new homes. The consultation also sought views on when, if at all, these changes should be introduced.

7.0.29 The results of the consultation have not yet been reported. However, it is likely that they may seek to limit the energy efficiency aspirations of this policy (DM 3). However, it should still be possible (where shown to be viable) for local planning authorities to seek reductions to operational carbon. There are also no limits (bar viability) to local authorities setting renewables requirements on new development .

The Swale Context

7.0.30 SCATTER is a local authority focussed emissions tool, built to help create low-carbon local authorities . It helps understand greenhouse gas (GHG) emissions inventories for local authority areas to help develop credible decarbonisation pathways in line with emissions reductions targets. The inventory for Swale reports that in Swale on-road transport is by far the largest single source of GHG emissions (420,270 tCO2e), with residential buildings next (269,005 tCO2e) followed by institutional buildings and facilities (181,925 tCO2e) and industrial buildings and facilities (130,628 tCO2e) as illustrated in the pie chart below: Subsector inventory summary for Swale for Scope 1, 2 and 3.

7 Development management policies



Picture 7.0.2

7.0.31 Research by leading climate scientists at the Tyndall Centre has found that for Swale to make its fair contribution towards the Paris Climate Change Agreement, it should emit no more than 7.7 million tonnes of carbon dioxide before 2100. At 2017 emission levels, Swale would use this entire budget within seven years. The recommended pathway requires: a 13% cut in carbon dioxide emissions each year from 2020; 80% reduction in annual emissions by 2030 and 95% reduction by 2042. Historically, the reduction in annual carbon emissions has been just over 3% . The recommended pathway would leave 20% of emissions to be offset if Swale are to reach carbon neutrality by 2030.

7.0.32 Swale Borough Council's Climate and Ecological Emergency Action Plan recognises the responsibilities that individuals, communities and organisations including Swale Borough Council have with regards to planning for climate change and the ecological emergency. It sets out actions and timescales for a range of issues from Council Operations, Buildings and Energy Efficiency, Transport and Air Quality, Resource Consumption and Waste, Ecology and Biodiversity, Energy Generation and Storage, Resilience to Adaptation and Offsetting with a view to reaching the objective of making the Council's operations carbon neutral by 2025, the borough of Swale carbon neutral by 2030 and making space for nature, safeguarding wild places, ancient woodlands and hedgerows. A number of actions relate directly to the local plan and planning decisions including promoting energy efficiency, public and active transport, deploying renewable energy and safeguarding the natural environment.

7.0.33 The Local Plan Viability Assessment has examined the policies of the local plan review, including this policy. With the exception of flatted development on greenfield sites, it has concluded that the requirements within the policy are viable for the present day. It is anticipated that technology and manufacturing in this area will progress rapidly. As this happens viability will further improve.

7.0.34 The Council intends to produce a Sustainable Design and Construction Supplementary Planning Document (SPD). This will look at a wide range of sustainable design and construction principles, policies and standards including but not limited to urban design, energy production, adaptation, pollution, drainage and waste and will provide more detailed guidance on what is expected for development across Swale.

Policy application

7.0.35 This policy (DM 3) seeks to set out measures to mitigate and adapt to climate change through the use of sustainable design principles and sustainability standards. **Sustainability principles**, which are essential to the mitigation and adaptation of climate change, can be summarised using the following hierarchy:

1. the choice of location of development (for example, are schemes accessible to public transport and not in areas at risk of flooding?)
2. the linkages the development makes to its neighbours (in particular for public transport, active travel means and wildlife corridors)
3. the layout of schemes (for example, are schemes walkable, cyclable and safe for all generations and abilities of users?)
4. the land-uses (for example, do schemes enable people to live near to where they work and will it be possible for uses to easily adapt over time as work and home life patterns change?)
5. landscaping (do schemes provide, for instance, street trees and green space to prevent overheating and ensure urban shading and cooling, sustainable drainage and a contribution to green and blue infrastructure networks which all provide for biodiversity net gain and contribute to climate change adaptation)
6. the design and construction of buildings themselves (for example, are buildings pleasant for the long term, do they allow passive lighting, ventilation and cooling (which can be as simple as openable windows and external blinds) and will they be healthy and comfortable places to live and work in, are they energy and carbon efficient, made from sustainable materials, and designed to make sustainable living easy?) .

7.0.36 As well as these guiding principles of sustainable design outlined above, this policy also sets out a range of **sustainability standards**. These standards have been prepared with the following energy and carbon hierarchy in mind, as follows:

1. New development should be energy efficient. This reduces the operational energy needed to operate a building (lighting, heating, cooling etc). Operational energy is calculated using the Standard Assessment Procedure (SAP) which results in an SAP Rating.
2. New development should be carbon efficient. This reduces the operational carbon needed to operate a building. Operational carbon is the emissions of carbon dioxide equivalent greenhouse gases, associated with the power-source that provides the energy required by a building (eg a gas boiler). Becoming more carbon efficient can be achieved either by becoming more energy efficient (1. above), or by using an energy source that has a lower (carbon) emission factor (eg electricity rather than gas), or by installing on site renewable energy, or a combination of these.
3. New development should include on-site renewable energy. This is energy generated from renewable sources such as solar (eg roof mounted PV or solar thermal) or possibly wind, located on the building or site.
4. New development should offset outstanding carbon emissions. Carbon can be offset by purchasing carbon credits, equivalent to the carbon emissions associated with a particular activity. The more energy and carbon efficient a building and more renewables provided, the less offsetting is required.

7.0.37 The overriding principle here is that buildings should be designed with a fabric first approach in mind – as making buildings energy efficient and low-carbon from the outset makes them cheaper to run and more comfortable to use. Starting from this base, reduces the need to provide renewables and carbon offsetting.

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7.0.38 This policy, in particular with regard to the appropriate sustainability standards for Swale, has been developed with evidence from viability and sustainability consultants and following experience of recent carbon reduction schemes in the borough.

7.0.39 As set out in Policy DM 35 Water Quality and Water Resources, Swale is within an area defined by the Environment Agency as being one of serious water stress. The 2017 adopted local plan for Swale, contained a policy requiring new homes to be designed to achieve a minimum water efficiency of 110 litres per person per day, as prescribed by the government's Housing: Optional Technical Standards - a standard that has been endorsed by the two water companies within Swale, the Environment Agency and the relevant Catchment Partnership, the North Kent Catchment Improvement Group (hosted by the Medway Swale Estuary Partnership and South East Rivers Trust). Due to the particular water stresses in Swale, which are likely to be exacerbated by the pressures of future development and climate change, this standard is to be retained for all residential development in Swale and raised for all schemes required to carry out Home Quality Mark and BREEAM assessments, as set out in this Policy DM 3.

7.0.40 Sustainability standards for Swale will be determined through the Standard Assessment Procedure (SAP) and the Environmental Performance Certificate (EPC). An Energy Performance Certificate is required as part of standard Building Regulations for all development.

7.0.41 Energy Performance Certificates show how energy-efficient properties are. Certificates rate properties from A to G to reflect their energy efficiency (with A being the most energy efficient).

7.0.42 The Standard Assessment Procedure (SAP) is the methodology used by the Government to assess and compare the energy and environmental performance of dwellings. A SAP rating is needed in order produce a Predicted Energy Assessment and an On Construction Energy Performance Certificate (EPC). Building Regulations require that a SAP calculation and a Predicted EPC is submitted for new dwellings prior to the commencement of work and that an Energy Performance Certificate is provided prior to a completion certificate being issued.

7.0.43 A SAP calculation indicates a score from 1 to 100+ for the annual energy cost based on the elements of structure; the heating and hot water system; the internal lighting and the renewable technologies being used. The higher the score the lower the running costs, with 100 representing zero energy cost. Dwellings with a rating in excess of 100 are net exporters of energy.

7.0.44 The SAP calculation includes information on the Dwellings Emissions Rate and the Target Emissions Rate which are used to demonstrate the operational carbon elements for buildings. These will need to be submitted alongside the full design SAP assessment and calculation summary breakdown with planning applications as part of either the Design and Access Statement or Energy and Sustainability Statement, as appropriate. Furthermore, both pre and post construction SAP certificates and summary breakdown sheets will need to be submitted and approved in order to discharge planning conditions related to this policy. On site checks will be undertaken by the Building Control Officer, when checking other items on site, at the expense of the applicant.

7.0.45 The Simple Building Energy Model (SBEM) is the calculation used to assess the carbon dioxide (CO_2) emissions associated with non-domestic buildings, and (similar to the SAP used for dwellings) is used to demonstrate that the building meets the CO_2 Target Emissions Rate, and to produce the buildings Energy Performance Certificate (EPC).

7.0.46 On top of energy efficiency and a fabric first approach, this policy seeks to put new development in Swale on a pathway to zero carbon by 2030 through the reduction of operational carbon. Zero carbon development has been shown to be viable and cost effective (with the exception of flatted development on greenfield sites). Swale Borough Council have produced Guidance for complying with the climate change planning condition ADD LINK to reduce operational carbon of new dwellings in Swale by 50% to assist those building new dwellings in Swale to meet the Swale Borough Council target to reduce carbon emissions

by 50% compared to current Building Regulations (Part L1a, 2013). By looking at three typical houses in Swale, the study illustrates how compliance could be achieved. The costs of these approaches will decrease over time as the industry and market adjusts to requirements.

7.0.47 The Government's consultation on the Future Homes Standard expects that the average home built from 2025 will produce 75-80% fewer carbon emissions that one built to current (Approved Document L 2013) energy efficiency requirements and a 31% improvement will be achieved by 2020. Whilst the results of this consultation have not been published, the consultation itself demonstrates that the government thinks radical improvements on carbon emissions can realistically be achieved in the short to medium term (ie 80% by 2025).

7.0.48 In line with the changes that are likely to be introduced with the Future Homes Standard, Swale Borough Council expects rapid research, design and manufacture to be made in this area and national progress to be swift. As such, it is unlikely that an update to it's 50% guidance on how to achieve reductions in carbon emissions will be needed, but progress will be tracked and planning guidance will be produced as necessary.

7.0.49 One of the principal methods to meet reductions in operational carbon is by the use of air source heat pumps (ASHP), either air-to-air, air-to-water or ground source heat pumps. This is recognised in the Future Homes Standard consultation, whose thinking has been informed by the Committee on Climate Change's recommendation that 'new homes should not be connected to the gas grid from 2025' .

7.0.50 As explained above the Planning and Energy Act 2008 allows local plan policies to impose reasonable renewables requirements on development. This policy (DM 3) requires a percentage of on-site renewable energy to be supplied with development, increasing from 20% at the start of the plan period to 75% by 2030.

7.0.51 10% on-site renewables requirement for commercial buildings over 1,000 square metres has been in effect in the London Borough of Merton since 2003 (The Merton Rule). The cost of renewable energy systems have decreased in price significantly, particularly over the last 10 years. For instance, Solar PV module prices have fallen by around 90% since the end of 2009, while wind turbine prices have fallen by 55-60% since 2010.

7.0.52 The increases in required renewables enables a transition to zero carbon and ensures that homeowners reap the long-term benefits of renewable energy, whilst reducing the need for carbon offsetting.

7.0.53 Carbon offsetting is used to achieve the net-zero position when on-site zero operational carbon is not possible. This policy (DM 3) sets out a maximum percentage of carbon emissions which may be offset and paid for by the developer. The offset period should be assumed as the lifetime of the development, currently recommended by the GLA as being 30 years. The price of the carbon offset may change over time. The GLA currently recommends a carbon price of £60/tonne and this is due to be increased to £95/tonne. An example of the carbon offset calculation is : 0.75 (tonnes of carbon to be offset per year) x 30 (years of offset period) x 60 (£ per tonne) = £1,350

7.0.54 Swale Borough Council intend to prepare evidence to inform an appropriate carbon price for Swale which will be published in due course and revised as appropriate. The price will be prepared on the principle that the cost of the offset must be higher than the cost of reducing the carbon on-site, to encourage the correct use of the carbon and energy hierarchy, and to ensure that carbon and energy efficiency are considered ahead of considering carbon offsetting. There is therefore also a maximum allowable carbon offset, which decreases over time.

7.0.55 The offset fund will be ringfenced by Swale Borough Council to contribute to carbon offsetting across Swale, targeting, for instance 'hard to treat' retrofit sites.

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7.0.56 Swale intends to establish its own Carbon Offset Fund for developers to use and will publish details on this in due course. If, for any reason, it is not possible to pay into the Swale fund, then an alternative fund, to be agreed with the Borough Council, could be used, following the principle that the funds should be spent with Swale and as close to the site as possible.

7.0.57 BREEAM (Building Research Establishment Environmental Assessment Method) is an internationally recognised third-party certification scheme which assesses the sustainability of buildings. It examines a wide range of categories:

1. Management, including life cycle costs, responsible contractor and handover
2. Health and wellbeing, including comfort and security
3. Energy, including reduction of energy and carbon and monitoring
4. Transport, including sustainable transport
5. Water, including water consumption, monitoring and efficient equipment
6. Materials, including environmental impacts from construction, sourcing and efficiencies
7. Waste, including construction and operational waste and design for disassembly and adaptability
8. Land use and ecology, including site selection, enhancement and maintenance
9. Pollution, including air quality, noise and light pollution and flood and surface water management
10. Innovation, to encourage free thinking and push boundaries

7.0.58 The Home Quality Mark (HQM) has been developed by the Building Research Establishment to demonstrate high standards in new homes. It is a third-party assessment and certification scheme which examines a number of criteria around new homes:

1. Surroundings – around transport, the local environment and safety/resilience
2. Home – including comfort (eg pollution, light, noise, temperature and ventilation), energy, materials, space (eg for drying, recycling) and water efficiency
3. Delivery – around quality assurance, construction impacts and customer experience

7.0.59 A range of BREEAM and Home Quality Mark ratings have been chosen as appropriate for Swale, as set out in this policy (DM 3).

- BREEAM (the Building Research Establishment Environmental Assessment Methodology) is appropriate for assessing new non-domestic buildings, including offices, industrial units, retail, education, leisure, healthcare and care homes, hotels, and custodial buildings.
- The Home Quality Mark is appropriate for assessing new residential dwellings.

7.0.60 The interim BREEAM assessment is conducted at Design stage, and the final BREEAM assessment is conducted post-construction. At each of these stages the project team assimilate the specified evidence and provide this to BRE for verification. Both of these certificates will be required as part of planning approval.

7.0.61 An HQM assessment is a two-stage process to make sure that opportunities to improve the performance of the home are identified during the design stage (interim assessment and certificate) and put into practice during the construction and commissioning stages and when people move into the home (final assessment and certificate). Both of these certificates will be required as part of planning approval.

7.0.62 Choosing **materials** that have low carbon emissions in their sourcing, manufacture and distribution as well reducing the quantity of materials to be used, simplifying form and building efficiently will have a significant impact on the **embodied carbon** of a project. The NBS website notes that 55% of the global industrial carbon emissions come from the manufacture and processing of five key materials, including steel (25%) and cement (19%). This policy (DM 3) seeks to reduce the use of materials with high embodied carbon and expects planning applications to be accompanied by measurements of the embodied carbon of the following structure and envelope materials:

1. Concrete
2. Steel

3. Timber
4. Brickwork
5. Insulation

7.0.63 **Infrastructure projects** can involve the use of high embodied energy materials. As such, this policy (DM 3) requires major infrastructure projects to undertake an analysis of embodied energy to help choose lower embodied energy alternatives.

7.0.64 Swale Borough Council intend to develop a free to use on-line **Embodied Carbon Calculator** to enable this to be easily and quickly calculated.

7.0.65 DEFRA reports in their February 2018 edition of UK Statistics on Waste that in 2014 the UK generated 202.8 million tonnes of **waste**. Construction, demolition and excavation (CDE) was responsible for 59% of that number . Whilst recovery rates for non-hazardous materials has improved, material efficiency need to be considered from the earlies stages of design and should include an analysis of: design and manufacturing; distribution (sourcing locally); use and maintenance (ie materials that will last and don't require a lot of upkeep); and disposal (including reclamation, reuse and recycling).

7.0.66 The Waste Framework Directive sets out a hierarchy of options for managing waste from the most desirable option of prevention of waste through re-use, recycling and recovery (including energy recovery) through to the least desirable option of disposal. New development should be designed to prevent waste, for example by using standard size building components, designing for deconstruction and using recycled materials. Unused materials should be reused on, or close to the site if possible, or sold on as a valuable resource. Recycling materials is the final option for waste management.

7.0.67 Buildings should also be designed to facilitate waste minimisation, for example through installing grey-water recycling where possible, promoting composting, and providing convenient recycling facilities.

7.0.68 The Low Carbon Kent website, supported by Kent County Council, offers advice on how SMEs can re-purpose their waste to facilitate a circular economy which aims to eliminate waste and the continual use of resources.

7.0.69 All developments required to carry out Home Quality Mark and BREEAM assessments in Swale will be required to fulfil the waste requirements set out in the Policy DM 3 as part of their HQM/BREEAM assessments.

7.0.70 Kent County Council is the minerals and waste planning authority for Kent. The Minerals and Waste Local Plan, 2013-2030 sets out the vision and strategy, development management policies and strategic site provision for minerals and waste management facilities in the county.

Development that does not require planning permission

7.0.71 Development, including refurbishments and extensions, may not always require planning permission, however it does present opportunities to improve energy and water efficiency and reduce emissions. The Energy Savings Trust provides useful information on how to save energy and water. Historic England have also produced guidance, Energy Efficiency and Historic Buildings: How to Improve Energy Efficiency (2018) which should be referenced in applications where buildings are listed.

Performance and compliance

7.0.72 The Committee on Climate Change has identified that the way new homes are built and existing homes retrofitted often fall short on performance and compliance, that is they do not perform as well as they are designed and they regard this as unacceptable. The committee recommends that greater levels of inspection and stricter enforcement of building standards are required, alongside stiffer penalties for non-compliance. They estimate that closing the energy use performance gap in new homes (the difference between how they are designed and how they perform) could save between £70 and £260 in energy bills

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per household per year. This policy (DM 3) seeks to address this issue by ensuring that we move towards a target of achieving energy efficiency and net zero carbon in both design and post construction, and by checking both of these at the appropriate time, and before buildings are occupied.

7.0.73 The years referred to in this policy apply to the complete year from 1st January of the relevant year.

Energy and sustainability statements

7.0.74 Major developments will be expected to submit an Energy and sustainability statement setting out how they intend to comply with this policy (DM 3) and its sister policy DM 4, Sustainable energy production, distribution and storage.

Policy DM 3

Mitigating and adapting to climate change through sustainable design and construction

1. Development proposals should demonstrate a commitment to mitigate and adapt to climate change in accordance with the Council's net-zero by 2030 target, national planning policy, guidance, other policies in this plan, best practice and any relevant Supplementary Planning Documents, including the Parking Standards SPD and any forthcoming Sustainable Design & Construction Supplementary Planning Document.
2. Development proposals will need to clearly set out how they have been designed to mitigate and adapt to the impacts of climate change, for the lifetime of the development, through the application of sustainability principles, that is: the locations, linkages, layouts, land-uses and landscaping of schemes and the design and construction of buildings.
3. Development proposals will need to clearly set out how they have been specifically designed to adapt to the impacts of climate change, in particular overheating and increased storminess and flooding, prioritising passive approaches that incorporate green and blue infrastructure and bring multi-functional benefits. Applications should demonstrate how the location, orientation and design of schemes makes them safe from flooding, how they incorporate sustainable drainage, natural daylighting, solar shading and natural ventilation and how they have integrated, and made accessible, high quality landscape features including tree planting and green roofs.
4. All development should demonstrate that it makes sustainable living the easiest choice, for instance by providing: mixed uses so people can live close to where they work; homes that are comfortable to work from; easy access to public transport and good quality active travel infrastructure; have space to store bicycles and recycling; and have safe access to green and blue infrastructure.
5. Development on existing sites should recognise that retaining and upgrading existing structures may be more sustainable than building new. Redevelopment of existing stock should make the most of opportunities to improve water and energy efficiency.
6. Applications for major development should include an Energy and Sustainability Statement which demonstrates how the sustainability principles and standards set through this policy will be implemented, monitored and enforced both at design stage and post construction.
7. Development proposals will make efficient use of water resources and comply with policy DM 35 Water Quality and Water Resources. All residential development will be designed to achieve a minimum water efficiency of at least 110 litres per person per day, in line with the Government's Housing Optional Technical Standard for water efficiency, unless higher standards, as set out below, are required.
8. Development proposals (excluding householder and flats on brownfield sites) will demonstrate the use of the following sustainability standards:

    a. All new development will require a Standard Assessment Procedure (SAP) or Simple Building Energy Model (SBEM) B Rating (Post Construction). From January 2025 an SAP/SBEM A Rating (Post Construction) will be required.

b. All new developments will demonstrate a commitment to reducing operational carbon, for instance by the use of air source heat pumps and moving away from a reliance on fossil fuels. A 50% reduction of operational carbon compared to 2013 Building Regulations is expected of all development. This requirement will be 75% from 2025 and 100% from 2030.

c. All new developments will demonstrate that they meet at least 20% of the total operational (regulated) energy demand from on-site renewable energy. From 2025 all new development will demonstrate that they meet at least 50% of total operational (regulated) energy demand from on-site renewable energy. From 2030 all new development will demonstrate that they meet at least 75% of total operational (regulated) energy demand from on-site renewable energy.

d. From 2025 all new developments will offset carbon. To ensure that the energy and carbon hierarchy is used effectively (and that carbon and energy efficiency are considered first), a maximum of 50% of total carbon emissions will be offset through the Council's carbon offset fund. From 2030 all new developments will offset a maximum of 25% of total carbon emissions through the Council's carbon offset fund, or other agreed mechanism.

e. For minor residential development, a Home Quality Mark (HQM) Rating of 3 Stars will be required from 2025 and a Home Quality Mark Rating of 4 Stars from 2030, using the latest HQM standard at the time of construction commencement. This should include:

   i. 11credits for water efficiency (as defined by HQM 01 Water efficient fittings, criteria 1),
   ii. 5 credits for recyclable waste (as defined by HQM 7.3 Recyclable Waste) and
   iii. 6 credits for site waste management (as defined by HQM 10.4 Site Waste Management)

f. For major residential development a Home Quality Mark Rating of 4 Stars will be required, using the latest HQM standard at the time of construction commencement. This should include:

   i. 11 credits for water efficiency (as defined by HQM 01 Water efficient fittings, criteria 1),
   ii. 7 credits for recyclable waste (as defined by HQM 7.3 Recyclable Waste) and
   iii. 8 credits for site waste management (as defined by HQM 10.4 Site Waste Management)

g. For non-domestic developments of less than 1,000m^2 gross internal floor area a Very Good BREEAM Rating will be required, using the current BREEAM standard at the time of construction commencement. This should include:

   i. 1 credit for operational waste (as defined by BREEAM Wst 03 Operational Waste) and
   ii. 1 credit for construction waste management (as defined by BREEAM Wst 01 Construction Waste Management.

h. For non-domestic developments of 1,000m^2 gross internal floor area or greater, an Excellent BREEAM Rating will be required, using the current BREEAM standard at the time of construction commencement. This should include:

   i. a 12.5% improvement over the baseline building water consumption (as defined by the BREEAM Wat 01 Calculator for non-domestic) and
   ii. 1 credit for operational waste (as defined by BREEAM Wst 03 Operational Waste) and
   iii. 1 credit for construction waste management (as defined by BREEAM Wst 01 Construction Waste Management).

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9. All developments should demonstrate measures to minimise waste in the design, construction, use and life of buildings, and promote more sustainable approaches to waste management, including the reuse and recycling of construction waste and the promotion of layouts and designs that provide adequate, well-designed space to facilitate waste storage, reuse, recycling and composting.
10. All schemes should consider the embodied carbon of materials and favour natural, reused, recycled or renewable materials. Using the Council's Embodied Carbon Calculator, or other agreed mechanism, major residential and commercial developments should demonstrate reduction of the use of high embodied carbon materials to a maximum of 1,200kg CO_2e/m^2 (carbon dioxide equivalent emitted per square metre). From 2025 this requirement will be 600 CO_2e/m^2 and by 2030 it will be 250 CO_2e/m^2 by 2030.
11. Infrastructure projects of above £50 million value which require planning permission, will be required to predict the embodied carbon of materials during the design stage, and undertake analysis of quantities and material specifications to optioneer more sustainable and lower embodied carbon alternatives, to inform the final designs and specifications. Both the baseline assessment and optioneering studies must be sent to the Council for approval prior to construction commencement.

Sustainable energy production, distribution and storage

7.0.75 This policy is the sister policy to DM 3 Mitigating and adapting to climate change through sustainable design and construction. That policy seeks to use the principles of sustainable design and sustainability standards to promote sustainable design, energy saving, energy efficiency, renewables, low carbon energy and offsetting to contribute to the Council's net zero target. This policy seeks to build on DM 3 and concentrates on sustainable energy production, distribution and storage and seeks to provide a framework for renewable energy schemes and to promote heat networks, local energy storage and energy master planning.

7.0.76 This is an area of technological change and rapid development. This policy aims to encourage and enable innovation in the supply, distribution and storage of locally produced energy.

7.0.77 The National Planning Policy Framework (NPPF) states that the planning system 'should support the transition to a low carbon future in a changing climate' and should help to 'shape places in ways that contribute to radical reductions in greenhouse gas emissions…and support renewable and low carbon energy and associated infrastructure . It goes on to say that plans should increase the use and supply of renewable and low carbon energy and heat by providing a positive strategy for energy from these sources, considering identifying suitable areas for renewable and low carbon energy (whilst ensuring adverse impacts are addressed) and identifying opportunities for development to draw its energy supply from decentralised, renewable and low carbon energy supply systems and for co-locating potential heat customers and suppliers . The NPPF stresses that local planning authorities should support community-led initiatives for renewable and low carbon energy .

7.0.78 When determining planning applications the NPPF makes clear that local planning authorities should expect new development to comply with policies on local requirements for decentralised energy supply (unless it can be demonstrated by the applicant that this is not feasible or viable) and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. Furthermore, the NPPF states that, when determining planning applications, applicants for renewable and low carbon development do not need to demonstrate the overall need for such energy sources and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. Applications should be approved if impacts are, or can be made, acceptable .

7.0.79 Planning Practice Guidance (PPG) stresses the importance of increasing the amount of energy from renewable and low carbon technologies and the role of planning in enabling this. The guidance explains where local authorities are responsible for determining applications for renewable and low carbon energy,

where you can find out about permitted development and the role of the Secretary of State in schemes over 50 megawatts in capacity. Whilst the guidance recognises the need for green energy, it also reinforces the importance of environmental protections and the views of the community. PPG explains that Local Plans should consider the local potential for green energy including the range, cost and impacts of different technologies and relevant policies. The guidance makes clear that whilst the UK has legal commitments to cut greenhouse gases, Local Plans have no quota of renewable and low carbon energy to deliver.

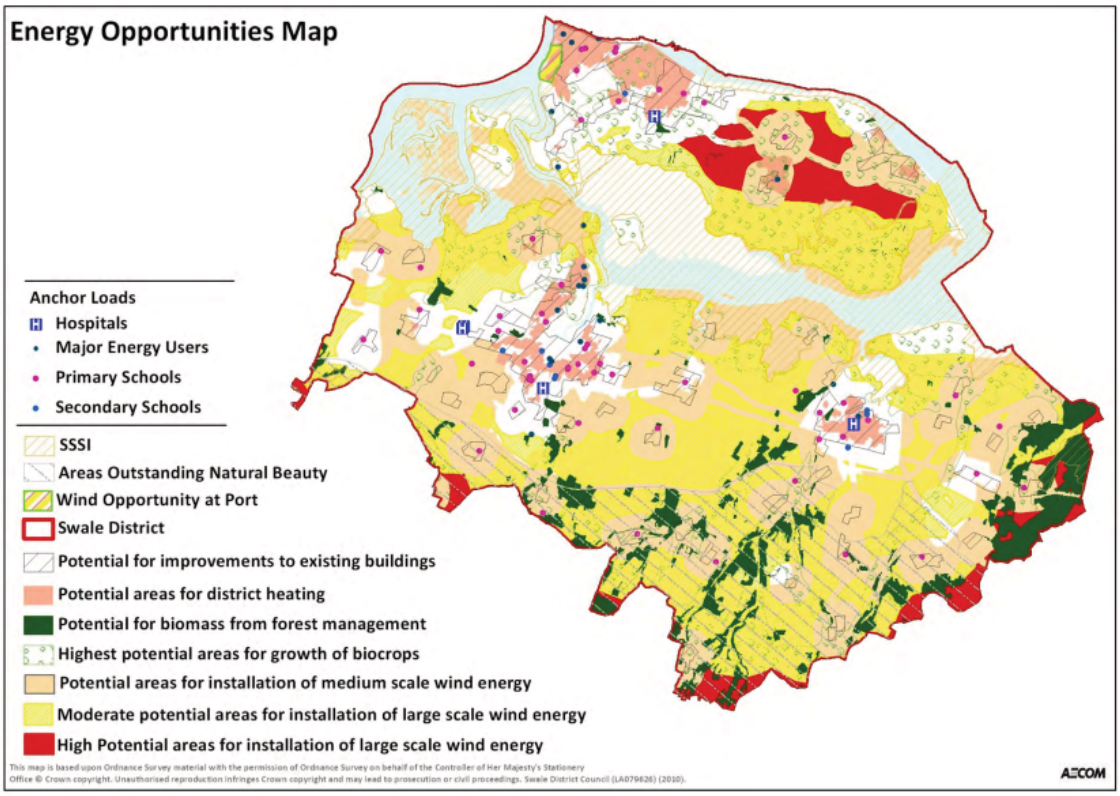
7.0.80 PPG gives guidance on how local planning authorities can identify suitable areas for renewable and low carbon energy and how to write positive criteria base policies. It gives guidance on how decentralised energy opportunities can be identified and explains the particular planning considerations for hydropower, active solar technology, solar farms and wind turbines, including cumulative impacts.

7.0.81 The Climate Change Act 2008 (amended 2019) set a legally binding greenhouse gas emission reduction target of 100% by 2050, compared to 1990 levels. The Committee on Climate Change's report Reducing UK emissions Progress to Parliament, June 2020, describes the transition to net-zero emissions as needing all energy to be delivered to consumers in zero-carbon forms (ie electricity, hydrogen, hot water in heat networks) and come from low-carbon sources (ie renewables and nuclear, plus bioenergy and any fossil fuels being combined with Carbon Capture and Storage) . For buildings, which make up 18% of 2019 emissions , the Committee describe the 2020s as a period of 'efficiency, heat networks [and] heat pumps (new build, off-gas, hybrids)' and the 2030s and 2040s as a period of 'widespread electrification, expand heat networks, gas grids potentially switch to hydrogen'.

7.0.82 In 2011 Kent County Council (KCC) commission AECOM to undertake a renewable energy resource and opportunity study for Kent. This was followed, in 2013, by Renewable Energy for Kent: An Action Plan for Delivering Opportunities, 2013-18 which developed a range of work packages. In 2017 Renewable Energy for Kent: Baseline carbon emissions and projected domestic electricity and gas demands study was published. This provided a revised carbon emissions baseline, projected gas and electricity demand for future domestic development, levels of installed renewable energy and Combined Heat and Power capacity in Kent and Medway and updated future energy scenarios to 2020.

7.0.83 Swale Borough Council's Sustainable Design and Construction Guidance (CEN, 2010) and the Swale Renewable Energy and Sustainable Development Study (AECOM, 2011), though now rather dated, both demonstrated that there are considerable resource opportunities across the Borough through biomass, wind, solar , Combined Heat and Power (CHP) and micro-generation. They showed that the existing town centres offer opportunities for district heating networks, whilst biomass (e.g. from waste wood from the paper industry and woodland management arisings) is a widespread potential resource across the south east of the Borough alongside solar energy exploitation across the Borough. There are particular opportunities for wind energy generation on the Isle of Sheppey, (a number of turbines are already operating there) and in the Kent Downs Area of Outstanding Natural Beauty, although here there are national landscape constraints to be considered. The AECOM study produced an Energy Opportunities Map, below, which, whilst high level and not representative of site level issues and current development proposals still has relevance today in its demonstration of the energy potential of the borough.

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Picture 7.0.3

7.0.84 This study may be updated as resources allow, for instance to assess the acceptability of wind applications in accordance with the criteria established in Planning Practice Guidance.

7.0.85 Data gathered by Kent County Council demonstrates that, at the end of 2018, 755MW of electricity produced in Swale (including 87% from offshore wind) was from renewable sources. Given Swale's location in the south of England, solar can be a suitable technology and there are already a number of solar farms within the borough (ranging from 2 to 22 MW) with a total capacity of 70MW. A number of these farms are Community Interest Companies where a share of profits is returned to the local community.

Policy Application

7.0.86 To aid the transition to net-zero carbon in Swale by 2030, opportunities for locally produced, sustainable forms of energy need to be created, distributed and stored within the borough.

7.0.87 Keeping energy production close to energy demand is one of the most efficient methods of supplying energy, particularly in urban areas where there are sufficient densities and mix of uses and where co-location (eg schools and employment close to dwellings) of heat supply and demand is possible.

7.0.88 Policy DM 3 Mitigating and adapting to climate change through sustainable design and construction requires the integration of renewable energy (eg roof mounted solar thermal and/or solar PV schemes) in new development and encourages low-carbon heat. Low and zero carbon heat could include air/ground source heat pumps, biomass boilers and low-carbon gas such as hydrogen and biomethane, ideally combined with renewables.

7.0.89 The Committee on Climate Change UK Housing Fit for the Future? report states that from 2025 at the latest, no new homes should be connected to the gas grid but instead heated through low carbon sources. They assert that delivery of this by, or even before 2025, is cost-effective. The Committee therefore recommend that, instead of connecting to the gas grid new homes should make use of low-carbon heating systems such as heat pumps and low-carbon heat networks. Early deployment of low-carbon heat in new

homes will help reduce the retrofit challenge by increasing familiarity amongst installers and the general public, better prepare the stock for net-zero ambitions, and help develop supply chains for broader uptake .

7.0.90 Heat networks or district heating will play an increasingly important role in energy distribution in the near future. The Government's consultation on The Future Homes Standard (FHS) states that 'Heat networks …are a distribution system that takes heat from a centralised source and delivers it to a number of different buildings. These heat networks also form an important part of our plan in the future of low carbon heat, in particular in cities and high-density areas. Heat networks can decarbonise more easily compared to most other heat sources because new technologies can be added to the system with little disruption to individual householders. They provide a unique opportunity to exploit larger scale, renewable and recovered heat sources that can't be accessed at an individual building level. Heat networks also provide system benefits such as thermal storage and reducing the energy demand of the grid at peak times. It is estimated by the CCC that around 18% of UK heat will need to come from heat networks by 2050 if the UK is to meet its carbon targets cost-effectively. We expect that heat networks will have a strong role to play in delivering low carbon heat to new homes in future. ' The FHS consultation goes on to state 'In order to encourage heat networks, we propose that weighting, which we refer to as 'technology factors', is applied into calculations for the target emission rate and target primary energy for new dwellings where the design incorporates heat networks. Applying these technology factors is intended to encourage heat networks; this is in recognition of the ability of heat networks to decarbonise over time' .

7.0.91 There are currently over 17,000 district heating networks operational in the UK and nearly 500,000 connections to them . The Government's Community Energy Strategy shows examples of energy and cost savings from community energy schemes.

7.0.92 Heat networks benefit from significant economies of scale and are likely to be suitable on larger sites. As technology develops they will also become more viable over time. These factors are recognised in this policy (DM 4).

7.0.93 Batteries can enable sustainable storage and peak management for demands on electricity use. In domestic settings these could be in the home or for homes with accessible on-site parking, the electric vehicle batteries could store excess household power for use during high electricity grid demand. Applications should recognise the potential for battery storage.

7.0.94 Energy Masterplanning enables the creation of a robust area-wide strategy for energy generation, distribution and storage to be planned across a site and integrated into its neighbourhood to existing or planned heat networks with the purpose of achieve cost, energy and carbon efficiencies.

7.0.95 For the purposes of this policy, sustainable energy is defined as renewable and low-carbon energy.

7.0.96 The impacts of sustainable energy production, distribution and storage need to be carefully considered by applicants in preparing proposals. These can include, but are not necessarily limited to, impacts on: landscape and views, topography, heritage (including setting), heritage and environmental designations, biodiversity, geology, soils, agricultural land, flood risk, residential and amenity, safety, noise, air quality, glint and glare, tranquillity, public rights of way and traffic. Cumulative impacts, including those during the construction and demolition phases, and security measures such as lighting and fencing should be included in any assessment.

7.0.97 Applicants should use the full range of resources available when preparing planning applications including the Swale Landscape Character and Biodiversity Appraisal, the Kent Downs Area of Outstanding Natural Beauty Management Plan and updates and its Renewable Energy Position Statement. These, along with their updates and other relevant publications should be referenced in applications.

7.0.98 Swale Borough Council have also prepared two Renewable Energy Planning Guidance Notes, Guidance Note 1 The Development of Domestic and Medium Scale Solar PV Arrays up to 50kW and Solar Thermal and Guidance Note 2 The Development of Large Scale (>50kW) Solar Arrays. These documents

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have been prepared to assist all parties involved in the renewable energy development process and discuss the issues to be addressed in solar schemes. These Guidance Notes have been approved by the Council and will assist decision makers when determining applications.

7.0.99 The development of renewable and low-carbon energy schemes on agricultural land is particularly sensitive in Swale where we benefit from a high proportion of best and most versatile agricultural land. Applicants for development on agricultural land should note that the search for suitable sites should not be limited to land within the control of the applicant, and, as set out in the NPPF, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality.

7.0.100 Applicants should also note that the planning concerns of local communities should be considered prior to any planning application for large scale renewables is made. Opportunities for community involvement, leadership and ownership/gain should be sought by applicants.

Policy DM 4

Sustainable energy production, distribution and storage

1. All development proposals (excluding householder) will demonstrate a commitment to sustainable energy production/renewable energy in line with Policy DM 3 as well as to local energy distribution and storage where appropriate, seeking opportunities for innovation. Development proposals should be located, oriented and designed to take advantage of any opportunities for decentralised, low and zero carbon energy and, connect to relevant existing or planned decentralised heat and/or power schemes on or near to the site.
2. All development over 100 dwellings or 3,000m^2 will be accompanied by an Energy Masterplan. This will set out how energy will be generated, distributed and stored across the site and, where appropriate, connect to existing or planned heat networks.
3. Heat networks are encouraged as a low-carbon heating method. As such:
    a. All residential developments of 500 dwellings or more or non-domestic buildings of 10,000m^2 total or greater (across all development phases) are expected to connect to heat networks unless it can be demonstrated that there are more appropriate energy efficient and low-carbon methods of energy production, distribution and storage for the particular site.
    b. From 2025 all residential developments of 200 dwellings or more or non-domestic buildings of 5,000m^2 total or greater (across all development phases) are expected to connect to heat networks unless it can be demonstrated that there are more appropriate energy efficient and low-carbon methods of energy production, distribution and storage for the particular site.
    c. From 2030 all residential developments of 100 dwellings or more or non-domestic buildings of 3,000m^2 total or greater (across all development phases) are expected to connect to heat networks unless it can be demonstrated that there are more appropriate energy efficient and low-carbon methods of energy production, distribution and storage for the particular site.
4. Proposals for sustainable energy production, distribution and storage will be granted where:
    a. Analysis of all impacts, including cumulative impacts, and methods to avoid, mitigate and compensate harm from these impacts is fully addressed in any planning application for such proposals;
    b. There is clear evidence of local community involvement, leadership and or ownership;
    c. Energy produced locally is stored and consumed as close to its source of production as practical;
    d. Priority is given to development on previously developed land or buildings, avoiding undeveloped and agricultural land where possible;
    e. For schemes on agricultural land, it has been demonstrated that poorer quality land has been used in preference to higher quality. In exceptional cases, where schemes are

demonstrated as necessary on agricultural land, that they fully explore options for continued agricultural use;

f. Opportunities to enhance biodiversity and adapt to the impacts of climate change are integral to any schemes and biodiversity net gain can be demonstrated, in line with Policy DM 24

g. Proposals are integrated into the design of new commercial and residential schemes, in line with policies ST 6 and DM 2 and are as efficiently laid out as is practical;

h. The scale, type, location and design of schemes is guided by relevant plans, policies, appraisals and associated guidance, including relevant Landscape Character Assessments, Landscape Designations and biodiversity management plans; and

i. In cases of temporary planning permission, detailed proposals for the restoration of the site at the end of its functional life are set out as a part of any application, ensuring biodiversity net gain for the long term.

