

Introduction

At the Matter 9 Examination session, it was agreed that the Council would provide an update in respect of its site commentary within Appendix A-C of SBC/PS/113, together with some additional site based comment in respect of matters raised by respondent's statements. These are set out in Appendix A to this supplementary statement to SBC/PS/133 and take the form of some generalised comments before addressing the site specifics. In the case of Shepherd Neame, other than in one instance, the Council has only responded to those sites considered by them to require a reduction to the five-year supply.

Appendix A: General and site commentary

| Site/General comment | Shepherd Neame Ltd. (SN) | Gladman (Glad) | MLN Land and Property (MLN) | Iceni (IC) | SBC Commentary |
|-------------------------|--------------------------|----------------|---|------------|--|
| General comments | | | | | |
| Lead in times | | | Draws upon HBF/NLP work (SBC/PS/136) to make assumptions about lead in times and annualised delivery rates. | | <p>The Council has had regard to national evidence, whilst taking into account a site by site assessment taking into account local conditions.</p> <p>(MLN) The Council however considers that this respondent has over-relied upon standard assumptions in their response. As NLP say at page 21 of SBC/PS/136:</p> <p><i>'these rules of thumb are not definitive. It is clear from our analysis that some sites start and deliver more quickly than this average, whilst others have delivered much more slowly. Every site is different.'</i></p> <p>This is particularly so in respect of the use of average lead in times. Fig 5 on page 9 of SBC/PS/136 (NLP) sets out the range of lead in times by site size which shows how the extremes have influenced the average used. For example, for sites up to 999 units, to pull the average lead in time from a maximum of 17 years down to an average of 4.5 years would require a considerable number of sites with lead in times less than 4.5 years. These</p> |

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| | | | | | averages are applied over rigorously in the Council's view which makes them vulnerable to an inflexible overall approach that does not take into account local considerations. Some of these are highlighted in the site responses below. |
| Constraints and assessments | Constraints and assessments may lead to slippage | (ALL) There is a tendency for respondents to list the constraints highlighted by policies and the assessments required to indicate the likelihood of delay. There is no evidence provided to support these views and does not take into account that for most of the sites these are matters that have already been addressed to make the allocation sound and/or as part of preparation of the planning applications themselves. |
| Planning permissions | Planning updates sought | | | | (SN) These were provided verbally at the Examination and are reflected in the site commentary below. For the most part, the Council has email correspondence from developers/site promoters, which can be provided if considered appropriate by the Inspector. Most of the updates given confirm the timings set out in SBC/PS/113, or with minor slippage. |

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| Allocations | | | | | |
| SW/040/73 Land north of Quinton Road | Combination of developers, need for access issues to be resolved, master planning leads to reduction of 100 units by slippage to year 6 2021/22. | The high annual rates reflect the likelihood of five developers otherwise it is not deliverable at these rates. | Considers unlikely that site will come forward due to competition with other large sites at Sittingbourne. Also that with no application and marginal viability delivery from 2021/22 with 122 dpa using NLP research. Minus 100 units sought. | No development at all anticipated in years 1-4. 100 dwellings expected in year 5 alone. The commentary acknowledges that delivery is dependent upon improvements to the A249, which will require LTP funding. | <p>(SN/GLAD) These issues mostly affect delivery rates outside of the 5 year supply.</p> <p>Persimmon is preparing a hybrid application, to comprise of a detailed application for up to 200 dwellings with access from Quinton Road. Redrow is preparing a detailed application for 200 dwellings with access from Quinton Road. Both for Spring 2017.</p> <p>Nicholls is preparing a detailed application for 100 dwellings for Pheasant Farm, with access from Grovehurst Road.</p> <p>The Masterplan is well advanced, and applications are programmed to be submitted in Spring 2017.</p> <p>It is anticipated that the first planning permissions will be granted early 2018.</p> <p>The developers envisaged first completions early in 2019, which is a year ahead of the Council's trajectory.</p> <p>The developer considers that with full planning permission granted for 500 dwellings, and three outlets it is more than reasonable to assume that at least 100 dwellings will come forward within the first 5 years of the plan period i.e.</p> |

