

PLANNING COMMITTEE – 24th June 2026**DEFERRED ITEM**

Report of the Head of Planning

DEFERRED ITEMS

Reports shown in previous Minutes as being deferred from that Meeting

DEF 1 REFERENCE NO 22/503654/EIOUT		
PROPOSAL Outline application (all matters reserved except for means of access from Sheppey Way) for a mixed used development comprising up to 2,500 dwellings, a 5.21 ha commercial employment zone including doctors' surgery, a 4.35 ha sports hub (and sports pitches), 3FE primary school, community facilities, local retail provision, public open space, children's play areas and associated parking, servicing, utilities, footpath and cycle links, drainage, ground and other infrastructure.		
SITE LOCATION Land to the west of Bobbing, Sittingbourne, Kent ME9 8QL		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions and the completion of a Section 106 agreement as set out in the report, with further delegation to the Head of Planning / Head of Legal Services (as appropriate) to negotiate the precise wording of conditions, including adding or amending such conditions and precise Heads of Terms as may be consequently necessary and appropriate.		
APPLICATION TYPE Major (Outline application – all matters reserved except for means of access from Sheppey Way).		
REASON FOR REFERRAL TO COMMITTEE The Head of Planning considers that, due to the scale of the development, which meets the standard triggers for Environmental Impact Assessment submission, and the difficult questions of policy interpretation that arise from the proposals, it be in the public interest for the application to be determined by the Planning Committee.		
Case Officer Simon Greenwood		
WARD Bobbing, Iwade and Lower Halstow	PARISH/TOWN COUNCIL Bobbing and Iwade	APPLICANT Foxchurch (Kent) Ltd AGENT DHA Planning
DATE REGISTERED 29 th November 2022		TARGET DATE 10 July 2026
BACKGROUND PAPERS AND INFORMATION: 03 Rev. C Application Boundary Plan D3366-FAB-00-XX-MR-L-001 Rev. 02 – Constraints Plan		

D3366-FAB-00-XX-MR-L-002 Rev. 03 – Strategic Frameworks Plan
D3366-FAB-00-XX-MR-L-004 Rev. 07 (Version received 25.02.26) – Movement Parameter Plan
D3366-FAB-00-XX-MR-L-006 Rev. 04 – Density Parameter Plan
D3366-FAB-00-XX-MR-L-007 Rev. 04 – Land Use Parameter Plan
D3366-FAB-00-XX-MR-L-020 Rev. 03 – Building Heights Parameter Plan
D3366-FAB-00-XX-MR-Y-101 Rev. 02 - Illustrative Masterplan
D3366-FAB-00-XX-MR-L_D104_008 Rev. 06 Green Infrastructure Plan
10353_400 Rev. P7 Site Access from Sheppey Way 1
10353_500 Rev. P6 Site Access from Sheppey Way 2
10353_700 Rev. P12 Site Access Locations
10353_1003 Rev. P8 Site Access Roundabout
10353_1004 Rev. P8 Site Access Roundabout HGV Swept Path
10353_2000 Rev. P3 Pedestrian and Cycle Route Improvements 1
10353_2001 Rev. P3 Pedestrian and Cycle Route Improvements 2
10353_2002 Rev. P2 Pedestrian and Cycle Route Improvements 3
10353_2003 Rev. P2 Pedestrian and Cycle Route Improvements 4
10353_2004 Rev. P5 Pedestrian and Cycle Route Improvements 5
10353_2005 Rev. P2 Pedestrian and Cycle Route Improvements 6
10353_2006 Rev. P2 Pedestrian and Cycle Route Improvements 7
10353_SK09 Rev. P4 Proposed Raised Table for Bobbing Village
10353_SK10 Rev. P3 Proposed Parking Court

Environmental Statement

Chapter 1 – Introduction
Chapter 2 – Site Description and Proposed Development
Chapter 3 – Methodology and Scope of the EIA
Chapter 4 – Traffic and Transport
Chapter 5 – Air Quality
Chapter 6 – Climate Change
Chapter 7 – Noise and Vibration
Chapter 8 – Socio-Economic
Chapter 9 – Ground Conditions
Chapter 10 – Water Environment
Chapter 11 – Biodiversity and Nature Conservation
Chapter 12 – Landscape and Visual Impact
Chapter 13 Archaeology and Cultural Heritage

Appendices

- Appendix 1.1 ES author CVs
- Appendix 2.1 Construction Environmental Management Plan
- Appendix 2.2 Agricultural Land Classification Study
- Appendix 3.1 Scoping Report
- Appendix 3.2 Swale Borough Council's Scoping Opinion