7.0.101 The National Planning Policy Framework requires planning policies to define a network and hierarchy of town centre and to take a positive approach to their growth, management and adaptation allowing for flexible mixed use characterful places and 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.

7.0.102 Sittingbourne is the principal town centre for the Borough and the focus for retail development with Faversham and Sheerness. 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.

7.0.103 The focus for retail development for the Borough is at the town centres, in particular Sittingbourne that has identified additional capacity for both convenience and comparison goods floorspace. Sittingbourne has seen significant investment in recent years as part of the delivery of regeneration activities including a new multi-storey car park and cinema complex with restaurants and public realm improvements. The Council seeks to support further regeneration within Sittingbourne through the supplementary planning document that will be adopted in due course pursuant to policy REGEN 1: Sittingbourne Town Centre.

7.0.104 Modest additional comparison floorspace capacity has been identified for Faversham and for Sheerness with some additional convenience floorspace that could be delivered through extensions to existing premises. 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.

7.0.105 The extent of the town centres of Sittingbourne, Faversham and Sheerness are set out on the Proposals Map.

7.0.106 Proposals for retail use that cannot be accommodated within the town centre will require the submission of an impact assessment to 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 that centre that would result can be mitigated. A local threshold for assessing retail proposals on the edge of town centres or out of centre is 500sq.m as recommended by the Retail and Leisure Needs Assessment (January 2019.)

7.0.107 Primary Shopping Areas and active shop frontages

7.0.108 The local plan is required to identify the ‘Primary Shopping Areas’ for town centres where retail development is concentrated. This is, in effect the ‘primary’ shopping frontages areas where ground floor

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uses are predominantly retail with some complementary uses and are protected to ensure the vitality and viability of the town centre, supporting a concentration of retail uses. The Primary Shopping Area is shown on the Proposals Map. 'Secondary' frontages can also be identified where they support the vitality and viability of the town centre. They play an important role in complementing the primary areas although do tend to include a wider range of uses and are also shown on the Proposals Map.

7.0.109 Our 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 the unexpected opportunities that may occur on the fringes of the Primary Shopping Areas. This flexibility will help 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.

7.0.110 Retail will remain the predominant use at ground floor level in the Primary Shopping Areas. However the new use class order allows for a wider range of uses, including non-retail, to be permitted without requiring permission from the Council until the end of July 2021 when new, revised permitted development rights are expected to come into effect. Whilst the Council recognises the need for flexibility at this time, it is imperative that ground floor frontages 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 DM 6 on shop front design.

Policy DM 5

Proposals for Main Town Center 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 7.0.1

2. Being located within the town centres as defined on the Proposals Map; 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 2. and 3. above, proposals elsewhere within the built-up areas of Faversham, Sheerness and Sittingbourne, as shown on the Proposals Map will only be permitted if:

a. it is demonstrated by an impact assessment (when the proposal is 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 transport, pedestrians and cyclists.

5. Elsewhere, proposals will be permitted where they address the tests set out in national policy and accord with criteria 4a to 4c.

Primary Shopping Areas, secondary frontage and active frontages

6. The Council will support the concentration of retail uses in the Primary Shopping Area as identified on the Proposals Map. Shop frontages within the Primary Shopping Area and secondary shopping frontages as identified on the proposals map must be well designed in line with Policy DM 6 on shop fronts. They will be active frontages in that they will be outward looking onto their street and enhance the vitality and natural surveillance of the street.
7. Proposals for development within the Primary Shopping Areas and secondary frontage areas will be permitted where they can demonstrate that the proposed use and design will enhance the vitality and viability of the town centre.

7.0.111 **HEALTH WARNING**: At the time of writing, the government have published revisions to the Use Classes order that support the change of use between various types of use under Class 'E' without the need for planning permission. It is a temporary measure to respond to the Covid-19 and its impacts on the economy and the town centre, in particular. To this end, the Council may need to review the above policy should further permitted development rights be introduced.

Shopfronts, signs and advertisements

7.0.112 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 Policy DM 6 is to ensure that such proposals are of a high-quality design. The importance of good design is stressed throughout the National Planning Policy Framework (NPPF) and this applies to shopfronts too. Furthermore, it explicitly references signs and advertisements, explaining how those that are poorly designed and sited can be detrimental to the quality and character of places as well as public safety [8].

7.0.113 Inflexible corporate design, with its use of standardised colours and artwork, is a significant factor in the loss of local distinctiveness which can result in the erosion of the character and appearance of buildings and areas. The proliferation of signs can also harm the visual quality or amenity of an area. A high standard of design is required to address these concerns and ensure that proposals safeguard features of visual and historic interest and provide interest within town centres.

7.0.114 The Council is particularly concerned with the increase in inappropriate signage in the Borough's town centres and other sensitive locations, and will seek strict adherence to the Supplementary Planning Guidance entitled 'The Design of Shopfronts, Signs & Advertisements' which remains a material consideration in the determination of proposals.

8 National Planning Policy Framework (February 2019), MHCLG paragraph 132

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Policy DM 6

Shopfronts, signs and advertisements

All proposals will accord with the Supplementary Planning Guidance entitled 'The Design of Shopfronts, Signs & Advertisements'.

Development involving shopfronts will be permitted where they are of a design which responds positively to the character of the building and its locality. The alteration or replacement of shopfronts of visual or historic interest will not be permitted unless it can be demonstrated that the development would conserve or enhance the character of the building and its locality.

Development involving signs and/or advertisements will be permitted where they are of a design which does not significantly harm amenity or public safety, taking into account cumulative impacts.

7.0.115 Loss of employment floorspace and land

7.0.116 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.

7.0.117 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.

7.0.118 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, for future employment use. See Policy A3.

7.0.119 The 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." (NPPF, Paragraph 80.)

7.0.120 Where a change 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.

7.0.121 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.

7.0.122 Marketing evidence should:

1. 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;

2. 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.;
3. 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;
4. Where sites are undeveloped, or property needs to be redeveloped, then viability testing of indicative schemes should be provided; and
5. Include relevant information on the quality and vacancy level of the premises, and why the location is considered inappropriateness for economic uses.

7.0.123 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 the local plan review process is the best place to make these judgements.

7.0.124 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 two years). Potential applicants are encouraged to seek the advice of the Council prior to seeking planning permission as regards their proposed marketing strategy.

7.0.125 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 agreed before the application being made through the Council's pre-application service.

7.0.126 Mixed-use redevelopment and renewal

7.0.127 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.

7.0.128 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.

7.0.129 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.

7.0.130 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.

7.0.131 Recent 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.

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Policy DM 7

Loss of employment floorspace and 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 or 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, 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 paragraphs ** 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 economic uses for at least one continuous year immediately prior to submission of a relevant planning application. 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.

7.0.132 The rural economy

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

7.0.134 The National Planning Policy Framework (NPPF) supports economic growth in rural areas to create jobs and prosperity by taking a positive approach to sustainable new development. Local planning

authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas, promote the development and diversification of agricultural and other land-based rural businesses, support sustainable rural tourism and leisure developments and promote the retention and development of accessible local services and community facilities. (NPPF, paragraph 83.)

7.0.135 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 84.)

7.0.136 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. The policy is considered in the context of Policy ST 4 which, for larger scales of employment growth, steers provision to the urban areas and village service centers.

7.0.137 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.

7.0.138 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.

7.0.139 The success of rural businesses relies increasingly heavily on the availability and reliability of superfast broadband provision. Policy DM 13 ‘Provision of Broadband Infrastructure’ sets out the Council’s expectations for the provision for adequate infrastructure on new developments and at the local level, the 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 priority within the Swale Economic Improvement Plan 2020-2023. The Council also works with Kent County Council to support the roll out of publicly funded broadband provision across the Borough.

7.0.140 Rural Tourism

7.0.141 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. Indicators of such business credentials are likely to be:

- how it will manage and market itself and how it will make its purchasing choices;
- whether it communicates ideas via an environmental policy;
- its choice and use of resources and how energy, water and waste is managed;
- its relationship with local communities and its support of and contribution to the local economy;
- the transport opportunities and choices available;
- a spread of knowledge, management and awareness of the local environment and wider area, access,

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- 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.

7.0.142 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.

7.0.143 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 Policies DM 9.

7.0.144 The Swale Visitor Economy Framework 2018-2023 sets out the Council's priorities for the tourism sector. It supports growth of the visitor economy in Swale with benefits beyond providing experiences for tourists, by improving the attractiveness of the place not just to visitors but also residents, investors and incoming skilled workers. The Visitor Economy Framework Action Plan was agreed in October 2020 and has six overarching destination challenges that were identified for Swale's visitor economy:

- To shift visitors' perceptions of the area and increase awareness of the product offering
- To give visitors 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
- To persuade visitors to travel beyond London

7.0.145 Agricultural Sector

7.0.146 For the agriculture sector, the industry has highlighted the need for it to keep pace with the changing context brought about by climate change, food security, food miles, the decline in pollinators, global markets, major food retailers and changing legislation/guidance and Brexit. These may bring about demands for facilities such as large-scale crop storage facilities and new growing technologies. This Policy supports farmers to respond to these challenges. The Kent Downs AONB Unit Farm Diversification Toolkit, 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.

7.0.147 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.

7.0.148 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.



Picture 7.0.4 Traditional and modern farming methods side by side

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

7.0.150 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 Conservation of Traditional Farm Buildings[1]will remain a material consideration to the determination of some proposals.

7.0.151 [1] Or its successor

Policy DM 8

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, or its use would be undesirable or unsuitable through an extensive, proactive marketing process, for at least 6 months.

Development proposals for rural based employment will:

1. For all proposals:

a. in the case of larger scales of development (500 sqm or above (without exceptional justification)), be located at the village service centers and urban areas as defined by Policy ST 2 and in accordance with Policy CP 4;

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b. 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;

c. 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;

d. for new buildings and ancillary facilities, the design and layout will need to be sympathetic to the rural location and appropriate to their context;

e. result in no significant harm to the historical, architectural, biodiversity, landscape or rural character of the area; and

f. avoid scales of traffic generation incompatible with the rural character of the area, having regard to Policy DM 10 and Policy DM 12.

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 DM 9.

3. For the agricultural/forestry sectors:

a. enable the diversification of a farm; or

b. extend the growing season or improve the reliability and availability of local crops; or

c. provide for the storage, distribution or added value activities in central hubs located close to crop sources and the primary and secondary road networks; or

d. increase the availability of locally grown food sold direct to the consumer; or

e. increase the sustainable management of woodlands; or

f. increase the use of renewable energy sources in accordance with Policy DM 4.

Holiday Parks

7.0.152 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.

7.0.153 2. Whilst some parks have been modernised to meet changing needs, others are of poor quality and are in need of improvement. Holiday parks are for short term tourism occupation for up to 10 months

of the year. Many of the holiday parks are located within open and/or coastal sensitive landscapes where they have had negative visual impacts. Space available for parks is being squeezed by coastal cliff erosion and flood risk.

7.0.154 3. Given the scale of existing 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 the 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.

Policy DM 9

New holiday parks or extensions to existing parks

1. Planning permission will be granted for the upgrading and improvement of existing static holiday caravan and chalet sites (including their conversion from one to the other) within the existing boundaries of the Holiday Park areas as shown on the Proposals Map. Planning permission will not be granted for any new static holiday caravans and chalets, or extensions, outside of the Holiday Park area on the Isle of Sheppey as shown on the Proposals Map.

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

i. in accordance with Policies XX and XX relating to the coast and the coastal change management area;

ii. it is demonstrated that on-site upgrading and improvement is not practical or viable;

iii. there is no overall increase in the existing number of accommodation units;

iv. it is part of a scheme to upgrade and improve the quality of tourist accommodation and other amenities on the site;

v. 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 XX

vi. in accordance with Policy XX (occupancy of holiday parks); and

vii. there is no unacceptable impact on the local environment.

3. Where new or improved facilities are proposed within the existing boundaries of the Holiday Park areas, as shown on the Proposals Map, planning permission will be granted provided they are:

i. of a type and scale appropriate to the site or park they are intended to serve;

ii. where feasible, made available for use by the local resident population; and

iii. in accordance with Policy XX (occupancy of holiday parks).

The occupancy of holiday parks

1. 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

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as permanent (and sometimes sub-standard) housing, many of which would be in poorly accessible parts of the Borough, and to protect the character or the rural area. Limited occupation also afforded 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.

2. 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.

3. Policy XX below sets out the parameters within which applications to extend occupancy of holiday parks to a 10 month period will be permitted. Permanent occupation will continue to be resisted. For the most part, Policy XX will apply to existing holiday parks, but will be used to guide the length of occupancy that should be allowed in such cases.

4. 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. In many cases, it will not be possible to provide mitigation that adequately safeguards from the risk of flooding over the winter months, and in these cases applications to extend the occupancy on these sites will be resisted.

5. 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 XX

The occupancy of holiday parks

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

i. 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;

ii. The amenity and tranquillity of the countryside and residential areas are safeguarded;

iii. The proposals are in accordance with Policies XX and XX relating to the coast and the coastal change management area; and

iv. Where located adjacent to or in close proximity of the Special Protection Areas (SPAs), an assessment has been undertaken to determine the level of disturbance to over-wintering birds and identified mitigation measures, where appropriate.

v. The extension of a 10 month occupancy is subject to planning conditions safeguarding the holiday accommodation from being used as sole or main residences as set out in appendix X Holiday Parks - Conditions for planning permission.

Proposals for 12 month occupancy of holiday parks will not be permitted.

Appendix X Holiday Parks – Conditions for planning permission.

Conditions for planning permissions to be used in connection with the new policy on holiday homes.

1. There must be a signed agreement between the park and all caravan/chalet owners stating:

a). the caravan/chalet is to be used for holiday and recreational use only and cannot be occupied as a sole or main residence, or in any manner which might lead to any person to believe that it it being used as the sole or main residence, and

b). the carvan/chalet cannot be used as a postal address, and

c). The caravan/chalet cannot be used for registering, claiming or receipt of any state benefit, and

d). the caravan/chalet cannot be occupied in any manner, which shall or may cause the occupation thereof, to be or become a protected tenancy within the meaning of the rent acts 1968 and 1974, and

e). if the caravan/chalet owner is in breach of the above their agreement will be terminated and/or not renewed upon expiry.

2. The park will:

a). Ensure all caravan/chalet owners, present and future, have a current signed agreement covering the above points, and

b). hold copies of documented evidence of the caravan/chalet owners main residence and their identity, which may comprise utility bills, council tax bill, passport, driving licence or similar document, and

c). require caravan/chalet owners to provide new documentation if they change their main residence, and

d). send all written communications to the main residence of the caravan/chalet owner, and

e). not allow postal deliveries to the caravan/chalet or accept post on behalf of the caravan/chalet owner at the park office, and

f). must seek to ensure that each caravan/chalet is to be used for holiday use only and is not occupied as a sole or main residence, or in any manner which might lead any person to believe that it is being used as the sole or main residence, of the owner or occupant, and

g). adhere to a code of practice as good or better than that published by the British Homes and Holiday Parks Associatioin.

Managing Transport Demand and Impacts

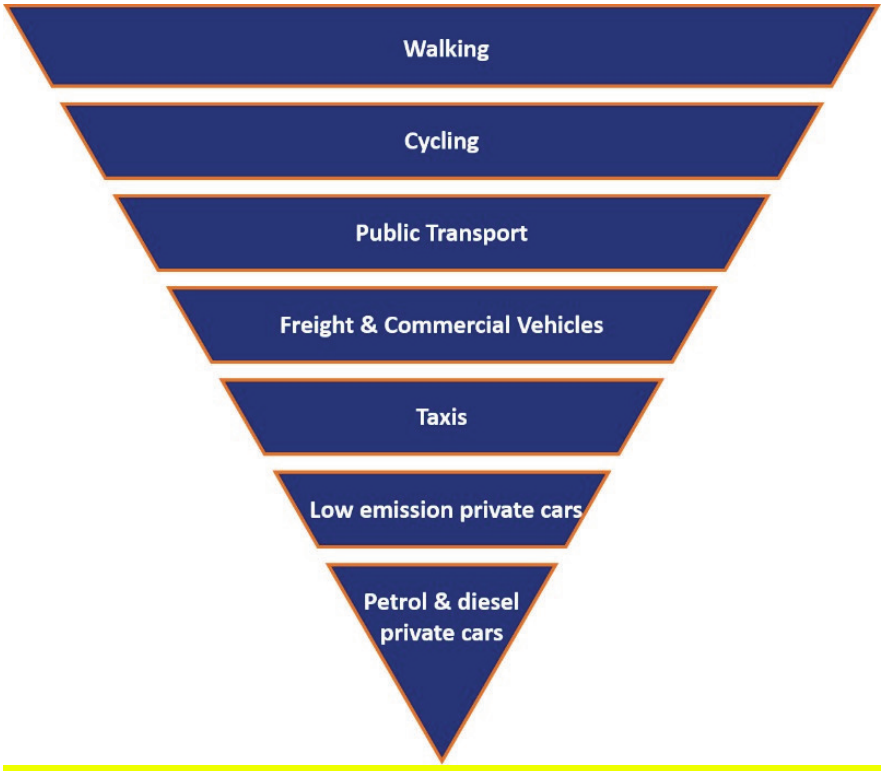
7.0.155 The need to prioritise sustainable transport and active travel above private vehicle use is becoming increasingly urgent. On 26th June 2019, Swale Borough Council declared a climate and ecological emergency and now more than ever, development in the borough needs to contribute towards providing an efficient and sustainable transport system that makes sustainable modes the most attractive and convenient form of travel.

7.0.156 We are also in a period of significant technological advancement and travel pattern uncertainty. This policy is intended to be sufficiently flexible to react appropriately to those changes.

7.0.157 Development or redevelopment can impact the transport network through both physical changes, and changes to the number, type of mode of trips originating from a site. This can impact the safe and efficient operation of the highway and public transport network.

7 Development management policies

7.0.158 This policy aims to ensure that development proposals maximise opportunities for access by sustainable transport, responds to the emergence of technological advances and is designed to support transport modes in line with the following hierarchy:



Picture 7.0.5 Development Transport Hierarchy

7.0.159 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.

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

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

- appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users; and
- 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.

7.0.162 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 Policy ST9 ‘Promoting Sustainable Transport and ‘Active Travel’.

7.0.163 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, Transport Assessments and Statements (2014).

7.0.164 Thresholds for development requiring assessment are defined by the Swale Borough Council Planning Validation Checklist:

7.0.165 **Transport Assessment:**

7.0.166 1 Residential developments of 40 dwellings or more, or

7.0.167 2 Developments (including non-residential) proposals of 2,500 square meters with a gross floor space of 2,500m² or more

7.0.168 3 Where recommended as mitigation, a draft travel plan should also be submitted

7.0.169 **Transport Statements:**

7.0.170 4 Residential developments of 10 dwellings or more, or

7.0.171 5 Development (including non-residential) with a gross floor space of 1,000 m2 or more

7.0.172 6 Site has an area of 0.25 hectare or more and the development proposed will have limited transport issues arising

7.0.173 7 Where recommended as mitigation, a draft travel plan should also be submitted.

7.0.174 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.

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

7.0.176 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 or Community Infrastructure Levy as appropriate.

7.0.177 Following application of the above processes, NPPF (paragraph 109) states that development should only be prevented or refused on highways grounds if the residual cumulative impacts of development are 'severe'. Whilst ‘severe’ is not defined by the NPPF, DfT Circular 2/2013 states that continued safe operation of the network is the prime consideration in terms of the operation of the strategic road network.

7.0.178 New development should be located minimise the need to travel for employment and services and facilitate sustainable transport in accordance with Policy ST 9.

7.0.179 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 Policy ST 9 principles of minimising the need to travel.

7.0.180 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 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.

7.0.181 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 Policy ST 9, 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.

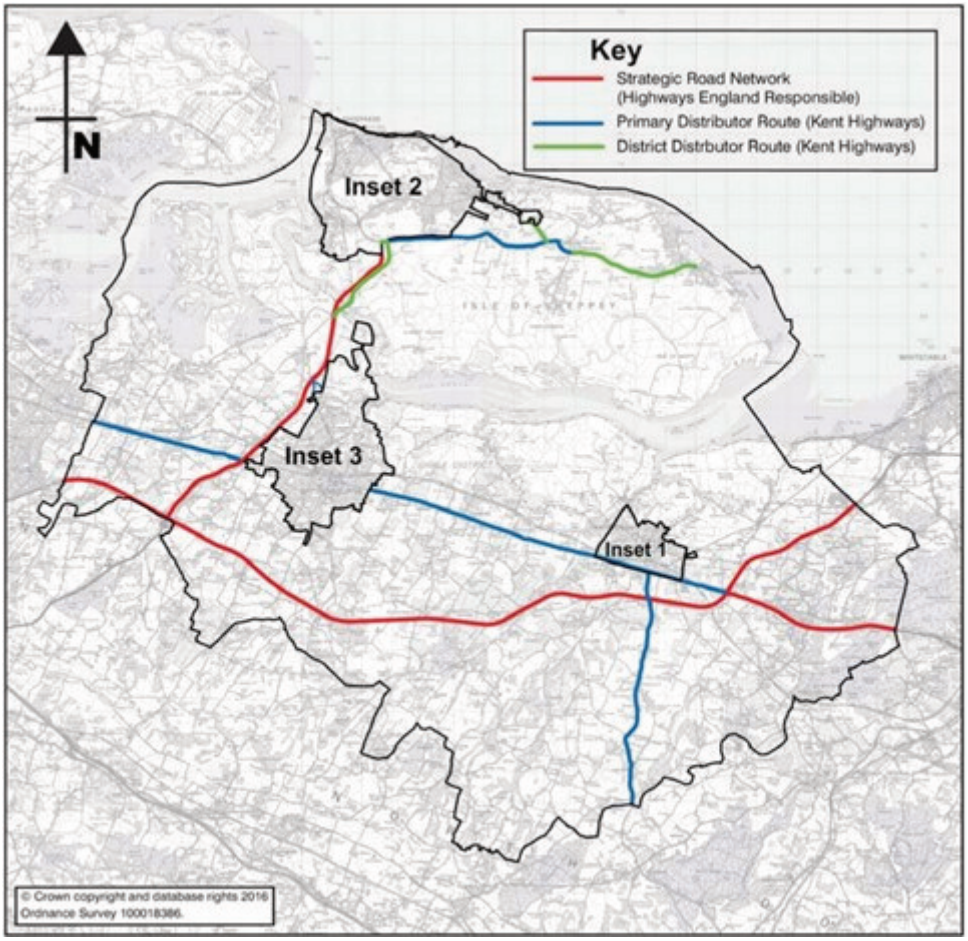
7.0.182 Developers should demonstrate through appropriate assessment that scheme proposals can be accommodated within the existing or committed public transport capacity. Where capacity constraints are predicted, developers should mitigate this through appropriate means, such as contributions towards new or improved services in accordance with Policy ST 9.

7.0.183 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 Plans (Policy CSM 12) 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.

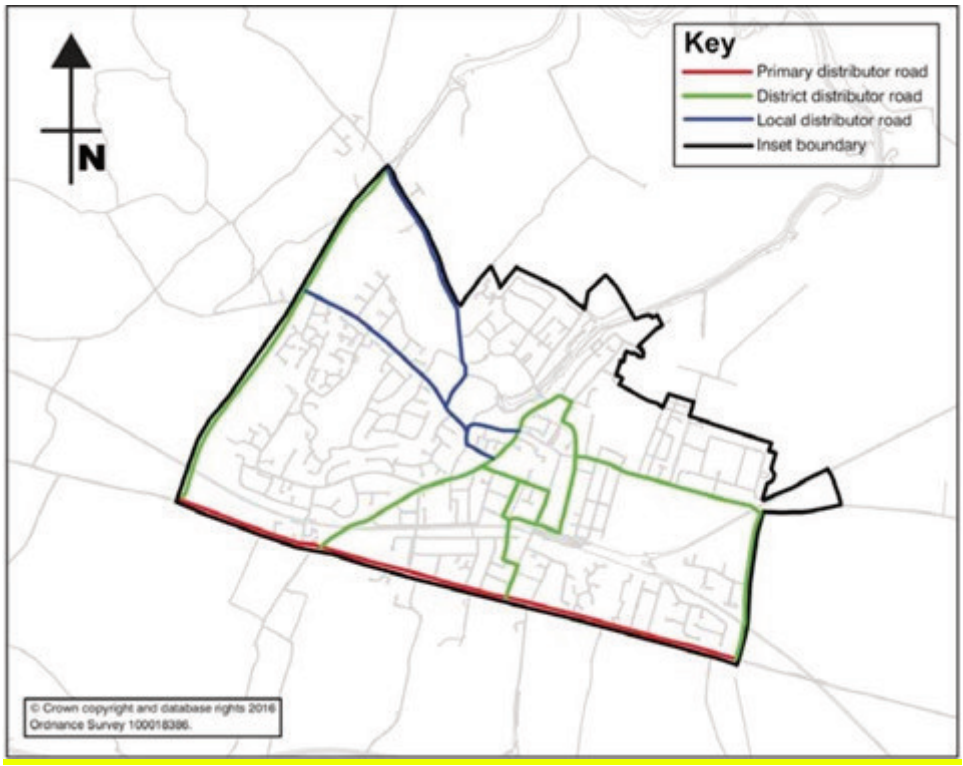
7.0.184 We are in a period of significant transport innovation and technological advancement, whether this be conversion of vehicular fleets to electric or hydrogen power, autonomous vehicles or on demand transport provided directly to our homes via mobile phone apps. Accompanied with this there may 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 plans policies can accommodate the adaptations to the way we travel, work and shop wit the objective of reducing the need for private car dependency.

7.0.185 Direct access to the strategic road network and primary road network shown on Map ** 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.

7.0.186 The Insets (Maps ** - **) show the Urban Road Hierarchy for Faversham, the Sheerness area and Sittingbourne respectively.

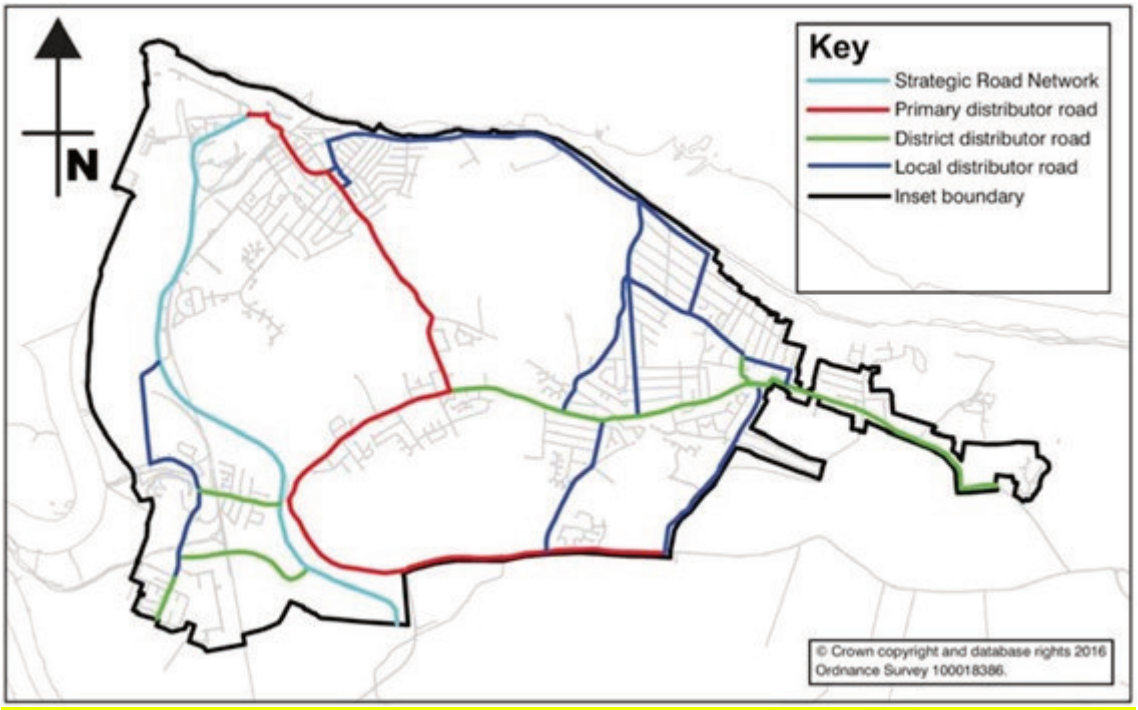


Picture 7.0.6 Swale Inter Urban Road Hierarchy

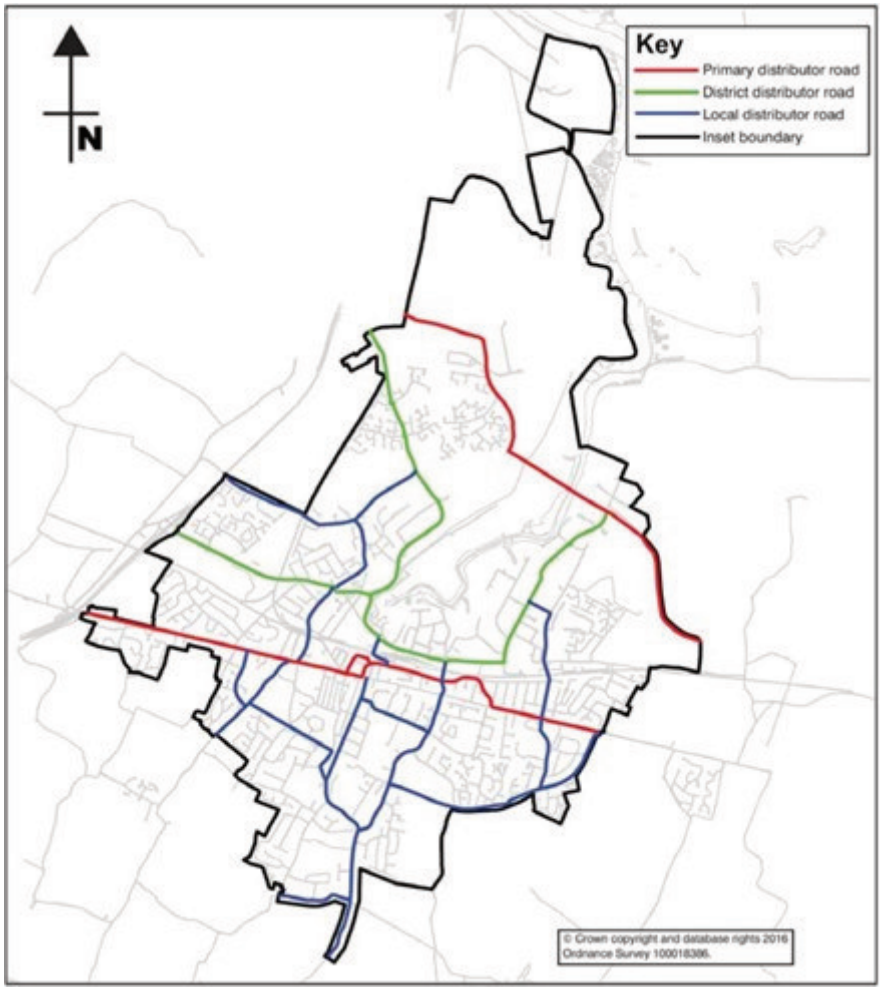


Picture 7.0.7 Urban road hierarchy for Faversham (Inset 1)

7 Development management policies



Picture 7.0.8 Urban Road Hierarchy for the Sheerness area (Inset 2)



Picture 7.0.9 Urban road hierarchy for Sittingbourne (Inset 3)

Policy DM 10

Managing transport demand and 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. This will be determined on a case-by-case basis.

3 Development proposals must prioritise sustainable transport and 'active travel' by:

a. Minimising demand for private car journeys;

b. Demonstrating that sustainable transport modes have been prioritised in the design in accordance with the Development Transport Hierarchy (Figure **);

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;

a. Ensuring existing public rights of way are enhanced, or where diverted that new routes are created in appropriate locations;

e. Realising all opportunities to enhance access by sustainable modes, appropriate to the scale of development; and

f. Demonstrating that the public transport network has sufficient capacity to accommodate the development, taking into account the cumulative impact of local committed development.

4 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 Borough 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 detriment to network capacity or safety; and

d. Avoiding new direct accesses to the strategic or primary distributor route network, apart from cases of strategic development identified by the Local Plan.

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;

7 Development management policies

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 Policies DM3, 10 and 11;

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.

Parking

7.0.187 The Council is aiming for walkable neighbourhoods within sustainable communities by ensuring integrated employment, residential and school uses in the towns and providing access to sustainable modes of transport. Research has shown that less young people own a driving licence [(9)]and older people are driving less [(10)]. In addition, home working has been increasing and is set to further increase. 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 the important requirement.

7.0.188 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 hand, the over provision of car parking, particularly within the vicinity of places of work, can lead to less sustainable travel choices

7.0.189 The NPPF (para 102) requires that transport issues, including parking, are considered early in the planning and design process as a means to create high quality places. In addition, the NPPF (paras 105 and 106) leaves minimum and maximum residential and non-residential parking standards to be determined locally based on local transport conditions, type and mix of land uses, electric vehicle needs and vehicle ownership while also (para 110) prioritising pedestrians, disabled and cyclists with the provision

9 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. www.gov.uk/government/publications/young-peoples-travel-whats-changed-and-why

10 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

of safe, secure and attractive environments. The Council has therefore published a Supplementary Planning Document providing guidance on car and cycle parking standards and design including the requirements for electric vehicle charging.

7.0.190 Design of parking provision in residential areas will be steered by the following: research into residential car parking in Kent was made available by 'Space to Park" , and design criteria relevant to parking within both the National Design Guide and the Building for Life tool

Policy DM 11

Vehicle Parking

Development proposals will, as appropriate:

1. Accord with the adopted Swale Parking Supplementary Planning Document, the National Design Guide, Building for Life and Space to Park.

2. For residential development, development proposals will:

a. take into account the type, size and mix of dwellings and the need for visitor parking; and

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.

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, 10% of spaces should provide an active charging point.

Rural Lanes

7.0.191 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.

7 Development management policies

7.0.192 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.

7.0.193 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.

7.0.194 The Kent Downs Area of Outstanding Natural Beauty (AONB) unit have published Rural Streets and Lanes: A Design Handbook (2009) which identifies the characteristics of the rural road network and promotes its conservation and maintenance through detailed design guidance and case studies. This guide has been adopted by Kent County Council and should be referenced for all relevant applications both within and outside the AONB.

7.0.195 Quiet Lanes

7.0.196 The Council would like to designate some of Swale's rural lanes as 'Quiet Lanes'. Quiet Lanes are defined as minor rural roads or networks of minor rural roads appropriate for shared use by walkers, cyclists, horse riders and other vehicles. The aim of Quiet Lanes is to maintain the character of minor rural roads by seeking to contain rising traffic growth. They must be rural in character, carry less than 1,000 vehicles per day and the 85th percentile traffic speed should be less than 35mph. Narrow, single–track roads are the most suitable to be designated. The process for designating Quite 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 Quite Lanes within Swale. They require investment so implementation will be phased.

Policy DM 12

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.

Provision of Broadband Infrastructure

7.0.197 The information and communications technology sector has undergone huge expansion and change over recent years. As more services are accessed on-line, such as personal banking and shopping as well as public services, health and educational services, the need for access to modern digital infrastructure becomes more fundamental for the social and economic sustainability of communities.

7.0.198 Nationally, the Government has supported investment to extend superfast broadband coverage (defined as download speeds of at least 24 megabits per second (Mbps)). This has been delivered through a combination of market-led investment be infrastructure providers and programmes funded by Building Digital UK (BDUK) and (across Kent) Kent County Council to retrofit superfast broadband provision into existing business and residential properties where there are no plans for market-led investment. Following The Future Telecoms Infrastructure Review in 2018, the Government has set a target of 15 million premises to be connected to gigabit capable broadband infrastructure by 2025, with coverage across the whole of the country by 2033.

7.0.199 At the local level, the 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 priority within the Swale Economic Improvement Plan 2020-2023.

7.0.200 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. As of September 2020, just over 4% of properties in Swale had access to full fibre connections (17.2% in the UK) [(11)]. 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.

7.0.201 The National Planning Policy Framework (NPPF) is clear that LPA's have role to play in supporting the expansion and delivery of high quality communication infrastructure, including next generation access (NGA) mobile technology (such as 5G) and full fibre broadband connections. [(12)]

7.0.202 To support national and local ambitions, Policy DM 13 seeks to support the availability of gigabit capable broadband more widely across the Borough. The Policy requires new developments to provide the required industry standard infrastructure to allow for the installation of gigabit capable broadband. Wherever practical this should be through fibre to the premises (FTTP) technology. Applicants will be expected to actively demonstrate how they have considered the need for gigabit capable broadband infrastructure in their proposals, the digital requirements of the development and the level of connectivity that can be achieved.

7.0.203 Requiring the installation of infrastructure at the point of build will future proof broadband provision and avoid the need for retrofitting programmes in the future. Any costs of installing gigabit capable broadband infrastructure will be balanced against the increased sales values likely to be achieved by providing fast and reliable broadband speeds in the development.

7.0.204 However, the Council recognise there are parts of the Borough where the viability of provision and the ability to connect to the network is more challenging than in urban areas. Outside of settlements in Tiers 1 to 4 of the settlement hierarchy the Policy seeks the provision of FTTP infrastructure provision on developments of five or more dwellings and schemes which would deliver 500sqm or more of floorspace. Development proposals falling below these thresholds will be encouraged to provide FTTP infrastructure wherever practical.

7.0.205 The Council also recognises that proposals may come forward where the policy requirements cannot be fulfilled. In such cases, the applicant will need to submit evidence to justify any departure from this policy. Such evidence could include (but is not limited to) evidence of viability, ability to provide the appropriate physical trench or distance from the network.

7.0.206 Where the installation of FTTP is not deemed possible, including on sites below the thresholds, the provision of other non-Next Generation Access technologies capable of delivering superfast broadband should be delivered wherever practical.

Policy DM 13

Broadband Infrastructure Provision

All residential and non-residential developments will be expected to deliver gigabit capable broadband infrastructure, using fibre to the premises (FTTP) technology, where:

11 Taken from ThinkBroadband's local broadband information, accessed on 12 October 2020 https://labs.thinkbroadband.com/local/E07000113

12 National Planning Policy Framework (February 2019), MHCLG paragraph 112

7 Development management policies

1. The site is allocated in this Local Plan; or
2. The site is within or adjoining the built-up area boundary of Sittingbourne, Faversham, Sheerness, Queenborough and Rushenden, Minster, Halfway, Boughton, Eastchurch, Iwade, Leysdown, Newington and Teynham; or
3. In all other parts of the Borough, the development (including through conversion or change of use) is for five or more dwellings or, for non-residential developments, 500sqm or more of floorspace.

For developments under the thresholds, the provision of FTTP should be delivered wherever practical.