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| | | | | | <p>before 2021/22.</p> <p>The above does not take account of the contribution from the Great Grovehurst Farm component of the North West Sittingbourne allocation, which will be commenced within the 5 year period by a further developer.</p> <p>As explained, rates reflect at least 3 developers, potentially up to 4.</p> <p>Delivery rates outside of the five year supply reflect the fact that a further developer could be introduced. This is considered a reasonable assumption at this point. However, it should be noted that Persimmon has a track record of high levels of completions as confirmed by their returns to the Council.</p> <p>(IC) Evidence presented to the Matter 4 and 5 hearing session demonstrates that an interim solution to improvements to the A249 junction is agreed with the Highway Authorities, and that development can come forward in advance of these improvements. Furthermore, Redrow and Persimmon intend to bring forward housing at the southern end of the allocation taking access from Quinton Road, which is not reliant on the A249 improvement works to deliver.</p> |

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| | | | | | <p>(MLN) The NW Sittingbourne developers confirm that they have no intention of delaying delivery because of concerns over competition with other strategic sites in Sittingbourne.</p> <p>Conclusions: The Council envisages no change to its current estimates, although it notes the more confident timetable from the site developers.</p> |
| SW/703 SW Sittingbourne | Combination of developers, need for access issues to be resolved, master planning, assessments and potential contamination, leads to reduction of 60 units by slippage to year 6 2021/22. | | The need to remove brickearth. With no planning application submitted, phasing is optimistic. NLP dwelling delivery applied from 2020/21. Seeks reduction of 60 units. | No development at all anticipated in years 1-4. 60 dwellings expected in year 5 alone. The commentary states that 'given the complexities completions in year five are considered to be a more cautious approach'. Delivery of 60 dwellings in a single year does not represent a cautious estimate. | <p>(SN, IC) The hybrid application will be submitted imminently and will include all the details to address these issues. Developers are already secured, thus the lead in time is therefore considered reasonable.</p> <p>As explained, this reflects the availability of potentially more than one developer and the attractiveness of the location.</p> <p>(MLN) Given that a planning application is imminent, if brickearth removal is required it is considered reasonable that this can be programmed within development phasing as phased by SBC/PS/113.</p> <p>Conclusions: The Council envisages no change to its current estimates, although it notes the more confident timetable from the site developers.</p> |
| SW/337- Crown | Multiple land ownerships, | Possible use of CPO | Applies NLP delivery | | (SN, GLAD) The current full planning |

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| Quay Lane, Sittingbourne | possible use of CPO, issues arising from flooding and contamination. Also potential viability issues. Suggests reduction of 50 units by slippage of 1 year to 2021/22 outside of 5YS. | casts doubts. | rate. Seeks an additional 2 units. | | <p>application is able to address the delivery rates within the five-year period without necessitating the use of CPO. The areas in question do not affect the delivery of the housing areas. Its use improves the overall developability and comprehensiveness of the rest of the site. Issues are currently being addressed via the planning application. The presence of a current full planning application could even lead to completions earlier than indicated by SBC/PS/113.</p> <p>Conclusions: The Council envisages no change to its current estimates, although it notes the more confident timetable from the site developers.</p> |
| SW/076 Lydbrook Close, Sittingbourne | | Site has not delivered despite previous allocation and a planning permission in 1997. Seeks reduction of 44 units. | | | <p>(GLAD) The only reason the original permission did not deliver was that there was no site for the relocation of the company. The company has now relocated and a new planning application is under preparation as per SBC/PS/113.</p> <p>Conclusions: The Council envisages no change to its current estimates.</p> |
| SW/330 Stones Farm | Considers that high delivery rate and possible need for second developer could lead to loss of 30 | | Considers delivery as optimistic as there is no S106 signed and no developer. Considers | No development anticipated in years 1-3. 130 dwellings expected in years 4 | (SN, MLN) Site is actually more advanced than all large sites at Sittingbourne. S106 signing is at the point of resolution with developer bids |