- Appendix 3.3 Response to Swale's Scoping Opinion
- Appendix 3.4 Application consultee comments
- Appendix 3.5 Application consultee comments summary
- Appendix 4.1 Updated Transport Assessment
- Appendix 4.2 Travel Plan
- Appendix 5.1 Construction Dust Assessment
- Appendix 5.2 Air Quality Model Verification
- Appendix 5.3 Traffic Data
- Appendix 5.4 Air quality assessment of ecological impacts
- Appendix 6.1 Climate Change Risk
- Appendix 7.1 Acoustic Design Statement & Site Suitability Assessment
- Appendix 7.2 Noise – correspondence with EHO
- Appendix 7.3 Noise Baseline Data
- Appendix 7.4 Noise – Calculation of Road Traffic Noise
- Appendix 9.1 Ground Conditions Phase I
- Appendix 9.2 Minerals Resource Assessment
- Appendix 9.3 Minerals technical letter and constraints plan
- Appendix 10.1 Flood Risk Assessment
- Appendix 10.2 Flood Risk Assessment Cover Letter
- Appendix 11.1 Ecology Survey Report
- Appendix 11.2 Protected species survey updates
- Appendix 11.3 Habitat Regulations Assessment
- Appendix 11.4 Biodiversity Net Gain Report
- Appendix 12.1 LVIA methodology
- Appendix 12.2 April 2022 LVIA
- Appendix 12.3 LVIA Figures
- Appendix 12.4 Verified viewpoint photomontages
- Appendix 12.5 LVIA Assessment Tables
- Appendix 12.6 Landscape and Ecological Management Plan
- Appendix 13.1 Baseline Heritage Assessment

All drawings submitted.

All representations received.

The full suite of documents submitted and representations received pursuant to the above application are available via the link below: -

<https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RFL0S3TYG8W00>

1. INTRODUCTION

- 1.1 This application was initially reported to the Council's Planning Committee on 26th March 2026, with a recommendation that planning permission be granted subject to conditions and the prior completion of a Section 106 agreement. The Planning Committee resolved to defer the application to allow officers to seek further clarification in respect of disposal of the foul water and open space management; and to seek additional financial contributions towards swimming

pool upgrades, 40% affordable housing, and the provision of a viability assessment.

- 1.2 The applicant has also provided a response to the following matters which were discussed at the committee meeting: the lack of engagement with a Registered Provider (RP) of affordable housing; works to Bobbing Village Hall; and secondary school capacity.
- 1.3 The original Committee report is attached to this report as Appendix A and the tabled update shared at Committee is attached as Appendix B. The minutes from the previous Committee meeting are available at Appendix C.

2. FURTHER REPRESENTATIONS

Upchurch Parish Council has submitted an objection to the proposals which is summarised as follows:

- Frequent gridlock on roads in and around the village resulting in increased pollution and danger to pedestrians and horse riders.
 - Westbound traffic from Swale makes use of the narrow roads and lanes through Upchurch as a rat run to avoid congestion on the A2 – these roads were not designed to accommodate the current volume of traffic or larger modern vehicles.
 - The proposed development would further increase traffic, road safety risks, and damage to the highway network.
- 2.1 One further objection has been received raising concerns regarding increased pressure on local infrastructure and services and loss of wildlife habitat.

3. APPLICANT RESPONSE – AFFORDABLE HOUSING

- 3.1 The applicant has provided a response to the reasons for deferral seeking 40% affordable housing and the submission of a financial viability assessment. The applicant has not submitted a viability assessment and the proposed affordable housing provision remains at 35%. The applicant has set out the rationale for not increasing the affordable percentage which is summarised as follows:

- The existing Local Plan requires the following affordable housing provision:
 - Isle of Sheppey: 0%
 - Sittingbourne Town/Urban Extensions/Iwade: 10%
 - Strategic Site NW Sittingbourne: 10%
 - Faversham Town and Urban Extensions: 35%
 - All other Rural Areas: 40%

- During the application process submissions were made to the Council which are summarised as follows:
 - 40% requirement for 'All other Rural Areas' was intended to secure appropriate affordable housing on relatively small-scale and high value sites allocated for development within the Local Plan - at the point of Local Plan adoption there were no plans for large, strategic development within this high value rural zone.
 - The scale and location of the application proposal bears most similarities to developments at Iwade and the NW Sittingbourne site (allocated under Local Plan Policy MU1) where a 10% requirement applies – however, in view of the evolution of the Council's evidence base following Local Plan adoption and the limited highways works required to deliver the scheme it could support a higher proportion of affordable housing.
- The 26 March 2026 Committee Report states that 'since the adoption of the Local Plan, further evidence relating to affordable housing viability in the borough has been produced. The Council's Housing Market Assessment (June 2020) suggested at para. 7.8 that 30% affordable housing on large sites would be plausible, subject to viability.'
- Given the age of the Local Plan, the most up-to-date evidence should be a material consideration in the determination of strategic applications.
- NPPF paragraph 66 identifies that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the tenure mix of affordable housing required meets identified local needs.
- The Council's Housing Market Assessment recommends that the Council pursues an overall affordable housing target of 27.7% but recognises that the Whole Plan Viability Assessment should be taken into account - this concludes that 30% affordable housing provision is viable on greenfield sites across the borough.
- Emerging Policy H1 within the Regulation 18 Local Plan requires 30% affordable housing for developments of more than 10 units with a tenure split comprising 60% affordable/social rent and 40% intermediate housing.
- The proposal seeks to deliver 35% affordable housing (875 homes). The SE Faversham development (resolution to grant planning permission under application ref. 23/505533/EIHYB) would provide a similar level of affordable housing.
- The applicant has highlighted that there are currently 2,070 people on the Council's housing register and have highlighted the current waiting times. The Council's latest evidence base identifies a 'current' need for 287 dwellings per annum - this development and the SE Faversham site would