Where it can be demonstrated that FTTP is not practical, viable or feasible then other non-Next Generation Access technologies that can provide all-inclusive internet speeds in excess of 24Mpbs should be delivered.

Clear evidence should be provided in support of a planning application to demonstrate why a development proposal is not able to deliver FTTP.

Small and Medium Sites for Housing Development

7.0.207 Swale has a strong record of delivering small sites with an active and successful SME community brining forward a range of developments across the Borough. They 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. Small sites are those that deliver between 1 and 9 dwellings. Major development is classified as development that delivers 10 or more dwellings. Emerging evidence suggests that there is significant untapped potential for SMEs to contribute to housing supply through the development of sites that can deliver between 10 and 60 dwellings. In general, national house builders favour developing sites of 60 dwellings or more and hold large land portfolios that they invest in over long periods of time. The SME model does not follow this approach and, as a consequence, land is rarely promoted through the local plan process. Land opportunities for SMEs tend to be immediate opportunities that come forward ad hoc. They are usually located in rural fringe locations or on previously developed land, meaning sustainability factors vary, creating further uncertainty and risk for development.

7.0.208 The Council is required to ensure a minimum of 10% of its housing requirement is met on sites no larger than one hectare (as per paragraph 68 of the NPPF). Whilst the Council has sought to do this through allocations and through keeping an up-to-date Brownfield Land register, there is scope for further opportunities through support for windfall sites that can deliver sustainable development.

7.0.209 Windfall sites themselves cannot be allocated because they are opportunities that become available outside of the local plan process. However, the Council seeks to support SMEs and communities alike by providing parameters that would make small scale development acceptable on unallocated sites in sustainable locations.

7.0.210 To achieve this, the Council will:

1. Support local communities with the preparation of their Neighbourhood Plans to identify a range of sites that can accommodate between 1 and 60 dwellings;
2. Maintain an up-to-date Brownfield Land Register, including a Part 2 list of sites whereby a permission in principle will be established (where appropriate);
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 the site. This could include utlising the opportunity to provide increased provision of First Homes or 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;

5. Utilize Local Development Orders (LDOs) and Neighbourhood Development Orders (NDOs) to bring forward suitable sites;
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 and timescales, and sufficient resources including an SME related PPA fee.

7.0.211 The above measures will be monitored and reviewed through the Council's Housing Delivery Action Plan as required.cer to add content here....

Policy DM 14

Small and medium sites for housing development

In recognition of the important role small sites play and the value of SMEs to housing delivery in Swale, the Council will support the development of unallocated sites (windalls) for housing providing the harm of such proposals do not demonstrably outweigh the benefits; and where all of the following criteria can be met:

I. It can be demonstrated that the proposals will deliver sustainable development.

II. The site is being brought forward by a recognized SME developer or for self-build or for a community land trust initiative.

III. 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.

IV. The proposals are of an appropriate scale, layout and design to its location and is designed in a way that preserves residential amenity, designated heritage assets and environmental assets.

V. Proposals include measures to increase biodiversity net gain by 20%

VI. All dwellings meet National Design Standards and deliver a range of carbon reduction design and construction techniques as set out in Policy XX.

VII. The proposed development delivers a bespoke, high quality design approach that is locally distinctive and sympathetic to the character of its location.

VIII. The provision of affordable housing will be provided on site unless there is clear evidence that 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.

Affordable Housing

7.0.212 1. The NPPF required local planning authorities to use their evidence base to ensure local plans provide for the assessed needs for affordable housing and 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.

7.0.213 2. The definition of 'affordable housing' is set out in the glossary of the NPPF and includes a range of products including those that are designed to assist first time buyers. This specifically includes 'First Homes' which is in the process of being introduced as discounted market housing for first time, locally based buyers. The government expects 25% of the affordable provision on sites to be 'First Homes'.

7.0.214 3. The Council's Housing and Homelessness Strategy (2019 - 2023) sets out the housing aims, objectives and vision for the Borough INSERT LINK.

7 Development management policies

7.0.215 4. The 2020 SHMA recommends that the Council pursues an overall housing target of 27.7% and recognises that when setting the target, the full range of evidence, including the Whole Plan Viability report (insert date), needs to be considered.

7.0.216 5. The Whole Plan Viability Report concludes that affordable housing provision is viable at 30% on greenfield sites in the Borough in all areas. The viability on brownfield sites means that 20% is more appropriate level of affordable housing provision.

7.0.217 6. Policy DM 15 below aims, as far as possible, to meet the recommendations of the 2020 Strategic Housing Market Assessment. The evidence base 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.

7.0.218 7. To meet the identified need for affordable housing of different tenures, the Council will seek an indicative target of 60% affordable/social rent and 40% intermediate products. The Council recognises that the evidence base for different tenures may vary over time for various reasons including impacts of the Covid pandemic and changes to the Council's housing register that came into effect in December 2020. The government is progressing with a range of initiatives to support home ownership and some schemes such as 'First Homes' is progressing to provide opportunities for people with local connections to access discounted market housing. This is likely to account for 25% of all affordable housing products on qualifying developments.

7.0.219 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 require a commuted sum (or payment in lieu). This option might be appropriate where provision on alternative site 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.

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

7.0.221 10. The evidence also identifies a need for affordable older person housing. The Housing SPD will provide further amplification on how the Council will seek to support this. In the meantime, the Council would favourably consider affordable 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 DM 18.

7.0.222 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, or if further evidence to quantify the level of affordable need were to come forward through joint working with Kent County Council, a site could be identified.

Policy DM 15

Affordable Housing

1. Residential development proposals will be required to make affordable housing provision as follows:

i. on sites of 15 or more dwellings on brownfield land within settlement confines, 20% of the total dwellings will be in the form of affordable housing;

ii. on sites of 10 or more on greenfield land, 30% of the total dwellings will be in the form of affordable housing.

2. For sites of 10 or more dwellings, provision should be made on site in the first instance with a financial contribution being negotiated to make up the full requirement as appropriate.

3. In exceptional circumstances, and in accordance with the Housing Supplementary Planning Document to be prepared by the Borough Council, where proposals fall short of the policy target as a result of viability considerations, an open-book approach will be taken and the onus will be on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution. If on-site affordable housing provision cannot be delivered, affordable housing provision may be commuted to a financial contribution to be used off-site, singly or in combination with other contributions.

4. Where no registered provider 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.

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

Rural exceptions housing

7.0.223 The 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.

7.0.224 There is a need to deliver a housing supply that is sufficient for, and matches the needs and aspirations of, local households and those needing to move to the area. 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 the Council's policies within this Plan towards encouraging small sites developed out by SME builders and towards low cost Park Home operators within the right locations, should further promote the opportunities for rural affordable housing and to maintaining and enhancing sustainable rural communities.

7.0.225 There may be circumstances where a rural exception site could provide the affordable accommodation to meet the needs of specific communities, such as Gypsies and Travellers or those in need of an affordable housing product such as First Homes. The housing need would still have to be evidence based but a flexible approach to meeting that particular housing need would be required.

7.0.226 The evidence required to accompany a planning application for rural exceptions scheme will include:

i. An assessment of the benefits of any proposals focussing on the opportunities to deliver for local village/parish housing need and evidence of the support of the local community or Parish Council

towards such provision. 'Local person' for the purposes of this assessment and the implementation of Policy DM 16 means a person who meets any of the following criteria:

a. currently resident in the Parish
b. was previously resident in the Parish
c. is permanently employed in the Parish
d. is connected by close family still living in the Parish

ii. A thorough assessment of the potential suitable, available and achievable sites, having regard to Policy ST 2 and other relevant policies;
iii. 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;
iv. 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 and planning application.

Policy DM 16

Rural exception housing

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

1. The site accords with Policy ST 2 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 to accompany a planning application:

a). an assessment of the benefits of any proposals focussing 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;

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.

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.

Open space, sport and recreation provision

7.0.227 The National Planning Policy Framework (NPPF) 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 [13]. The aim of this policy is to safeguard Swale's existing facilities and make for the provision and enhancement of open space, sport and recreation facilities as a result of new development.

7.0.228 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 [14]. The Council's adopted 'Open Spaces and Play Area Strategy (2018-2022)'and 'Playing Pitch Strategy (2015-2025)' insert link are both up-to-date and thorough assessments which have been carried out since the adoption the last Local Plan. They are supported by an Open Spaces Technical Assessment and a Playing Pitch Assessment.

7.0.229 Both strategies seek to identify key opportunities and strategic imperatives, plan for the delivery of new facilities triggered by development, make improvements to existing facilities and provide working documents that set standards for provision in terms of quantity, quality and accessibility. Other linked strategies include the 'Swale Active Lives Framework (2017-2022)'which seeks to increase physical activity in the community and the Green and Blue Infrastructure Strategy insert link and 'Swale Green Grid Strategy (2016)' which aim to create a network of multi-functional green and blue spaces across the Borough.

7.0.230 Initially, Policy DM 17 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 DM 17 also highlights the requirement to address deficiencies, with reference to the strategies outlined above. For example, the Open Spaces Technical Assessment demonstrates that the Sittingbourne area does not currently meet the standards for allotment provision suggested by the National Society of Allotment and Leisure Gardeners.

7.0.231 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 DM 17 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 DM 17 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 Policy ST 10.

Policy DM 17

Open space, sports and recreation provision

Proposals for residential and other development will, as appropriate:

1. Safeguard existing open space, sport and recreation provision;
2. Make provision for open space and recreation facilities in accordance with Table 7.0.2 to ensure that amounts do not fall below current standards whilst ensuring that the location of new provision does not result in increased levels of recreational pressure on internationally designated sites;
3. Make provision for sports facilities in accordance with the needs identified by the Council's Open Spaces and Play Area Strategy and Playing Pitch Strategy, whilst ensuring that the location of new provision does not result in increased levels of recreational pressure on internationally designated sites;

13 National Planning Policy Framework (February 2019), MHCLG paragraph 96
14 National Planning Policy Framework (February 2019), MHCLG paragraph 96

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4. Where it is not appropriate to make new provision on-site, make contributions to the off-site funding of facilities to meet local deficiencies or to the qualitative or quantitative improvement of existing provision; and
5. Provide for the multi-use of open space, sports and recreation facilities as appropriate, with particular emphasis on contributing towards the Green and Blue Infrastructure Strategy, set out in policy ST 10, 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 (1) (2) (3)
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 7.0.2 Open space and recreation standards

1. Destination site – 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.
2. Local site – 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.
3. 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.

Park Homes

7.0.232 A park home is a pre-fabricated dwelling constructed to a British Standard under controlled workshop conditions before being transported to its location. They are timber framed and mounted onto a steel frame. They have tough, durable weatherproof exterior and textured finish. They are put together on site and connected to mains services (electricity, gas and drainage). They are usually single storey pitched roof constructions, usually provided fully furnished with built-in cupboards and wardrobes, kitchen with integrated appliances and central heating, double glazing and carpeting throughout as standard. The relevant legal requirements, e.g. space standards, protections and so on are contained in the Mobile Homes Act (2013).

7.0.233 In the last decade, the industry has modernised and homes are now required to be built to BS3632 standard that ensures properties have high specifications in terms of insultation, ventilation, sustainability, room sizes and design elements (e.g. larger kitchens). The council declared a climate change emergency and, as part of the local plan review, is looking to secure low and/or zero carbon dwellings. The potential for park homes to achieve higher standards could be a possibility given the bespoke and made-to-order nature of park home manufacturing.

7.0.234 Park Homes are usually set within purpose-built enclaves and are particularly attractive to older people who are retired or part-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 mini-bus transport to local supermarkets amongst other things. Park homes have the added advantage of being on one level, making them suitable for people with limited mobility. They are also considerably quicker to deliver as housing units when compared with traditional homes.

7.0.235 The Council's Strategic Housing Market Assessment (SHMA)(July 2020) identified the need for accommodation for older people during the plan period. Park Home provision has an important role to play in delivering suitable accommodation to meet these needs. Any proposals brought forward would need to meet expected standards in terms of siting, standards of construction and safety and protecting the amenity of those living on the sites. Sites that are occupied by older people are typically favoured by older people looking to downsize from their family homes and are usually retired or semi-retired. As a result, these sites tend to have a lower impact on the highway network due to limited (or low) levels of commuting and are less likely to have school age children that need to access education facilities. Good bus services, broadband speed and local shops and services remain important considerations in terms of the sustainability credentials of a site. For proposals that are for accommodation for the over 55 year olds, 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

Policy DM 18

Park homes

Proposals for Park Homes will be required to demonstrate that:

i. the site is in a sustainable location with access to services and facilities (either physically accessible or through virtual means);

ii. if the site is within an area at risk of flooding, the 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.

iii. the proposals are in accordance with Policies XX and XX relating to the coast and the coastal change management area.

iv. 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) and the Mobile Homes Act 2013 in terms of both standard and condition of the unit and external layout within the context of surrounding area.

Gypsies, Travellers and Travelling Showpeople accommodation

7.0.236 Swale is home to one of the largest Gypsy, Traveller and Travelling Showpeople populations in Kent and the wider South East with over 60 sites, and the aim of this policy is to ensure sufficient accommodation provision for these communities in a fair fashion for all.

7.0.237 The National Planning Policy Framework (NPPF) requires the housing needs for different groups in the community to be assessed and reflected in planning policies [15], and for the travelling community,

15 National Planning Policy Framework (February 2019), MHCLG paragraph 61

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the method for doing so is set out within Planning Policy for Traveller Sites (PPTS) [16]. The aim of the PPTS is to promote community cohesion and to align site provision with that for mainstream housing, such as requiring a demonstrable five-year supply. It requires local planning authorities to set their own targets for pitch (in the case of Gypsies and Travellers) and plot (in the case of Travelling Showpeople) provision as part of their overall housing figures [17].

7.0.238 In order to gain a greater understanding of the Borough's need for pitch and plot provision, a Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2018 (GTAA) was commissioned by the Council which has set the need for the plan period.

7.0.239 The Council has a proven track record of granting suitable planning permissions. Furthermore, a significant proportion of future need will come from emerging households on existing sites who wish to stay on those sites. As such, it is not considered necessary to allocate sites to meet the need at this time, although this position will be reviewed periodically. Instead, Policy DM 19 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.

7.0.240 In seeking to achieve sustainable development in line with the NPPF and PPTS, proposals for new sites will need to demonstrate that they are sustainable economically, socially and environmentally.

Policy DM 19

Gypsy, Traveller and 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. Can establish that the applicants meet the definitions of gypsies, travellers and travelling showpeople as set out within Annex 1 of Planning Policy for Traveller Sites (2015);
2. Provide a settled base which reduces the need to travel long distances for access to services and facilities;
3. Can achieve an integrated co-existence between all communities;
4. 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;
5. 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;
6. Cause no significant harm to the health and wellbeing of occupants or neighbouring residents by noise, disturbance, vibration, air quality problems or other circumstances;
7. Cause no significant harm to the Area of Outstanding Natural Beauty, national/local landscape or biodiversity designations and other natural or built environments that cannot be adequately mitigated;

16 National Planning Policy Framework (February 2019), MHCLG footnote 25
17 Planning Policy for Traveller Sites (August 2015), MHCLG paragraph 9

8. Provide landscaping to enhance the environment in a way that increases openness and avoids exclusion and isolation from the rest of the community;
9. Provide for healthy lifestyles through open space, amenity areas for each pitch or plot and play areas;
10. Would be safe from flooding by meeting both the sequential and exceptions tests in accordance with national policy and Policy DM 36;
11. Achieve convenient pedestrian and/or vehicular access (including parking) without unacceptable impacts on highway safety or the landscape; and
12. 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.

Dwellings for rural workers

7.0.241 The National Planning Policy Framework 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 [18]. The aim of Policy DM 20 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.

7.0.242 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.

7.0.243 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 based enterprise. This could be, for example, where farm animals or agricultural processes require on-site attention 24 hours a day or to deal with emergencies that could otherwise result in the serious loss of crops or products.

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

7.0.245 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.

7.0.246 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' in the determination of planning applications.

18 National Planning Policy Framework (February 2019), MHCLG paragraph 79a

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Policy DM 20

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 an evidenced, essential and functional need for a rural worker to be available on or near the enterprise at most times of the day; and

4. There is a degree of confidence that the enterprise will remain viable for the foreseeable future or that the provision of an additional dwelling on site is essential for the continued vitality of a farming business through the farm succession process.

Where criteria 1-4 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 or evidence criteria 1-4, temporary planning permission may be granted for a temporary structure for a trial period so that the situation can be reviewed over time.

7.0.247 Extensions to, and the replacement of, dwellings in the countryside

7.0.248 It is reasonable for those living in the countryside to be able to extend or replace their existing dwelling when more, or updated, living space is desired. The aim of this policy is to ensure that such development does not harm the character of the countryside. Where planning permission is required, Policy DM 21, in recognition of the tranquillity and beauty offered by Swale's countryside, seeks to ensure that extensions to, and the replacement of, dwellings in the countryside are of an appropriate scale, mass and appearance.

7.0.249 The Council's existing Supplementary Planning Guidance 'Designing an Extension: A Guide for Householders' remains a material consideration in the determination of proposals for extensions. Previous versions of the Local Plan have included a policy limiting the size of extensions to an increase in floorspace of no more than 60% above the floorspace of the original dwelling. Floorspace alone may not reflect the impact of the development upon the character of the countryside, but this should be used as a guide, and extensions that result in an increase in floorspace of more than 60% above that of the original are unlikely to be acceptable. Planning permission will be granted in cases proposing modest extensions (considering previous additions) of an appropriate scale, mass and appearance in relation to the original dwelling and the location.

7.0.250 For replacement dwellings, planning permission will be granted if the proposed new dwelling is of a similar size and proportion to the original, and of an appropriate scale, mass and appearance for the location. In exceptional circumstances, planning permission may be granted for modestly larger dwellings, and/or for dwellings not close to the original dwelling, but only where it constitutes the most effective use of land, resulting in, for example, an improvement to its setting.

Policy DM 21

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

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. As a guide, the total floorspace of the proposal, together with any previous additions, should not result in an increase in floorspace of more than 60% above that of the original dwelling.

Replacement dwellings in the countryside will be permitted if the proposed new dwelling is of a similar size and proportion to the original, and of an appropriate scale, mass and appearance in relation to the location. In exceptional circumstances, planning permission may be granted for modestly larger dwellings, and/or for dwellings not close to the original dwelling, but only where it constitutes the most effective use of land.

7.0.251 Alterations and extensions

7.0.252 The National Planning Policy Framework is clear that development should be well designed with a high standard of amenity for existing and future users [19]. The aim of Policy DM 22 is to ensure that, where planning permission is required, alterations and extensions to existing buildings reflect this.

7.0.253 Proposals should respond positively to the style and character of the building being altered and/or extended, reflecting its scale and massing, preserving features of interest, and reinforcing local distinctiveness whilst safeguarding the amenity of adjacent residents. The Council's Supplementary Planning Guidance entitled 'Designing an Extension – A Guide for Householders' is a material consideration in the determination of proposals. For extensions to, and the replacement of, dwellings in the countryside, Policy DM 21 additionally applies. In cases involving heritage assets, Policies DM 38 and DM 39 additionally apply.

Policy DM 22

Alterations and extensions

Planning permission will be granted for alterations and/or extensions to existing buildings provided they:

1. Are of a design and quality which responds positively to the 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 (where applicable) the character of the street scene;
4. Reinforce or enhance (where applicable) local distinctiveness;
5. Preserve architectural, historic, landscape or nature conservation features of interest; and
6. Protect residential amenity.

7.0.254 Extending the garden of a dwelling in the countryside

7.0.255 An application for planning permission is 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 shown

19 National Planning Policy Framework (February 2019), MHCLG paragraph 127

7 Development management policies

on the Proposals Map insert link, this often involves the change of use of agricultural land or woodland. The aim of this policy is to ensure that such proposals do not harm biodiversity or the character of the landscape.

7.0.256 By enlarging residential curtilages, changing plot boundaries and introducing domestic uses to land, extending gardens can gradually lead to urban characteristics 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. A specific issue occurs where woodland may be singly or cumulatively taken into the curtilage of a dwelling, preventing its proper and sustainable management. Such proposals will not normally be supported, especially within the designated landscapes identified by Policy DM 25.

7.0.257 In recognition of the wish of some rural householders to extend their gardens, Policy DM 23 seeks to ensure that planning permission is only granted where there is no significant harm to landscape character and biodiversity. The consideration of proposals will be guided by, amongst other relevant policies, Policy DM 25 and Policy DM 39, and the Supplementary Planning Document (SPD) - the 'Swale Landscape Character and Biodiversity Appraisal' which can be accessed in two parts - Part 1 and Part 2. 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 above-mentioned 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 DM 23

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.

7.0.258 Biodiversity and geodiversity conservation and biodiversity net gain

7.0.259 Swale has an extremely diverse natural environment, but nationally, we are faced with its unprecedented decline. The conservation and enhancement of the natural environment is therefore at the core of the Local Plan strategy, as set out by Policy ST 10. The aim of this policy is to expand on elements of this strategy – namely the conservation and enhancement of biodiversity and geodiversity.

7.0.260 In seeking to achieve this, the National Planning Policy Framework (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 [20].

7.0.261 Furthermore, and while the NPPF already promotes seeking net gains for biodiversity, the forthcoming Environment Bill will strengthen this and introduce a mandatory approach to biodiversity net

20 National Planning Policy Framework (February 2019), MHCLG paragraph 174

gain. A measurable increase in habitat value will be required, at an absolute minimum of 10%, compared with a pre-development baseline. The Environment Bill will also require the production of a Local Nature Recovery Strategy which should identify opportunities for promoting nature recovery and enhancement and should be integrated within a National Nature Recovery Network.

7.0.262 Biodiversity and geodiversity within designated sites

7.0.263 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.

7.0.264 Internationally designated sites

7.0.265 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 [21].

7.0.266 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.

7.0.267 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.

7.0.268 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 for the breeding, wintering or migration of rare and vulnerable species of birds. For Swale, they comprise the Swale SPA and the Medway Estuary and Marshes SPA (both designated for overwintering, on-passage and breeding birds) as well as the Outer Thames Estuary SPA (designated for the red-throat diver).

7.0.269 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) is now place which sets out a range of measures to mitigate any disturbance to birds caused by increasing numbers of recreational visitors.

7.0.270 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.

7.0.271 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

21 National Planning Policy Framework (February 2019), MHCLG paragraph 176

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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, please see Bird Wise .

7.0.272 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. 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.

7.0.273 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.

7.0.274 Nationally designated sites

7.0.275 For Swale, nationally designated sites include Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) and Marine Conservation Zones (MCZs).

7.0.276 Sites of Special Scientific Interest are the country's best wildlife and geological sites and are legally protected under the Wildlife and Countryside Act 1981 (as amended). For Swale, they comprise the Swale and the Medway Estuary and Marshes, the Sheppey Cliffs and Foreshore (for geological as well as nature conservation), Church Woods (Blean), Ellenden Wood, Queendown Warren (Hartlip) and a small section of nearby Purple Hill.

7.0.277 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.

7.0.278 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.

7.0.279 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.

7.0.280 Locally designated sites

7.0.281 Local Nature Reserves (LNRs) are for both people and wildlife. They are places with wildlife or geological features that are of special interest locally. They offer people opportunities to study or learn about nature or simply to enjoy it. For Swale, these include Oare Marshes, the South Bank of the Swale, Seasalter Levels and Queendown Warren.

7.0.282 Local Wildlife Sites (LWSs) are identified by the Kent Nature Partnership and are administered and monitored by Kent Wildlife Trust on behalf of the partnership. Site selection takes into account the most important, distinctive and threatened species and habitats within a national, regional and local context, making LWSs some of Kent's most valuable urban and rural wildlife areas. There are 32 LWSs within Swale, the majority of which contain habitats and species that are priorities under the county or UK Biodiversity Action Plans (BAPs) and/or Biodiversity Strategies.

7.0.283 Roadside Nature Reserves (RNRs) are roadside verges which 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.

7.0.284 **Biodiversity and geodiversity outside of designated sites**

7.0.285 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.

7.0.286 Protected species

7.0.287 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.

7.0.288 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 insert link and look for opportunities through development proposals to enhance foraging habitat.

7.0.289 Landscape scale biodiversity networks

7.0.290 The NPPF encourages local plans to plan for the enhancement of natural capital at a landscape scale. This is important as it enables wildlife to move through the landscape and species to colonise new areas, increase their genetic diversity and adapt better to climate change. Designated sites contain the most valuable habitats and species but links between these sites and the wider countryside are also imperative as they enable larger areas of habitat to be restored and enhanced as well as allowing fragmented habitats to be connected. Landscape scale biodiversity networks also secure natural habitat which can be accessed by the local community. Research has shown that that access to the natural environment increases mental and physical wellbeing.

7.0.291 The Council's adopted supplementary planning document 'The Swale Landscape and Biodiversity Appraisal (2011)' 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.

7.0.292 Biodiversity Action Plans, Biodiversity Opportunity Areas, and the Kent Biodiversity Strategy

7.0.293 Biodiversity Action Plans (BAPs), for key habitats and species within Swale, were prepared at the national, county and local levels (see Statement XX). They covered both designated and non-designated sites and habitats and species populations outside these areas. Of these BAP habitats, Swale is particularly important for its mudflats, sandflats, wetlands and grazing marsh. The Swale Biodiversity Action Plan provides a basis for local action to conserve, protect and enhance the biodiversity of the Borough and focuses on a number of BAP habitats of importance to the Borough.

Statement 2

Statement XX

Biodiversity Action Plan habitats in Swale

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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.

For UK, Kent and Swale BAP species, see the relevant websites for further details

7.0.294 The Kent Nature Partnership is now working towards the Kent Biodiversity Strategy 2020 targets which supersede the BAPs, however the BAP habitats remain relevant. The targets of the Kent Biodiversity Strategy are expressed spatially through the Biodiversity Opportunity Areas.

7.0.295 Previous versions of the Kent Biodiversity Strategy were reflected spatially in a number of Biodiversity Opportunity Areas (BOAs). They show where the greatest gains can be made from habitat enhancement, restoration and recreation, as these areas offer the best opportunities for establishing large habitat areas and/or networks or wildlife habitats. As such, they are useful for the development and delivery of green and blue infrastructure and resilient ecological networks. The latest maps and statements were issued in August 2015, however they are likely to be superseded once the Kent Nature Partnership has adopted a new countywide Nature Recovery Network which is currently in development.

7.0.296 The BOAs encompass most of the designated sites and much of the BAP habitat in Kent and Medway as well as identifying connections between these habitats and sites. Biodiversity Opportunity Statements have been prepared to accompany each BOA, identifying specific targets and conservation priorities to ensure delivery of the BOAs and promote opportunities to implement the Kent Biodiversity Strategy. They indicate where the delivery of BAP targets should be focused to secure maximum benefits to biodiversity. Four BOAs are identified for Swale:

- Medway Gap and North Kent Downs;
- North Kent Marshes;
- Mid Kent Downs Wood and Scarp; and
- The Blean

7.0.297 Biodiversity net gain

7.0.298 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.

7.0.299 The Government's 25 Year Environment Plan (2018) 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 Environment Bill. Now progressing, the Environment Bill will mandate 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.

7.0.300 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 insert link has also been prepared which will help guide developers in their approach.

7.0.301 Local Nature Recovery Strategy

7.0.302 Local authorities will also be required by the Environment Bill to produce a Local Nature Recovery Strategy, which should be integrated within a National Nature Recovery Network. It will be required to include a biodiversity statement and map, which should:

- Describe, identify and map biodiversity features within the Local Authority Boundary, including nationally designated sites, other nature reserves and wider areas of importance for biodiversity; and
- Describe, identify and map priorities and opportunities for promoting nature recovery and enhancement.

7.0.303 The Environment Bill does not explicitly link Local Nature Recovery Strategies and biodiversity net gain, however it is implied in the 25 Year Environment Plan that biodiversity net gain should be used to contribute to meeting the objectives of the National Nature Recovery network and therefore also local ones.

7.0.304 The Council therefore commits to producing a Local Nature Recovery Strategy as required. The Biodiversity Baseline Study is the starting point for this strategy.

7.0.305 Local supplementary planning documents

7.0.306 The following adopted supplementary planning documents should be taken into account when formulating development proposals:

- The Swale Landscape Character and Biodiversity Appraisal (2011) insert link, which presents guidelines on a character area basis for improvements to biodiversity
- The Kent Design Guide insert link (and its successor, currently in progress), specifically the appendix 'Making it happen – landscaping', which 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.

7.0.307 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.

7.0.308 Other initiatives and resources

7.0.309 The Medway Swale Estuary Partnership insert link 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).

7.0.310 Local Nature Partnerships (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

7 Development management policies

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 insert link and the Kent Nature Partnership insert link.

7.0.311 There are a number of resources available which applicants should use in developing their planning applications. These include:

- The ARCH Kent Habitat Survey 2012 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 should take place to re-connect fragmented habitats. An online data portal on the ARCH website insert link gives access to the habitat data and enables queries by location or by habitat.
- The Kent Landscape Information System (K-LIS) 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 insert link, 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 DM 24

Biodiversity and geodiversity conservation and biodiversity net gain

Part A – For designated sites

Development proposals which have a direct or indirect effect on designated sites, as shown on the Proposals Map insert link, 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.
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; c) aged or veteran trees and irreplaceable habitat, including ancient woodland and traditional orchards;
2. Be informed by, and further the guidelines and biodiversity network potential of the Council's Landscape Character and Biodiversity Appraisal (2011) Supplementary Planning Document;
3. Support, where appropriate, the vision and objectives of the relevant environmental and biodiversity management and action plans;
4. Be accompanied by appropriate surveys undertaken to clarify constraints or requirements that may apply to development, especially where it is known or likely that the development sites are used by species and/or contain habitats that are subject to UK or European law;
5. When significant harm cannot be avoided through consideration of alternative sites or adequate mitigated provided on-site or within the immediate locality, compensatory measures will be achieved within the relevant Biodiversity Opportunity Area, or other location as agreed by the Council;
6. Unless exempt, provide a minimum 20% net gain in biodiversity against a pre-development baseline; and
7. Actively promote the expansion of biodiversity within the design of new development and with reference to the Green and Blue Infrastructure Strategy in Policy ST 10.

Conserving and enhancing valued landscapes

7.0.312 The National Planning Policy Framework (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 .

7.0.313 The NPPF stresses the great weight that should be given to conserving and enhancing landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty which have the highest level of protection and where the scale and extent of development should be limited .

7.0.314 Planning Practice Guidance (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 gives 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.

7.0.315 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.

7.0.316 Government guidance on Areas of outstanding natural beauty: designation and management explains that local authorities must make sure that all decisions have regard for the purpose of conserving and enhancing the natural beauty of the AONB, the potential effect within the AONB and the land outside its boundary. It explains where Natural England should be consulted and the role of the AONB Management Plan and gives links to other government guidance on how to review planning applications in protected sites and areas.

7.0.317 Natural England's National Character Areas (NCAs) divide England into 159 distinct natural areas each defined by their unique combination of landscape, biodiversity, geodiversity, cultural and

economic activity. 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, the orchards, arable land, woodland and dry valleys of the North Kent Plain and the dipping slope, valleys and woodland of the North Downs. Each National Character Area profile contains Statements of Environmental Opportunity which should be reflected in the aspirations of planning applications.

7.0.318 The modern landscape of Swale is also a product of man-made influences over a long period of time. The Kent Historic Landscape Characterisation Survey (2001) has identified a number of key character areas in Swale:

- Central North Downs: a zone at the highest point of the Borough with a mixed character of fields and other types and a general north-east to south-west alignment;
- Northern Horticultural Belt: a large wide area crossing the north Kent plain primarily defined by horticultural activity with a predominance of orchards;
- The Forest of Blean and areas that were formerly part of the Forest, and remains mostly woodland today but where fields encroach into woodland;
- The Northern Coast and Marshland: a visually distinctive area consisting of a relatively balanced mix of reclaimed marsh and coastal landscape; and
- The Isle of Sheppey: itself broken into three sub-areas consisting of reclaimed marsh, post-medieval field systems and urban and industrial development.

7.0.319 The 2004 Landscape Character Assessment of Kent 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

7.0.320 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 which have historical significance to the community and those which 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 . Natural England also publish guidance on how to carry out and use landscape and seascape character assessments.

7.0.321 The Council has an adopted Swale Landscape Character and Biodiversity Appraisal (2011) 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 Policy DM 25.

7.0.322 The Swale Landscape Sensitivity Assessment (2019) 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

7.0.323 The NPPF looks to Local Plan to distinguish between the hierarchy of national and locally designated sites. In Swale there are both national and local landscape designations.

7.0.324 These areas have been formally designated because they are landscapes of great value and/or scenic beauty and because they have a particular value for the conservation of selected species, habitats, historic and cultural assets. Within these designations priority will be given to the long term conservation and enhancement of these landscapes relative to their status, whilst having regard to the economic and social wellbeing of their communities.

National landscapes - the Kent Downs Area of Outstanding Natural Beauty

7.0.325 In 1968 a large part of the North Downs within the Borough was designated as part of the Kent Downs Area of Outstanding Natural Beauty (AONB). The aim of this national designation was to conserve and enhance the natural beauty of the landscape. The aim of the Kent Downs Area of Outstanding Natural Beauty Management Plan (currently under review) is to secure conservation and enhancement within the AONB while supporting local communities. The plan is adopted by the relevant Kent Districts and London Boroughs as a material consideration in planning applications and it is afforded similar weight to a Supplementary Planning Document.

7.0.326 Accompanying the AONB management plan are a number of supporting guidance documents which should be taken into account in relevant cases. These include the AONB's: Guidance on the selection of and use of colour in development; Farm Diversification Toolkit; Kent Downs Farmsteads Guidance; Managing Land for Horses; Rural Streets and Lanes - A Design Handbook; Position Statement on Renewable Energy and its Companion Report as well as the Landscape Design Handbook. The AONB Unit also publish guidance on specific aspects of land management, for example, chalk grassland, orchard, woodland and hedgerow management.

7.0.327 The landscape of the Kent Downs is made up of 13 character areas. The character area of most relevance to Swale is the Mid Kent Downs. Key characteristics and objectives for the Mid Kent Downs have been defined by the AONB Unit and should be reflected in relevant planning applications.

7.0.328 In accordance with the NPPF the Council will refuse proposals for major development within the AONB unless in exceptional circumstances, and where it can be demonstrated that they are in the public interest and based on an assessment of:

- the need for the development, including national considerations, and the impact of permitting it, or refusing it, on the local economy;
- the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

7.0.329 In terms of what may constitute 'major development', for the purposes of this Local Plan, it will be a matter of judgement based on relevant circumstances, it will not be made by reference to the definition of major development in the Development Management Procedure Order 2015 or for purposes of determining whether an Environmental Impact Assessment is required.

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Setting of the AONB

7.0.330 The importance of the setting of the Kent Downs has been emphasised by the AONB management plan and in development management decisions taken in Kent. Where referring to the AONB in this document, this refers also to its setting. The setting is broadly speaking the land outside the designated area which is visible from the AONB and from which the AONB can be seen, but may be wider when affected by intrusive features including noise and light. Proposals which would affect the setting of the AONB are not subject to the same level of constraint as those which would affect the AONB 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 AONB, incompatibility with their surroundings, movement, reflectivity and colour are likely to affect impact. Where the qualities of the AONB which were instrumental in reasons for its designation are affected, then the impacts should be given considerable weight in decisions .

7.0.331 Planning Practice Guidance explains how land within the setting of the AONB 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.

7.0.332 The Kent Downs AONB Joint Advisory Committee have produced a Setting Position Statement, an advisory document which provides guidance on issues of setting, focusing on ensuring avoidance of harm and the conservation and enhancement of the setting of the AONB through good design and mitigation measures. It looks at:

- the legislative and policy background (NPPF, PPG and Natural England guidance), and High Court and appeal decisions
- defining the setting (which may vary with different type of development, topography and height)
- development likely to affect the setting (including impact on views, loss of tranquillity, increased traffic flows and recreational pressure)
- cumulative impacts
- conserving and enhancing the setting of the AONB

7.0.333 Within Swale the dry valleys of the North Downs which share many of the special qualities of the AONB, along with land adjacent to the AONB, are likely to be included within the setting of the North Downs AONB.

7.0.334 To ensure impacts of development within the AONB and its setting are considered and addressed from the earliest stages the AONB Unit welcome pre-application discussions.

Local Landscape Designations

7.0.335 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 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.

7.0.336 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.

7.0.337 The Local Landscape Designations (each with their own Statement of Significance) in Swale are:

- North Kent Marshes: Medway Marshes
- North Kent Marshes: North Swale (Sheppey) Marshes
- North Kent Marshes: South Swale Marshes
- Kent Downs: Rodmersham, Milstead and Highsted Dry Valley
- Kent Downs: Syndale Valley
- Kent Downs: North Street Dip Slope
- The Blean
- Lower Halstow Iwade Ridge
- Blean Edge Fruit Belt
- Sheppey Court, Diggs Marshes and Barton's Point

7.0.338 They are explained with the Changes to the Proposals Map and identified as Areas of High Landscape Value.

7.0.339 Within these Local Landscape Areas, Policy DM 25 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

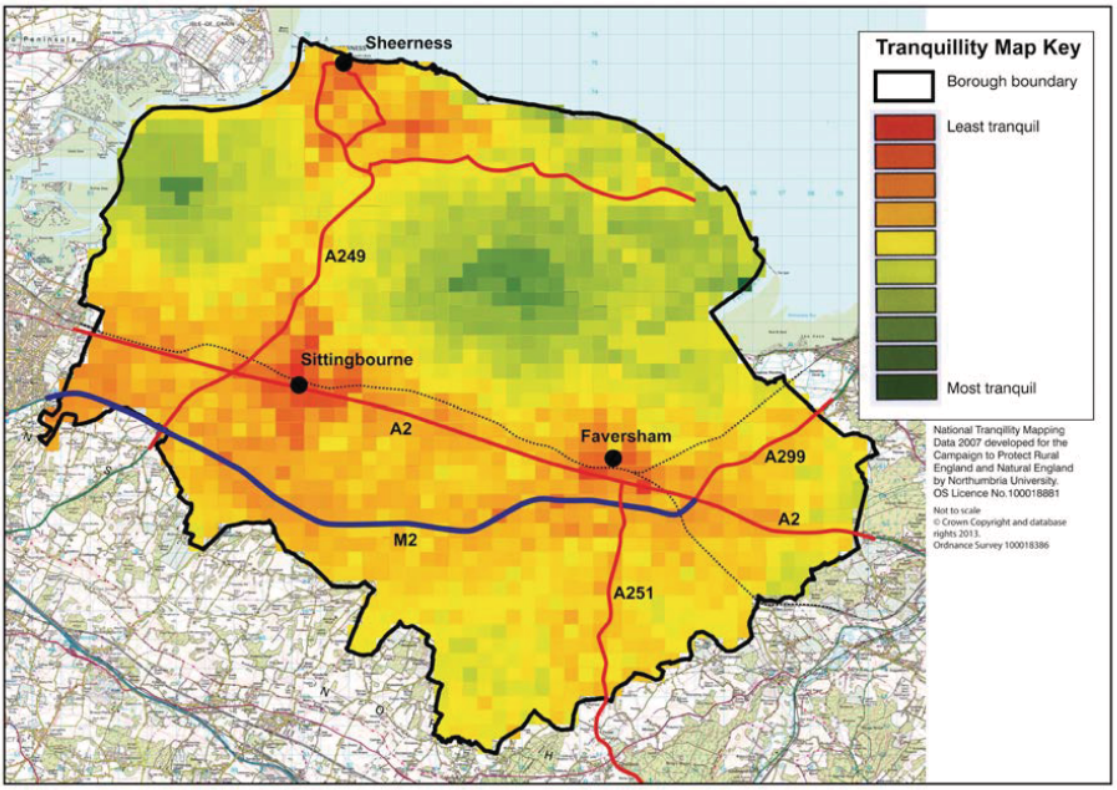
7.0.340 The NPPF explains that planning policies and decisions should identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason as well as limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

7.0.341 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.