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| | dwellings in the 5YS | | site to be least advanced of sites in Sittingbourne. Applied NLP rates of 86 dpa with delivery in 2020/21. Seeks a reduction of 44 units. | and 5. | <p>being considered now before the landowner who anticipates a selected developer and RSL in place by Spring 2017. Even if a reserve matter application took until the end of 17/18 to determine, this would still leave two years to the end of 2019/20 to deliver the first completions as envisaged by SBC/PS/113.</p> <p>The higher rates reflect a confirmed RSL as very likely.</p> <p>Conclusions: The Council envisages no change to its current estimates.</p> |
| SW/343- Land at the Bell Centre, Sittingbourne | | | Non-delivery of Previous schemes show viability issues yet to be addressed. Rate of delivery is considered over-optimistic given that there will be three blocks. An increase in dwellings in line with the planning application is agreed. Seeks reduction of 73 units. | | <p>(MLN) Viability issues related to previous non-residential (hotel) schemes where design and site clearance costs led to their failure.</p> <p>Demolition and site clearance was undertaken by the previous owner which improved viability overall, as have the inclusion of the GP surgery and pharmacy. There are no current known viability issues associated with the scheme.</p> <p>The full planning application is likely to be determined in Spring 2017.</p> <p>The higher dwelling numbers proposed by the application could lead to a longer build out time, but this has not been</p> |

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| | | | | | <p>assumed by the Local Plan at this time.</p> <p>The planning application does involve three separate blocks of flats, however, construction of the two new-build elements will comfortably provide the dwellings envisaged in the 5YS.</p> <p>Conclusions: The Council envisages no change to its current estimates.</p> |
| SW/348 Cockleshell Walk Sittingbourne | Although identified by as a 'low' risk of slippage, an update was requested at the Examination. | | | | <p>(SN) No change to the position set out in SBC/PS/113.</p> <p>Conclusions: The Council envisages no change to its current estimates.</p> |
| SW/998 Former Istill Mill, Queenborough | | Site is not deliverable in the plan period because of considerable site clearance needed and intervention required by the HCA. | | | <p>(GLAD) This comment relates to delivery in the plan period not within the 5 year supply. The Council has not phased the site within the five-year supply reflecting some uncertainties. However, the site remains deliverable within the Plan period. The Council is aware of discussions that give grounds for optimism that the site will be reasonably developable within the plan period. Any changes will be reflected within the next land supply statement.</p> <p>Conclusions: The Council envisages no change to its current estimates.</p> |
| SW/194- Barton Hill Drive, Minster | Considered risk of slippage as 'low-medium' – keep | Delivery rates have increased from | Highlights an allowed appeal on part of the | | <p>(GLAD) The assumed delivery rates within the five year supply do not reflect</p> |

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| | under review. | 40/60dpa to 80dpa. The Council have supplied little evidence to support the increase in delivery rates, as this will likely require at least two developers on Site delivering simultaneously. | site for horse related development and is a more sensitive development. Taking this into consideration and using NLP research on lead in times of 4.5 years slippage to 2021/22 is argued. Seeks reduction of 50 units. | | this, with the higher levels of completions only assumed later in the plan period with the reasonable assumption that the site size would lend itself to sub-division for a number of phases and developers. It would not be reasonable to require evidence of such that far ahead, just whether the basic assumption is reasonable at this point. (MLN) This is an unduly pessimistic assessment because of the over-rigorous use of average lead in time figures relative to site size, especially when compared with the respondent's own assessment of their omission site (see below). This is a straightforward site to develop, especially with infrastructure issues now resolved. Conclusions: The Council envisages no change to its current estimates. |
| SW/335- West of Rushenden Road, Rushenden | Viability indicates that without further support this will not come forward until after 2019/20. Indicates loss of 75 units from 5YS. | | Flood risk and lack of exceptions test, together with brownfield nature of the site means that delivery from 2019/20 is optimistic and that delivery in 2020/21 is more likely. Seeks | No development anticipated in years 1-3. 125 dwellings expected in years 4 and 5. | (SN/MLN) Full planning permission granted Feb 17. Development scheduled as commencing Summer 2017. HCA has dealt with all adverse site preparation costs. S106 terms have been negotiated to address viability issues. Other phases and other developers would come on stream in later phases. |