each contribute between 50 and 80 dwellings per annum once the developments are 'up and running' and would meet approx. 50% of the Borough's affordable housing need.

- The 2 developments would provide consistent delivery of affordable housing across the emerging Local Plan period with both sites likely taking approximately 15 years to complete - this provides certainty for the Council and should be given significant weight. It would also provide additional flexibility elsewhere in the Borough should more marginal sites come forward.
- In view of the above it is considered that 35% affordable housing (at a 60/40 tenure split) represents a more than an adequate provision which should be given significant weight in the determination of the application.

3.2 The applicant subsequently submitted a further letter advising that they (the joint applicants) have significant experience in delivering not only private housing but affordable housing across the UK. They state that as the application is in outline form on a non-allocated site it would not be possible to have any affordable housing providers 'signed up' at this stage. However, the applicants advise that there have been numerous discussions with providers as the application has progressed, as well as discussions with a local advisor.

3.3 The letter was accompanied by a statement from the applicant's local advisor which sets out his extensive experience delivering affordable housing throughout Swale and the wider Kent area over 25 years and his detailed understanding of Swale Borough Council, RPs and the development industry. The statement addresses the current challenges facing the housing market and explains that well-structured affordable housing delivery can play an important role in supporting overall scheme delivery. It is intended that the advisor's role will involve supporting engagement with land buyers and RPs in assisting in the structuring, disposal and delivery of development parcels.

3.4 The officer's assessment of the proposed affordable housing provision remains as set out in the original committee report.

4. APPLICANT RESPONSE – STEWARDSHIP OF THE SITE

4.1 The applicant has provided a response in relation to post-occupation management of the open space on the application site which is summarised as follows:

- Open space/community facilities are expected to be included and secured in the S106 Agreement. In the first instance these would be offered to the Council for adoption with a commuted sum for maintenance in the first instance.

- In the event that the Council declines to adopt these spaces then a Residents' Management Company would be set up on site to manage these spaces. Future occupiers would make a small annual contribution towards the cost of maintaining landscaping, roads, and drainage (amongst other things) and ensuring the provision of a high-quality environment. A Parish Council Member or a Ward Member could be part of the management company with direct input into the running of the site.
 - This a detailed matter which would be addressed as part of any S106 negotiations.
- 4.2 Officers consider that the above provides sufficient clarification at this stage of an outline planning application and acknowledge that this is a matter which can be further addressed through Section 106 negotiations. It is anticipated that measures to ensure the satisfactory management of open spaces within the site can then be secured through the Section 106 agreement and the recommended conditions including Nos.14, 15 and 39.

5. APPLICANT RESPONSE – SWIMMING POOL CONTRIBUTION

- 5.1 The application was deferred to seek an increased contribution towards the upgrade of swimming pools in Sittingbourne and Sheerness. The Council requested a contribution of £1,425,634 and, following discussions with officers, a £500,000 contribution was offered. The applicant has now increased this offer to £600,000 and has provided a response to the reason for deferral which sets out the content of Regulation 122 of the Community Infrastructure Regulations 2010 and then goes on to state the following:
- The Sport England Facilities Calculator was used to assess the standardised need for sports provision across the whole development (detailed at para. 8.18.5 of the committee report) totalling £2,953,918 (including £1,425,634 for swimming pools).
 - The application seeks to provide a high-quality sports centre on site to meet an identified need within the Borough, rather than simply making contributions to part deliver the above. The development will provide the following (with projected costs in brackets where available):
 - 2 Floodlit Artificial Grass Pitches (£2,300,000)
 - 4 Indoor Tennis Courts (£3,500,000)
 - 4 Floodlit Outdoor Tennis Courts (£450,000)
 - 4 Floodlit Padel Courts (£350,000)
 - 4 Floodlit Pickleball Courts (£TBC)
 - 1 Additional Cricket Pitch (£TBC)
 - Changing Rooms and Car Park (£TBC)
 - The proposed on-site provision significantly exceeds that required by Sport England, and the overall cost far exceeds that required under the Sport England Calculator. Committing to this provision can ensure the delivery of

these facilities in a timely manner in order to serve future and existing residents at a relatively early stage of the development.