7.0.342 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 SBC). Although tranquillity exists in a broad brush fashion within the greener areas on the map, it will not be locally uniform; likewise it may also be present locally beyond the identified more tranquil areas. Applicants should demonstrate how development will affect tranquillity and aim to improve it when seeking to comply both with national planning policy and Policy DM 25.

7.0.343 Map XXX Indicative and relative tranquillity in Swale (CPRE Map localised by SBC).

7 Development management policies



Picture 7.0.10

Policy DM 25

Conserving and 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 will be informed by landscape and visual impact assessment having regard to the Council's Landscape Sensitivity Assessment and the Landscape Character and Biodiversity Appraisal SPD, including, as appropriate, their guidelines, and the key characteristics, sensitivity, condition and capacity of character area(s)/landscapes, taking opportunities to enhance the landscape where possible, including the removal of visually intrusive features.
2. Development proposals will demonstrate the link between landscape protection and enhancement and biodiversity protection and enhancement in all schemes.
3. Landscape and visual impact assessments will consider the cumulative impacts of both built and permitted development, including impact from noise, lighting and traffic on tranquillity.

Part B. For designated landscapes areas:

Within the boundaries of designated landscape areas, as 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 Kent Downs Area of Outstanding Natural Beauty (AONB) is a nationally designated site and as such permission for major developments should be refused unless exceptional circumstances prevail as defined by national planning policy. Planning permission for any proposal within the AONB will only be granted subject to it:

a. conserving and enhancing the special qualities and distinctive character of the AONB in accordance with national planning policy;
b. furthering the delivery of the AONB's Management Plan and its opportunities, having regard to its supporting guidance documents;
c. minimising the impact of individual proposals and their cumulative effect on the AONB and its setting, mitigating any detrimental effects, including, where appropriate, improving any damaged landscapes relating to the proposal; and
d. being appropriate to the economic, social and environmental wellbeing of the area or being desirable for the understanding and enjoyment of the area.

2. The Areas of High Landscape Value are designated as being of significance to Swale, where planning permission will only be granted subject to:

a. conservation and enhancement of the qualities of the landscape, as outlined in their Statements of Significance, being demonstrated;
b. demonstration of how proposals will meet the requirements for these designations, as out in their Statements of Significance;
c. avoidance, minimisation, mitigating and compensating adverse landscape impacts as appropriate and,
d. when significant adverse impacts remain, that the social and or economic benefits of the proposal significantly and demonstrably outweigh harm to the landscape value of the designation.

Part C. For the settings of designated landscapes

The impact on the setting of designated landscapes (the AONB and Areas of High Landscape Value) will be fully assessed, where relevant, and protected and enhanced commensurate with the status of the designation.

Part D. For non-designated landscapes:

Non-designated landscapes will be protected and enhanced and planning permission will be granted subject to:

1. the minimisation and mitigation of adverse landscape impacts; and
2. when significant adverse impacts remain, that the social and or economic benefits of the proposal significantly and demonstrably outweigh the harm to the landscape character and value of the area.

7.0.344 Kent Downs AONB

7.0.345 The National Planning Policy Framework (NPPF) states that great weight should be given to conserving and enhancing the landscape and scenic beauty in Areas of Outstanding Natural Beauty. The Borough of Swale contains part of the Kent Downs Area of Outstanding Natural Beauty (AONB). These areas are designated for the national importance of their landscape. For the Kent Downs, the management plan has been adopted by the Council as a material consideration for decision-taking on planning applications. Development proposals will be required to have regard to the policies in the Management Plan.

7.0.346 Areas of Outstanding Natural Beauty are nationally designated and as such have the highest status of landscape protection. The extent of the AONB is illustrated on the Proposals Map.

7.0.347 to add content here....

7 Development management policies

Policy DM 26

Kent Downs AONB strategy

1. Within the AONB, the conservation and enhancement of the historic and natural environment are the primary planning aims. Major development within the AONB will only be permitted in exceptional circumstances and where it can be demonstrated that it is in the public interest. Development within the AONB and its setting will be permitted proved that:

i. the location, form, scale, materials and design will conserve or enhance the character of the landscape and rural settlements; and

ii). the development would conserve or enhance the special qualities and condition of the distinctive character and tranquillity of the AONB; and

iii). the development supports the adopted AONB Management Plan and any associated guidance.

iv). Unless allocated by the Local Plan Review, avoids the loss of high quality agricultural land.

2. Proposals are required to achieve net gains in biodiversity and natural/semi-natural greenspace that enhances the setting of the settlement (or existing built form) with landscaping that reflects the character of the locality.

The separation of settlements - Important Local Countryside Gaps

7.0.348 With the settlement strategy of the Local Plan focusing development pressures at the major settlements in the Borough, there is a need to prevent the coalescence and the erosion of the intrinsic character of settlements close by. The aims of this policy are to:

i. maintain the separate identities and character of settlements by preventing their merging; safeguard the open and undeveloped character of the areas;
ii. prevent encroachment and piecemeal erosion by built development or changes to the rural open character; and influence decisions on the longer-term development of settlements through the preparation and review of Local Plans.

7.0.349 The National Planning Policy Framework (NPPF) 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 which makes clear that this approach applies to the wider countryside, as well as to designated landscapes .

7.0.350 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 assist in safeguarding the intrinsic character and beauty of the countryside, in areas where development pressures could lead to coalescence or erosion of settlement separation, the definition of those gaps provides additional emphasis when considering allocations and development management issues.

7.0.351 Within Swale, Important Local Countryside Gaps (ILCGs) were defined and set out in the 2008 Local Plan and confirmed in Bearing Fruits, the 2017 adopted Swale Local Plan. These comprise gaps between:

1. Sittingbourne and the satellite villages of Bapchild, Rodmersham Green, Tunstall, Borden, Chestnut Street, Bobbing and Iwade;
2. Upchurch and the administrative boundary with Medway Council; and
3. Queenborough, Sheerness, Minster and Halfway.

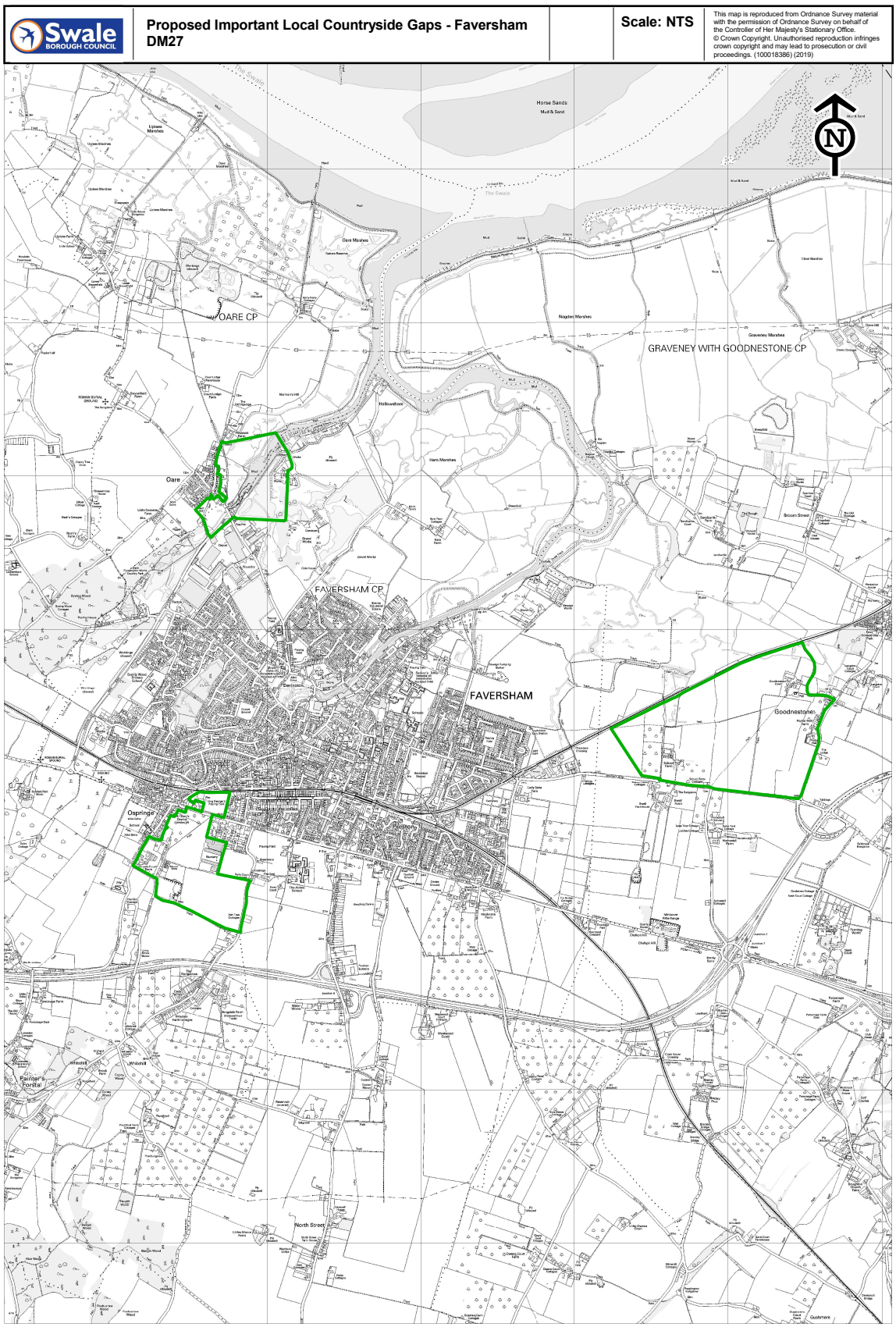
7.0.352 These gaps were considered robust for the Swale Local Plan in 2017. Limited development within these gaps since 2017 means that these boundaries continue to be considered robust.

7.0.353 The Local Plan Review is seeing further development pressures across the borough. As such it was considered necessary to consider the need for gaps around the settlements of Teynham and Faversham. The Swale Important Local Countryside Gap study ADD LINK identified the need for the following gaps:

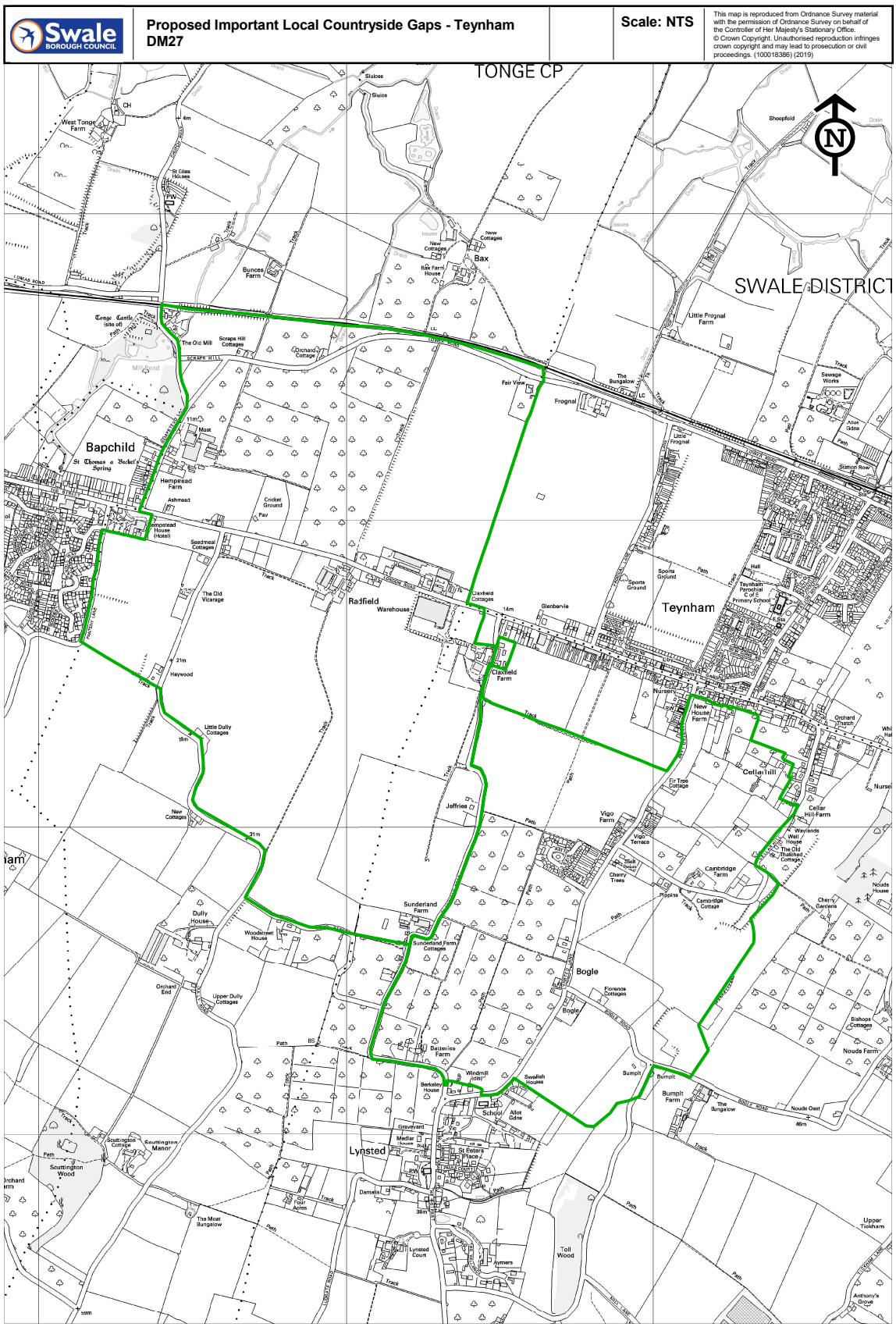
1. Faversham and the villages of Goodnestone, Ospringe and Oare;
2. Teynham and the villages of Lynsted and Bapchild

7.0.354 The boundaries of ILCGs are defined on the Proposals Map (see maps below) and follow recognisable physical features, the defined built-up area boundaries or the boundaries of allocations or potential allocations.

7 Development management policies



Picture 7.0.11



Picture 7.0.12

7 Development management policies

7.0.355 Not all forms of development are discouraged within the ILCGs. For instance, agriculture, waste management and mineral recycling facilities, public open space, community woodland, nature reserves, recreation, allotments and burial grounds are all uses which could be conducted provided that their purpose are not undermined or the need to protect the countryside compromised. However, there may be instances within ILCGs 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;
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 DM 27

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:

1. Sittingbourne and the satellite villages of Bapchild, Rodmersham Green, Tunstall, Borden, Chestnut Street, Bobbing and Iwade;

2. Upchurch and the administrative boundary with Medway Council;

3. Queenborough, Sheerness, Minster and Halfway;

4. Faversham and the villages of Goodnestone, Ospringe and Oare;

5. Teynham and the villages of Lynsted and Bapchild

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.

7.0.356 Local Green Spaces

7.0.357 The National Planning Policy Framework states that local (and neighbourhood) plans should allow communities to identify and protect green areas of particular importance to them [22]. The aim of this policy is to ensure that Local Green Space designations are protected from inappropriate development and retained for enjoyment by local communities.

7.0.358 Local Green Space designations can be considered, during the plan-making process, where the green space is:

- reasonably close to the community it serves;
- demonstrably special to the community, for example because of its recreational value, tranquillity, heritage, beauty, or richness of wildlife; and
- local in character and not an extensive tract of land.

22 National Planning Policy Framework (February 2019), MHCLG paragraph 99

7.0.359 An assessment of potential Local Green Spaces 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.

7.0.360 The sites designated as Local Green Spaces are shown on the Proposals Map insert link. The Council can have no direct influence on the management of these sites, although clearly the Borough, Parish and Town Councils wish to see their current use continue. However, Policy DM 28 will be used to preserve these Local Green Spaces and prevent development which would conflict with their character and use.

7.0.361 Local Green Space 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 DM 28

Local Green Spaces

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

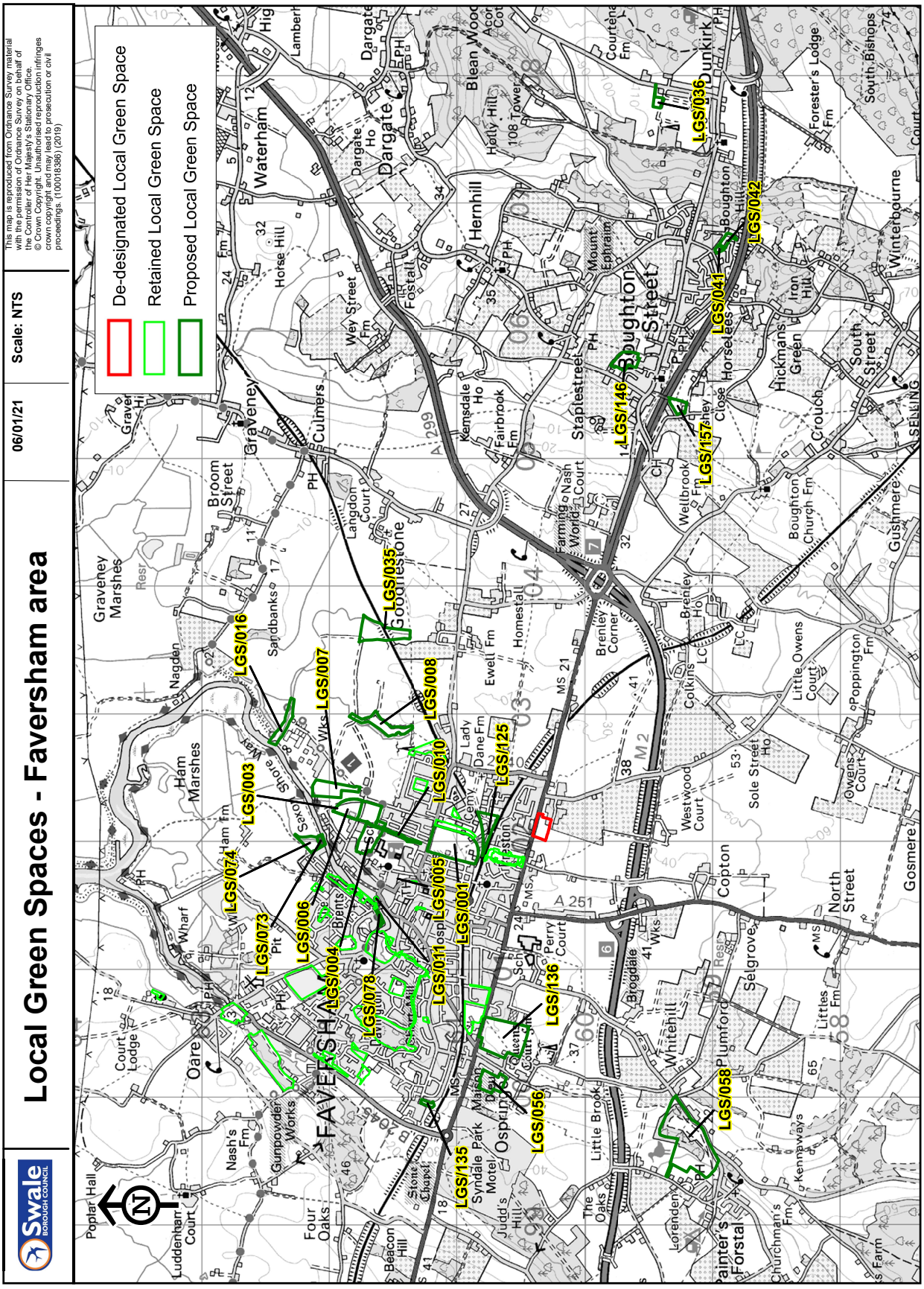
1. The construction of a new building providing essential facilities for outdoor sport or recreation, cemeteries, allotments, the reasonable requirements of agriculture or forestry, or other community uses related to the Local Green Space, where the character and use of the Local Green Space is preserved;

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.

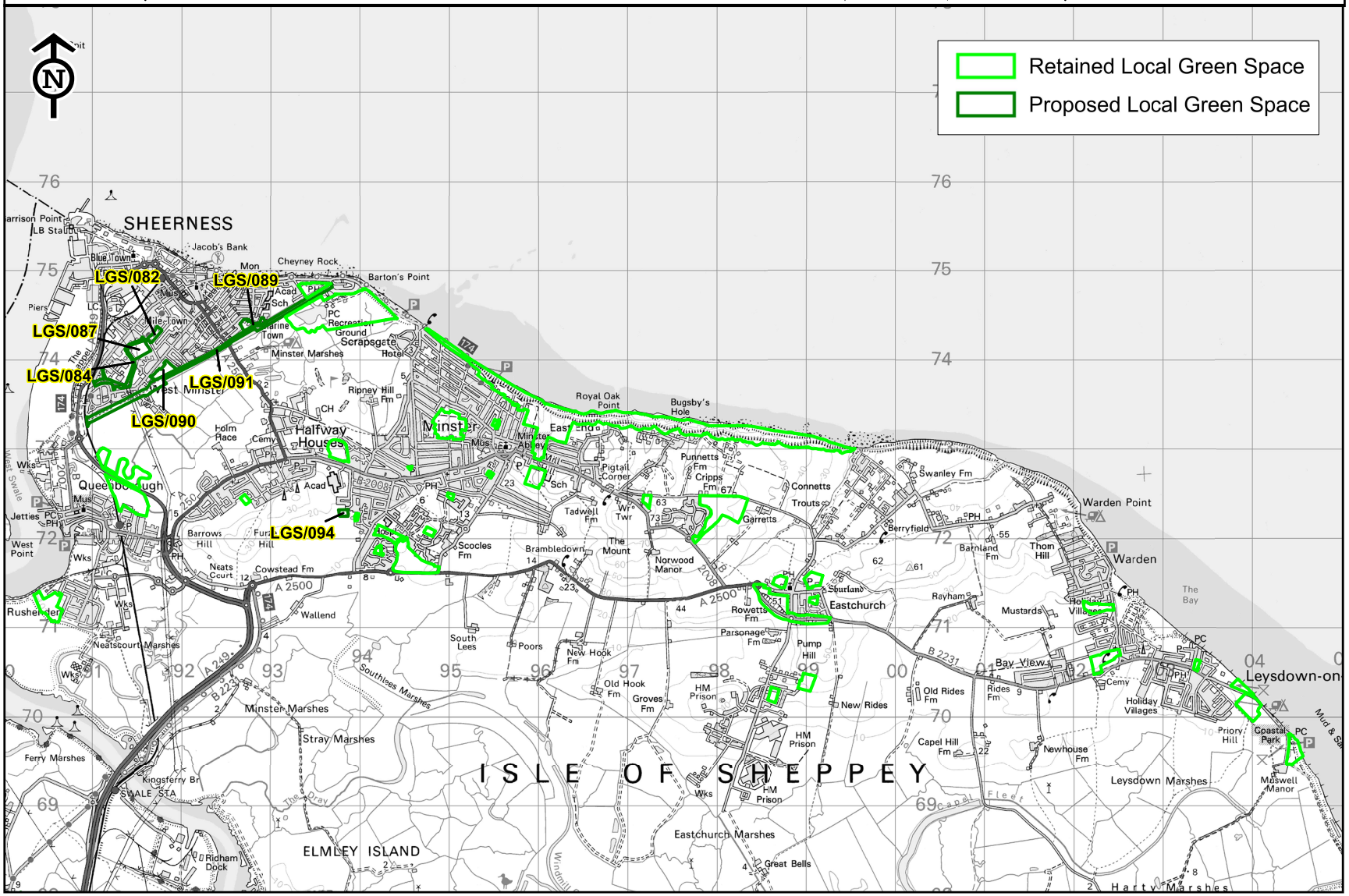
7 Development management policies



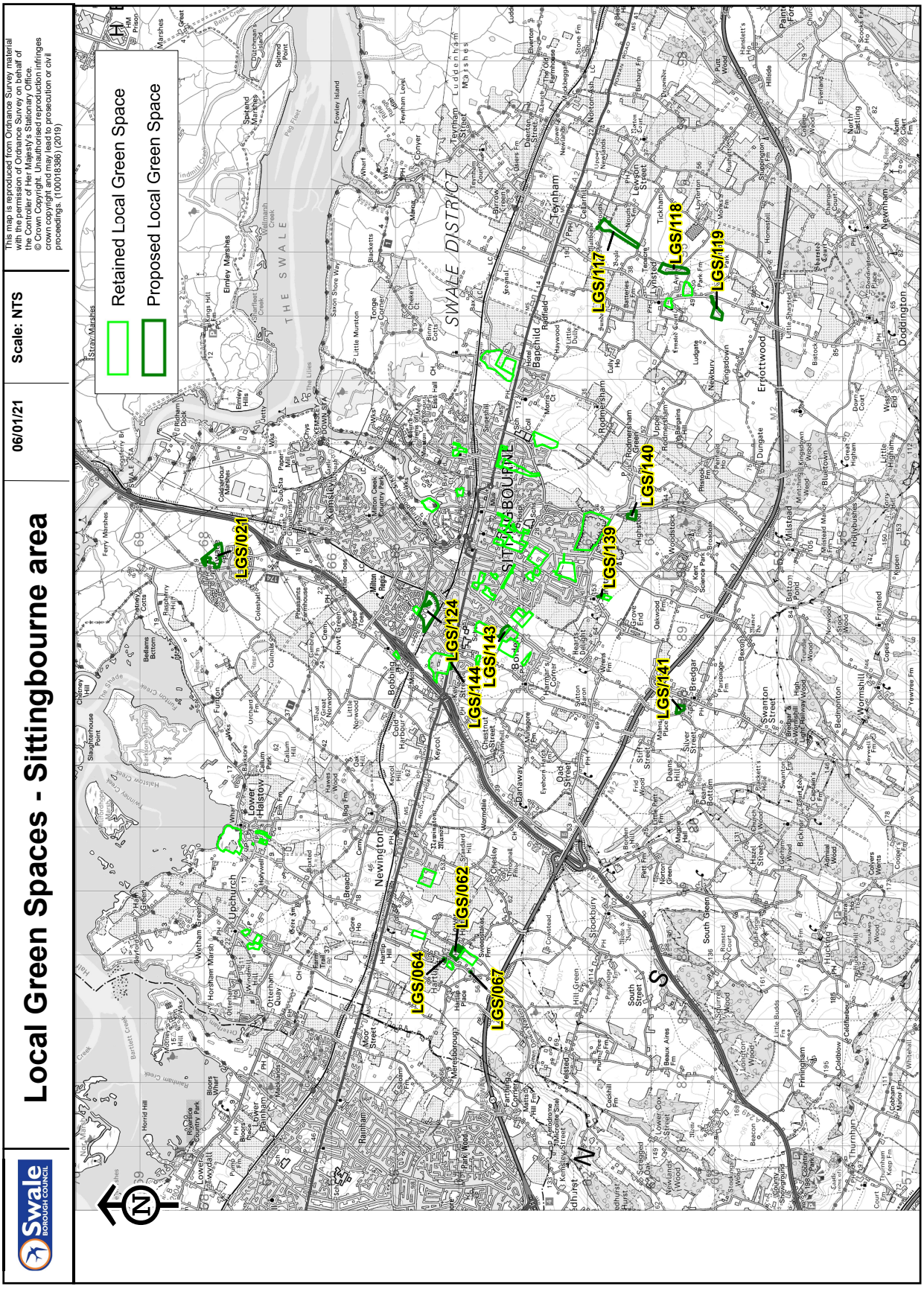
Local Green Spaces - Isle of Sheppey

05/01/21 | Scale: NTS

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7 Development management policies

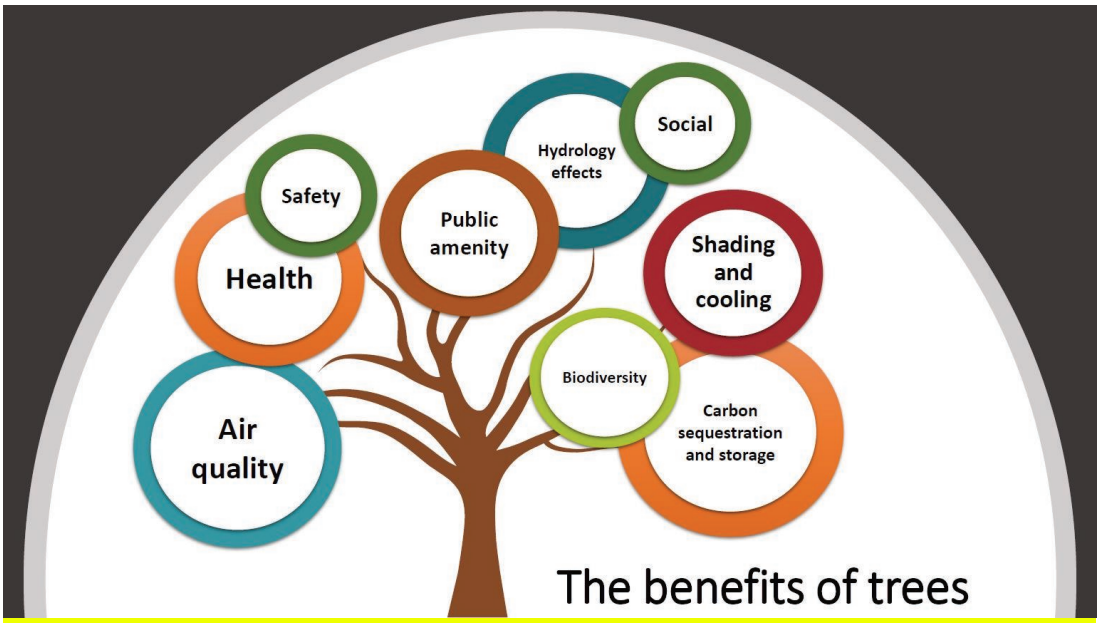


7.0.362 Woodland, orchards, trees and hedgerows

7.0.363 Swale's woodland, orchards, trees and hedgerows

7.0.364 Swale's tree population in particular ancient woodland, traditional orchards and ancient hedgerows contribute greatly to the borough's character, local distinctiveness and beauty. These habitats, and trees in general, are integral to providing cleaner air, filtered storm water and lower temperatures. Trees, shrubs and other plants create an important habitats are of high biodiversity value and can be irreplaceable. Streets, parks and gardens filled with trees can also have psychological benefits in reducing stress and providing spaces for relaxation and contact with nature.

7.0.365 The value and benefits of trees are summarised in the diagram and, specific to Swale, include the following:



7.0.366 Air quality - trees assist with improving air quality by acting as a kind of filter. Swale already has areas of poor air quality that are under Air Quality Management. It is important to ensure that existing trees are protected and that street tree planting in new development contributes to bettering air quality of these new areas as well as across the borough.

7.0.367 Health - studies show that living next to trees positively influences health and well-being. As the Council is proactively concerned with the health of Swale's resident's new tree planting in new development, new woodlands or new tree planting in existing areas is expected.

7.0.368 Safety - research suggests that street trees improve driving safety further bolstering the need for street trees in new development and, where possible, on existing streets.

7.0.369 Public amenity - the visual quality of a town is rated more positively the greater the amount of roadside vegetation. The aim is to ensure Swale is attractive for its residents and visitors alike by protecting existing woodland, orchards, trees and hedgerows whilst also further extending the quantity and quality of the same.

7.0.370 Hydrological effects - trees help reduce or prevent flooding. As a proportion of Swale is at risk of flooding measures such as retention of existing vegetation which contributes flood protection and new vegetation which assists with reduces flood risk such as storm water planters will be required.

7.0.371 Shading and cooling - a tree canopy is more effective than other green infrastructure at reducing overall temperatures in towns. In response to the Council's climate emergency tree planting is a key measure to reduce temperatures in towns.

7 Development management policies

7.0.372 **Carbon sequestration** - trees store atmospheric carbon-dioxide mitigating global warming. In response to the Council's climate emergency measures which maximise the reduction of atmospheric carbon such as new tree planting is expected.

7.0.373 **Biodiversity** - urban trees have considerable potential to sustain and enhance urban biodiversity. Again in response to the Council's climate emergency emphasis on biodiversity, including protection of and expansion of woodland, tree planting and hedgerow protection and planting are key.

7.0.374 **Social** - more social interaction is observed in spaces with trees compared to treeless spaces of the same size. Positive use of the borough's green spaces for social interaction is encouraged.

7.0.375 Ancient and replanted woodland in Swale stretches from the Blean and across the North Downs. Traditional orchards are found in the fruit belt of the Borough - which runs along the A2 corridor and stretches into the North Downs - as well as in isolated locations on the Isle of Sheppey. Scrub is often undervalued but is important as a habitat as well as a nursery for future woodland stocks. Many woodlands and old orchards in Kent are no longer used for timber/fruit products in a way that would otherwise ensure their positive long term management for flora and fauna. The Council is keen to support the innovative and sustainable use and management of woodlands for such activities as renewable energy, but also as a resource for education (e.g. forest/wild schools). Carefully planned appropriate development, the intended purpose of which is to further the sustainable management of woodland/old orchards, may be supported by the Council where in accordance with the Local Plan.

7.0.376 As well as the potential removal of woodland, development can threaten the sustainable management of woodland. This might be as a result of increased recreational pressures from new residents, the sub-division or lotting of woodland (or development associated with it), or the incorporation of woodland into residential curtilages. Such impacts will need to be assessed as part of a planning application and where the landscape and/or biodiversity interest of woodlands would be threatened, planning permission will be refused unless the benefits of development in that location clearly outweigh these concerns.

7.0.377 Indigenous hedgerows are important for wildlife as they contain a variety of species, with some containing ancient stock, as well as contributing to the ecological network. They are also important in landscape terms as wildlife and historical features. Hedgerows should be retained and new lengths established where affected by new development. Hedgerows also provide good screens.

7.0.378 Planting woodland, trees and hedges in new development can be an essential means to integrate development into its context and enhance quality and character. They can also provide habitats, improve air quality, provide rainwater attenuation and shade – thereby playing an important role in adapting to climate change. New developments should set aside generous 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 and should include large tree species.

7.0.379 The NPPF (para 170) states that planning policies and decisions should recognise the benefit of trees and woodland, enhance the natural environment and provide net gains for biodiversity. In addition, planning policies and decisions should aim to achieve healthy, inclusive and safe places which includes public places such as all types of green spaces and tree lined streets.

7.0.380 The NPPF (para 174) states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland, and ancient or veteran trees, unless "there are wholly exceptional reasons and a suitable compensation strategy exists"

7.0.381 The Town and Country Planning (Tree Preservation)(England) Regulations 2012 introduced a single set of procedures for all trees covered by tree preservation orders. Planning Practice Guidance 2014 gives advice on Tree Preservation Orders and trees in Conservation Areas. The Council is responsible for making Tree Preservation orders either at its own initiative or in response to a request by any other party where trees and hedges make a positive contribution to local amenity. Any works to trees within a Conservation area or to trees covered by a Tree Preservation Order (TPO) require consent from the Council.

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. Before permitting development proposals the Council expects any existing trees or cover to have been protected as far as is reasonable. Where it is accepted that development necessitates their removal, the Council will normally require appropriate replacements to be planted. In the case of proposals affecting a tree subject to a Tree Preservation Order, the Council will only permit it if it is in the interest of good arboricultural practice or public safety. Again, in such cases, replacements will be required

7.0.382 This year the government consulted on new policies to expand tree cover both in the countryside and urban areas, support woodland management and increase public engagement with trees and woodlands. The England Tree Strategy is due to be published and an amendment to this policy may be required to reflect the new government policy.

7.0.383 Supplementary Planning Guidance (SPG), Planting on new Developments - A guide for Developers and the Swale Landscape Character and Biodiversity Appraisal Supplementary Planning Document, 2011, are both useful resources and should be referred to by applicants when applying for planning permission. The Council aims to update the SPG in the for coming plan period which will set out its vision, goals and strategy for tree planting across the borough.

7.0.384 The Trees and Design Action Group (TDAG) have published a series of useful guides which should be referred to. In particular, the guide 'Trees in Hard Landscapes' provides technical information to ensure successful planting in paved areas and car parks.

Policy DM 29

Woodland, orchards, trees and hedgerows

The Council will normally require new development to contribute to the overall tree population through on-site structural planting, street trees and tree planting within open spaces maintained by on-going management. Or through planning conditions and 'Section 106 Agreements' dedicated to the planting of trees in the locality.

The Council seeks to ensure the protection, enhancement and sustainable management of woodlands, orchards, trees and hedgerows. It will:

1. Support carefully planned appropriate development, the intended purpose of which is to further the sustainable management of woodland and/or old orchards;

2. Ensure that development proposals take all reasonable opportunities to provide for;

a. a varied and sustainable tree population using native and native bee friendly species resilient to climate change - species suitable for the planting location will be selected, with native species and species resilient to climate change used where appropriate to maximise wildlife benefit;

b. new woodland, orchard, trees - particularly street trees - and hedgerow planting at a sufficient scale to maintain and enhance the character of the locality and provide for an attractive living and working environment;

c. new street trees which will be planted roads leading to new development to contirbute to shading, air quality and flood attenuation, this includes maintaining single species avenues and using large growing species where appropriate;

d. species selection which will reflect the type in use locally if resilient to climate change; natural regeneration of trees will be encouraged where possible;

e. good standards of tree care and woodland management;

7 Development management policies

f. appropriate long term management in which new woodlands will be managed as a long term sustainable resource for the public, for recreation, education and nature conservation - this management will be in-line with national and local Biodiversity Action Plans, and consistent with guidelines for safeguarding European Protected species as produced by the Forestry Commission; and

g. good practice for the protection of trees in development sites the Council will impose planning conditions to protect trees according to BS 5837 (2012) and subsequent revisions where appropriate;

3. Use Tree Preservation and Hedgerow Protection Orders to safeguard species which have a significant impact on the local environment and its enjoyment by the public. Where removal of trees and hedgerows is unavoidable, the Council will require appropriate replacements as a condition of a planning permission.

The Council will give consent for works to a tree or woodland protected by a Tree Preservation Order provided it is satisfied that:

a) The long term health and appearance of the tree or woodland will not be impaired;

b) The works will not unjustifiably inhibit or prevent the full and natural development of the tree;

c) The work is necessary to its continued retention and consistent with good arboricultural practice;

d) In the case of woodland, the proposed work is consistent with the principles of sound woodland management; and

e) There are sound arboricultural and/or safety reasons for the work.

Any unauthorised works to protected trees, both above and below ground, will be investigated and enforcement action taken where expedient.

There will be a presumption against the removal or destruction of any hedgerow that is considered important according to the Hedgerow Regulations 1997. Any unauthorised works to important hedgerows will be investigated and enforcement action taken where appropriate

4. Unless the need for, and benefits of development in a location clearly outweigh the adverse impacts, planning permission will be refused where there:

a. is a loss or deterioration of irreplaceable habitats, including ancient woodland, aged or veteran trees and ancient hedgerows; or

b. would be an inability to secure the beneficial management of woodland, old orchards or hedgerows for their landscape, historic or biodiversity interest (including as a result of their sub-division/lotting or incorporation into a residential curtilage); or

c. would be a loss of trees (including individual trees, old orchards, fruit trees, hedgerows and woodland scrub) that make an important contribution either to the amenity, historic, landscape, townscape or biodiversity value of the site and/or the surrounding area

7.0.385 Agricultural land

7.0.386 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.

7.0.387 Agricultural land is classified by a grading system of 1-5, with Grade 1 being of the highest quality and 5 the worst. Grades 1, 2 and 3a are defined as the best and most versatile [23]. The National Planning Policy Framework states that planning policies should take into account the economic and other benefits of best and most versatile agricultural land [24]. 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 [25].

7.0.388 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.