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| | | | reduction of 75 units. | | <p>(MLN) Site has already been accepted by the EA in the context of the adopted LP and the adoption of the masterplan SPD in 2010. Land raising was undertaken in response and all site works have made the site fully ready. Its brownfield nature holds no additional constraint given these works.</p> <p>Conclusions: The Council envisages no change to its current estimates, although it notes a potentially more confident timetable for delivery.</p> |
| SW/165- Belgrave Road, Halfway | | | <p>Refers to SHLAA access comments and need for second access.</p> <p>Considers 2019/20 to be optimistic given market capacity issues.</p> <p>Site is unviable. Site slipped to 2020/21.</p> <p>Seeks reduction of 25 units.</p> | | <p>(MLN) Site promotor's statement comments confirm that Kent Highways are content with access arrangements. The possible need for a second emergency access is not a major issue affecting the timing of delivery.</p> <p>CD/013b Viability advice confirms site is viable with no CIL or AH, not that it is unviable.</p> <p>The Council asked promoters to consider issues of market capacity and no issues raised.</p> <p>Conclusions: The Council envisages no change to its current estimates, although it notes the more confident timetable from the site developers.</p> |
| SW/114- Halfway | | | Site has yet to be | | (MLN) Notwithstanding local opposition, |

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| Houses Primary School, Halfway | | | demolished and no planning application submitted. There is local opposition. It is optimistic for delivery in 2019/20 and considers 2020/21 more realistic at Swale rates. Seeks reduction of 25 units. | | <p>the school has relocated and KCC confirm delivery within the five-year supply.</p> <p>Even if delivery were to slip by one year, it is not unreasonable to assume that all 35 units would still be delivered in 2020/21 (year 5).</p> <p>Conclusions: The Council envisages no change to its current estimates, but it will be kept under review.</p> |
| SW/413 Perry Court Farm | Slippage on S106 agreement. A complex site involving legal agreements between several developers at site disposal stage. Need for masterplan with phased release of housing relative to employment. Slippage of one year to 2019/20. Seeks reduction of 75 units. | | Given that site needs to be sold to developer and reserve matters required, completions in 2018/19 is optimistic. Has assumed standard NLP delivery rate for 2019/20. Seeks reduction of 70 units. | No development anticipated in years 1 and 2. 85 dwellings expected in year 3; 50 in year 4; and 75 in year 5. The commentary refers to completions from 2018/19 being 'challenging', and yet the trajectory relies on completion of some 85 dwellings in that single year. | <p>(SN) Final S106 imminent with only who will implement the agreed local highway improvement to be resolved.</p> <p>The assumed disposal of site and the granting of reserve matters are considered too-pessimistic, especially as most of the issues highlighted have been addressed via the outline permission. There is no requirement for a master plan and housing is not linked to employment.</p> |
| SW/233 Preston Fields, Faversham | Lead in time for site is considered longer, together with market viability issues associated with the phased release of housing at Perry Court | | | | <p>(SN) Outline planning application submitted as per SBC/PS/113. The respondents timing for determination is long given the amount of pre-application activity, whilst the view that S106, marketing, disposal and reserved</p> |

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| | <p>Farm. Considers slippage of one year to 2020/21. Seeks reduction of 35 units.</p> | | | | <p>matters are discrete phases is not likely in practice.</p> <p>Even if there were slippage into the following year, it is not anticipated that 35 units would be lost.</p> <p>The Council does not accept that there would be viability issues relative to the Perry Court Farm site, given that this is an area of strong demand and viability. Site promoters were asked to take such matters into account in their returns to the Council.</p> <p>Conclusions: The Council envisages no change to its current estimates.</p> |
| <p>SW/997- Oare Gravel Works, Faversham</p> | <p>Slippage in S106 and sale to developer, complex legal process for sale. Complex issues to be resolved via planning application and considerable up-front costs and major pre-commencements works.</p> <p>High upfront costs could have impact on commercial viability, timing of new house building. Considers 2 year slippage with reduction of 100 units (or 68 if 50</p> | | <p>Site constraints will delay site and delay in signing of S106 'suggests' viability issues. Considers delivery from 2020/21 with 12 units and then standard NLP delivery thereafter. Seeks reduction of 42 units.</p> | | <p>(SN, MLN) Site constraints do not directly affect the developable area established via the Local Plan and planning application. S106 timescales unaffected by viability issues, rather the complexities relating to the ecological management of the site next to the SPA. S106 signing is now imminent, existing use largely vacated and the promoters confirm sale to developer Spring 2017 with reserve matters submitted during the summer of 2017.</p> <p>(SN) There are no phasing linkages between housing and the very minor commercial element of the scheme.</p> <p>Respondent's timings for sale and</p> |