- The applicant wishes to contribute towards swimming pool enhancements, but no evidence has been presented as to exactly where the contribution would be spent, or on what specific project. Put simply, there is no certainty as to what it will deliver and when. *Officer note: para. 8.18.17 of the previous committee report identified broadly where the funding would be directed.*
- The applicant has had numerous discussions with a Local Youth Football Club (Sittingbourne FC) who would be willing to operate the sports pitch provision whilst ensuring their availability for the wider community.
- It is noted that £910,000 was requested for swimming pool upgrades from the SE Faversham developer and the applicant offered £100,000, with a £350,000 sum being subsequently agreed following negotiations. The sum agreed was significantly less than the offer made as part of this application, despite an identical demand created. *Officer note: the works identified for developer funding at Faversham Swimming Pool are not directly comparable to the works identified to mitigate the impacts of this development set out at paragraph 8.18.17 of the original committee report.*

5.2 The additional £100,000 contribution would be of closer alignment to the provision which is considered to be acceptable. The officer's assessment of the shortfall in the swimming pool contribution weighed against the benefits of the proposed on-site sports provision generally remains as set out in the original committee report, albeit there should be a minor change to reflect that the contribution is enhanced.

6. APPLICANT RESPONSE – FOUL WATER SEWERAGE

6.1 Concerns were raised by Members regarding the capacity of local foul water sewerage in view of additional demands created by the proposed development and others coming forward within the Sittingbourne area. The applicant has provided the following response:

- The application site is now a draft allocation in the Council's emerging Local Plan and the Council will therefore be obliged to engage with Service Providers to ensure that sufficient capacity can be provided.
- Southern Water are investing £6.61m to increase storage capacity to ensure that there are fewer instances of outflow during peak rainfall.
- There is a £3m sewer sealing project within Sittingbourne which will seal 4.2km of the sewer network to prevent groundwater infiltrating the pipes, preventing storm overflows during heavy rainfall. This will be in place by 2030 at the same time as first occupations within the application site.
- Whilst issues with foul water sewerage in the South-East are acknowledged, we are confident that this level of investment will ensure that the proposed

development will not result in any further impacts and this has been confirmed by Southern Water through the formal planning consultation process.

- 6.2 Members are advised that, for the purposes of assessing this planning application, Southern Water have a statutory duty to provide sewerage for the proposed development. As the applicant notes above they have confirmed through the application process that they are able to provide network reinforcement to accommodate the proposed development.

7. BOBBING VILLAGE HALL

- 7.1 The applicant has confirmed in writing that they are willing to facilitate the resurfacing of Bobbing Village Hall car park, as requested by the Parish Council. This would be secured within the Section 106 agreement either through a financial contribution to cover the costs of the works, or agreement that the works would be carried out by a contractor on behalf of the applicant.
- 7.2 It is considered that the works would meet the tests set out in Regulation 122 of the Community Infrastructure Regulations 2010 as occupants of the earlier phases of the proposed development would create an increased demand for community facilities in the locality prior to the delivery of the on-site community facilities.

8. SECONDARY SCHOOL PROVISION

- 8.1 The applicant has provided a response to concerns which were raised regarding secondary school capacity to accommodate occupants of the proposed development which is summarised as follows:
- A Secondary School is proposed on land at NW Sittingbourne with a resolution to grant planning permission subject to the completion of a Section 106 agreement.
 - The Swale Infrastructure Delivery Plan identifies that £4,407,357 of funding has been secured for this provision.
 - A further contribution of in excess of £16,000,000 would be secured under this application.
 - The school at NW Sittingbourne remains in the KCC Commissioning Plan 2026 - 2030
 - Many future occupants of the development would be moving within the borough and would already be residing and attending schools in the borough.

- 8.2 KCC Infrastructure advise that the monies secured for secondary school education would be used towards increased capacity in Sittingbourne non-selective and Sittingbourne and Sheppey Selective planning groups, potentially at NW Sittingbourne. It is considered that secondary school provision is satisfactorily addressed through the financial contributions agreed.