7.0.389 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 [26] 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. In 2014, activity on best and most versatile land in Swale was estimated to support between £105 million £225 million of output each year [27].



Picture 7.0.13 Farmed landscape near Faversham

7.0.390 Policy DM 30, 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.

7.0.391 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.

23 Guide to assessing development proposals on agricultural land (January 2018), Natural England
24 National Planning Policy Framework (February 2019), MHCLG paragraph 170b
25 National Planning Policy Framework (February 2019), MHCLG footnote 53
26 Farming Statistics (December 2017) DEFRA
27 Value of Best and Most Versatile Agricultural Land in Swale (October 2015) eftec

7 Development management policies

Policy DM 30

Agricultural land

Development on agricultural land will only be permitted when there is an overriding need that cannot be met on land within the built-up area boundaries as shown on the Proposals Map insert link. Development on best and most versatile agricultural land will only be permitted if:

1. The site is allocated for development by the Local Plan; or

2. There is no alternative site on land of a lower grade than 3a or the use of land of a lower grade would significantly and demonstrably work against the achievement of sustainable development; and

3. The development would not result in the remainder of the agricultural holding becoming not viable or lead to accumulated and significant losses of best and most versatile agricultural land.

The Coast

7.0.392 Swale's 111km coastline, the longest of any Kent district, is 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, including:

- Seaside resorts at Sheerness, Minster, Warden & Leysdown
- Swathes of wetlands and marshes along The Swale and The Medway, designated internationally and nationally for their biodiversity interest and representing a distinctive proportion of Kent's ecological sites
- Marine Conservation Zones at the Medway and the Swale Estuaries
- Geologically important cliffs on the north coast of Sheppey
- Locally valued and designated, tranquil, remote and wild landscapes along the Swale and Medway Estuaries
- Creeks at Queenborough, Halstow, Funton, Milton, Conyer, Oare and Faversham
- A Country Park at Milton Creek, Sittingbourne and Coastal Parks at Barton's Point, Sheerness and Leysdown
- A long and rich history and built heritage, in particular at Queenborough, Sheerness and Faversham
- A natural deep-water harbour and historic former naval dockyard at Sheerness Docks
- A fishing port at Queenborough
- Docks at Ridham with connections to the road and rail network
- Quays and/or marinas at Queenborough, Otterham, Lower Halstow, Conyer, Oare and Faversham
- Landing stages at Oare and Harty
- Water sports along the north Sheppey coast and the borough's creeks
- The Saxon Shore Way and English Coastal Path

7.0.393 Swale's coast faces particular threats, including from climate change (including 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

7.0.394 The Marine Strategy Framework has been transposed into UK law, via the Marine Strategy Regulations 2010. 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.

7.0.395 The Water Environment (Water Frameworks Directive) (England and Wales) Regulations 2017 establishes a legal framework to protect and restore clean water and ensure long-term and sustainable use.

7.0.396 The Marine and Coastal Access Act 2009:

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 and The Medway Estuary MCZ.
3. defines arrangements for the system of marine management and planning in the UK and the creation of the Marine Management Organisation (MMO);

7.0.397 The UK Marine Policy Statement (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 – see below) or the UK Marine Policy Statement unless relevant considerations indicate otherwise.

7.0.398 The National Planning Policy Framework, (NPPF, 2019) 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 . Integrated Coastal Zone Management is described in Planning Practice Guidance 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. Planning practice guidance sets out how local planning authorities should collaborate with the Marine Management Organisation and adopt the principles of the Coastal Concordat (see below for more detail on the MMO and the Coastal Concordat).

7.0.399 Work is well underway on the England Coast Path, a new National Trail around all of England's Coast. The sections relevant to Swale are 28 (Isle of Sheppey), 29 (Whitstable to Iwade) and 30 (Iwade to Grain). Natural England hope to have all stretches approved and with works underway by the end of 2021.

7.0.400 The Government's A Green Future: Our 25 Year Environment Plan to Improve the Environment (2018) 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… ' 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.

7.0.401 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 draft South East Inshore Marine Plan was published in January 2020, at which point it

became a material consideration in planning decisions. It is due to be adopted in Spring 2021 and once adopted it will become a statutory document. 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.

7.0.402 The MMO is also responsible for issuing marine licences 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). The MMO also issue consents under the Electricity Act 1989 (as amended) for offshore generating stations (1-100 megawatts) and are a statutory consultee to the Planning Inspectorate for relevant nationally significant infrastructure projects.

7.0.403 Early consultation with the MMO is advised to ensure the effect on coastal processes are minimised or mitigated.

7.0.404 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.

7.0.405 The Marine Information System is a new digital mapping service of plans, policies and information relating to the marine environment. *Please note that Google Chrome is recommended when using this system*.

7.0.406 The Coastal Concordat for England is an agreement between the Department for Environment, Farming and Rural Affairs, the Department for Transport, the Department for Communities and Local Government, the Marine Management Organisation, Natural England, the Environment Agency, the Local Government Association and National Parks England. The concordat provides a framework within which separate processes for consenting coastal developments in England can be better coordinated. It is expected that all councils will be signed up to the Coastal Concordat by 2021.

7.0.407 The Isle of Grain to South Foreland and the Medway Estuary and Swale Shoreline Management Plans (SMPs) 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). 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.

7.0.408 The Swale Strategic Flood Risk Assessment (2020) determined the extent of flood risk in Swale. More detail on this can be found in Policy DM 36, Flood Risk.

7.0.409 The Environment Agency's National Coastal Erosion Risk Mapping Project aims to improve public access to the latest knowledge on coastal erosion via an online information tool.

7.0.410 The North Sheppey Erosion Study (2011) assessed cliff erosion along the North Sheppey coast from Minster to Leysdown, in particular undefended frontage where the Shoreline Management Policy is for 'no active intervention'. Cliff erosion is predicted to increase significantly over the next 100 years as a result of climate change. It also looks at options for managing action. This study informed the development of the borough's Coastal Change Management Area, as set out in Policy DM 32.

7.0.411 CC2150 Coastal Communities 2150 project aimed to develop community resilience to the risks and opportunities presented by potential changes to the climate along the Kent coast through improving knowledge and disseminating climate change projections, developing adaptation strategies and engaging communities.

7.0.412 The North Kent Bird Disturbance Study 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 can be found in Policy ST 10.

7.0.413 The conservation objectives, published by Natural England, for the internationally and nationally designated biodiversity sites which stretch along the Borough's coast are a fundamental objective to be considered in any development proposal along the coast. More detail on these designations is set out in Policy DM 24.

7.0.414 The coastline of Swale lies within Natural England's National Character Area profile 81. Greater Thames Estuary. 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
- 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

7.0.415 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 outline the qualities and attributes of these areas and the requirements going forward – in essence to conserve and enhance the rich biodiversity, sense of remoteness and wildness. These statements should be responded to in any development proposals for Swale's coastline along with other requirements for the landscapes of Swale, as outlined in Policy DM 25 Conserving and enhancing valued landscapes.

7.0.416 The Swale Landscape Character and Biodiversity Appraisal (2011) Supplementary Planning Document 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 DM 25.

7.0.417 The **Swale Visitor Economy Framework and Action Plan** has been developed by the Borough Council in consultation with stakeholders. The Action Plan contains specific 'deliverables' to improve the coastline, sea front and estuary offer across the borough – working with artists, the community, hospitality and leisure providers. It seeks to promote the England Coast Path within the borough, for instance by encouraging locals to take an entrepreneurial approach to initiatives that support increased coastal access. It aims to improve cycle and walking infrastructure and opportunities including 'Wildlife and Heritage Trails' linking the Downs to the Coast. It also seeks to develop water activities such as sailing, wind surfing, wild swimming, boat tours and increased moorings at Milton Creek, as part of that specific area's wider regeneration.

Policy application

7.0.418 Any development proposal for the coast in Swale should demonstrate how it has responded to the plans, policies and studies outlined above.

7 Development management policies

7.0.419 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 which directly relates to this coastline in terms of landscape or land use.

7.0.420 The policy also references seascape and coastal processes. Seascape is defined in the Marine Policy Statement, 2011, as landscapes with views of the coast or seas,

7.0.421 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 DM 31

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 contributing towards the Local Plan's Green and Blue Infrastructure Plan and ensuring Biodiversity Net Gain as required by Policy ST 10 and DM 24 ;
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. Reference, as appropriate, the deliverables of the Swale Visitor Economy Framework and Action Plan;
8. Proposals within the built up area boundaries as defined on the Proposals Maps, contributing to the rejuvenation of the developed coast, particularly where enhancing either existing industrial and maritime infrastructure, coastal heritage, tourism or environmental management;
9. Proposals outside the built-up area boundaries, at the undeveloped coast and its hinterland, supporting conservation, enhancement and net gain;
10. Compliance with Policy DM 32 for the Coastal Change Management Area.

Coastal Change Management

7.0.422 As a coastal borough, Swale is at the forefront of coastal change from erosion, coastal landslip and permanent inundation. The aim of this policy is to reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast.

7.0.423 The National Planning Policy Framework (NPPF) specifies that the planning system should take full account of coastal change . The NPPF requires local plans to identify as Coastal Change Management Areas (CCMAs) any area likely to be affected by physical changes to the coast as well as be clear as to what development will be appropriate in such areas, and in what circumstances, and make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas. The NPPF also sets out when development may be appropriate in CCMAs (ie it needs to be safe, not impact on coastal change, not compromise the character of the coast, provide 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 .

7.0.424 Planning Practice Guidance also gives advice on what comprises a CCMA, how to define a CCMA, what development would be appropriate within a CCMA as well as guidance on vulnerability assessments and what they should include, limiting the planning 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?

7.0.425 The Coastal Change Management Area has been defined 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 lost permanently to the sea) and accretion (land increasing due to addition of sediment). It has been defined within Swale and shown on the Proposals Map with the agreement of the Environment Agency, using the experience gathered from the relevant Shoreline Management Plans, the North Sheppey Erosion Study, Swale's Strategic Flood Risk Assessment and the National Coastal Erosion Risk Mapping project. More detail on these studies can be found in Policy DM 31 The Coast. The boundary of the Coastal Change Management Area will be reviewed periodically and updated when evidence suggests this is necessary.

7.0.426 For further details on how the CCMA has been defined for Swale and to view more detailed maps of the CCMA, see the Coastal Change Management Area Technical Paper No.1, Swale Borough Council, 2013 (Ref CD/085-085p). The definition of the boundary to the CCMA has been relatively high level in nature. In cases where more detailed technical evidence is provided as part of a planning application, the Council will consider these issues in consultation with the Environment Agency.

7.0.427 The CCMA includes an area along Sheppey's north coast where erosion and landslip occurs. This erosion area is separated into:

- Erosion Zone 1 (defined as land between the low water mark and the 50 year indicative erosion line on the Proposals Map); and
- Erosion Zone 2 (defined as land between the 50 year indicative erosion line and the 100 year indicative erosion line on the Proposals Map).

7.0.428 Within each zone different types of development may be appropriate. For example, within the 50 year zone, Erosion Zone 1, development directly related to the coast, but less permanent and readily moveable, such as beach huts, cafés, car parks and sites for holiday caravans and camping may be permitted. Within the 100 year zone, Erosion Zone 2, more substantial development may be appropriate, although here proposals will need to be accompanied by an assessment of how the impact of coastal change on the development and the service it provides will be managed.

7.0.429 Within both Erosion Zones 1 and 2, a Coastal Erosion Vulnerability Assessment will need to accompany planning applications. This should include the requirements set out in Planning Practice Guidance for vulnerability assessments 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.

7 Development management policies

7.0.430 Some water-compatible development may be permitted within the CCMA. For the purposes of this policy water-compatible development is defined as that set out in Table 2: Flood risk vulnerability classification in Planning Practice Guidance

7.0.431 On a case by case basis, this policy (DM 32) sets out criteria for when provision needs to be made for development and infrastructure to be relocated away from Coastal Change Management Area. It also ensures that development in a CCMA is not impacted by coastal change by limiting the planned life-time of the proposed development through temporary permission and restoration conditions where necessary to reduce the risk to people and the development.

Policy DM 32

Coastal change management

Within the Coastal Change Management Area (CCMA), as defined on the Proposals Map, planning permission will be granted for development proposals subject to:

1. It being demonstrated that the proposal will not result in an increased risk to life, nor a significant increase in risk to property;
2. The proposal comprising:

    a. essential infrastructure; or
    b. a Ministry of Defence installation; or
    c. an agricultural building(s); or
    d. water-compatible development; or
    e. (within Erosion Zones 1 or 2) a use as defined by criterion 3 or 4, below, as appropriate.

3. Proposals within Erosion Zone 1 being directly related to the coast and less permanent in nature, construction and value; or
4. Proposals within Erosion Zone 2 may additionally be permitted when comprising:

    a. commercial or leisure activities requiring a coastal location and providing substantial economic, social and environmental benefits to the community; or
    b. key community infrastructure, which has been demonstrated as needing to be sited within the CCMA to provide the intended benefit to the wider community; or
    c. the subdivision of properties, including residential subdivision; or;
    d. domestic extensions to residential properties

5. Proposals within Erosion Zones 1 and 2, submitting a Coastal Erosion Vulnerability Assessment demonstrating that the development will be safe throughout its planned lifetime and will not increase risk to life or property elsewhere without the need for new or improved coastal defences; and
6. A temporary planning permission being sought where necessary, together with, as appropriate, a legal agreement to secure the long-term management of the site.
7. Proposals seeking to relocate development away from the CCMA will:

    a. be forecast to be affected by erosion, landslip or permanent inundation within 20 years from the date of the planning application, as determined by a Coastal Erosion Vulnerability Assessment or Flood Risk Assessment;
    b. be of a similar scale, nature and character as the development it is replacing and be of a scale and design appropriate to its new context;
    c. be located at an appropriate location inland from the CCMA and, where possible, remaining close to the coastal community from which it was displaced;

d. demonstrate that no suitable site is available within a built-up area boundary or on previously developed land; and
e. at its current site, ensure that it is cleared, made safe or put to a temporary use beneficial to the local community who will take long term responsibility for it.

Air Quality

7.0.432 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. Swale Borough Council is committed to improving air quality and protecting the health and amenity of the borough's current and future generations.

7.0.433 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.

7.0.434 This policy 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. This policy also aims to ensure the impact on air quality from individual, cumulative and committed schemes (both inside and outside the borough) are proportionally addressed. 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 and the Swale Air Quality and Planning - Technical Guidance 2019 and updates.

The legal, policy and local context

7.0.435 Air quality in the UK is co-ordinated by the Department for Environment, Food and Rural Affairs (Defra). The Air Quality Strategy for England, Scotland, Wales and Northern Ireland, 2007, provides an over-arching strategic framework for air quality management. The strategy includes national Air Quality Objectives (AQOs) and limit values for nitrogen dioxide (NO2) and particulates (PM10 and PM2.5), along with several other pollutants prescribed in the Air Quality Standards Regulations 2010.

7.0.436 Clean Air Strategy 2019 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.

7.0.437 UK Air 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 website is a useful resource for air quality in Kent.

7.0.438 The Institute of Air Quality Management's document Land-Use Planning & Development Control: Planning For Air Quality, 2017 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.

7.0.439 The National Planning Policy Framework (NPPF, 2019) sets the scene for planning for air quality in England. Paragraph 103 states that 'Significant development should be focused on locations which 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'.

7 Development management policies

7.0.440 Paragraph 170 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 '.

7.0.441 Paragraph 180 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 181 goes on to say that 'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan. '.

7.0.442 Planning Practice Guidance on Air Quality (PPG) explains the legally binding limits for concentrations of air pollutants and explains the air quality considerations that planning needs to address, with regard to public health, habitats and biodiversity and the formation of ozone. The guidance sets out Defra's national assessment of air quality and the local air quality management (LAQM) regime which requires each local authority to review and assess local air quality and explains when it is necessary to declare Air Quality Management Areas (AQMAs). The guidance also explains that air quality considerations may also be relevant to habitats and species.

7.0.443 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.

7.0.444 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
- the decision-making process with regard to air quality (a flowchart)
- 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 the importance of discussing requirements with the local planning authority
- detail on how air quality can be mitigated

Air Quality in Swale

7.0.445 Swale Borough Council has a statutory obligation to ensure air quality is reviewed and assessed. If levels of air pollution exceed national Air Quality Objectives (AQOs), the Local Authority is required to declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan, which sets out the intended measures in pursuit of the AQOs. The emissions of particular concern in Swale are nitrogen dioxide (NO2) and particulate matter (PM10), associated with traffic and congestion. Swale Borough Council

has a comprehensive monitoring network for nitrogen dioxide (NO2) and particulate matter (PM10 and PM2.5).There are currently 6 AQMAs in Swale at Newington, Keycol Hill, St Paul Street (Sittingbourne), East Street (Sittingboune), Teynham and Ospringe. These AQMAs are concentrated along the historic Watling Street, now the A2, the main route through the borough. Details on these AQMAS can be found on the air quality pages of the Council's website.

7.0.446 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 the consideration of air quality impacts and their mitigation.

7.0.447 The AQAP sets both strategic and local measures targeted at improving air quality in the designated AQMAs and across the borough as a whole. The Swale Borough Council Air Quality Action Plan may evolve in response to funding, adaptation of measures and policy changes. Applicants should refer to the latest, relevant AQAPs in their applications.

7.0.448 Swale Borough Council's Air Quality and Planning - Technical Guidance (November, 2019 and updates) has been adapted from the Kent and Medway Air Quality Partnership's Air Quality Planning Guidance (December 2015) in response to changes in national planning policy, including updates to the NPPF 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 developers, the local planning authority (LPA) and local communities.
- Provides guidance on the requirements for Air Quality Statements.
- Sets out the mitigation requirements expected for development, including standard mitigation for all development.
- Sets out when an Air Quality Assessment (AQA) is required, how this should be undertaken and how it will be used to determine the air quality impacts of planning applications.
- Explains the emissions mitigation assessment (including damage cost calculations) expected for development with potential air quality impacts.

7.0.449 The guidance primarily focuses on air quality impacts from traffic emissions; however, dust also contributes airborne particulate matter. It should be noted that the IAQM document 'Guidance on the assessment of dust from demolition and construction' is the recommended text to refer to 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).

7.0.450 An Air Quality Modelling Report of the emerging local plan has been prepared to inform the Swale Local Plan Review. ADD LINK.

7.0.451 The Swale Borough Council Parking Standards SPD 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.

7.0.452 It is the intention of the Council to develop a Supplementary Planning Document on Sustainable Design & Construction which will contain detail on how Air Quality will be dealt with by Swale Borough Council. This will supplement or replace the borough's Air Quality and Planning - Technical Guidance.

Policy application

7.0.453 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. Design solutions for improving air quality should be an integral part of the overall design process.

7.0.454 An Air Quality Statement (AQS) is required for all developments (excluding householder developments) and will need to be prepared to the satisfaction of the LPA. The Air Quality Statement is a

simple check list of questions on the type and size of development, whether it is within an AQMA, information on parking, heating and layout and any proposed mitigation. If the AQS indicates that the proposed development may give rise to an impact on local air quality, an Air Quality Assessment is likely to be required. Details of what is required in an Air Quality Statement can be found in the Air Quality and Planning - Technical Guidance.

7.0.455 For the purposes of this policy sensitive uses or receptors includes nurseries, schools, hospitals, care facilities, residential uses and other similar uses.

7.0.456 Applicants should review the Air Quality and Planning - Technical Guidance to determine the significance of their development and whether an Air Quality Assessment (AQA) is required. As good practice, applicants should also contact the Environmental Protection Team at the pre-application stage to discuss the application and requirements for an AQA.

7.0.457 Air quality assessments are required to consider the cumulative impact of known future developments within an area. With considerable growth planned for Swale Borough and its neighbours it is likely that this will need to include the air quality impacts from the developments contained in the Swale Local Plan and neighbouring local plans alongside relevant existing and committed development. In addition, all major development, or any development where air quality is likely to be a significant issue, is required to undertake a Transport Assessment and prepare a Travel Plan as set out in Policy DM 10.

7.0.458 Air Quality Assessments should be carried out in line with guidance in the Air Quality and Planning - Technical Guidance and the most up to date industry-prepared best guidance documents including IAQM's Land-Use Planning & Development Control: Planning For Air Quality , Defra's Local Air Quality Management (LAQM) Technical Guidance TG16 and Policy Guidance PG16. The latest available emission factors, LAQM data, background maps and conversion factors shall be used.

7.0.459 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. The assessment may be incorporated into the full Environmental Statement if required for an Environmental Impact Assessment.

7.0.460 Consideration of air quality during both the development and operational phases will need to be demonstrated.

7.0.461 Some developments may also require a permit under the Pollution Prevention and Control Act 1999. Under the Climate Levy Agreement some permits close to an AQMA may require stricter measures beyond Best Available Practice (BAP) to ensure the Air Quality Standards are met. There are various control measures included within the Air Quality and Planning - Technical Guidance.

7.0.462 The Air Quality and Planning - Technical Guidance sets out the mitigation measures that are likely to be required, prioritising simple passive measures over active measures and mitigation on site where possible. 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, discussed with the borough's Environmental Protection Team and reference local air quality concerns, policies and Action Plans.

7.0.463 Where mitigation cannot be achieved on or off site, offsetting a development's air quality impact by contributing to air quality improvements elsewhere will be required. The Council is investigating the implementation of its own offsetting scheme which is likely to include a fund for pooled contributions towards air quality offsetting. Any requirements for offsetting should use this scheme, when available, or contribute to a pooled contributions fund, as advised by the Environmental Protection Team.

Policy DM 33

Air Quality

Poor air quality has a detrimental effect on both human health and the environment. Air quality should be considered in the early stages of a development in consultation with the Borough's Environmental Protection Team and with reference to Swale's Air Quality and Planning - Technical Guidance 2019 and updates, the Parking Standards Supplementary Planning Document and any forthcoming relevant Supplementary Planning Documents. The following criteria should be applied:

1. Proposals should demonstrate they include measures to improve air quality through location, linkage, layout, land-use, landscaping and building design with passive solutions prioritised over active measures.
2. All proposals (excluding householder applications) should demonstrate their impact on local air quality in the form of an Air Quality Statement as set out in the borough's Air Quality and Planning - Technical Guidance, 2019 and updates.
3. All proposals should provide standard mitigation as set out in the borough's Air Quality and Planning - Technical Guidance, 2019 and updates.
4. Proposals either within, close to, or accessed via one of the Borough's Air Quality Management Areas (AQMAs) should demonstrate no adverse effect on air quality in an AQMA that is likely to lead, in itself or in combination with other schemes, to an exceedance of air quality objectives.
5. Proposals which would introduce or intensify sensitive receptors' exposure to poor air quality within or close to AQMAs, or potential AQMAs, should clearly demonstrate measures that mitigate air quality impacts.
6. Proposals will need to demonstrate that, in itself or in combination with other schemes, the proposed development will not cause an air quality impact by leading to the likelihood of air quality objective exceedances or the declaration of a new AQMA.
7. Air quality assessments should be carried out as required by the criteria set out in the borough's Air Quality and Planning - Technical Guidance and to the satisfaction of Swale's Environmental Protection Team.
8. Air quality assessments should reference the most relevant and accurate data and consider the cumulative effects on air quality by including an assessment of relevant built and committed developments both inside and outside the borough.
9. Mitigation measures for developments which have required an Air Quality Assessment need to be site specific and be prepared with reference to the borough's Air Quality and Planning - Technical Guidance and in consultation with the borough's Environmental Protection Team.
10. Developments that would increase air pollution, either alone or in combination with other relevant developments already existing or permitted, will not be permitted unless detrimental effects are:

    i. Mitigated, to the satisfaction of the borough's Environmental Protection team and/or if necessary,

    ii. Offset, by proportionally contributing to air quality improvements elsewhere; to the satisfaction of the borough's Environmental Protection Team and in accordance with Defra's Emissions Factor Toolkit, using the Council's Offsetting or Pooled Contributions Scheme.

Offsetting measures should be linked to objectives in the borough's Air Quality Action Plan, the Swale Green and Blue Infrastructure Strategy, Swale's Parking Standards Supplementary Planning Document (SPD), the Swale Transport Strategy and updates, the borough's Climate and Ecological Emergency Action Plan and the forthcoming Sustainable Design and Construction SPD and are likely to be secured via planning obligations.

7 Development management policies

Pollution and Land Instability

7.0.464 This is a sister policy of DM 33 Air quality and DM 35 Water quality and water resources 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.

7.0.465 Minimising pollution is one of the issues stated in the National Planning Policy Framework's environmental objective, a key aspect of sustainable development. The NPPF 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' . 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 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.

7.0.466 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, tranquility 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.

7.0.467 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.

Hazardous substances

7.0.468 Planning Practice Guidance 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

7.0.469 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.

7.0.470 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.

7.0.471 The government's Land contamination: risk register ADD LINK also gives guidance on the assessment of unacceptable risk, decisions on options to manage risk and implement remediation where needed.

7.0.472 It should be remembered that some site investigations themselves may require planning permission.

7.0.473 Any development on previously developed land in Swale should follow the guidelines contained in the Council's Environmental Protection Team's Land Contamination: Planning Guidance Document, 2013. The Council's Contaminated Land Strategy (2016) should also be referred to by developers. ADD LINK

7.0.474 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 on the government website.

Light pollution

7.0.475 Planning Practice Guidance advises how to consider light within the planning system. It explains what light pollution considerations planning needs to address and when artificial lighting can become light pollution which can harm people, wildlife and the night sky. Light pollution is particularly harmful in intrinsically dark landscapes including nature reserves which support native nocturnal animals and can impact on tranquility. It is important to consider design of lighting schemes early in scheme development as it can be expensive to rectify later on.

7.0.476 The PPG also gives advice on what factors can be considered when assessing whether a proposal might have implications for light pollution. These include the impact of existing development on proposed development, the impact of new development on existing sites and impacts on specialist facilities/intrinsically dark landscapes, safety concerns, impacts on species and habitats and use of smooth, reflective buildings (which can affect wildlife). If these impacts are likely the PPG advises that the local planning authority and applicant should consider:

- where the light shines
- when the light shines
- how much light shines
- possible ecological impacts

7.0.477 and it 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.

7.0.478 The impact of lighting from development can have a significant effect on tranquility. 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 ADD LINK 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, designed to demonstrate how to install their security lights effectively to reduce light pollution.

Noise and vibration

7.0.479 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. Planning Practice Guidance 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.

7.0.480 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 BS4142, BS8233 and BS7445 need to be considered. The Council's Environmental Protection Team has published a guidance document, Noise and Vibration: Planning Technical Guidance Document May 2020. Developers should refer to this guidance, as well as the latest revised British Standards, in their planning applications.

Land stability

7.0.481 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. Planning Practice Guidance sets out advice on how to ensure that development is suitable to its ground condition and how to avoid risks caused by unstable land or subsidence, explaining why planning authorities should be concerned about land stability (minimising risk, ensuring development does not occur in unstable locations, and bringing unstable land back to productive use) and the other regimes involved (eg Building Regulations). PPG explains the role of plans in planning for land instability, where information on land instability can be found, the planning mechanism that can be used to mitigate and minimise risks and the steps applicants should take if they suspect land instability (including a flow chart), what a slope stability report and land stability risk assessment report should contain and who should prepare them and the role of the Coal Authority.

Policy Application

7.0.482 Planning matters related to pollution prevention and land instability in Swale will be dealt with via reference to the NPPF, Planning Practice Guidance and other relevant policies within this Plan, informed by the technical advice of the Council's Environmental Protection Team and the Environment Agency. Applicants should refer to the advice in Planning Practice Guidance, as outlined above, and seek the advice of the Council's Environmental Protection Team at the pre-application stage.

Policy DM 34

Pollution and Land Instability

1. The responsibility for securing development safe from risks of pollution, land contamination and land instability rests with the developer and or landowner.
2. Development will only be permitted where:

    a. appropriate assessment of all risks by competent persons has been carried out to the satisfaction of the Council's Environmental Health Team;
    b. it can be demonstrated that development is appropriate for its location and its layout, design, and construction (including demolition) would not be damaging to the environment, wildlife, property and sensitive receptors as a result of hazardous substances, land contamination, noise, vibration or light pollution;
    c. on land affected by contamination, it can be demonstrated that the contamination and land gas can be satisfactorily managed or remediated so that it is suitable for the proposed end use and will not impact on the groundwater environment, human health, buildings and the wider environment, during demolition and construction phases as well as during the future use of the site;
    d. on unstable land, it can be demonstrated that it will be safe for its lifetime, will not lead to risk to property, infrastructure, the public or wider environment and will seek to bring land back into productive use.

Water quality and water resources

7.0.483 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 development's increased demand for water, urban and rural pollution, poor land management, unsustainable abstraction 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 DM 36, Flood Risk and DM 37, Sustainable drainage.

7.0.484 The National Planning Policy Framework explains that 'planning policies and decisions should contribute and enhance the natural and local environment', including by 'recognising…the wider benefits from natural capital and ecosystem services' and by 'preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of …water…pollution…Development should, wherever possible help to improve local environmental conditions such as ..water quality, taking into account relevant information such as river basin management plans' . 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 '.

7.0.485 Planning Practice Guidance's chapter on water supply, wastewater and water quality sets out the legal and policy framework for the water environment and explains how the planning system can plan positively for water supply and quality. The PPG also explains the detail water quality assessments are likely to include, as follows:

- the likely impacts of the proposed development on water quantity and flow, river continuity and groundwater connectivity, and biological elements
- how the proposed development will affect measures in the river basin management plan to achieve good status in water bodies to ensure local authorities discharge their duty to have regard to river basin management plans, including in making planning decisions
- how it is intended the development will comply with other relevant regulatory requirements relating to the water environment, bearing in mind compliance will be secured through the Environment Agency's permitting responsibilities.

7.0.486 The Government's 25 Year Environment Plan 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.

7.0.487 The Environment Agency's Challenges and Choices Consultation 2020, highlights that 'our waters are threatened by the damage we are causing through development, industry, flood protection and agriculture. The climate crisis and a growing population are adding to these pressures and without concerted action will lead to irreparable harm to our planet, ourselves and future generations '. 'At the current rate of progress it will take over 200 years to reach the government's 25 Year Environment Plan target of at least 75% of waters to be close to their natural state ' The document highlights a number of specific challenges including: over-abstraction; chemicals in the water environment; non-native species; physical modifications; plastics pollution; pollution from agriculture and rural areas as well as from urban areas; pollution from wastewater.

7.0.488 The government, through DEFRA, encourages a catchment-based approach to improving the quality of the water environment to achieve long-term, better outcomes through local understanding and collaboration and transparent decision-making.

7 Development management policies

Water features in Swale

7.0.489 Water is a defining feature of the environment and landscape of Swale from its downs and woodlands to the marshes. The principal water feature in the Borough is The Swale, a strip of sea which separates the mainland from the Isle of Sheppey, designated a main river by DEFRA. There are tidal creeks at Queenborough, Halstow, Funton, Milton, Conyer, Oare and Faversham as well as mulitple smaller creeks on Chetney Marshes. Creeks and the The Swale are routinely monitored by the Environment Agency and do not currently meet Water Framework Directive standard. There are no other distinctive rivers in Swale but 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/Medway marshes and into the Swale. These streams are groundwater dependent, so changes in water abstraction from the North Downs Chalk aquifer can affect stream flow. A number of these streams are globally rare chalk streams. Reduced flow and pollution from agricultural source and surface water run off are negatively affecting the environmental quality of these precious habitats. A WWF report into chalk streams reports that more than three-quarters are failing to meet the required Water Framework Directive 'Good status' .

7.0.490 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. The condition of the water environment is key to maintaining and improving nature conservation across the borough and links to Policy ST 10. Conserving and enhancing the natural environment.

7.0.491 The relevant river basin management plan for Swale is the Thames River Basin Management Plan, 2015. This identifies water quality, in particular point source pollution from the water industry, rural diffuse pollution and urban diffuse pollution as a priority issue.

7.0.492 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.

7.0.493 The Environment Agency (EA) protects groundwater sources (eg wells, boreholes and springs) used to supply drinking water from pollution. The EA have defined Groundwater source protection zones (SPZs) which show the level of risk to the source from contamination, following the principle that the closer the activity to the water source, the greater the risk of pollution: inner zones (SPZ1) have a 50 day travel time of pollutant to source, outer zones (SPZ2) have 400 day travel times and SPZ3 shows the total catchment - the area around a supply source within which all groundwater ends at the abstraction point. Policy DM 35 seeks to protect water quality including groundwaters in the borough.

7.0.494 The Environment Agency has produced maps of groundwater vulnerability zones. These maps provide an assessment of the vulnerability of groundwater in overlying superficial rocks and those that comprise the underlying bedrock. The maps show the vulnerability of groundwater at a location based on the hydrological, hydrogeological and soil properties within a one-kilometre grid square. The Environment Agency's groundwater vulnerability map can be found on Defra's Magic Interactive mapping website.

7.0.495 Nitrate Vulnerable Zones (NVZs) are areas designated as being at risk from agricultural nitrate pollution. The NVZ in Swale are shown on the following Environment Agency map. Certain rules must be followed in relation in these areas.

7.0.496 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.

7.0.497 The water companies carry out capacity checks for allocations within the borough and have identified areas where the existing sewerage and/or water supply network is insufficient to meet anticipated

demand. 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 dialogue with the appropriate water company takes place to ascertain any water supply, drainage and treatment issues which may affect a site, including ensuring that development proposals allow future access to drainage, sewerage and water supply infrastructure for maintenance and up-sizing purposes.

7.0.498 This policy (DM 35) seeks to ensure new development is accompanied by adequate drainage and sewerage infrastructure.

7.0.499 Swale lies within an area of serious water stress as classified by the Environment Agency https://www.gov.uk/government/publications/water-stressed-areas-2013-classification . 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.

7.0.500 The water companies relevant to Swale are South East Water and Southern Water. Southern Water provides wastewater treatment to the whole borough and supplies water to the Isle of Sheppey and the west of the borough. South East Water provides water to Faversham and the east of the borough. Both water companies which serve Swale are committed to putting in place the necessary mechanism to support the development proposed by the Local Plan, following a twin-track approach of reducing demand and developing new resources.

7.0.501 As identified above, the overwhelming majority of Swale's water resource is from groundwater. South East Water's Water Resource Management Plan (WRMP) identifies the area's high reliance on groundwater as a challenge, particularly during extended periods of low rainfall. It acknowledges that the Environment Agency has identified aquifers in their region as over abstracted and failing to meet the requirements of the Water Framework Directive, which in turn means that the sustainability of some of these abstractions is uncertain .

7.0.502 Increased population and development adds to pressures on water resources. As such both water companies serving Swale are seeking to increase water efficiency. South East Water's WRMP water efficiency programme aims to see average customer water use reduce from 150 litres/person/day (l/p/d) in 2017/18 to 139 l/p/d in 2025, 118 l/p/d in 2045 and 90 l/p/d in 2080. Southern Water's campaign 'Target 100', as outlined in their WRMP, is a commitment to support customers to reduce personal water consumption of an average of 100 litres each day by 2040 whilst they reduce leakage by 40% by the same date.

7.0.503 The National Infrastructure Commissions' report Preparing for a drier future: England's water infrastructure needs recommends Defra set water companies a target to halve leakage from current levels by 2050; and reduce per capita from current national average of 141 l/p/d, to 118 l/p/d by 2050.

7.0.504 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 smart technology, rainwater harvesting and greywater recycling – to enable the average water efficiency targets (for both existing and new development across the region) to be met. As such Policy DM 35 seeks to ensure that new development protects water resources to benefit the environment and offers ambitious yet appropriate water efficiency targets.

7.0.505 Policy DM 21 of Bearing Fruits, the Swale Borough Local Plan 2017, promoted water efficiency in new development, requiring new homes to be designed to achieve a minimum water efficiency of 110 litres per person per day, 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). This approach will continue into the future for minor developments whilst for major developments a more ambitious water efficiency target of circa 100 litres/person/day will be sought through BREEAM and Home Quality Mark assessment methods under Policy DM 3, Mitigating and adapting to climate change through sustainable design and construction.

7 Development management policies

Policy DM 35

Water Quality and Water Resources

1. All development must make efficient use of water resources and protect the yield of public water supplies, groundwater and surface water and ensure long-term benefits to the local environment and habitats.

    a. For all minor residential development, all homes will achieve a minimum water efficiency of 110 litres per person per day, in line with the Government's Housing Optional Technical Standard for water efficiency; and
    b. For all major development, and for all minor development from 2025, higher water efficiency targets will be achieved, as set out in Policy DM 3, Mitigating and adapting to climate change through sustainable design and construction (using BREEAM and Home Quality Mark Assessment methods).

2. All development shall take a catchment-based approach to protect water quality, including surface water as well as safeguarding ground water source protection zones from pollution, to the satisfaction of the borough's Environmental Protection Team and the Environment Agency, as appropriate.

    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.

3. All development (except householder) must demonstrate that adequate water supply, drainage and wastewater connection and treatment infrastructure, to serve the whole development over its lifetime, is in place before construction commences and that these details have been approved by the appropriate water company and funded by the development where relevant. Details should include how works will be phased and ensure no occupation until all necessary works relating to water and wastewater have been carried out.
4. All development must ensure connection to the sewerage system at the nearest point of capacity, following advice from the service provider. Proposals must demonstrate that future unconstrained access to the existing and future drainage, sewerage and water supply infrastructure for maintenance and up-sizing purposes has been allowed for.
5. Where it is likely that a proposal would have a significant adverse impact on water resources or water quality a detailed Water Quality Assessment will be required, as explained above and set out in Planning Practice Guidance, to the satisfaction of the borough's Environmental Protection Team and the Environment Agency, as appropriate.

Flood Risk

7.0.506 As a coastal borough, Swale has the potential to flood from all sources of flooding, including from rivers and the sea, surface water and sewers. This policy seeks to ensure that inappropriate development in areas of flood risk is avoided and that where risks do exist, that development should be made safe for its lifetime, without increasing flood risk elsewhere, taking into account the impacts of climate change. It should be read alongside DM 35, Water quality and water resources and DM 37 Sustainable drainage.

7.0.507 New development offers the opportunity to offer multifunctional benefits – linking flood risk management with biodiversity, amenity and recreational improvements, climate change mitigation and adaptation as well as improved water quality and water resources. This policy advocates this multifunctional approach.

The legal, policy and local context

7.0.508 The National Planning Policy Framework (NPPF) 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 from rising temperatures in line with the objectives of the Climate Change Act 2008 . It also explains that 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, taking into account relevant information such as river basin management plans ;

7.0.509 The NPPF's 'Planning and Flood Risk' explains that inappropriate development in areas at risk of flooding should be avoided, but where development is necessary it should be made safe 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, the Lead Local Flood Authorities and Internal Drainage Boards. A sequential, risk-based approach to the location of development is advocated so as to avoid, if possible, flood risk to people and property. The NPPF then goes on to explain the sequential and exception tests and the need to safeguard land for flood management, to use opportunities to reduce the causes and impacts of flooding and where necessary seek opportunities to relocate development to sustainable locations. The NPPF also sets out the role local planning authorities should play when determining planning applications in ensuring that flood risk is not increased, the purpose of site-specific flood risk assessments and the criteria by which development can be allowed in areas at risk of flooding.

7.0.510 The NPPF is also clear in its promotion of sustainable drainage systems for major developments, which should be prepared with the advice of the Lead Local Flood Authority, have appropriate minimum operational standards, have maintenance arrangements in place for the lifetime of the development and where possible, provide multifunctional benefits.

7.0.511 Alongside the NPPF sits the Planning Practice Guidance. 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 the approach to the Sequential and Exceptions tests, flood risk assessments and managing and mitigating flood risk. It also explains the role of the relevant bodies and the processes involved, as well as approaches to reduce the causes and impacts of flooding (including through sustainable drainage systems and how these might be used) and how development can be made safe from flood risk. It also contains important information on flood zones, flood risk vulnerability classification and flood zone compatability and includes guidance on the preparation of strategic and site-specific flood risk assessments.

