

**SBC/PS/133a SBC response to respondent's site commentaries**

**Further responses on behalf of Shepherd Neame Ltd**

**1. Introduction**

1. We are formally instructed by Shepherd Neame Ltd to submit the following responses in respect of SBC/PS/133a setting out additional detailed comments in respect of delivery of housing land supply on key strategic sites (100 units plus) within the next 5 years (NB: Post an email exchange with the Programme Officer, this document was received on the 14.2.17. To date, it does not seem to appear as a formal EIP document on the Council's web site).

**2. Lead in Times**

2. Based on past performance, it is evident that lead-in times for bringing forward large development sites in Swale are over optimistic. This is primarily due to inertia within the planning system (planning; highways; green space; environment; legal) which affects the all parts of the development cycle – pre-application enquires; development briefs; outline planning; S106 Agreements; reserved matters; site disposals (where consultation with the Council is required on proving plans); discharge of planning conditions. These processes generally need to run in sequence rather than overlap. This is particularly problematic where there are several landowners / developers involved; requirement for land equalisation / developers to agree phasing plans; and unresolved site issues such as highways / acquisition of land outside of the developer's control. Added to this, questions over viability / timing of development associated with competing sites means that SBC's lead in times could easily slip by 1 or 2 years on key development sites (NB: Sites where past slippage has occurred on key development sites and the timescales involved in achieving planning permission of key development sites in Faversham are set out in Shepherd Neame's response statement to Matter 9.3).

### **3. Constraints and Assessment**

3. The planning validation process now dictates that a large amount of supporting information is submitted in the support of an outline or full planning application for housing including matters relating to housing mix / design; highways; ecology; landscape; drainage / FRA; archaeology; trees; agricultural land quality; air quality; noise; S106 heads etc. Each matter often involves separate ongoing discussions with the department responsible during the course of the application's determination often requiring the submission of additional supporting evidence. It is really only at this stage that potential development constraints / need for mitigation comes to light. As such, there is a very high risk that the determination process for large complex housing applications will become protracted as has happened in respect of sites within Faversham at Perry Court Farm; Love Lane; Oare; and the Weston Link Road. There is no reason to suspect that this will not also happen in respect of SBC's other key strategic sites forming part of its 5 year supply.

### **3. Key Development Sites**

(1).SW/040/73 – Land North of Quinton Road: It is noted that first planning permissions will be granted in early 2018 with developers envisaging completions in early 2019. Given the need to ratify S106 / S278 Agreements; discharge a large number of pre-commencement planning conditions; undertake additional site survey work; reach agreement with the Statutory Undertakers (Sewerage – foul / surface water, gas, electricity); and implement site infrastructure works (earthmoving; drainage; roads etc), it would appear very unlikely that there would be housing completions by early 2018. As such, SN remains of the view that there would be slippage on this site which would justify a reduction of 100 dwellings (as supported by Gladman, MLN and IC).

(2) SW/703 – SW Sittingbourne: Whilst is noted that hybrid planning application for the site remains 'imminent' this could be potentially further delayed as a result of potential outstanding highway issues and other heritage / land contamination issues. As such, a slippage of 1 year seems likely resulting in a reduction of 60 dwellings.

(3) SW/337 – Crown Quay, Sittingbourne – Whilst it is noted that a full planning application has now been submitted, there remain a large number of potential planning constraints affecting this site including flooding (north and eastern parts of the site); land contamination; and viability issues. As such, slippage on this site would seem highly likely with a reduction of 50 dwellings.

(4) SW/330 - Stones Farm, Sittingbourne – Issues surrounding high delivery rates / competition from other competing sites remain. As such, a forecast reduction of 30 dwellings from the 5 year housing land supply seems likely (as supported by MLN).

(5) SW/335 – West of Rushenden Road – Whilst it is noted that full planning permission is to be granted on the 17<sup>th</sup> February, it would appear unrealistic of the Council to expect development to commence on the site by Summer 2017. Other key issues surrounding flood risk and viability mean that there remains a very high prospect of slippage on this site – circa 75 dwellings (as supported by MLN).

(6) SW/413 – Perry Court Farm, Faversham – The complexity of this combined housing / commercial site involving several developers and the need for some form of phasing / site infrastructure plan means that delivery of housing on this site by 2018/19 will be ‘challenging’ (as stated by SBC in PS/113 and supported by MLN and IC).

(7). SW/233 – Preston Fields, Faversham – This is a large complex housing site proposal involving sensitive landscape and heritage issues. As per previous detailed assessment work as to lead in times, it would appear to be the case that development on this site is likely to slip to 2020/21 with a reduction of 35 dwellings or even longer if there is perceived to be market competition with the Perry Court Farm proposals on the opposite side of the road (A251).

(8) Oare Gravel Works, Faversham – This remains a very complex, sensitive site to develop with latent flooding; heritage; contamination; traffic and SPA ecology issues to resolve. As such, slippage by 1 or 2 years on this site would appear to be highly probable – circa 100 dwellings (a view shared by MLN).

(9) SW/334 – Land North of Graveney Road, Faversham – As confirmed by SBC.

(10) SW/407 – Land off High Street, Newington Road, Newington – As confirmed by SBC.

(11) 14/0045 – Land East of Love Lane, Faversham – Without confirmation of a developer of the housing site, it is difficult to understand how a reserved matters application has reached an advanced stage in which a number of key issues include off site road works; impact on Local Wildlife Site; impact on Conservation Area; potential need for a southern access (landownership issues) and possible commercial viability issues regarding new infrastructure provision (split between residential, employment and leisure developers). As per MLN findings, possible reduction of 40 units envisaged;

(12) 14/502729 – Ospringe Brickworks (Western Link) – As confirmed by SBC.

#### **4. Conclusions**

4. Post production of update statement by SBC it is evident that a number of trigger dates have been met in terms of planning applications submitted / granted, albeit there remain a large number of trigger dates which are still ‘imminent’ (forecast early 2017) and any slippage in this regard could have a knock on effect in terms of when housing development commences on a site. With all matters taken into consideration, the position would remain (as supported by MLN and Gladman) that SBC has a shortfall of circa 700 dwellings in terms of its 5 year supply which continues to make the Plan unsound (NB: The shortfall in Faversham is circa 250 dwellings with further uncertainty as to sites within the Faversham Creek area).

5. As discussed at the Examination in Public the simple way to address this shortfall would be to allocate a number of additional short to medium term sites under Policies ST4 and A14 (Smaller allocations as extensions to settlements) without the need for further modification to the Plan. In response to the comment made by SBC at the EIP that the allocation of additional smaller sites would not help it meet its 5 year land supply requirements due to the lead in times associated with these proposals, it is

evident that A2 / Western Link site could be delivered very quickly with housing completions by 2018/19 (25 dwellings) / 2019/ 20 (29 dwellings) given the presence of an existing outline planning application which was refused by SBC in October 2016 (with further evidence prepared addressing outstanding landscape and heritage issues). Other matters relating to highways; ecology, drainage, noise; air pollution; agriculture; archaeology have all been agreed by SBC / KCC.

**SM/1**

**DATE: 15.2.17**