9. HIGHWAYS

- 9.1 Since the original Committee meeting, a letter has been received from Charles and Associates Consulting Engineers Ltd on behalf of Quinn Estates addressing the highways modelling undertaken to support the application which is summarised as follows:

- The January 2025 Transport Assessment Update (TAU) provides the highways evidence which informed the Environmental Statement (ES) - additional highways modelling was subsequently undertaken but limited evidence has been made publicly available
- KCC conclude that the development will result in no severe residual impacts arising from wider highways reassignment, but no apparent attempt has been made to present, quantify or assess highways reassignment within the application evidence base.
- Network forecasting was undertaken for the entire mainland area of the borough for Highsted Park – a wider study area is critical for the application proposal, including due to traffic volumes on local and rural roads south of Sittingbourne as a result of additional development traffic on the A249
- More comprehensive highways modelling should be made available detailing the additional cumulative impact scenario and showing all links and junctions subject to development impact.
- A full update of the ES should be provided reflecting the comprehensive updated modelling.
- Updated highways modelling information should be consulted on so that interested parties can independently consider the likely severity of impact on highway network capacity.

- 9.2 A response to the above has been received from the applicant which is summarised as follows:

- The updated modelling was requested due to the Council's withdrawal of their Local Plan and KCC determined that the highways impacts of the proposed development should be modelled as additional to Local Plan growth.
- The modelling identifies that updated assessment flows when averaged across the network are no more than 2% higher than within the updated

Transport ES - this does not materially alter the Level of Significance within any headings within the ES.

- KCC Highways and National Highways (NH) are content with the work undertaken.
- Charles and Associates note that a wider geographic assessment was required for Highsted Park - this is a much larger development proposal (in excess of 8,000 units) sited more centrally within the Borough - there are clear material differences.
- Both the Highsted Park and SE Faversham applicants undertook and provided updated highways modelling to NH and KCC at application or appeal stage without then updating their ES - the Council has taken a wholly consistent approach in this case.
- Notwithstanding the above, clarification from both the noise and air quality consultants has been provided confirming that the revised modelling would result in no material change to the conclusions within the noise and air quality chapters of the ES.
- The transport consultants have also provided an update similarly confirming that there would be no material change to the conclusions of the ES – a matter that both KCC Highways and NH are content with.

9.3 An objection has been received from Councillor Richard Palmer which is summarised as follows:

- At the Planning Committee meeting of 26 March 2026 the Chair stopped a discussion on cumulative highways impacts from a nearby development and directed that the committee should consider only the application in front of them - that direction was legally incorrect and this has been confirmed by the Council's legal officer - cumulative highways impact was a relevant material planning consideration and this point is reinforced by relevant case law. It would be unlawful to determine the application without due regard to relevant material planning considerations - prior to any further vote on this application the Chair or legal officer should formally correct the record and confirm that cumulative traffic impact from the nearby consented site is a material planning consideration. *Officer note: Cumulative impacts of committed developments are material to the assessment of highway impacts and other considerations.*
- The ES is based on the January 2025 TAU and further highways modelling has since taken place based on a different scenario and the ES has not been updated to reflect this change – a grant of planning permission on this basis would be unlawful.
- The highways network forecasting using the Swale Highway Model (SHM) covers a more limited geographic area than forecasting for Highsted Park –

rural roads south of Sittingbourne used to avoid A249 congestion have not been considered.

- The highways modelling which informed KCC's conclusions on highways impacts has not been published and the planning committee cannot make a properly informed decision without an assessment of wider network effects and evidence being made available.
- The Committee Report was factually incorrect on the matter of cumulative assessment as it stated that the assessment considers a scenario where the Bobbing development comes forward as an addition to draft Local Plan growth - the original assessment assumed the proposed development replaces growth at Faversham which is the opposite of what was reported to members. *Officer note: the modelling undertaken for KCC which informed their assessment was based upon the proposed development as an addition to draft Local Plan site allocations.*
- The TAU presents a forecast where critical parts of the network show reductions in traffic as a result of development - this is contrary to all conventional understanding for a development of this scale with no inherent network mitigating features. *Officer note – KCC Highways have advised that the reductions in traffic flows reflects how the strategic modelling distributes trips across the wider network rather than indicating that the development is not generating traffic. The SHM incorporates background growth, committed development and network changes, and it is therefore possible for some links to show localised reductions where traffic reassigns to alternative routes. The assessment appropriately focuses on the locations where material impacts arise, and the detailed capacity modelling at those junctions has been reviewed and agreed by both KCC and National Highways as forming a robust basis for decision-making.*
- The TAU applies an unjustified 10% reduction to all traffic demand in development-only scenarios without applying the same reduction to the comparable reference case. This undermines any meaningful comparison between scenarios and distorts the assessment of the development's actual impact. *Officer note: The highways modelling within the TAU has since been updated. KCC Highways advise that the final assessment has been based on agreed core scenarios which underpin the conclusions set out in the Transport Assessment and KCC's position. Notwithstanding this, the 10% reduction reflects standard practice, accounting for Travel Plan measures and the internalisation of trips within a mixed-use development. These effects arise from scheme characteristics including its layout, accessibility and on-site facilities, and therefore apply only to the "with development" scenario. The "without development" case represents background growth in the absence of these features, so applying the same reduction would not provide a realistic comparison.*
- The transport case for the application cannot be considered sound and no complete or reliable conclusions can be reached on the cumulative highways impact of the development.