7.0.512 The Water Framework Directive aims to improve and integrate the way water bodies are managed in Europe. It is designed to enhance the status of aquatic ecosystems and wetlands, promote the sustainable use of water and reduce pollution including groundwater pollution.

7.0.513 The Water Framework Directive requires a management plan for each river basin to be developed every six years, in England by the Environment Agency. Swale is within the Thames River Basin District (North Kent catchment) and its River Basin Management Plan, Water for Life and Livelihoods, defines the particular issues for this catchment as water quality, physical modifications to rivers and invasive non-native species. The plan looks to local authorities to help meet its objectives, for instance through the use of sustainable drainage, the promotion of water efficiency, through spatial planning decisions, the incorporation of green infrastructure and by working with the Catchment Partnership.

7 Development management policies

7.0.514 The Flood and Water Management Act (2010) takes forward the recommendations from the Pitt Review of 2007. It establishes the Environment Agency as responsible for developing and applying a flood risk management strategy for England and Wales which other relevant agencies must take into account.

7.0.515 The Act defines the Lead Local Flood Authority at county or unitary local authority level. For Swale, Kent County Council (KCC) is the lead local flood authority. The lead local flood authorities have responsibilities to investigate flooding incidents and maintain a register of structures and features which have a significant effect on flood risk in their area. KCC have led the preparation of the Swale surface water management plan (SWMP). The purpose of the SWMP is to identify what the local flood risk issues (from surface runoff, groundwater and ordinary watercourses) are, what options there may be to alleviate the risk and who should take these options forward. This is presented in an Action Plan agreed by partners including the Local Authority and the Sewerage Undertaker.

Local studies

7.0.516 The Shoreline Management Plans (SMP) for Swale are the Medway Estuary and Swale and the Isle of Grain to South Foreland. These plans, prepared by the South East Coastal Group, identify long-term management policies for the coast. More information on these can be found in Policy DM 31 The Coast

7.0.517 In 2019-20 a Strategic Flood Risk Assessment Level 1 was prepared to inform the preparation of the Local Plan Review. This assessed flood risk from all sources, now and in the future and from cumulative change. It gives guidance on the sequential and exception tests and sets out requirements for site-specific flood risk assessments, as well as assisting emergency planning for Swale, helping to prioritise and targets improvements to flood defences and consider opportunities to reduce flood risk to existing communities. Comprehensive mapping has been prepared (including mapping for a Surface Water Functional Flood Zone) and along with the reports itself, is available on the Council's website.

7.0.518 The SFRA identifies that whilst tidal flooding across Swale has the most severe consequences, surface water is the most frequent cause of flooding and a smaller number of recorded flooding incidents have involved fluvial, groundwater and sewer flooding, which are sometime concurrent. There are currently four Flood Alert Areas and five Flood Warning Areas in the borough. There are tidal, coastal and fluvial flood defences along the coastline and tidal watercourse of the borough. The SFRA gives detail of the variable standard of protection and the condition of these assets.

7.0.519 The SFRA recognises that climate change will increase the chance of occurrence and severity of extreme events and that development needs to be planned with this awareness, in particular the significant consequences of storm surge events in the sea leading to high tide levels and potentially severe flooding.

7.0.520 The SFRA advocates the developments should demonstrate opportunities to create, enhance and link green assets, and in doing so provide multiple benefits across several disciplines including flood risk, biodiversity, amenity and recreation.

7.0.521 The SFRA highlights the importance of considering risks from groundwater early in the planning process. Groundwater Flood Maps have been produced as part of the SFRA and the SFRA offers particular guidance on risks from groundwater flooding. It outlines that for all development sites where there is a risk of groundwater flooding (ie not in an area with no risk), a site-specific risk assessment for groundwater flooding should be undertaken to fully inform the likelihood of groundwater flooding and so that the proposed development can be implemented safely. Groundwater levels should be surveyed during winter or early spring, and the amount of rainfall in the months prior to the testing should be assessed. Monitoring should be undertaken, and a geotechnical engineer should then asses the results in an interpretative report and give an assessment of the risk of shallow groundwater.

7.0.522 In consultation with the Environment Agency, and as part of the preparation of the Faversham Creek Neighbourhood Plan, in 2010 Swale Borough Council made provision for consideration of Flood Zone 3a(i) for the purpose of performing the Sequential and Exception Tests in Faversham Creek. Flood Zone 3a(i) is land located at Faversham Creek having a 1 in 20 or greater annual probability of sea flooding in a defended scenario, where the land is previously developed.

7.0.523 This designation recognises the relatively confined nature of the floodplain at Faversham Creek, which should enable safe access and escape in most instances, as well as the need for regeneration of the creek. As such, whilst there is an acknowledgement of the high flood risk in these areas, the strict national policy restrictions associated with functional floodplain (Flood Zone 3b) do not automatically apply. All development proposals in Faversham Creek will need to meet the requirements of the SFRA and be agreed by the Environment Agency as well as by Swale Borough Council.

7.0.524 Note Flood Zone 3a(i) is not demarcated on the SFRA mapping and will need to be agreed with the Environment Agency in the preparation of a site-specific flood risk assessment. Guidance for site-specific FRAs in Faversham Creek is provided in the SFRA.

7.0.525 In 2020 a Level 2 SFRA was carried out for a limited number of potential allocation sites across the borough. At this time, the opportunity was taken to update the North Kent Coast modelling and mapping of Swale's Level 1 SFRA with the outputs from the UK Climate Change Projections 2018.

7.0.526 The SFRA should be referred to by applicants in the preparation of site-specific flood risk assessments.

Consents and Permits

7.0.527 Some incidents of flooding along minor watercourses have occurred in the Borough as a result of unauthorised works and blockages. 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 watercourses. The relevant authorities are:

- Environment Agency - main rivers
- Lower Medway Internal Drainage Board - ordinary watercourses within their boundaries
- Kent County Council - ordinary watercourses which are outside the boundary of the internal drainage board
- Marine Management Organisation - for works including construction and dredging in English inshore and offshore areas

Policy application

7.0.528 The policy set out in the NPPF and Planning Practice Guidance will be used when determining planning applications relating to water, flooding and drainage, supplemented by Policies DM 35 (Water quality and water resources) and DM 37(Sustainable drainage) As explained in the NPPF, a site specific flood risk assessment will be required for all proposals of 1 hectare or greater in Flood Zone 1, all proposals for new development in Flood Zones 2 and 3, or in an area within Flood Zone 1 which has critical drainage problems or flooding from other sources and where development or a change of use to a more vulnerable class may be subject to other sources of flooding.

7.0.529 In cases where flooding is an issue, the Council will seek the advice of the Environment Agency and, where appropriate, the Lower Medway Internal Drainage Board (who are responsible for management of the smaller watercourses in Swale), Kent County Council (the Lead Local Flood Authority), the Emergency Services and its own Emergency Planners (who are responsible for establishing safe access and emergency escape routes). It will also be guided by the coastal management policies within the Medway Estuary and Swale and Isle of Grain to South Foreland Shoreline Management Plans and the Medway Estuary and Swale flood and coastal risk management strategy.

7.0.530 The Council advises that applicants consider flood risk in the early stages of development, in liaison with the relevant authorities.

7 Development management policies

Policy DM 36

Flood Risk

Development proposals will:

1. Seek opportunities to provide multifunctional benefits, linking flood risk management with strategies for green and blue infrastructure, biodiversity net gain, improved health and wellbeing and mitigation and adaptation to climate change;
2. Avoid inappropriate development in areas at risk of flooding and where development would increase flood risk elsewhere;
3. Accord with national planning policy and planning practice guidance, in particular with regard to the application of the sequential and exception tests;
4. Provide site specific flood risk assessments, as required, carried out to the satisfaction of the Environment Agency and, where relevant, the Lead Local Flood Authority and the Internal Drainage Board in accordance with the guidance set out in the Council's Strategic Flood Risk Assessment, addressing risks from all forms of flooding, cumulative and long term impacts, taking account of the most up to date and relevant data and guidance;
5. In accordance with Policy DM 37, use Drainage Strategies to demonstrate how surface water will be managed for major development, to the satisfaction of the Lead Local Flood Authority;
6. Provide, as necessary, details of how development will be made safe from flooding including details of what new 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;
7. Provide details of any necessary contributions to new flood defence or mitigation measures off site;
8. Provide, as necessary, details of the adoption arrangements secured with the relevant public authority or statutory undertaker;
9. Within areas at risk of flooding, submit a suitable flood warning and emergency plan that has been approved by the relevant emergency planning regime and, where appropriate, the emergency services.

Sustainable drainage

7.0.531 Sustainable drainage systems (SuDS) mimic natural drainage processes to reduce the effect of surface water runoff from developments. They can provide multiple benefits including reducing flood risk, improved water quality, groundwater recharge, opportunities for biodiversity, climate change adaptation, urban cooling, carbon sequestration, contribution to a green and blue infrastructure network, enhanced landscaping, health and wellbeing, recreational and educational benefits. This policy seeks to maximise the opportunities for sustainable drainage within the borough with the aim reducing flood risk whilst achieving multifunctional benefits. It should be read in conjunction with Policy DM 36, Flood Risk and DM 35, Water quality and water resources, as well as Policy ST 10, Conserving and enhancing the natural environment.

7.0.532 The National Planning Policy Framework (NPPF) highlights the priority which should be given to sustainable drainage systems. It explains how major development is 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 . Within areas at risk of flooding, it states that development should only be allowed in the light of site-specific flood risk assessments which, amongst other things, should incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate .

7.0.533 Planning practice guidance makes clear that local authorities and developers should seek opportunities to reduce levels of flooding including through the application of sustainable drainage. It sets

out how sustainable drainage systems provide opportunities for reducing causes and impacts of flooding, removing pollutants at source whilst providing benefits for amenity, recreation and wildlife. The guidance explains when sustainable drainage should be considered and explains the sort of systems that could be used, following the drainage hierarchy (where discharge into the ground and is best and to a combined sewer is worst).

7.0.534 The guidance explains that local planning authorities will need to be satisfied that sustainable drainage systems are appropriate and there are clear arrangement for ongoing maintenance. The advice of flood risk management bodies, in particular the Lead Local Flood Authority (KCC in Kent) will be sought by local planning authorities in making judgements on proposals. The judgement of what is reasonably practicable should be by reference to technical standards published by Defra and take into account design and construction costs.

7.0.535 The guidance also makes clear that systems need to ensure design takes account of construction, operation, maintenance and access of all aspect of drainage systems (above and below ground). Climate change impacts and other likely changes over the lifetime of the development (eg changes in impermeable areas) should be designed into schemes. The guidance also advises local planning authorities on who to consult, including, as appropriate, the Lead Local Flood Authority, the sewage undertaker, the Environment Agency, the highway authority and the Internal Drainage Board.

7.0.536 The Water Environment Regulations 2003 make provision for the purpose of implementing in river basin districts the Water Framework Directive (WFD) (Directive 2000/60/EC of the European Parliament) which established a framework for Community action in the field of water policy. These regulations will remain in place until such time that UK law is revised to reflect changes in EU membership and require a strategic planning process to be established for the purposes of managing, protecting and improving the quality of water resources. This provides an opportunity to plan and deliver a better water environment, focusing on ecology. The WFD drives water quality improvement planning in river catchments, through River Basin Management Plans. Swale lies within the Thames river basin district: River Basin Management Plan.

Requirements within Swale

7.0.537 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.

7.0.538 The Strategic Flood Risk Assessment for Swale includes detail on surface water management and sustainable drainage systems. It outlines the role of the Lead Local Flood Authority (LLFA) and the requirements for sustainable drainage. It advocates the role of guidance including Defra's Non-technical standards for SuDs document, 2015 (which provide advice and guidance on the design, maintenance and operation of sustainable drainage systems) and the CIRIA SuDs Manual. The SFRA outlines the consideration of groundwater vulnerability zones, groundwater source protection zones and nitrate vulnerable zones in the preparation of sustainable drainage schemes and advocates early dialogue with KCC. The SFRA also highlights the multifunctional benefits of sustainable drainage as well as the specific consideration that should be given to opportunities for sustainable drainage in development around Iwade and Minster.

7.0.539 Importantly, the SFRA also highlights the role of Kent County Council (KCC) and their document, Drainage and Planning Policy – a Local Flood Risk Management Strategy Document, 2019. KCC are the Lead Local Flood Authority for Swale and as such are responsible for managing local flood risk, including from surface water, ground water and ordinary watercourses, and for preparing local flood risk management strategies. The document, Drainage and Planning Policy sets out the policy requirements KCC has for sustainable drainage. It also contains references to specific KCC guidance documents. As such the Drainage and Planning Policy document should be referred to by all applicants where drainage is an issue.

7.0.540 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 should be accompanied by specific drainage strategies which should demonstrate that the drainage scheme

is in compliance with KCC's drainage policies as outlined in their strategy document, 2019. The strategy document outlines the requirements for drainage strategies which can be submitted as part of Flood Risk Assessments, or as standalone documents. 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.

7.0.541 Consultation with KCC may also occur for planning applications that are not for major development if they are in areas which may have a higher level of local flood risk or within areas that are 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.

7.0.542 Whilst consultation is not undertaken with KCC for minor development, applicants should be aware that the NPPF priorities for sustainable drainage do apply to all development, irrespective of scale. Developers of sites for minor development are encouraged to consider the policies outlined in KCC's Drainage and Planning Policy – a Local Flood Risk Management Strategy Document. Applicants for these smaller developments are directed to guidance and standing advice, referenced above and in the SFRA, on best practice to help minimise flood risk.

7.0.543 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. Innovative solutions 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.

7.0.544 As part of the SFRA Surface Water Functional Flood Zone mapping has been produced and is available on the Council's website. This should be referenced in any planning application for sustainable drainage and along with the SFRA report itself.

7.0.545 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.

7.0.546 The Environment Agency support the use of sustainable drainage systems and have issued the following advice, to be taken into account in planning applications:

- The collection and dispersal of clean surface water to ground to recharge aquifer units and prevent localised drainage or surface systems flooding in heavy rainfall is encouraged. However, dispersal into the ground through soakaways will always require a site-specific investigation and risk assessment.
- There are areas where, due to shallow groundwater depths, infiltration to the ground might not be possible. This is connected to the need of avoiding any direct discharge to groundwater, which must not be done. If direct discharge is unavoidable, an alternative method of surface water drainage should be sought.
- In addition, there should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. Site impacted, or potentially impacted, by contamination should be suitably assessed prior to any infiltration to the ground being approved.

7.0.547 The Council is intending to develop a Sustainable Design and Construction SPD which is likely to include advice on sustainable drainage. Once adopted any guidance outlined in this document should be followed.

Policy application

7.0.548 When planning, or specifying SuDS, early consideration of the potential multiple benefits and opportunities will help deliver cost effective SuDS scheme with the best results. KCC, the Environment Agency, the Internal Drainage Board and Southern Water, where relevant, should be contacted at pre-application stage to inform the design process.

Policy DM 37

Sustainable Drainage

1. Development proposals should:

a. demonstrate that sustainable urban drainage has been considered from the earliest stages of scheme development and that schemes seek to provide multiple benefits to the environment and communities in terms of reducing the causes and impacts of flooding, improving water quality (removing pollutants from run-off) and water resources (recharge to groundwater), adaptating to climate change and enhancing biodiversity and amenity, as appropriate;
b. 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 Policy ST 10 and DM 24;
c. demonstrate that post development run-off rates account for the latest climate change allowances as set by EA, for the lifetime of development, unless it can be demonstrated to the satisfaction of the Lead Local Flood Authority that site specific run off rates are more appropriate. Run-off rates will require a betterment value as agreed by the Lead Local Flood Authority;
d. demonstrate, to the satisfaction of the Lead Local Flood Authority, how ongoing management and maintenance will be ensured, taking account of climate change
e. comply with the requirements of any forthcoming Swale Sustainable Design and Construction SPD.

2. Planning applications for major development should be accompanied by site-specific Drainage Strategies to be approved by Kent County Council as the Lead Local Flood Authority. Drainage strategies should demonstrate that drainage scheme proposed are in compliance with KCC's sustainable drainage policies, as set out in their Drainage and Planning Policy ADD LINK strategy document, as follows:

a. Follow the drainage hierarchy
b. Deliver effective drainage design
c. Maintain existing drainage flow paths and watercourses
d. Seek to reduce and avoid existing flood risk
e. Provide drainage sustainability and resilience
f. Enable sustainable maintenance
g. Safeguard water quality
h. Design for amenity and multi-functionality
i. Enhance biodiversity

3. Provide, as relevant, details of the adoption arrangements secured with the relevant public authority or statutory undertaker;

4. Integrate drainage measures within the planning and design of the project to ensure that the most sustainable option can be delivered, especially where, exceptionally, development is to be permitted in an area of flood risk.

7.0.549 Development involving listed buildings

7 Development management policies

7.0.550 Listed buildings are a finite resource and are provided with special statutory protection and procedures requiring consent to alter them in a way that affects their character as a building of special architectural or historic interest. Policy CP 8 provides a general presumption in favour of the preservation of a listed building except where a convincing case can be made for alteration or, exceptionally, demolition.

7.0.551 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.

7.0.552 The council will use its statutory powers to ensure that listed buildings at risk from neglect or decay are appropriately maintained and repaired

7.0.553 Extensions and alterations

7.0.554 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.

7.0.555 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 which 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.

7.0.556 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 design. Proposed new development within the setting of a listed building which would harm its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.

7.0.557 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. Thus, 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.

7.0.558 Climate change

7.0.559 Proposals that aim to mitigate, and adapt to the effects of climate change should in the first instance explore all opportunities of enhancing energy efficiency and forms of providing renewable energy and improved adaptation to climate change without harming the significance of heritage assets.

7.0.560 Where conflict between climate change objectives and the conservation of heritage assets is unavoidable, the public benefit of mitigating the effects of climate change will be weighed against any harm to the significance of heritage assets, in accordance with the NPPF and the development management policies and principles of the Swale Local Plan set out in the subsequent pages. The more significant the heritage asset, the greater the degree of public benefit that will need to be demonstrably achievable to justify even a low level of harm to the heritage asset. Heritage assets are of course finite resources and with their embedded energy and in many cases, adaptability to re-use over a long period of time, they are in many cases already inherently sustainable. As such, there will be instances where proposed alteration in a particular way to help combat climate change will be firmly resisted to ensure that the significance of the heritage asset isn't compromised to an unacceptable degree. Listed buildings make up less than 1%

of the Borough's stock of buildings, and as such, it is expected that the greater focus on combating climate change will first and foremost be on that vast majority of buildings which can be adapted to help combat climate change with little or no harm to their intrinsic character and associated appearance.

Policy DM 38

Development Involving Listed Buildings

Development proposals, including any change of use, affecting a listed building, and/or its setting, will be permitted provided that:

1. The listed building's special architectural or historic interest, its setting and any features of special architectural or historic interest which it possesses, are preserved, paying special attention to the:

    a. Design, including scale, materials, situation and detailing;

    b. appropriateness of the proposed use of the building; and

    c. desirability of removing unsightly or negative features or restoring or reinstating historic features.

2. 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. Where a development proposal will lead to less than substantial harm to the significance of a listed building, this harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

3. The total or part demolition of a listed building is wholly exceptional, and will only be permitted provided that there is:

    a. Evidence that any public benefits are substantial and these cannot otherwise be provided without substantially harming the significance of a heritage asset;

    b. Evidence that the nature and/or condition of the heritage asset precludes all reasonable uses or re-uses of the asset;

    c. Evidence of long-term redundancy and proactive marketing for all possible uses of the heritage asset for a minimum of five years;

    d. Evidence of applications, made to a professional standard, for grant funding to help secure the conservation of the listed building;

    e. Evidence that the asset cannot otherwise be brought back in to use without substantially harming its significance;

    f. Evidence that preservation through charitable or community ownership is not possible or suitable; and

    g. Evidence that the cost of maintaining and repairing the building outweighs its significance and the value derived from its continued use.

4. If as a last resort, the Borough Council is prepared to consider the grant of a listed building consent for demolition, it may, in appropriate circumstances, consider whether the building could be re-erected

elsewhere to an appropriate location. When re-location is not possible and demolition is permitted, arrangements will be required to allow access to the building prior to demolition to make an appropriate documentary record of it and to allow for the salvaging of materials and features.

Development affecting a conservation area

7.0.561 Conservation areas are areas of special architectural or historic interest, the character, or appearance of which it is desirable to preserve or enhance. The character of conservation areas can be fragile, and their distinctive quality and character can be damaged by new development, or by other more subtle means such as increased traffic, car parking, signs and noise, or piecemeal changes to key architectural elements such as doors and windows. They are not, though, areas where change will not occur. Development that makes a positive contribution to Swale's local character and distinctiveness will be encouraged. New development within, or adjacent to a conservation area, where appropriate, will be expected to be of an appropriate use, of a very high standard of design, and to respond positively to the grain of the historic area by preserving or enhancing the character or appearance of the place.

7.0.562 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.

7.0.563 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.

7.0.564 There are currently 28 conservation area appraisals prepared within Swale and these contain useful guidance for applicants, borough residents, and public bodies. The council is committed to reviewing existing older, and in some cases somewhat limited Conservation Area Appraisals and providing appraisals for those currently lacking any form of appraisal as part of the initial 3-year Action Plan and subsequent action plans outlined in the adopted Heritage Strategy.

7.0.565 Spaces and settings

7.0.566 The spaces and settings around and between buildings, other features and conservation areas, together with views to and from the area, are important and should be protected from unsympathetic changes and, where possible, enhanced.

7.0.567 Non-listed buildings (Heritage Assets)

7.0.568 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.

7.0.569 In reaching such a decision, the Council will examine the cost of maintaining and repairing the building or feature in relation to its importance and the value derived from its use, the adequacy of efforts to maintain the building in an acceptable use, and the merits of alternative proposals for the building. These must demonstrably preserve or enhance the character and appearance of the area in a way that the former building did not. Fundamentally, consent will normally only be given for demolition when a detailed scheme for redevelopment has been agreed. Planning conditions and/or legal agreements will ensure that demolition does not take place without the certainty of timely redevelopment.

7.0.570 Highway features

7.0.571 Many bridges, retaining walls, signs, footpaths, kerb lines, and milestones help to tell the story of the Borough's development over time. Modern unsympathetic highway or traffic management works, including signage, lighting and alterations to traffic flows, can have adverse impacts. Those carrying out

such works will therefore need to ensure that the protection of the character and setting of historic highway features are given due consideration, particularly where they form a key positive element of a conservation area

Policy DM 39

Development affecting a conservation area

Development (including changes of use and the demolition of unlisted buildings or other structures) within, affecting the setting of, or views into and out of a conservation area, will be required to preserve or enhance all features that contribute positively to the area's special character or appearance. Furthermore, the Borough Council will expect development proposals to:

1) Respond positively to its conservation area character appraisal & management plan documents where these have been prepared;

2) Retain the layout, form of streets, spaces, means of enclosure and buildings, and pay special attention to the use of architectural detailing and materials, surfaces, landform, vegetation and land use;

3) Remove features that detract from the character of the area and reinstate those that would enhance it; and

4) Retain unlisted buildings or other structures that make, or could make, a positive contribution to the character or appearance of the area.

Planning applications for development within or adjacent to a conservation area will be required to include a Heritage Statement which demonstrates a clear understanding of the significance of the conservation area, any related individual or group heritage assets affected by proposals and the impact on heritage significance, as applicable.

Historic commercial premises such as shops and pubs in active use provide vitality (through window displays and signage), which can make a positive contribution to the character and appearance of a conservation area. As such, any new or replacement signage within conservation areas will be required to be of the highest possible standard and contribute to a safe and attractive environment, and advertisements (including hoardings, illumination of hoardings, illuminated fascia signs, free-standing display panels, and estate agent boards) which require consent must not cause a public safety hazard or contribute to clutter or a loss of amenity. Schemes submitted for approval will be expected to:

1) be of a high quality and sensitive to its visual appearance in relation to its siting (including the building or structure on which it is to be sited) and the surrounding street scene, especially in the case of listed buildings;

2) not contribute to an unsightly proliferation or clutter of signage in the vicinity;

3) not cause a hazard to pedestrians or road users;

4) not cause visual intrusion by virtue of light pollution into adjoining properties and avoid light pollution of nearby wildlife habitats; and

5) not have flashing or visually jarring internal or external illumination and be appropriate and relevant to the overall character and architectural detailing of the building(s).

7 Development management policies

New development within Swale's conservation areas and their settings are required to be of high-quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted.

Historic landscapes including parks and gardens

7.0.572 In landscape terms, most of the southern half of the borough lies within the Kent Downs Area of Outstanding Natural Beauty (AONB) i.e. a rolling, hilly landscape, heavily wooded in places, although the largest concentration of woodland lies at the eastern edge of the borough, where the large ancient woodland of The Blean provides one of most ecologically and archaeologically rich areas of the borough. The northern edge of the mainland and the southern edge of Sheppey consists of marshland, much of it still undrained and largely still natural in form. On the mainland, the wide band of land lying between the Kent Downs and the marshes is generally relatively flat, well drained and fertile as is the case for much of the land north of the Sheppey Marshes, and this to a large degree broadly distinguishes the different landscape characters of the Borough and the different types of countryside activities we still see taking place within them today.

7.0.573 The combination of Swale's industrial past interlocking with its farming and coastal fringe landscapes makes Swale's heritage unusual and special.

7.0.574 Swale Borough today in part represents a beautiful and remarkable example of a post-industrial landscape that has survived the ravages of various industries active during the 19th and early 20th centuries.

7.0.575 However, many still recognizable historic landscapes are pre-industrial and date back to the medieval period or even earlier. These include the remnants of the medieval streetscape on the northern fringes of Faversham at Abbey Farm, and the remains of the medieval settlement at Harty on the Isle of Sheppey adjacent the medieval church of St. Thomas the Apostle. The medieval moat adjacent the grade II* listed church at Harty is now scheduled for its high heritage significance.

7.0.576 Swale also retains footprints of past industrial activities or processes, such as the extraction of brick earth and the associated construction of kiln buildings and drying/storage sheds. Where the kilns (with their tall brick chimneys) and other processing/storage can no longer be seen in the landscape, the tell tale signs in the landscape are the reduced ground levels where the brick earth has been extracted, and this intervention to the landscape form can be seen in many parts of the Borough, but perhaps most notably around the edges of Faversham.

7.0.577 Faversham would look entirely different to the way it does now if it hadn't been for the brickfields and the brickmaking that went with it. There are of course other types of extraction works that have taken place within the Swale area and it can be seen that some extraction continues to this day to help meet the needs of the construction industry. Historically, chalk was an important material needed for a number of process, but notably in the production of lime, used for mortar. Many old hollows in the landscape can still be seen, and at the Finch Drive area of the 1980s housing estate at Preston-next-Faversham, the housing has been quite well integrated into the excavated area of land formerly used for chalk extraction and associated lime manufacture.

7.0.578 In terms of other historic landscapes created by former industrial activities and processes, we can look at the creeks where it is easy to find abandoned and sometimes crumbling wharf structures, together with the remains of the barges and other types of vessels that historically moored up at, and sailed to/from these wharfs. Cuttings in the landscape, are evident, where railway lines were laid and later abandoned, such as on Sheppey where the bed of the old Sheppey Light Railway can now be walked from Power Station Road to Scapsgate Road as a result of a successful claim for it to be added to the Definitive Map as a public footpath.

7.0.579 Perhaps the most striking historic landscape created by past industrial processes is the series of waterways at Stonebridge Pond in Faversham. The reservoir of water here was not only used to work the gunpowder mills, but the associated network of waterways that were created also provided the means of moving unfinished powder by punt safely between the various processes of corning, pressing, dusting and packing.

7.0.580 Away from the settlements, the rural landscape displays the remains of farmsteads, enclosures and field ditches, woodland management features and the routes and trackways that have shaped the settlement pattern in the Borough we see today. This is particularly notable in the area of The Blean Ancient Woodland to the east of the Borough. Areas of Ancient Woodland have, by definition, remained undisturbed since at least 1600AD. Therefore, this area is also rich in archaeological remains because of the limited impact that activities have had on the ground levels. The Battle of Bossenden Woods (an area within The Blean) is said to be the last battle which took place on English soil, and the scene of this event can be accessed by permissible footpaths, although there is at present no sign or memorial to mark the site.

7.0.581 Other early features that can be seen in the Swale Borough Area creating historic landscapes are burial mounds, castle mounds and salterns.

7.0.582 Whilst the castle no longer exists, the castle mound at Queenborough is a distinct feature in the otherwise largely flat and marshy landscape and this scheduled monument serves to provide a vivid reminder of the medieval origins of this settlement.

7.0.583 At Graveney marshes, in the northeast part of the Borough and on the edge of the Seasalter Level can be found a series of six salterns. These structures were used for the production of salt from sea water and the hummocky area of mounds visible today (rising to a height of approximately 6 metres above surrounding ground levels) are the (since grown over) heaps of marsh clay waste discarded after brine extraction. This historic feature is today protected by scheduling.

7.0.584 The borough also boasts of significant semi-natural landscapes created to serve the grand homes of the landed gentry and big industrial business proprietors. The landscapes around four such grand houses (namely Lees Court, Belmont House, Doddington Place and Mount Ephraim) are of significance because of the striking nature of aspects of their designed landscapes, and are registered as Parks & Gardens of Historic Interest by Historic England. Each of these properties displays a range of landscaping ranging from the highly ornate to the more naturalistic in style in the vein of the most famous English landscape gardener, Lancelot ‘Capability’ Brown.

7.0.585 Historic Parks and Gardens are a fragile and finite resource which can easily be damaged beyond repair or lost forever. From town gardens and public parks to the great country estates, such places are an important, distinctive, and much cherished part of our inheritance, and we have a duty of care towards them.

7.0.586 In order to identify those sites which 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. They comprise a variety of features including open space, flora, water features, cemeteries, archaeological remains and buildings.

7.0.587 Non-designated landscape sites 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. Some are of equal importance to designated heritage assets, designation often being a management tool rather than a statement of significance. In such circumstances the asset must be subject to the policies for designated assets.

7.0.588 Maintenance and repair are needed to tackle the inevitable decay and deterioration of landscape design features and plantings that occurs because of age, neglect, wear and tear by users, pests and diseases, and increasingly climate change impacts. Conservation Management Plans are an effective tool in caring for, or managing change in, historic parks, gardens and other landscapes.

7 Development management policies

7.0.589 Inclusion on the Register is a 'material consideration' in the planning process, meaning that planning authorities must consider the impact of any proposed development on the landscape's special character.

Policy DM 40

Historic landscapes including parks and gardens

1. The Borough Council will seek to protect registered Historic Parks and Gardens, as shown on the Proposals Map, or which are registered during the Plan period.

2. Development that would adversely affect the landscape character, layout and features of a Historic Park and Garden, or its setting, will not be permitted.

3. Development that would adversely affect a non-Registered Historic Park or Garden will only be permitted where the loss of significance is unavoidable.

The Council will promote the enjoyment of Swale borough's landscape resource through the protection and enhancement of landscape 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.

Where possible developers should seek to use Swale's landscape assets to shape their development proposals, provide interest and character and protect the assets.

The framework for the management and enjoyment of Swale's landscape heritage is the Swale Heritage Strategy (adopted 2020).

Development proposals affecting heritage assets with landscape interest must be accompanied by a desk-based assessment, and if necessary by fieldwork, that:

1) Characterises the nature, extent and condition of the landscape in the development area;

2) Assesses the significance of the landscape and the contribution made by their setting;

3) Describes and assesses the impact of the development proposals on the landscape, it's significance, and setting; and

4) Describes how the landscape 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.

Development proposals leading to substantial harm to the significance of Registered Parks and Gardens, or other landscape-based heritage assets of comparable significance will normally be refused.

Parks and Gardens of Special Historic Interest Proposals for development within, affecting the setting of, or conspicuous from a registered park or garden will be required to:

1) Protect, conserve and where appropriate enhance the significance, character and appearance of the Park or Garden, including its setting and any special historic features;

2) Avoid subdivision resulting in new boundaries, land uses and development which fails to protect the special historical significance of the park or garden;

3) Conserve and restore existing, or where possible reinstate lost features of historic or architectural interest and/or significance, including existing trees and planting, other forms of distinctive or historic landscaping and garden features which contribute to the significance and special historic interest of the park or garden;

4) Where the Council considers it relevant, development proposals should be accompanied by an appropriate Management Plan to secure the long-term conservation of the park or garden.

Where development proposals affect non-designated heritage assets with a landscape interest, the Borough Council would expect the landscape to be preserved. Where this is not possible clear justification will be required. Where the justification is accepted, a programme of recording may be required to be carried out. The fieldwork will be appropriate to the significance of the landscape and must be carried out by an appropriately qualified contractor following a written specification agreed by the Borough Council. The programme will include all phases of desk-based and fieldwork, analysis, publication of the results and deposition of the site archive in an appropriate repository.

Area of high townscape value

7.0.590 Outside the designated conservation areas, parts of the Borough may become of sufficient value in the future to be worthy of conservation area designation. Within the urban areas, such areas may, in the meantime, be subject to development pressures and other change. To the south of Sittingbourne town centre areas of Victorian and Edwardian housing, parks cemeteries, trees and open spaces mark an important period in the town's post-industrial expansion and many of its street trees are a poignant reminder of the town's marking of The Great War. These characteristics are recognised by its identification as an Area of High Townscape Value. 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.

Policy DM 41

Area of high townscape value

Within and adjacent to the Area of High Townscape Value, as defined on the Proposals Map, the Borough Council will not grant planning permission for development proposals unless they provide for the conservation or enhancement of the local historic and architectural character, together with its greenspaces, landscaping and trees. In particular, development proposals will be required to:

1) Respond positively to its character appraisal, where such an appraisal has been provided;

2) Retain the layout, form of streets, spaces, means of enclosure and buildings, and pay special attention to the use of architectural detailing and materials, surfaces, landform, vegetation and land use;

3) Remove features that detract from the character of the area and reinstate those that would enhance it; and

4) Retain unlisted buildings or other structures that make, or could make, a positive contribution to the character or appearance of the area.

New development within the Area of High Townscape Value and within its immediate setting will be required to be of high-quality contextual design so that it conserves or enhances its significance. Harm

to the significance of Area of High Townscape value will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of area of high townscape value will be strongly resisted.

Local Heritage List

7.0.591 A 'locally listed heritage asset is a building, structure or feature which, whilst not listed by the Secretary of State for its national importance, is considered by the Council, its residents, businesses, town and parish councils and local amenity societies to be of local importance due to its architectural, historical, artistic or environmental significance.

7.0.592 Heritage assets are added to the local list in recognition of their value as irreplaceable historic assets which contribute to the quality of the local environment by enhancing the landscape and/or townscape and sustaining a sense of distinctiveness. Groups of buildings or structures that contribute significantly to the appearance of a landscape or townscape will also be eligible for inclusion on the local list which the Council is currently in the process of developing.

7.0.593 Historic structures on the National Heritage List for England (NHLE) already have the status of 'designated heritage asset' in planning terms and their conservation is an objective of the National Planning Policy Framework set out by central government. Some buildings on the Local List may, however, have an Article 4 Direction applied to them. This may require a planning application to be submitted for certain changes to them, including wholesale, or partial demolition.

7.0.594 The Council will consider the use of Article 4 Directions to remove specific permitted development rights where a sufficiently strong case for such a measure can be clearly demonstrated. In particular, the demolition of locally listed buildings outside a Conservation Area and the removal or alteration of locally listed boundary treatments do not currently require planning permission and therefore could be specifically considered for Article 4 Directions. Importantly, an Article 4 Direction does not pre-judge the acceptability (or otherwise) of proposed works but instead simply brings them under the control of the Council as the Local Planning Authority by requiring the submission of a planning application, so that a properly informed decision can be made.

7.0.595 The purpose of the Local List is to ensure that care is taken over decisions affecting the future of these locally important heritage assets, and that their special status is taken fully into account. Proposed changes should respect the particular character and interest of the heritage asset, and any works carried out should use appropriate detailing and/or materials and retain any features of special, noted interest.

7.0.596 It is not necessary to apply for Listed Building Consent for works to a locally listed heritage asset. The usual planning controls will apply, except where an Article 4 Direction has been applied, and in all cases, the special interest of these heritage assets will be a material consideration when deciding planning applications.

7.0.597 Some works may not require planning permission but should still be carefully considered. The removal of historic features or details can not only harm the special interest of the locally listed heritage asset but can also adversely affect its financial value. Research has shown that buildings which retain their historic features in good order hold their value better than those which have been unsympathetically altered.

Policy DM 42

Development affecting a locally listed heritage asset

Development (including changes of use, alteration, extension and demolition) of locally listed heritage assets should preserve or enhance all features that contribute positively to the asset's special interest and setting. In particular, the Council will expect development proposals affecting locally listed heritage assets to:

1) support their retention, repair and reuse; and

2) be informed by a Heritage Statement which demonstrates a clear understanding of the significance of the locally listed heritage asset(s) affected by proposals and the impact on their significance.

Proposals for the demolition or removal of locally listed heritage assets (where formal applications are required) will normally only be permitted where the applicant is able to demonstrate clear and convincing evidence that the heritage asset is no longer of local importance, that it is beyond repair, restoration or reuse, or that the proposed redevelopment or re-use of the area would produce benefits for the community which would decisively outweigh the loss resulting from demolition or removal. Where a required planning application proposes the demolition or removal of a locally listed heritage asset on the grounds that it is beyond repair and/or not feasible to maintain in a beneficial manner, the supporting evidence produced to assert such a position will be rigorously assessed

Scheduled Monuments and archeological sites

7.0.598 Swale has an extensive and important archaeological resource stemming from the Borough's strategic position. Half-way along the north coast of Kent, Swale has been an important conduit for transport and communication between London and the open sea, and between inland Kent and the Thames Estuary. Its small towns grew up along creeks cutting inland from the coast whereas its largest port, Sheerness, reflects its wider, global maritime role.

7.0.599 Swale's archaeological heritage covers a vast expanse of time – perhaps over half-a-million years. There have been numerous finds of palaeolithic artefacts in Swale, many from gravel pits such as at Teynham and Hartlip, Bapchild and Tonge, but also collected from the surface. Most of the evidence is in the form of hand axes, as well as the remains of animals that lived alongside early humans such as woolly mammoth and rhinoceros. Though such finds are ephemeral, they represent the great majority of the period within which humans lived in Swale and have the potential to tell us much about humanity's remote past. The end of the last glaciation saw the emergence of new flint technologies reflected in numerous finds of Mesolithic flints such as the chipping floor at High Halstow which produced over 1,000 flint finds and another flint working site at Sittingbourne.

7.0.600 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, Neats Court and Iwade.

7 Development management policies

7.0.601 During the Iron Age, a salt-extraction industry seems to have emerged in the Borough as evidenced by finds of kiln lining from Neats Court 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.

7.0.602 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.

7.0.603 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.

7.0.604 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.

7.0.605 The Post Medieval period saw the rapid expansion of population and settlement in Swale. Key industries were based here such as the nationally important gunpowder industry around Faversham, ship-building in Sheerness and an emerging aviation industry on Sheppey, the archaeological remains of which still survive. There is a wealth of surviving maritime heritage in the form of shipwrecks, barges (both floating and hulks) docks and port installations. The continuing importance of the Borough in national and international affairs is demonstrated by the wide range of military sites that still exist in Swale – ranging from the 17th century defences of Sheerness to the stop lines dating from both World Wars. Many historic structures relating to these themes still survive. Often, they have no statutory protection, such as most of the World War structures, and are therefore highly vulnerable. Numerous historic parks and gardens also came into being during this period.