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| | dwelling in 2020/21) | | | | reserve matters are considered excessive. Conclusions: The Council envisages no change to its current estimates. |
| SW/334 Land north of Graveney Road, Faversham | SBC need to confirm planning application status. Planning process and disposal leads to slippage with a net reduction of 20 units sought. | | | | (SN) Full planning application submitted by Bellway Homes. Thus the respondent's disposal time can be removed from lead in times. Conclusions: The Council envisages no change to its current estimates. |
| SW/407 Land off High Street, Newington | Highway improvements, assessments and high delivery rate leads to slippage of 55 units. | | | | (SN) Application will be considered by SBC in March 2017. Assessments have been undertaken and highway improvements modest and do not affect phasing. Higher delivery rates reflect developer's views – not untypical rates for the developer Persimmon. Conclusions: The Council envisages no change to its current estimates. |
| Planning Permissions | | | | | |
| 14/0045- Land East of Love Lane, Faversham | Confirmed developer is not substantiated. Site is complex including preparation of a masterplan etc. Also policy requirement to link residential completions to | | Is considered over-optimistic given that no reserve matters have been submitted. Slippage from 2019/20 to 2020/21 is more appropriate. Seeks | | (SN, MLN) Developer of employment site confirmed with reserve matters application expected. Developer of housing site being confirmed imminently, with reserve matters preparation at an advance stage with the assumption made that all |

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| | employment. Recommend keep position under review. | | reduction of 40 units. | | <p>permissions will be achieved by end of 2017. Phase II will be a follow on outside of 5YS.</p> <p>The site is not complex, there is no requirement for a masterplan; neither is there a direct link with employment phasing, other than a requirement for its site access to be commenced.</p> <p>Even if a reduced number were achieved in the first year, there would still be strong prospects that the remainder would be achieved the following year.</p> <p>Conclusions: The Council envisages no change to its current estimates.</p> |
| 14/502729- Ospringe Brickworks, Sumpter Way, Faversham | Need to confirm that developer is agreed and that reserve matters are imminent. Extra ordinary development costs with contamination could delay matters. Considers that only part of the allocation would be built out by end 2019/20. Seeks reduction of 20 units. | | Site not passed to developer with no reserve matters. Phasing is over-optimistic and a reduction in dwellings is advocated in 2019/20. Seeks reduction of 30 units. | | <p>The site has been sold to Bovis and a reserve matters application is expected Spring 2017. It is reasonable to assume that reserve matters would be in place before the end of 2017, especially as pre-application activity has taken place.</p> <p>The site is simple to open up and at present there is no reason to assume that 40 dwellings cannot be delivered in 2019/20. Even if a reduced number were achieved in this year, the remainder would be achieved the following year with no loss from the 5YS.</p> <p>Contamination issues impact upon one third of the site which is subject to a later phase. This is being addressed by</p> |

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| | | | | | the previous site owner and does not impact upon 5YS. Conclusions: The Council envisages no change to its current estimates. |
| TOTAL DEDUCTIONS | Minus 572 | Not specified | Minus 682 | Not specified | The Council envisages no change to its current estimates. |
| Other sites | | | | | |
| SW/133 Land east of Scocles Road Minster | | | Site can delivery completions within the five-year supply | | Whilst the Examination has not considered omission sites, the inclusion of the site within the respondent's land supply figures requires comment. The approach taken to the phasing of the SW/133 omission site relative to the Barton Hill Drive LP allocation (Policy AX1) throws up an over-reliance on standard average assumptions (see above). Two otherwise similar sites (noting the two important differences that only one is allocated and able to facilitate the A2500 highway improvements), but because the allocation falls into a larger NLP site size category, it slips beyond the 5YS, whilst SW/133 is included within the supply. |