- The application site is not allocated for development in the Local Plan - it is a speculative application on open countryside and the infrastructure case for refusing it is compelling.
- Kent is formally designated as an area of serious water stress, with limited water availability per person. Residents in the Bobbing and Sheppey Way area experienced actual water supply outages during 2025 and 2026.
- The NPPF requires that planning decisions contribute to environmental sustainability and resilience to climate change - 2,500 homes on an unallocated site in an area of water stress will undermine that resilience.
- The United Nations resolution on the human right to water is clear that access to clean, reliable water is a basic right – approving this scheme risks compromising that right for existing residents.
- Southern Water's own evidence (committee report paragraph 8.19.9) acknowledges that the additional flows from this development may lead to an increased risk of foul flooding from the sewer network - the existing network cannot absorb this development without reinforcement – the timing of reinforcement is not guaranteed, and new and existing residents may have to deal with the consequences.
- A majority of properties along sections of Sheppey Way are not connected to mains sewer and rely on cesspits or septic tanks which demonstrates inadequate sewerage in this area – the development does not meet the NPPF requirement to be supported by the timely provision of infrastructure.
- The application should be refused - the harms are clear, immediate and lasting and outweigh claimed benefits which are uncertain and heavily dependent on infrastructure that may not arrive in time or at all.

9.4 KCC Highways have provided a response to the

9.5 Councillor Richard Palmer has also written to National Highways, submitting a copy of that letter to the Council and asking for it to be presented on the case file. The letter raises matters detailed within the above objection and makes further comments which are summarised as follows:

- NH should advise whether an updated ES is required before this application can be lawfully determined.
- Highways modelling baseline required by NH was more limited than that required by KCC Highways - this casts doubt on an understanding of the cumulative impacts of new developments on the A249 and the M2 – these impacts are a legitimate and material planning consideration.
- NH should confirm what committed development was included in the modelling baseline it accepted and to explain how its assessment accounts for the cumulative impact of this development alongside other consented schemes in the area. NH should also confirm whether a scenario based on

a broader cumulative picture was modelled or considered, and if not, why not.

- NH email refers to modelling which has not been made publicly available – agreements were reached through private technical engagement – the modelling and technical evidence that informed the NH consultation response should be made publicly available.
- NH and KCC have requested conditions including A249 Bobbing Junction improvements prior to occupation of the 600th dwelling - given concerns about the modelling baseline and cumulative impacts the mitigation cannot be considered adequate - the A249 is the only strategic route for communities along the corridor and congestion is already severe - NH should confirm that it has assessed long-term cumulative impacts (involving all committed developments) on the A249 and M2 and that the Bobbing Junction condition is sufficient to address that cumulative position.

9.6 Councillor Richard Palmer has also written to KCC Highways, submitting a copy of that letter to the Council and asking for it to be presented on the case file. The letter raises matters detailed within the above objections and makes further comments which are summarised as follows:

- Highsted Park modelling used the SHM with forecasts provided for the whole of the mainland borough - KCC should explain why an equivalent exercise has not been carried out and published for this application and confirm whether it will be required.
- KCC confirm that extensive technical work was carried out in 2025 and this appears to have been conducted entirely through private engagement between KCC, National Highways and the applicant's consultants - KCC should confirm what technical evidence, beyond that currently published, has informed its current position, and provide a commitment that all such material will be published and that an adequate consultation period will be provided before this application is referred back to committee.

9.7 NH have responded to the Charles and Associates letter, advising that they have no further comments and referring back to their response provided on 26 March 2026 which was summarised in the tabled update to the committee report attached at Appendix B.

9.8 NH have provided a response to Councillor Richard Palmer which is summarised as follows:

- NH are focussed on the impacts of the proposal on the Strategic Road Network (SRN), which in this case is the A249 and the M2 in the vicinity of the site.

- NH have assessed the relevant information in the application in the context of the government's policy for the SRN which is the DfT Circular 01/2022 (December 2022) and the NPPF.
- It is for SBC as the determining local planning authority to address the points raised in respect of the adequacy of the Environmental Statement.
- The applicant's 'Technical Record of Post-TAU Discussions and Agreements with National Highways' (November 2025) accurately summarises the process of updating the transport modelling after the publication of the TAU. This Record explains the committed development as agreed with National Highways in line with the expectations of policy.
- It is for SBC as the determining local planning authority to address the matter of the availability of evidence and correspondence relating to this planning application on their planning portal.