7.0.606 The Borough's archaeological heritage sites in a landscape that is also characterised by many survivals from the past, are as described in the Historic Landscape Characterisation Survey (2001). 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.

7.0.607 The NPPF requires that planning authorities set out "a positive strategy for the conservation and enjoyment of the historic environment." The Swale Heritage Strategy (adopted 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.

7.0.608 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. Swale Borough Council's Swale Heritage at Risk register identifies 48 heritage assets currently at risk in the Borough, including 8 of the Borough's conservation areas.

7.0.609 Swale's archaeological sites provide a great opportunity for enhancing life in the Borough. They can contribute to creating a sense of place by connecting people with the past and adding interest and character, thus helping new development integrate into historic townscapes and landscapes. Historic England has provided guidance on how heritage can bring educational, health and well-being benefits. Heritage sites also bring economic benefits through tourism, whether arising directly from people visiting the monuments or indirectly by increasing the attractiveness of places containing archaeological sites.

7.0.610 The NPPF defines significance as 'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.' 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. The Borough Council can advise on the requirements of the assessment and Historic England has produced guidance on writing Statements of Heritage Significance .

7.0.611 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 control processes.

7.0.612 Non-designated archaeological sites are often less visible 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. Some are of equal importance to designated heritage assets, designation often being a management tool rather than a statement of significance. In such circumstances the asset must be subject to the policies for designated assets. The Kent Historic Environment Record records almost 6,000 non-designated archaeological sites and discoveries in the Borough.

7.0.613 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 is the main database of archaeological discoveries and activities and built heritage assets in Kent.
- The National Heritage List for England contains information on all designated heritage assets.
- Kent Farmsteads Guidance (2014, Historic England and Kent Downs AONB Team)
- The Kent Gardens Trust are currently reviewing many of the Swale sites in the Kent Compendium of Parks and Gardens .
- 'Archaeologia Cantiana' (the journal of the Kent Archaeological Society) and the 'Kent Archaeological Review'(the journal of the former Council for Kentish Archaeology)

7 Development management policies

Policy DM 43

Archaeological Heritage

The Council will promote the enjoyment of Swale borough's archaeological resource through the 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.

Where possible developers should seek to use Swale's archaeological assets to shape their development proposals, provide interest and character and protect the assets.

The framework for the management and enjoyment of Swale's archaeological heritage is the Swale Heritage Strategy 2020 - 2032 (adopted 2020).

Development proposals affecting heritage assets with an archaeological interest must be accompanied by a desk-based assessment, and if necessary by archaeological fieldwork, that:

• Characterises the nature, extent and condition of the archaeological deposits in the development area;

• Assesses the significance of the deposits and the contribution made by their setting;

• Describes and assesses the impact of the development proposals on the archaeological deposits, their significance, and their setting; and

• 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.

Development proposals leading to substantial harm to the archaeological interest of designated heritage assets such as Scheduled Monuments, Registered Parks and Gardens, Protected Military Remains or other heritage assets of comparable significance will normally be refused.

Where development proposals affect non-designated heritage assets with an archaeological interest, the Borough Council would expect the archaeological deposits to be preserved in-situ. Where this is not possible clear justification will be required. Where the justification is accepted, a programme of archaeological recording may be required to be carried out. The type/extent of fieldwork will be appropriate to the significance of the archaeological deposits and must be carried out by an appropriately qualified contractor following a written specification agreed by the Borough Council. The programme of recording will include all phases of desk-based assessment and fieldwork, post-excavation analysis, publication of the results and deposition of the site archive in an appropriate repository.

The keeping and grazing of horses

Policy DM 44

The keeping and grazing of horses

8 Implementation and monitoring arrangements

8.0.1 This chapter sets out the council's approach toward ensuring that the strategy of the Local Plan is delivered, what the risks are and how they will be minimised.

Implementation

8.0.2 The successful implementation of the Local Plan vision and objectives cannot be achieved by the council acting alone. 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.

8.0.3 It is recognised that there are external factors, which will have an influence on delivering the Local Plan strategy: from the implementation of plans and strategies produced at national and regional levels to the decisions and actions of individual business. The Local Plan, however, provides a clear and robust framework for development across the Borough and will have an important role in influencing investment decisions and co-ordinating action to support the efficient and effective delivery of the strategy.

8.0.4 For the council, the principle means of delivering the policies and proposals of the Local Plan will be through the development management process and the determination and implementation of planning applications for the development and use of land and buildings over the plan period. This encompasses pre-application discussions, the use of Planning Performance Agreements (PPAs) and tools such as design review. Where appropriate the council will develop detailed guidance to support the implementation of specific policies or site allocations. The Council already has a number of Supplementary Planning Documents (SPDs) covering a variety of topics and which guide development, including at key regeneration locations within the Borough such as the Queenborough and Rushenden Masterplan SPD. A new SPD concerning development in Sittingbourne Town Centre is currently being progressed and SPDs on Sustainable Design and Construction and Housing are planned. Details of existing SPDs, other planning guidance and SPDs to be prepared are available on the council's website.

8.0.5 Throughout the development of the Local Plan the council has worked in partnership with infrastructure providers to identify infrastructure required to enable new development in Swale. The Infrastructure Delivery Plan (IDP) identifies the critical infrastructure necessary to support delivery of the Local Plan over the plan period, delivery timing and costs and potential barriers to implementation. The Council will continue to work with infrastructure providers and other stakeholders in developing the IDP, reviewing it on a regular basis to provide an up to date picture on the delivery of the identified infrastructure.

8.0.6 Neighbourhood Plans also have a role to play in the delivery of the Local Plan strategic policies, co-ordinating implementation and delivery at a local level. A number of communities have sought to develop their own plan and the council will continue to support those communities who wish to bring forward a Neighbourhood Plan for their area.

8.0.7 Potential risks to delivery and the actions the council could take to mitigate these risks are:

1. Sites do not come forward for development quickly enough or anticipated delivery rates are not as expected – the council would seek to engage with developers and landowners to identify the constraints on individual site delivery and the actions needed to unlock the site and facilitate delivery. If appropriate, actions to improve housing delivery would be identified through a Housing Action Plan.
2. Lack of sufficient funding and economic viability – the delivery of the Local Plan is dependent on the availability of funding from both the private sector and public bodies. The IDP has also identified the expected sources of funding for the necessary infrastructure to support growth. Where this has not yet been secured the Council will work with partners to achieve this. The viability impacts of the Local Plan policies have been tested through the Whole Plan Viability Assessment. This has found that development of the proposed Local Plan allocations can meet the policy and infrastructure requirements in full. However, it is recognised that over the lifetime of the Plan individual sites may incur unforeseen

8 Implementation and monitoring arrangements

costs in their development or there may be variations in the wider economy and housing market, which may restrict developers' ability to provide affordable housing or contributions towards infrastructure or indeed prevent some sites from being able to come forward for development at all. In these cases, the council will be flexible in its approach.

3. Non delivery of critical and essential infrastructure – delivery risks can arise in relation to costs if they are higher than anticipated or there is delay to the timing of infrastructure delivery. Risks to infrastructure delivery are, where known, identified in IDP. In the event of a failure to deliver the necessary infrastructure the council will engage with developers and providers to identify alternative sources of funding and/or projects to mitigate development impacts.
4. Failure to meet key targets - pro-longed under performance in housing delivery would be a significant risk to the successful delivery of the Local Plan growth strategy and the council may have to consider a review of the Local Plan in such circumstances.

Monitoring

8.0.8 Successfully achieving the Local Plan vision and objectives is dependent on the extent to which the Plan policies are being implemented effectively. All policies in the Local Plan will be monitored regularly against policy specific indicators, as set out in the monitoring framework (Appendix *). This will help determine if any action is necessary to ensure that the policies are achieving the intended policy outcomes, whether they are having unintended consequences and whether they are still relevant or require a review.

8.0.9 The indicators in the Monitoring Framework includes existing indicators used to measure performance and new indicators that will be used going forward. The indicators have been selected where information is available to ensure that the policies can be monitored on a regular basis.

8.0.10 The housing trajectory set out in this plan will be used to monitor housing delivery. The housing trajectory does not prescribe when sites should come forward but does make some assumptions regarding likely delivery and anticipated rates of development taking into account available technical evidence, any developer interest, how actively a site is being promoted and whether the site is already being progressed through the development management process. The housing trajectory will be used for monitoring the phasing of housing delivery and for calculating the five-year housing land position statement.

8.0.11 The main mechanism for reporting the monitoring information is the Authority Monitoring Report (AMR), which will be published on a regular basis. In addition to the AMR, the council will also monitor housing delivery through the annual Statement of Five Year Housing Supply. The Sustainability Appraisal of the Local Plan also provides for monitoring and reporting of the significant environmental effects of implementing the Local Plan within the AMR.

Reviewing the Local Plan

8.0.12 The Council are legally required to review the Local Plan at least once every five years from the date of adoption to assess whether the Plan or any of its policies needs to be updated.

8.0.13 Monitoring of the policy indicators through the AMR will be a key consideration in determining whether a review of the Local Plan, in whole or part, should be triggered. Other factors or changed circumstances that could be a determining factor in triggering a review include:

- Changes to the National Planning Policy Framework and legislation;
- Updated assessments of housing and employment needs;
- Performance in relation to sustainability appraisal indicators;
- Cross boundary strategic issues.

9 Glossary of terms

10 Appendices

10.1 Monitoring Framework

Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
Policy ST1: Development needs for the Borough 2022 to 2038	Number of net additional dwellings	Delivery per annum in line with housing trajectory	Annually	Inability to demonstrate through housing trajectory delivery of housing requirement 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 and completions via building control records/NHBC records/site visits
	Progress against housing target for plan period	Cumulative housing target met	Cumulatively over plan period			
	Number of years housing land supply	At least a 5 year supply of housing land (plus buffer)	Annually			
	Amount of new employment land permitted and completed	Maintain employment land supply to deliver 41 hectares over plan period	Annually and cumulatively over plan period	No increase in employment floorspace on allocated sites over five year rolling period		
Policy ST2: Swale's development strategy and settlement hierarchy	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 application decisions and completions via building control records/NHBC records/site visits
Policy ST3: Delivering sustainable development in Swale	Monitored through other policy indicators					
Policy ST4: 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 ST5: 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 SHMA	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 decisions and completions via building control records/NHBC records/site visits
	Percentage of residential units permitted and completed that are accessibile	On residential developments 75% of units to meet M4(2) standards and 25% of units to meet M4(3) standards		Less than required percentage achieved		

Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
Policy ST6: Requiring good design	Number of planning applications that were refused on the basis of Policy ST6 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 ST7: Health and well being	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: 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		No specific trigger – will inform Local Plan review	No specific action	Monitoring of planning application decisions
Policy ST9: Promoting sustainable transport and active travel	Walking, cycling, bus and rail modal share for travel to work journey (expressed as a percentage of all trips)	Increase in modal share over 10 year period		No specific trigger – will inform Local Plan review	No specific action	Census
	Contributions made to transport improvements to support delivery of network improvements 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 deicions and monitoring of Section 106 Agreements and reported through annual Infrastructure Funding Statement
Policy ST10: 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 Kent Wildlife Trust

Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
Policy ST11: Conserving and enhancing the historic environment (See also indicators for Policies DM38 to DM42)	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
Policy A1: Existing committed strategic allocations	Number of dwellings permitted and completed	Development in line with housing trajectory phasing	Annually	No planning application received at least 18 months prior to first completions in housing trajectory	Identify problems and barriers to development via discussions with interested parties Work with key partners, developers and landowners to identify mechanims to facilitate and accelerate delivery Bring sites forward later in plan period if appropriate, in accordance with 5 year housing land supply	Monitoring of planning application decisions and housing completions
	Amount of floorspace permitted and completed	Delivery of additional employment floorspace each year				
Policy A2: Existing committed housing allocations	Number of dwellings permitted and completed	Development in line with housing trajectory phasing	Annually	No planning application received at least 18 months prior to first completions in housing trajectory	Identify problems and barriers to development via discussions with interested parties Work with key partners, developers and landowners to identify mechanims to facilitate and accelerate delivery Bring sites forward later in plan period if appropriate, in accordance with 5 year housing land supply	Monitoring of planning application decisions and housing completions
Policy A3: Existing committed employment allocations	Amount of floorspace permitted and completed on each allocation	Delivery of additional employment floorspace each year	Annually	No planning application received within 3 years of adoption	Identify problems and barriers to development via discussions with interested parties	Monitoring of planning application decisions and floorspace completion

Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
					Work with key partners, developers and landowners to identify mechanims to facilitate and accelerate delivery	
Policy MU1: East of Faversham expansion	Approval of masterplan	Approval of materplan by Swale Borough Council within 2 years of adoption of the Local Plan	Annually	Lack of progress in completion of masterplan	Review circumstances for delay and take action	
	Number of dwellings permitted and completed	Development in line with housing trajectory phasing		No planning application received at least 18 months prior to first completions in housing trajectory	Identify problems and barriers to development via discussions with interested parties Work with key partners, developers and landowners to identify mechanims to facilitate and accelerate delivery	Monitoring of planning application decisions and housing completions
	Amount of employment floorspace permitted and completed	Delivery of additional employment floorspace in line with agreed phasing plan		No planning application received within 3 years of adoption		Monitoring of planning application decisions and floorspace completion
Policy AO1: Teynham Area of Opportunity	Approval of masterplan	Approval of materplan by Swale Borough Council within 2 years of adoption of the Local Plan	Annually	Lack of progress in completion of masterplan	Review circumstances for delay and take action	
	Number of dwellings permitted and completed	Development in line with housing trajectory phasing		No planning application received at least 18 months prior to first completions in housing trajectory	Identify problems and barriers to development via discussions with interested parties Work with key partners, developers and landowners to identify mechanims to facilitate and accelerate delivery	Monitoring of planning application decisions and housing completions
	Amount of employment floorspace permitted and completed	Development in line with housing trajectory phasing		No planning application received within 3 years of adoption		Monitoring of planning application decisions and floorspace completion
Policy A4: Neames Forstal	Number of dwellings permitted and completed	Development in line with housing trajectory phasing	Annually	No planning application received at least 18 months prior to first completions in housing trajectory	Identify problems and barriers to development via discussions with interested parties	Monitoring of planning application decisions and housing completions

Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
					Work with key partners, developers and landowners to identify mechanims to facilitate and accelerate delivery	
Policy A5: Lamberhurst Farm	Amount of floorspace permitted and completed	Delivery of additional employment floorspace each year	Annually	No planning application received within 3 years of adoption	Identify problems and barriers to development via discussions with interested parties Work with key partners, developers and landowners to identify mechanims to facilitate and accelerate delivery	Monitoring of planning application decisions and floorspace completion
Policy Regen 1: The port of Sheerness Regeneration Area	Number and type of developments permitted within regeneration area	No target	Anunually	No specific trigger – will inform Local Plan review	No specific action	Monitoring of planning application decisions
Policy Regen 2: Sittingbourne Town Centre	Number and type of developments permitted withn the regeneration area	No target	Anunually	No specific trigger – will inform Local Plan review	No specific action	Monitoring of planning application decisions
Policy Regen 3: Queenborough and Rushenden Regeneration Area	Approval of masterplan for the Rushenden South area	Approval of materplan by Swale Borough Council within 2 years of adoption of the Local Plan	Annually	Lack of progress in completion of masterplan	Review circumstances for delay and take action	
	Number of dwellings permitted and completed within the Rushenden South area	Development in line with housing trajectory phasing		No planning application received at least 18 months prior to first completions in housing trajectory	Identify problems and barriers to development via discussions with interested parties Work with key partners, developers and landowners to identify mechanims to facilitate and accelerate delivery	Monitoring of planning application decisions and housing completions

Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
	Number and type of developments within regeneration area	No target		No specific trigger – will inform Local Plan review	No specific action	Monitoring of planning application decisions
Policy NP1: Faversham Creek Neighbourhood Plan	Number and type of developments within Neighbourhood Plan area	No target	Annually	No specific trigger – will inform Local Plan review	No specific action	Monitoring of planning application decisions
Policy DM1: General development criteria	Development Management Policy – no indicator					
Policy DM2: Achieving good design	Number of planning applications that were refused on the basis of Policy DM2 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 DM3: Mitigating and adapting to climate change through sustainable design and construction	Proportion of non-residential developments meeting BREEAM Very Good or Excellent standard	100% of eligible buildings constructed to prescribed standard	Anunually	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
	Proportion of residential developments meeting relevant Home Quality Mark	100% of residential developments meeting prescribed rating				Interim and Final assessment certificates
	Proportion of eligible developments that meet target of: a. 50% carbon reduction b. 75% carbon reduction (from 2025) c. 100% carbon reduction (from 2030)	All eligible developments meet policy target				Submitted Energy and Sustainability Statements
	Number of planning applications that were refused on the basis of Policy DM3 and supported on appeal	No more than 20% of refused applications are allowed on appeal over 5 year period				Planning appeal decisions

Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
Policy DM4: Sustainable energy production, distribution and storage	Borough per capita reductions in CO^2 emissions	Reduction over 5 and 10 years	At 5 and 10 years	No specific trigger – will inform Local Plan review	No specific action	Data published by Department for Business, Energy and Industrial Strategy
	Number of sustainable energy schemes permitted	To increase generation of sustainable energy in Borough	Annually	No specific trigger – will inform Local Plan review	No specific action	Planning application decisions
	Number of planning applications that were refused planning permission due to not providing an appropriate Energy Masterplan in accordance with Policy DM4	All developments meeting policy thresholds				
Policy DM5: Proposals for main town centre uses	Amount of new floorpspace permitted and completed for town centre uses in: a. Primary Shopping Areas b. each identiifed centre 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 DM6: Shopfronts, signs and advertisements	Number of planning applications that were refused on the basis of Policy DM6 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 DM7: Loss of employment floorspace and 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 DM8: Rural economy	Amount and type of employment land permitted and completed in rural area (by location)	No development proposals permitted contrary to Policy DM8	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					

Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
Policy DM9: Holiday parks	Number of planning applications that were refused on the basis of Policy DM9 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 DM10: Managing transport demands and impacts	Number of applications refused due to not providing a Transport Statement or Transport Assessment in accordance with Policy DM10 and supported on appeal	All major developments permitted are supported by an appropriate assessment in accordance with the Policy	Annually	No specific trigger – will inform Local Plan review	No specific action	Planning appeal decisions
Policy DM11: Parking	Number of applications refused due to not complying with the Swale Parking SPD	No development proposals permitted contrary to Policy DM11	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				
Policy DM12: Rural lanes	Number of planning applications that were refused on the basis of Policy DM12 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 DM13: Broadband infrastructure	Number of new developments providing FFTP	100% of developments meeting policy thresholds	Anunually	No specific trigger – will inform Local Plan review	No specific action	Monitoring of planning application decisions
Policy DM14: Small and medium sites for residential 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 DM15: 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	Annually and cumulatively over plan period	Review reasons for triggers being met and take appropriate action	Monitoring of planning application decisions and completions via building control records/NHBC records/site visits

Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
	Amount paid in financial contributions for the provision of affordable housing	No target	Anunually	No specific trigger – will inform Local Plan review	No specific action	Monitoring of Section 106 Agreements and reported through annual Infrastructure Funding Statement
Policy DM16: Rural exceptions housing	Number of affordable dwellings permitted and completed on rural exception sites	No target	Anunually	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 DM17: 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		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		Contributions not made in line with S106 triggers	Enforce against non-compliance with S106 requirements	Monitoring of Section 106 Agreements and reported through annual Infrastructure Funding Statement
Policy DM18: Park homes	Number of proposals for new park homes permitted and completed	No target	Anunually	No specific trigger – will inform Local Plan review	No specific action	Monitoring of planning application decisions and housing completions
Policy DM19: Gypsy and traveller sites	Number of gypsy and traveller pitches and Travelling Showpeople plots approved	Meet assessed needs according to Swale GTAA (2018)	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
Policy DM20: Dwellings for rural workers	Number of units permitted and completed	No target	Anunually	No specific trigger – will inform Local Plan review	No specific action	Monitoring of planning application decisions and housing completions
Policy DM21: Extensions to and the replacement of dwellings in the rural area	Number of replacement dwellings permitted and completed	No target	Anunually	No specific trigger – will inform Local Plan review	No specific action	Monitoring of planning application decisions and housing completions

Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
	Number of planning applications that were refused on the basis of Policy DM21 and supported on appeal	No more than 20% of refused applications are allowed on appeal over 5 year period		More than 20% of appeals are allowed	Review reasons for trigger being met and take appropriate action	Planning appeal decisions
Policy DM22: Alterations and extensions	Number of planning applications that were refused on the basis of Policy DM22 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 DM23: Extending the garden of a dwelling in the rural area	Number of planning applications that were refused on the basis of Policy DM23 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 DM24: Biodiversity, geological conservation and biodiversity net gain	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
Policy DM25: Conserving and enhancing valued landscapes	Number of planning applications that were refused on the basis of Policy DM25 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 DM26: AONB	Number of applications for major development that were refused on the basis of Policy DM26 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 DM27: 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 application decisions
Policy DM28: Local Green Spaces (LGS)	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					

Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
	designated LGS that would impact on character or local significance					
Policy DM29: Woodlands, trees and hedges	Number of planning applications that were refused on the basis of Policy DM29 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 DM30: Agricultural land	Number of planning applications that were refused on the basis of Policy DM30 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 DM31: The Coast	Number of developments that were permitted in accordance with Policy DM31	No target	Anunually	No specific trigger – will inform Local Plan review	No specific action	Planning application decisions
Policy DM32: Coastal change and 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		No specific trigger – will inform Local Plan review	No specific action	Planning application decisions
Policy DM33: Air quality	Level of NO^2 emissions in AQMAs	Reduction in NO^2 levels over plan period	Anunually	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 DM33 and supported on appeal	No more than 20% of refused applications are allowed on appeal over 5 year period		More than 20% of appeals are allowed	Review reasons for trigger being met and take appropriate action	Planning appeal decisions
Policy DM34: Pollution and unstable land	Number of planning applications that were refused on the basis of Policy DM34 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	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
Policy DM35: 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 DM36: 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 DM37: Sustainable drainage	Number of planning applications that were refused on the basis of Policy DM37 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 DM38: Development involving listed buildings	Number of planning applications that were refused on the basis of Policy DM38 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 DM39: Development affecting a conservation area	Number of planning applications that were refused on the basis of Policy DM39 and supported on appeal					
Policy DM40: Historic landscapes including parks and gardens	Number of planning applications that were refused on the basis of Policy DM40 and supported on appeal					
Policy DM41: Area of high townscape value	Number of planning applications that were refused on the basis of Policy DM41 and supported on appeal					
Policy DM42: Development affecting a locally listed heritage asset	Number of planning applications that					

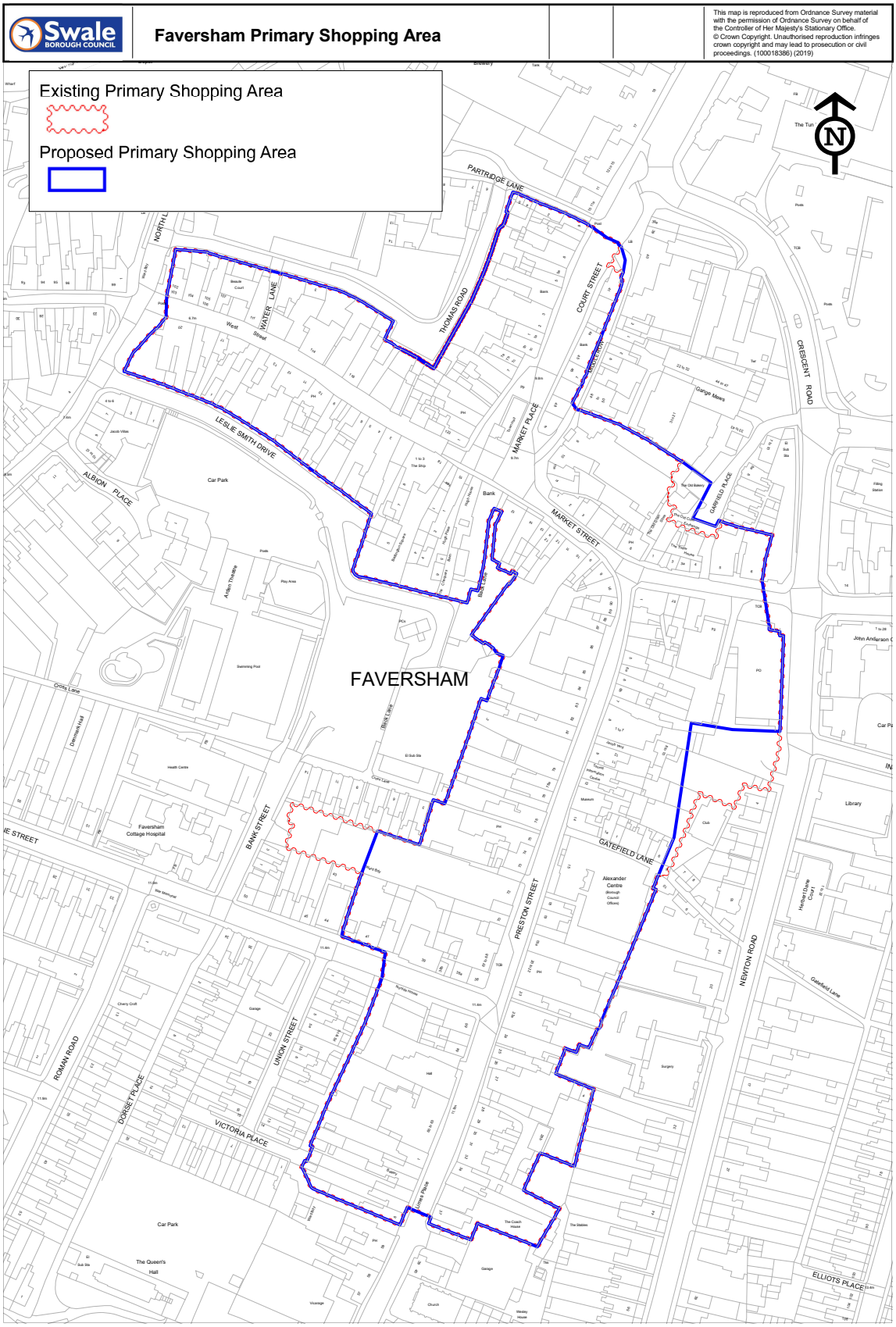
Policy	Indicator	Target	Monitoring Frequency	Trigger	Actions and Contingencies	Data Source
	were refused on the basis of Policy DM42 and supported on appeal					
Policy DM43: Scheduled Monuments and archoagolocial sites	Number of planning applications that were refused on the basis of Policy DM43 and supported on appeal					
Policy DM44: The keeping and grazing of horses	Number of planning applications that were refused on the basis of Policy DM44 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 10.1.1 Monitoring Framework

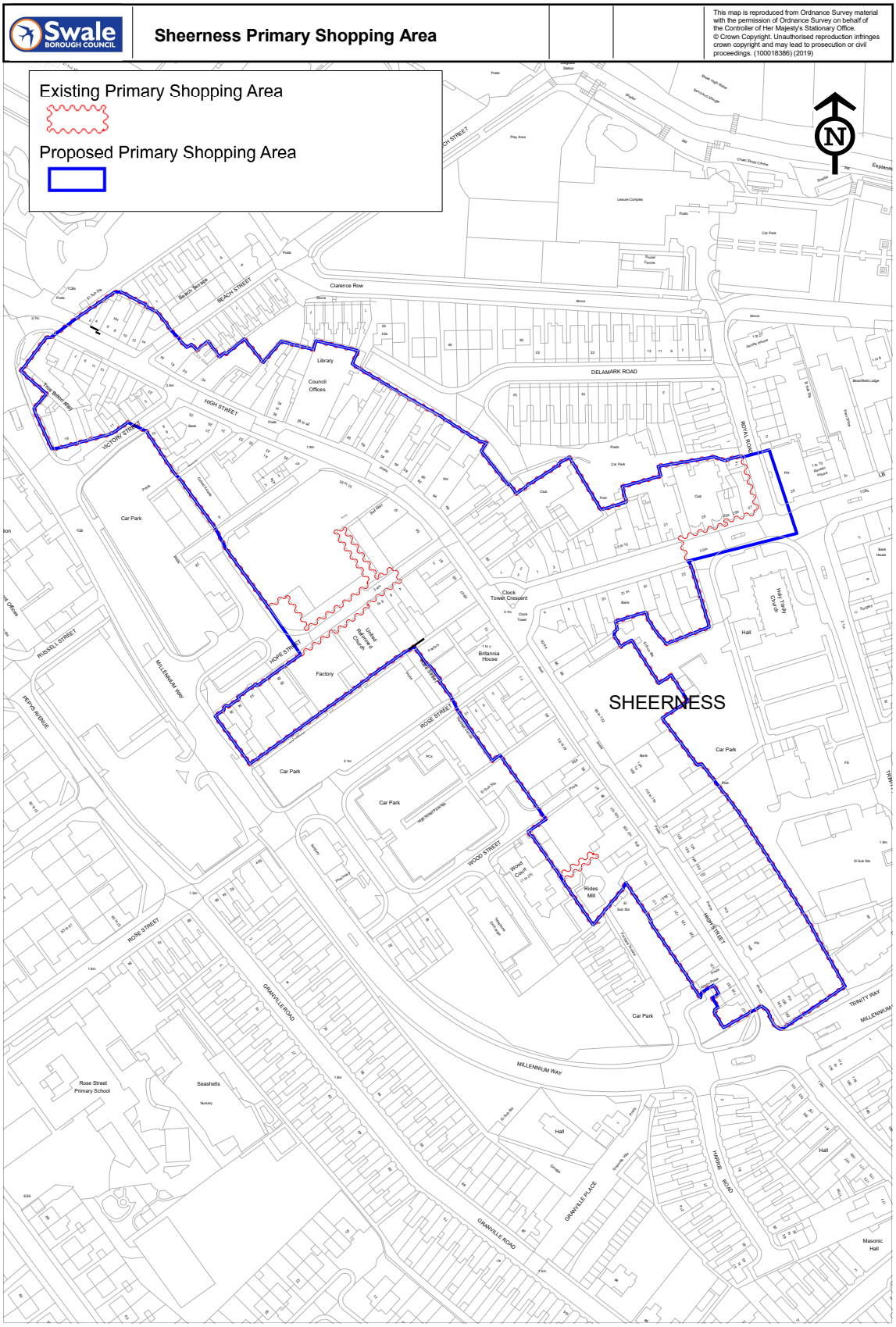
10 Appendices

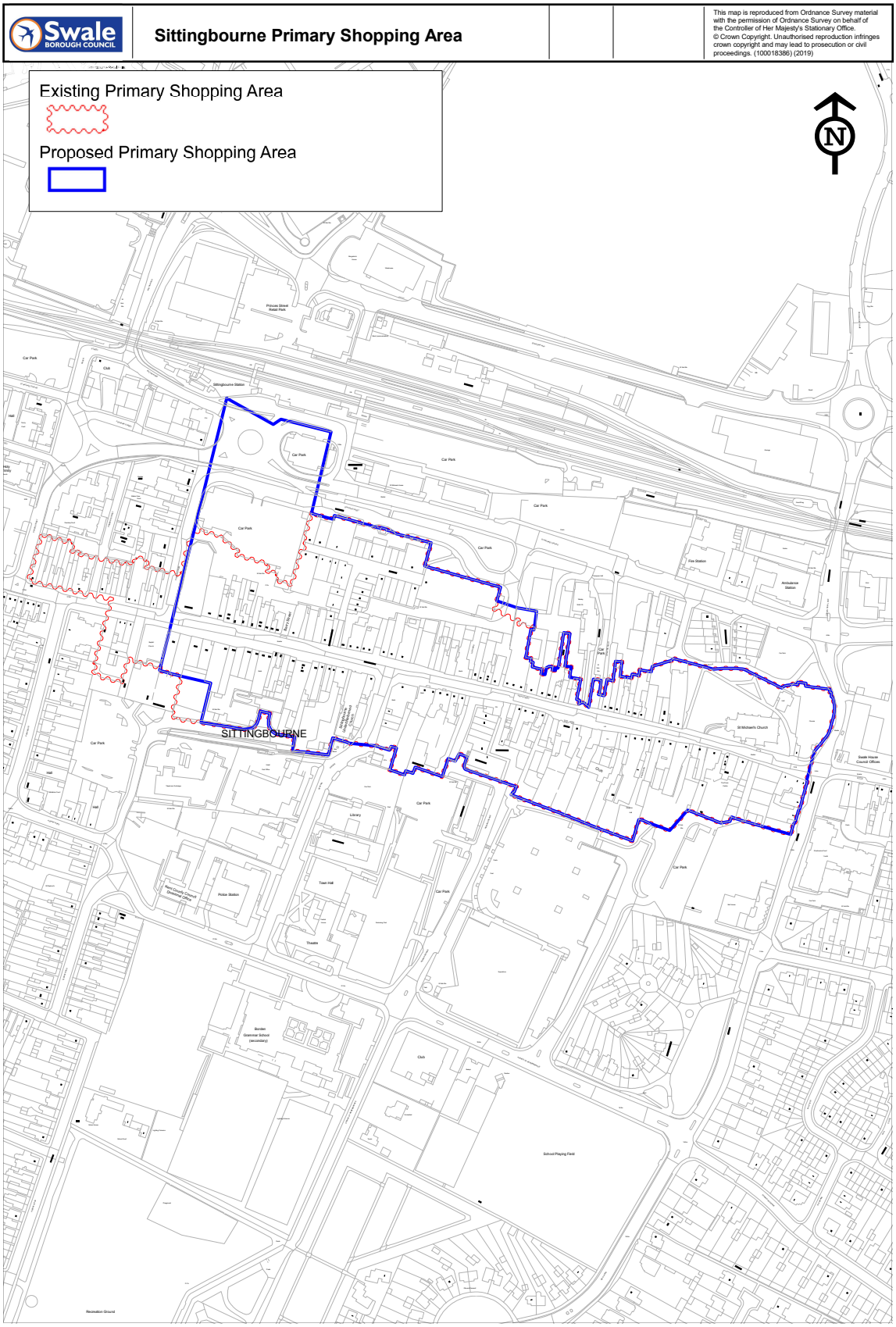
10.2 Recommended changes to the proposals map

10.2.1 Explanatory text to go here.....


Swale
BOROUGH COUNCIL
Faversham Primary Shopping Area
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Existing Primary Shopping Area
Proposed Primary Shopping Area
N
FAVERSHAM
PARTRIDGE LANE
THOMAS ROAD
COURT STREET
CRESCENT ROAD
MARKET PLACE
MARKET STREET
GABRIELS PLACE
LESLIE SMITH DRIVE
ALBION PLACE
WATER LANE
West Street
Bank
Car Park
Play Area
Swimming Pool
Cross Lane
Health Centre
Faversham Cottage Hospital
BANK STREET
BACK LANE
GATEFIELD LANE
Alexander Centre
PRESTON STREET
NEWTON ROAD
Library
Surgery
UNION STREET
ROMAN ROAD
DORSET PLACE
VICTORIA PLACE
The Queen's Hall
ELLIOTS PLACE

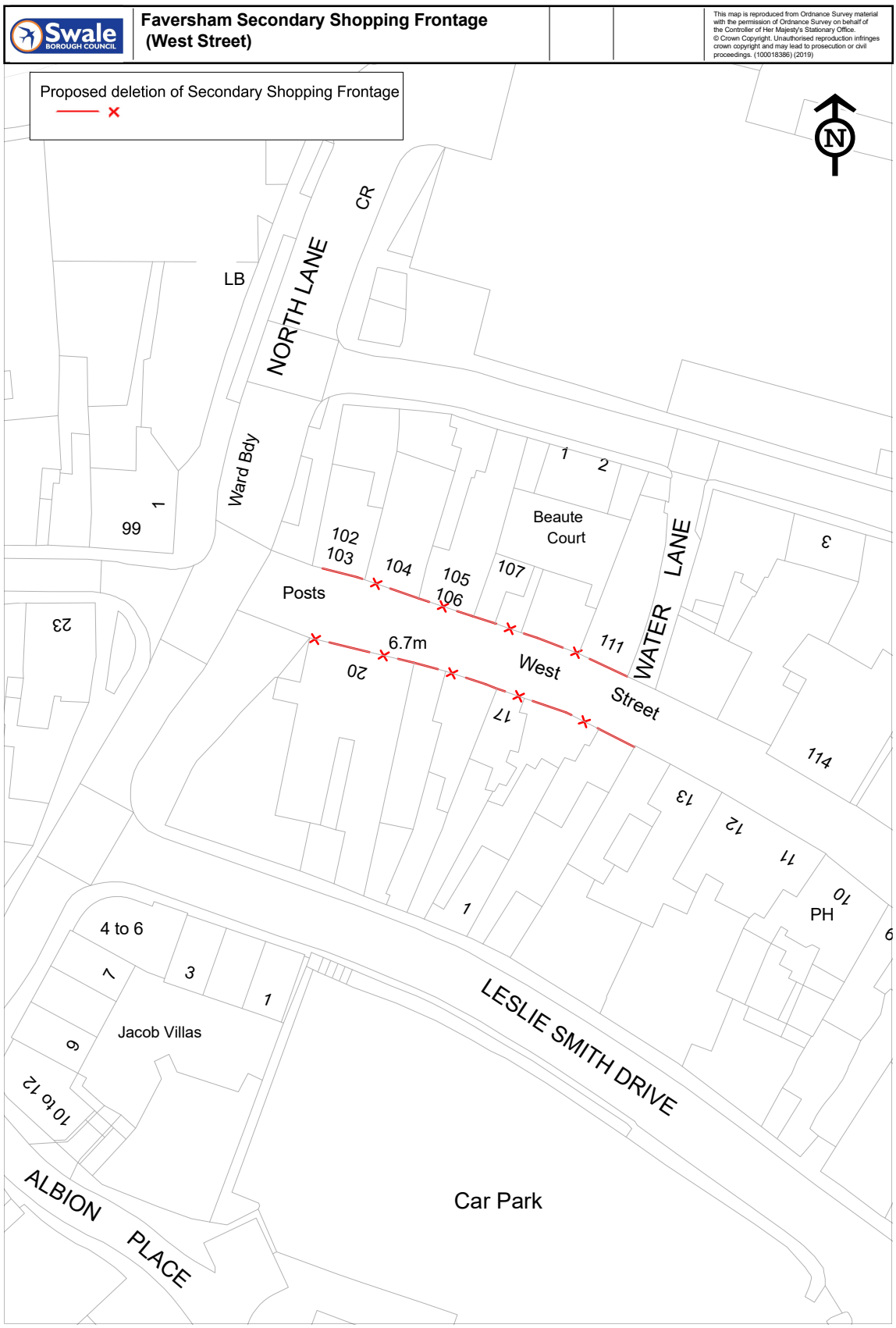
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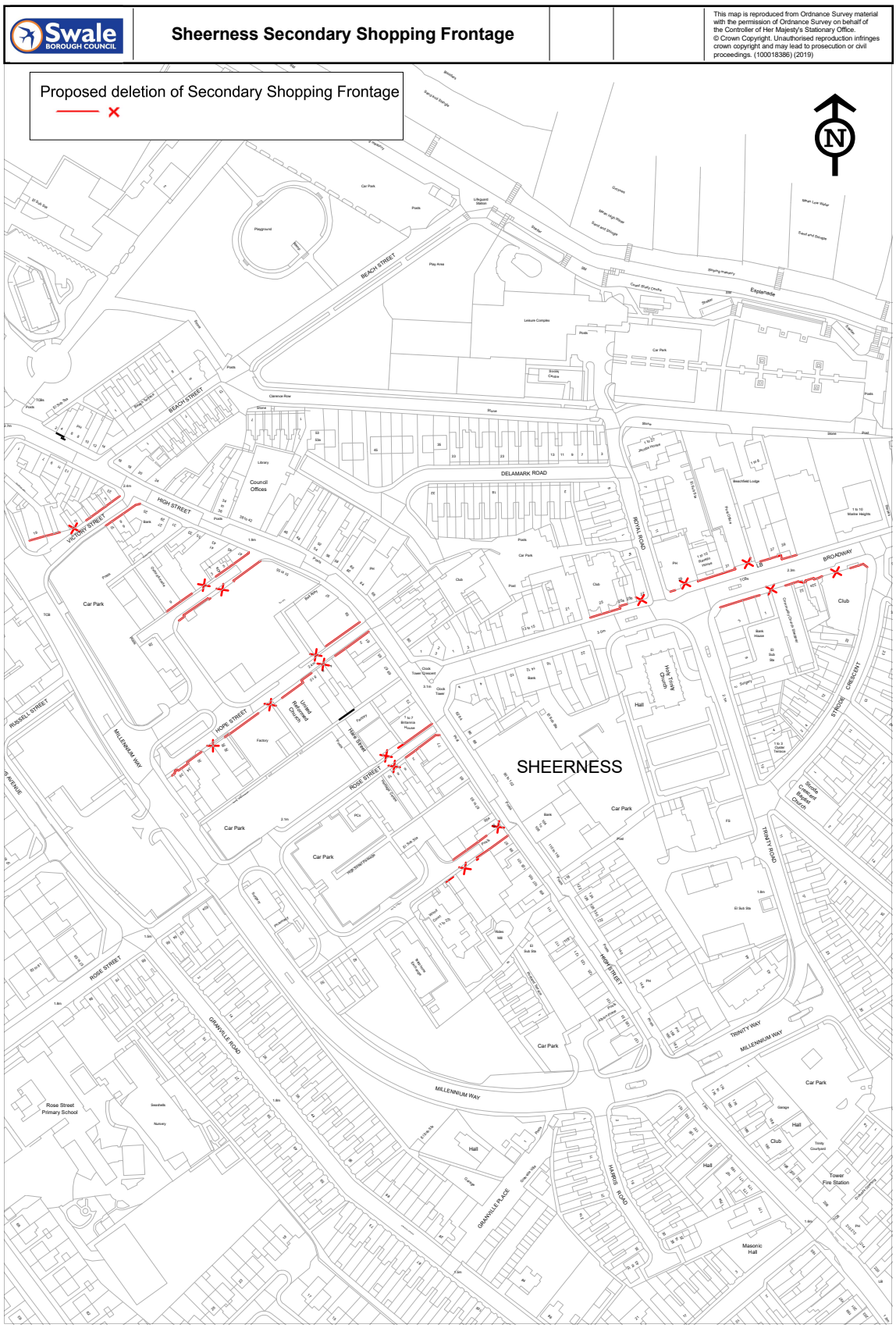