9.9 KCC Highways have provided a response to the Charles and Associates letter which is summarised as follows:

- KCC Highways' role in the planning process is to assess the transport implications of the development and to advise the LPA as to whether the transport impacts would be acceptable, having regard to national policy, in particular whether the residual cumulative impacts would be severe in the context of paragraph 115 of the NPPF.
- Matters relating to the structure or completeness of the ES fall within the remit of the LPA as decision-maker and do not alter KCC's ability to reach a view on the acceptability of the development in transport terms.
- In respect of the cumulative assessment, it is acknowledged that the TAU forms a key part of the submitted documentation; however, the applicant has undertaken further modelling work, including cumulative and future year scenarios, which has been reviewed in detail by KCC Highways and NH and has informed the position of both authorities and provides an appropriate and robust understanding of the network effects of the development.
- The planning process does not require the publication of all intermediate or working modelling outputs for an assessment to be considered sound - the critical consideration is whether the methodology, assumptions and results have been appropriately tested and scrutinised by the relevant highway authorities - KCC is satisfied that this has been done, and that the evidence available is sufficient to support a robust assessment of transport impacts.
- KCC is satisfied that the use of the SHM provides an appropriate strategic tool for capturing network-wide effects, including traffic reassignment. The assessment has appropriately focused on those links and junctions where material impacts are likely to arise, consistent with the principle of proportionate assessment. Whilst changes in traffic flows may occur across a wider area, these are diffuse in nature and do not give rise to operational

or safety concerns that would materially affect the performance of the highway network.

- Taking into account the modelling evidence, junction capacity assessments and cumulative scenarios, KCC has formed the view that the development would not result in severe residual cumulative impacts on the highway network. This conclusion reflects the application of the relevant national policy tests and is shared by NH in respect of the Strategic Road Network.
- Additional modelling outputs, updated ES material and further consultation has been requested - additional technical information would not materially alter the conclusions that have been reached and the existing evidence is sufficient to enable a clear understanding of the development's impacts and to support decision-making.

9.10 KCC Highways have also responded to Councillor Palmer and referred him to the above response to Charles and Associates.

9.11 The applicant has submitted a technical note as an update to ES Chapter 4 (Transport) which includes revised traffic flows to reflect the updated modelling undertaken since the preparation of the ES. The revised traffic data demonstrates that the further updated assessment flows, averaged across the assessment network, are no more than 2% higher than those used in the ES for all scenarios and all time periods. On an individual link basis, percentage changes are generally similarly minor with the exception of links with low flows where small numerical changes can lead to larger percentage changes. The ES considered the impacts of the proposed development under the following headings: severance; driver delay; pedestrian delay (incorporating delay to all non-motorised users); non-motorised user amenity; fear and intimidation; road safety; and hazardous loads / large loads. The review concluded that there would be no changes to the Level of Significance of any assessed impact. Given that the updated highways modelling data would not alter the conclusions of the ES it is considered by officers that an update to the ES is not required.

9.12 It is noted that revised modelling data was submitted for both the SE Faversham and the Highsted Park schemes and in both cases an ES update was not required.

9.13 All background information which informed the KCC Highways and NH assessment of the proposals has now been submitted and made available on the Council's website. This had not been provided previously but was made available to view on the planning file the same working day it was received. It is not considered that re-consultation is necessary as it is additional information but does not alter the proposal. This is supported by Planning Practice Guidance which states that it is up to the Local Planning Authority to decide whether further publicity and consultation is necessary.

- 9.14 The correspondence received which is detailed above does not alter KCC Highways' and NH's assessment of the highways impacts of the proposal. KCC highways and NH raise no objections to the proposal and have concluded that it not have an unacceptable impact upon highway safety or on the satisfactory operation of either the strategic or the local highway network.

10. STRATEGIC ACCESS MANAGENT AND MONITORING STRATEGY (SAMMS)

11. The Tabled Update to the previous committee report referenced correspondence from Town Legal on behalf of the Highsted Park developer querying Natural England's position in relation to measures to mitigate recreational disturbance to the Special Protection Areas and Ramsar sites. Natural England have since confirmed that the proposed country park (providing high quality semi-natural green space) and SAMMS contributions would represent a SAMMS+ approach which Town Legal suggested would be appropriate. On this basis, Natural England advise that the applicant's shadow Habitat Regulations Assessment and the Council's Appropriate Assessment do not require amending and that Natural England do not require re-consulting.

12. PLANNING OBLIGATIONS

- 12.1 Reflecting on the discussions of the Planning Committee at the previous meeting, it is considered appropriate to highlight that the KCC Infrastructure consultation response provided details on the allocation of Section 106 infrastructure contributions to projects as follows:
- Primary education – towards the construction of a new on-site primary school.
 - Primary education land – a 3ha site to be provided within the application site for primary land.
 - Special Educational Needs – towards additional SEN provision within Swale.
 - Secondary education and secondary education land - towards a new secondary school in NW Sittingbourne (Local Plan Policy MU1) and/or increased capacity in Sittingbourne non-selective and Sittingbourne and Sheppey Selective planning groups.
 - Community Learning - towards additional equipment and classes at Sittingbourne Adult Education Centre and outreach provision to increase capacity in the service.
 - Youth Service - towards additional equipment and resources for the Youth Service to provide outreach services in the vicinity of the development.
 - Library Service - towards additional services, resources, and stock at Sittingbourne Library or any other serving the development.

- Social Care - towards Specialist care accommodation, assistive technology, and home adaptation equipment, adapting existing community facilities, sensory facilities, and Changing Places Facilities within the Borough.
- Waste - towards expansion of Sittingbourne or Sheppey Waste Transfer Station.

13. RECOMMENDATION

13.1 The overall assessment of the application remains as set out in the previous committee report. It is recommended that planning permission is granted subject to the conditions listed below and the planning obligations as set out in the previous report plus an additional £100,000 contribution towards additional swimming pool capacity and resurfacing of the Bobbing Village Hall car park.

RECOMMENDATION – GRANT PLANNING PERMISSION subject to conditions and the prior completion of a Section 106 agreement.

Recommended conditions are as set out in the Committee Report provided at Appendix A subject to the following amendments:

Condition 5 should be amended to read as follows (amendment underlined):

5. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:

D3366-FAB-00-XX-MR-L-001 Rev. 02 Constraints Plan
 D3366-FAB-00-XX-MR-L-002 Rev. 03 Strategic Framework Masterplan
 D3366-FAB-00-XX-MR-L-004 Rev. 07 (Version received 25.02.26) – Movement Parameter Plan
 D3366-FAB-00-XX-MR-L-006 Rev. 04 Density Parameter Plan
 D3366-FAB-00-XX-MR-L-007 Rev. 04 Land Use Parameter Plan
 D3366-FAB-00-XX-MR-L_DI04_008 Rev. 06 Green Infrastructure Plan
 D3366-FAB-00-XX-MR-L-020 Rev. 03 Building Heights Parameter Plan
 10353_400 Rev. P7 Site Access from Sheppey Way 1
 10353_500 Rev. P6 Site Access from Sheppey Way 2
 10353_700 Rev. P12 Site Access Locations
 10353_1003 Rev. P8 Site Access Roundabout
 10353_1004 Rev. P8 Site Access Roundabout HGV Swept Path
 10353_2000 Rev. P3 Pedestrian and Cycle Route Improvements 1
 10353_2001 Rev. P3 Pedestrian and Cycle Route Improvements 2
 10353_2002 Rev. P2 Pedestrian and Cycle Route Improvements 3
 10353_2003 Rev. P2 Pedestrian and Cycle Route Improvements 4
 10353_2004 Rev. P5 Pedestrian and Cycle Route Improvements 5
 10353_2005 Rev. P2 Pedestrian and Cycle Route Improvements 6
 10353_SK09 Rev. P4 Proposed Raised Table for Bobbing Village
 10353_SK10 Rev. P3 Proposed Parking Court

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with this application.

Condition 6 should be amended to include indoor sports facilities falling within Use Class E(d) and should read as follows (amendment underlined):

6. Development Limits

The development hereby approved shall not exceed the following development limits:

Use (Town and Country Planning (Use Classes) Order 1987, as amended)	Amount
Residential - Use Class C3	Up to 2,500 dwellings
Commercial – Use Classes E (b) (Sale of food and drink for consumption (mostly) on the premises) or sui generis (Hot food takeaway) with a maximum 50m ² floorspace E(e) Medical services (maximum 1 unit with a maximum 500m ² floorspace) E(g) (i) Office E(g) (ii) Research and development E(g) (iii) Any industrial process, (which can be carried out in any residential area without causing detriment to the amenity of the area)	Maximum floorspace of 15,500m ² GIA
Local Centre – Use Classes E (a) - Display or retail sale of goods, other than hot food (maximum 1 unit) E (b) - Sale of food and drink for consumption (mostly) on the premises (maximum 1 unit) E (c) (i) Financial services, E (c) (ii) Professional services E (c) (iii) Other appropriate services in a commercial, business or service locality E (f) Non-residential creche, day centre or nursery	Maximum floorspace of 1,300m ² GIA and no more than 1 Class E (a) retail unit which shall not exceed 500m ² GIA
Community Centre – Use Classes E(d) - Indoor sport, recreation or fitness F2(b) - Halls or meeting places for the principal use of the local community	Maximum floorspace of 650m ²
3FE Primary School – Use Class F1(a)	2.9ha

Use (Town and Country Planning (Use Classes) Order 1987, as amended)	Amount
Sports and Community Facilities – Use Class <u>E(d)</u> and F2(c)	Minimum 4.69ha

Reason: To ensure that the development is carried out in accordance with approved details and the quantum of floorspace is within the parameters assessed in the Environmental Impact Assessment in relation to the development.