Swale
BOROUGH COUNCIL
Sittingbourne Primary Shopping Area
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Existing Primary Shopping Area
Proposed Primary Shopping Area
N
SITTINGBOURNE

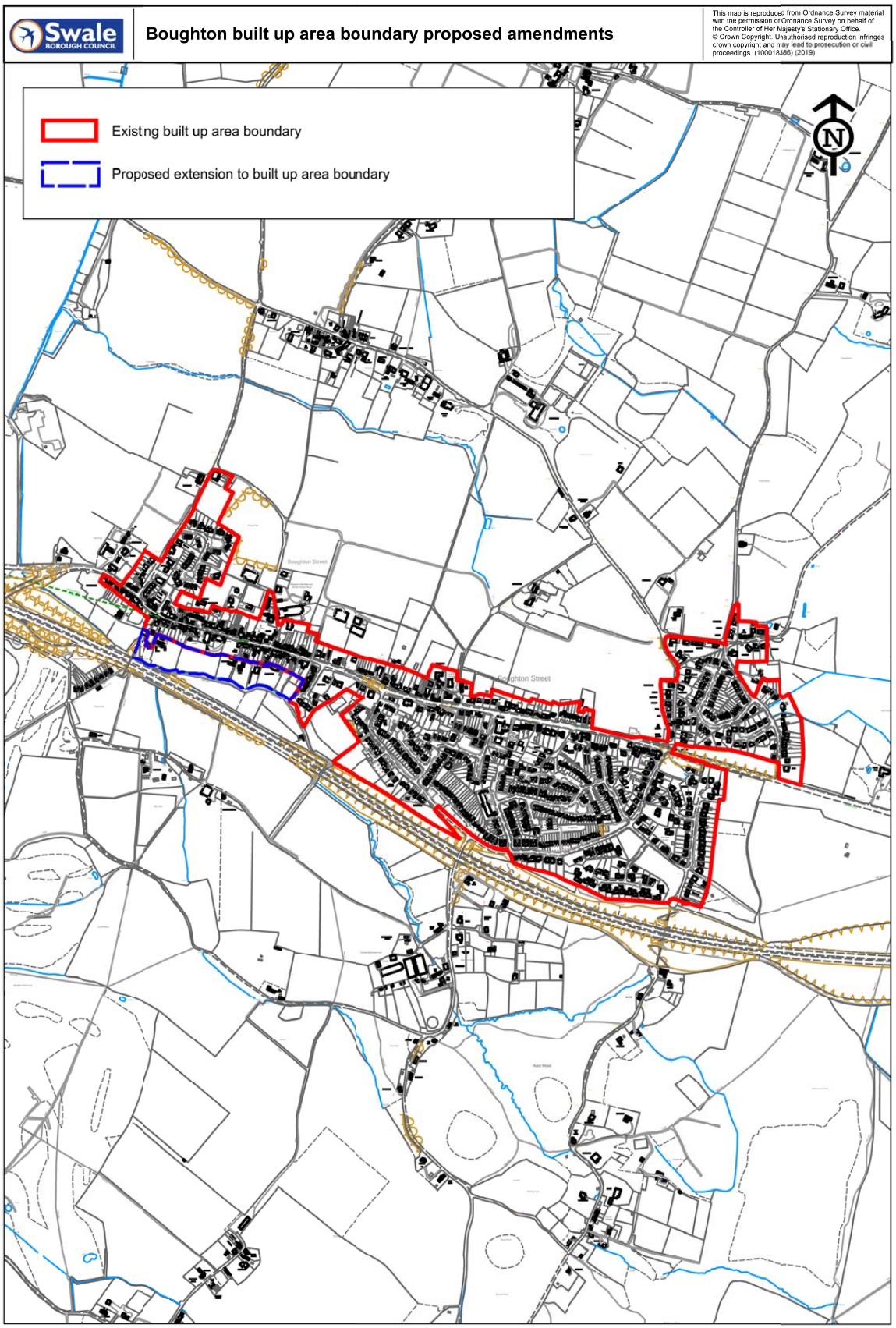
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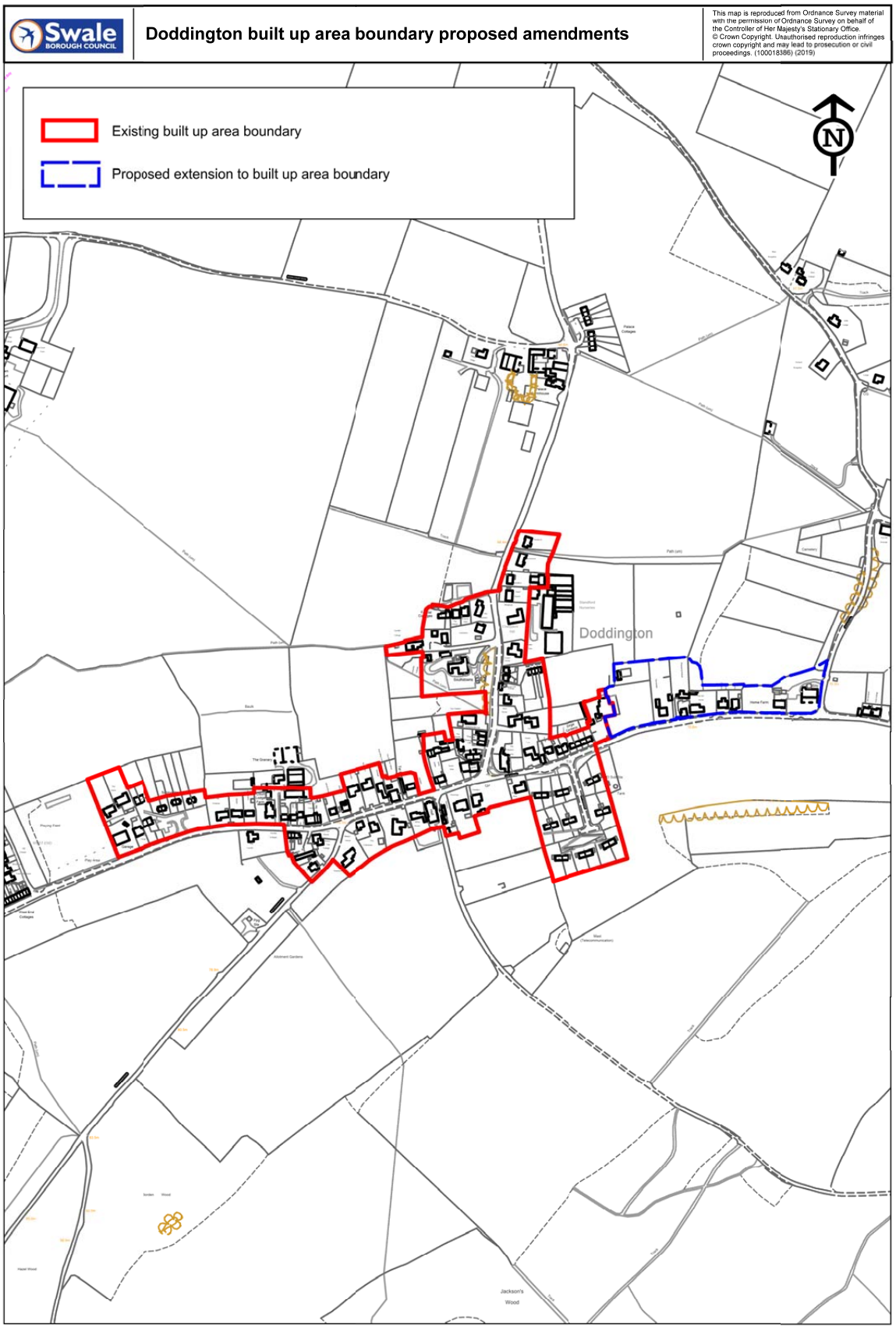

Swale BOROUGH COUNCIL
Faversham Secondary Shopping Frontage (West Street)
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Proposed deletion of Secondary Shopping Frontage
N
NORTH LANE
CR
LB
Ward Bdy
99
1
Beaute Court
1
2
102
103
104
105
106
107
111
Posts
6.7m
West Street
WATER LANE
3
23
20
17
114
13
12
11
10
PH
6
1
4 to 6
7
3
1
Jacob Villas
9
10 to 12
LESLIE SMITH DRIVE
ALBION PLACE
Car Park

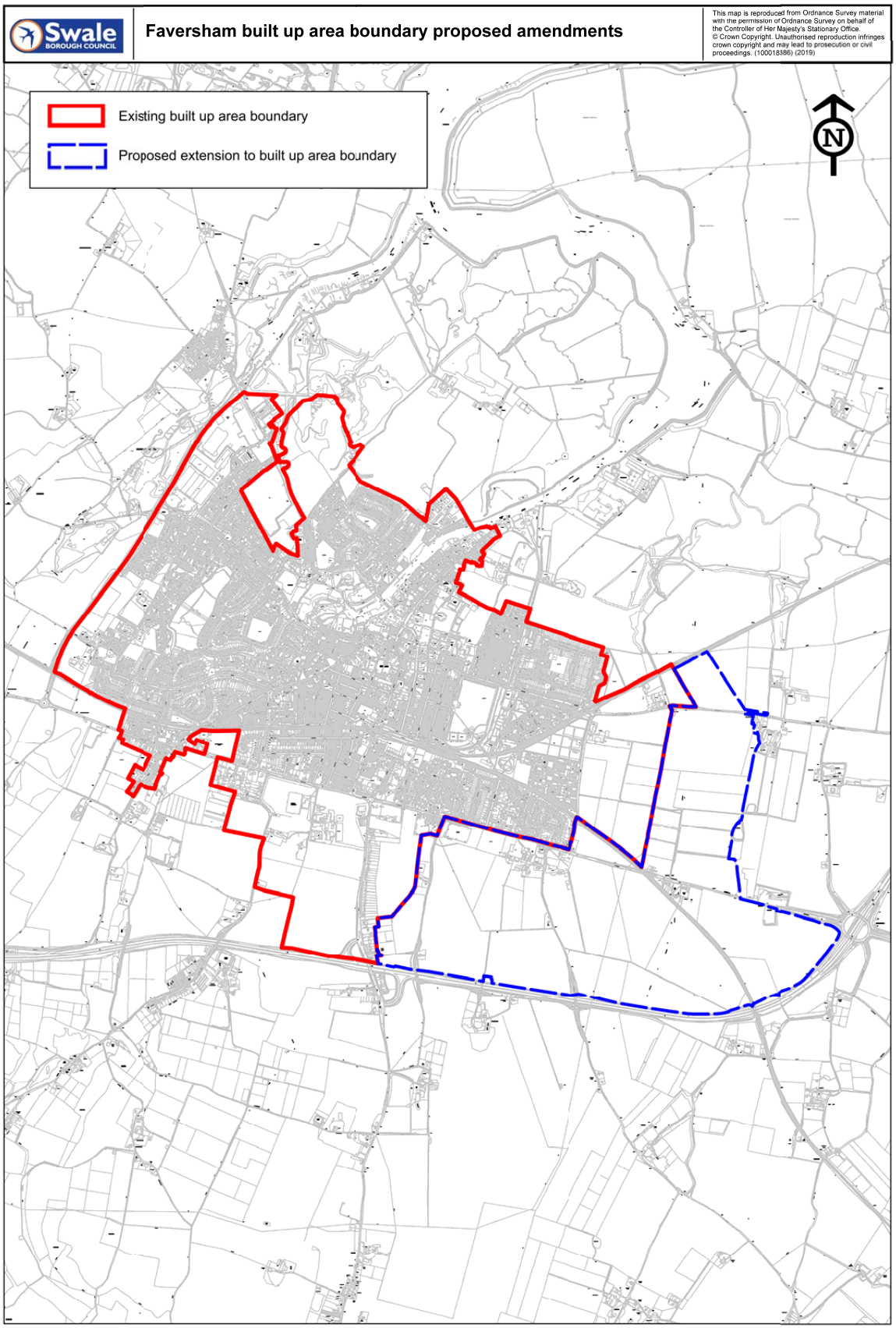
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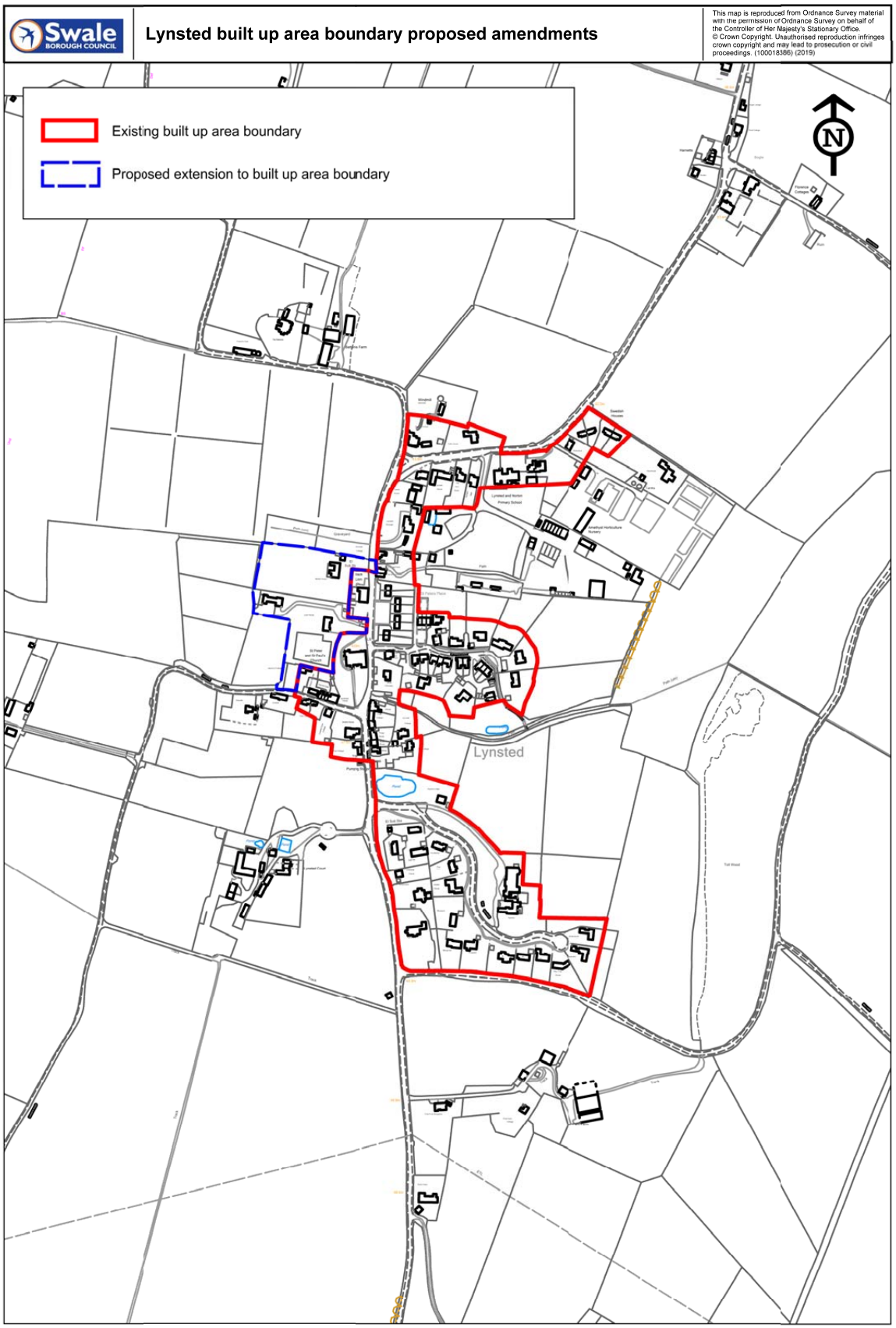

Swale
BOROUGH COUNCIL
Boughton built up area boundary proposed amendments
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Existing built up area boundary
Proposed extension to built up area boundary
N

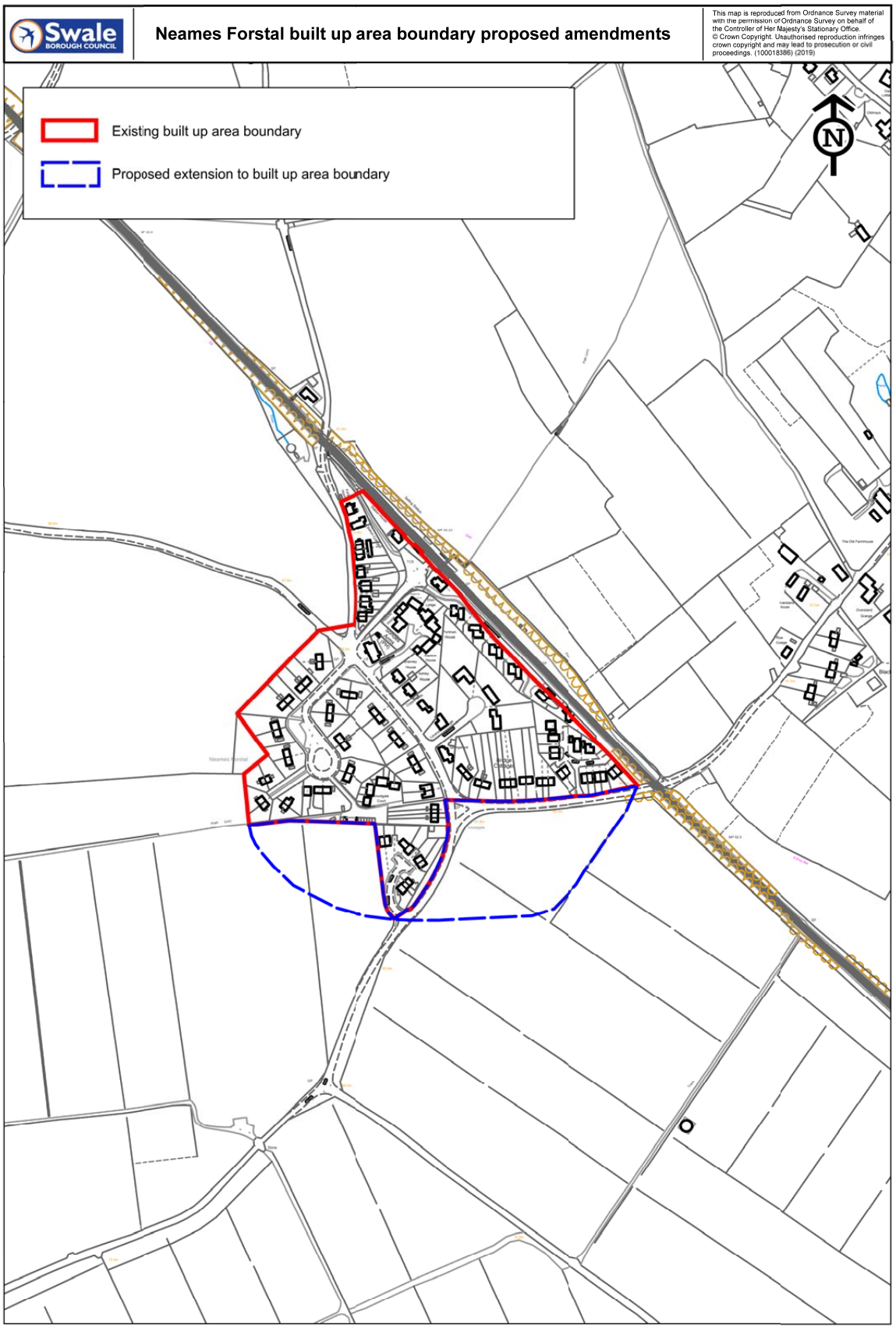
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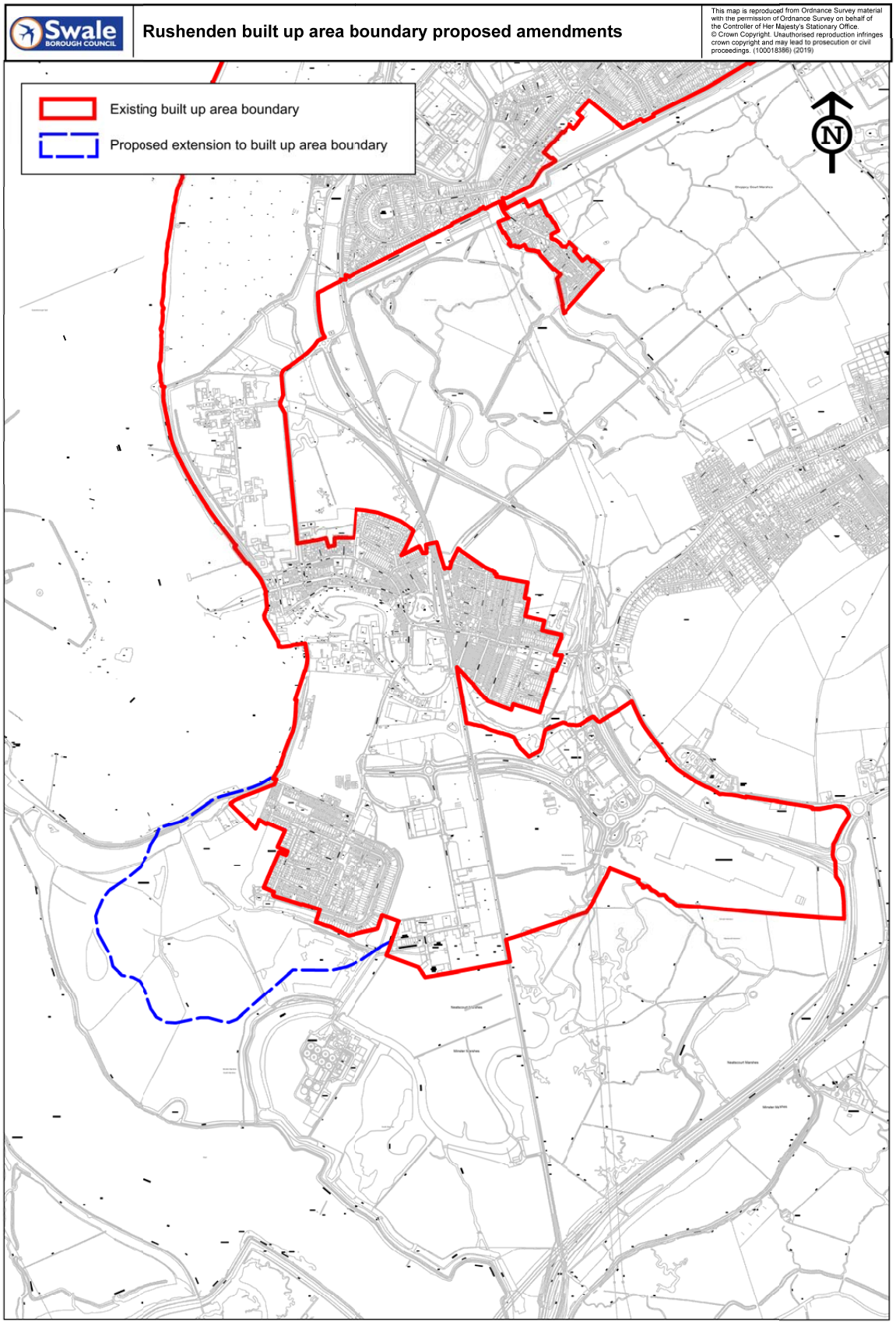

Swale
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Faversham built up area boundary proposed amendments
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Existing built up area boundary
Proposed extension to built up area boundary
N

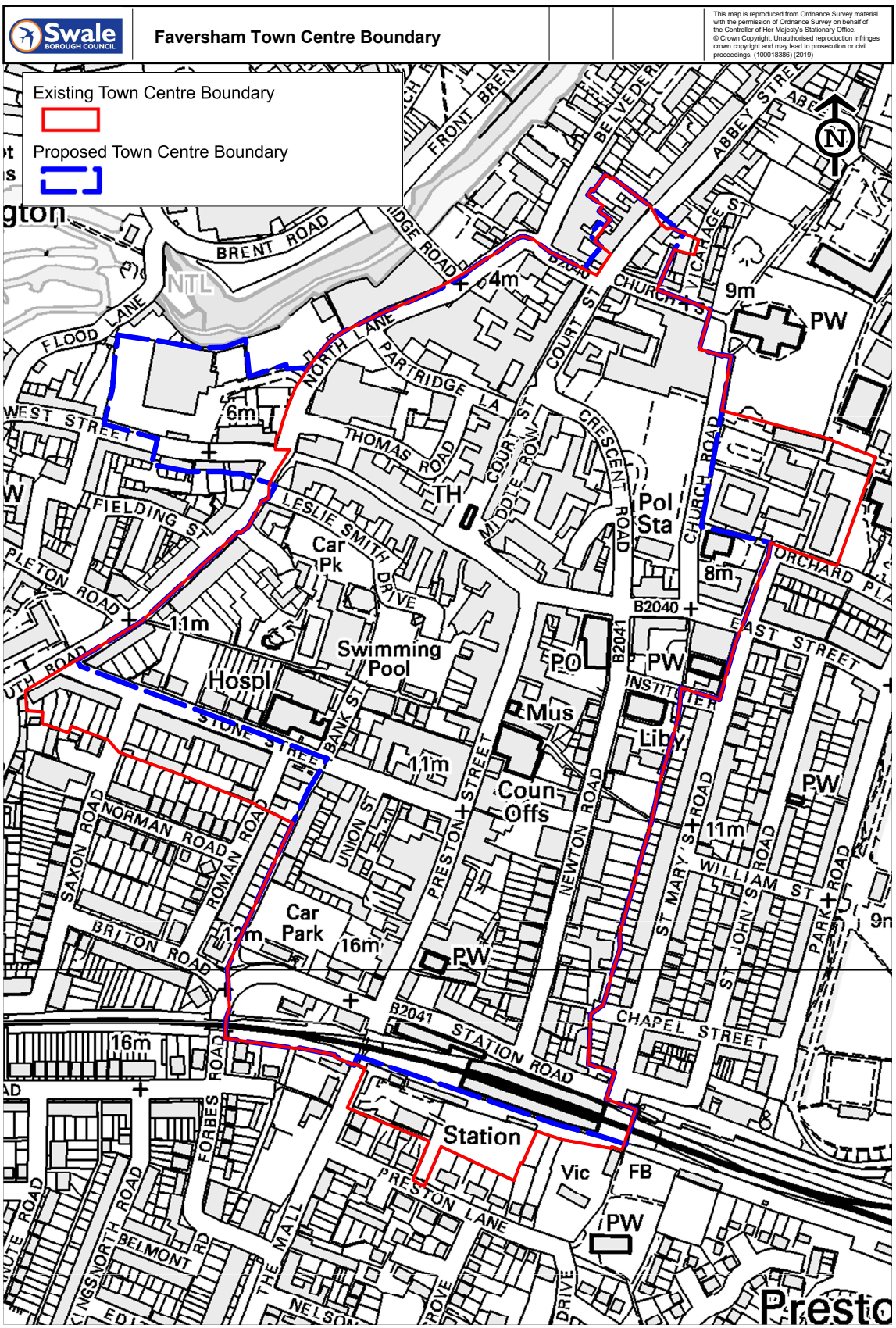
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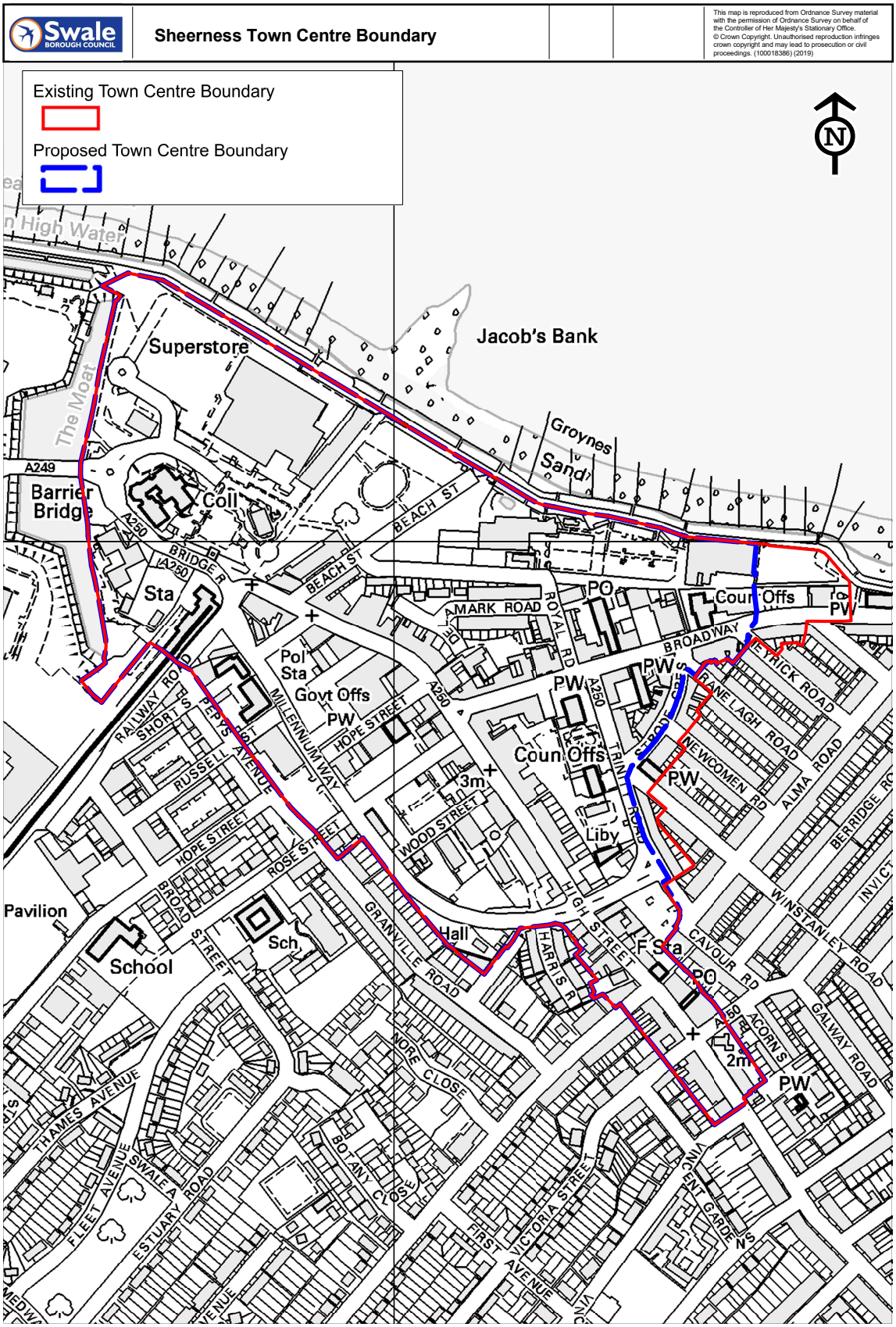

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Neames Forstal built up area boundary proposed amendments
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Existing built up area boundary
Proposed extension to built up area boundary
N

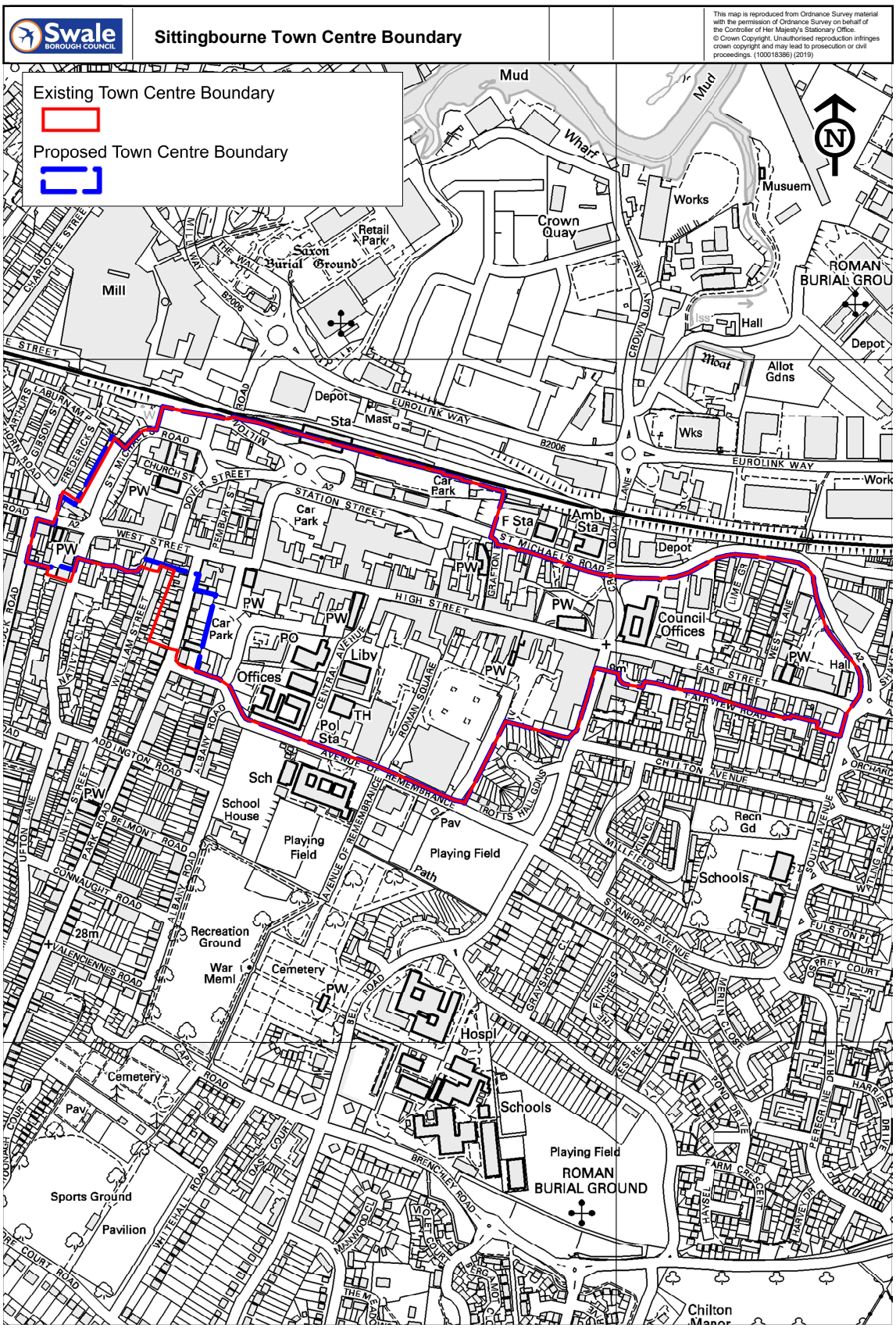
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Faversham Town Centre Boundary
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Existing Town Centre Boundary
Proposed Town Centre Boundary
N
BRENT ROAD
FLOOD LANE
WEST STREET
FIELDING ST
LESLIE SMITH DRIVE
Car Pk
Swimming Pool
Hospl
BANK ST
STONE STREET
NORTH LANE
PARTRIDGE LA
THOMAS ROAD
COURT ST
MIDDLE ROW
CRESCENT ROAD
CHURCH ROAD
Pol Sta
TH
Mus
Coun Offs
PRESTON STREET
NEWTON ROAD
UNION ST
SAXON ROAD
NORMAN ROAD
ROMAN ROAD
BRITON ROAD
Car Park
B2040
B2041
EAST STREET
ORCHARD PLACE
ST MARY'S ROAD
ST JOHN'S ROAD
WILLIAM ST
PARK ROAD
CHAPEL STREET
STATION ROAD
Station
Vic
FB
PRESTON LANE
FORBES ROAD
BELMONT
THE MALL
4m
6m
11m
12m
16m
9m
8m
PW
PO
Libr

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Swale
BOROUGH COUNCIL
Sittingbourne Town Centre Boundary
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Existing Town Centre Boundary
Proposed Town Centre Boundary
N
Mud
Wharf
Works
Musuem
Crown Quay
Retail Park
Saxon Burial Ground
Mill
ROMAN BURIAL GROU
Hall
Depot
Moat
Allot Gdns
Depot
Sta
Mast
EUROLINK WAY
B2006
Wks
Car Park
F Sta
Amb Sta
Depot
Council Offices
Offices
Libv
Pol Sta
TH
PO
Sch
School House
Playing Field
Pav
Path
Recn Gd
Schools
Recreation Ground
War Meml
Cemetery
Hospl
Schools
Playing Field
ROMAN BURIAL GROUND
Cemetery
Pav
Sports Ground
Pavilion
Chilton
HIGH STREET
STATION STREET
WEST STREET
EAST STREET
CHURCH ST
DOVER STREET
ST MICHAEL'S ROAD
AVENUE OF REMEMBRANCE
CHITTON AVENUE
ROMAN SQUARE
CENTRAL AVENUE
ADDINGTON ROAD
BELMONT ROAD
CONNAUGHT ROAD
VALENCIENNES ROAD
CASTEL ROAD
WHITEHALL ROAD
BRENCHLEY ROAD
STANHOPE AVENUE
PW
Car Park
28m