

These comments have been prepared as requested by the Inspector in response to the Council's SBC/PS/133a document which is a commentary made upon site assessments prepared by SPRU and other representors on matters of housing supply.

In summary, we do not consider any of the comments made by the Council change our assessment of the sites in question. No further evidence which would alter our trajectory has been presented to the Examination. It should be noted again that we did agree with the Council's assessment on most sites, but on the sites in question, listed below, we considered that there was sufficient evidence to adequately demonstrate the assumptions made by the Council were inaccurate. The consequence for the Council of not being able to demonstrate a 5 year supply upon the point of adoption of the Plan are that it is unlikely the housing need for Swale will be met in the short term. This is un-sound and should be remedied.

The Council put forward their preferred remedy to this likely situation arising; that of a phased trajectory. Verbal representations to this approach were made during the Examination by ourselves and other representors. The examples used by the Council all had unique circumstances and could not be simply transposed into Swale. It is the case that Swale have a pool of sites currently omitted from allocation, which would fit in with the Council's spatial strategy. This should be the first port of call to remedy an undersupply in the 5 years and not to alter monitoring processes to suit the Council's un-sound selection of sites.

The Inspector has already indicated that further Modifications (changes to those already presented) are required for soundness and legal compliance issues, therefore the principal for a further consultation of the Plan is expected and considered to be necessary. Therefore the insertion of additional sites by Main Modification, which have already been through the Sustainability Appraisal process and are known to those participating in the examination and the public, is entirely reasonable and within the scope of ensuring this Plan can be made sound.

Throughout the examination of this Plan we have made representations which set out the sustainability credentials and deliverability of site SW/133. Furthermore, it should be recalled that this site was within a previous iteration of the submitted Plan. Whilst the reasons for its removal are not clear, it is a site which has previously been considered to be acceptable by the Council and one which has been consulted to the public as an acceptable site.

The further comments on each site, in response to the Council's commentary are set out in the table below.

Site/General Comment	SBC Commentary	SPRU Commentary
<p>General Comments</p> <p>Lead in times</p>	<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 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.</p>	<p>The approach taken in our calculation of Swale's five year housing land supply was based on one of consistency, applying the same principles to each site where relevant, and where no evidence was presented to suggest otherwise. If it had been demonstrated that a site may come forward earlier than the standard assumptions contained within national evidence, this would have been applied. However, this assessment found no such evidence available to the contrary on the sites we have serious doubts over their stated contribution to meeting the 5 year land supply of housing for Swale.</p> <p>There is a considerable risk not only to the supply of housing, but also nationally if decisions are based on inflated and overly optimistic levels of completions. It is self-evident that if all decisions makers consistently assume that all sites will deliver completions earlier and at rates above the long term average, then the aggregate of all these decisions will be the continued under delivery of the housing that Swale.</p> <p>There is no evidence that Swale have prepared a local assessment in respect of lead-in times and delivery rates, which is why they rely upon research prepared by NLP in their Statement of Housing Land Supply 2015-16. These assumptions are required to be supported by evidence, and the nature of this evidence should extend beyond officer opinion and aspirations of specific developers. It is important that these</p>

		<p>aspirations are tempered by evidence of lead-in times and delivery rates.</p> <p>Conclusions:</p> <p>SPRU stand by their revised housing trajectory and consider that the Council have taken an inconsistent approach to lead-in times in their housing trajectory.</p> <p>There is no local evidence base to support Council opinion on lead in times and delivery rates where these differs substantially from the national research prepared by NLP. Furthermore, as noted within our original representations on housing land supply, those prepared by Shepherd Neame Brewery and the discussion at the hearings there is a poor track record of protracted S106 sign off on many sites which have been approved by committee. This issue does not appear to have been considered by the Council at all in their phasing.</p>
<p>Constraints and assessments</p>	<p>(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.</p>	<p>It is necessary to assess the suitability, availability, achievability and constraints of a site in order to assess the likely timescale within which each site is capable of development, including indicative lead-in times and build-out rates for the development of individual sites. To show no regard to the constraints of the site is an unsound approach and contrary to National Planning Practice Guidance (Paragraph: 020 Reference ID: 3-020-20140306) which outlines factors that should be considered when assessing the availability of sites and the rate at which they might come forward.</p>

		<p>Conclusions: SPRU makes no changes to its current estimates.</p>
Planning Permissions	<p>(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.</p> <p>Most of the updates given confirm the timings set out in SBC/PS/113, or with minor slippage.</p>	<p>Clearly, the developers/ site promoters have a vested interest in presenting an optimistic picture of delivery of sites contained within the five year housing land supply assessment, and whilst these updates should be given some weight, it is unlikely that this will provide an accurate account.</p>
Allocations		
SW/040/73 Land north of Quinton Road	<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</p>	<p>The report by Peter Brett Associates for Birmingham City Council "Sutton Coalfield Green Belt Sites Phase 2 Report of Study (2014) considers the impact of competition between sites, and is relevant in this instance to the large strategic sites within Sittingbourne. The report refers to section 4 of the University of Glasgow Report, (see table 1 on page 8 of our assessment) table 9, which suggests that developers of greenfield sites on the edge of medium sized towns would regard sites within a range of 5.62 miles as representing competition. The impact of which is to change prices. As such, the large strategic sites within Sittingbourne would generally be perceived as being in competition. In considering the delivery of these larger sites with substantial infrastructure costs, future competition and hence concerns regarding pricing, it is likely to make developers cautious rather than optimistic in terms of their planned rate of delivery (paragraphs 6.4 and 6.5 of PBA Report). The</p>

	<p>come forward within the first 5 years of the plan period i.e. 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> <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>	<p>above is not prescriptive, but provides a comprehensive context for the assessment of competition between large sites.</p> <p>In addition, this is a large and complex site comprising several house-builders and developers which will necessitate a joint legal agreement to deal with forward funding, timing of works, and phasing of new buildings, which we have considered in our assessment of this site. There, it is still highly unlikely that should detailed applications be submitted in April 2017, that either Persimmon or Redrow would start on site till January 2020 at the earliest.</p> <p>Conclusions: SPRU makes no changes to its current estimates.</p>
SW/703 SW Sittingbourne	(SN, IC) The hybrid application will be submitted imminently and will include all the details to address these	The extraction of Brickearth is a more complicated process than the Council allow

	<p>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>	<p>credit for in their phasing of the site as part of their five year housing land supply. Whilst it can be programmed within the phasing of the development, there are certain limitations which the council do not appear to consider in their assessment. Specifically, extraction can only be undertaken between the months of May and September. A minerals assessment is also required to be prepared to confirm whether there is an economic value to the brickearth contained on site and whether Wienerberger could use it in their production of bricks. It is also the case that an archaeological field evaluation may be required prior to extraction. If nothing else, the above demonstrates a complex process and if it is confirmed the site contains brickearth, it is highly unrealistic that development on the site will be delivered in accordance with the council's trajectory.</p> <p>Furthermore if the area with brickearth reserves is extracted this will need remediation to it suitable for development.</p> <p>Conclusions: It would seem that the council have not considered the likelihood of the site containing brickearth and the timescales for extraction until it has been raised as a concern, and therefore one which is not reflected in their trajectory.</p> <p>SPRU makes no changes to its revised trajectory.</p>
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<p>SW/337- Crown Quay Lane, Sittingbourne</p>	<p>(SN, GLAD) The current full planning 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>	<p>SPRU revised trajectory supports an increase in 2 dwellings to five year supply and has no further comments to add.</p>
<p>SW/076 Lydbrook Close, Sittingbourne</p>	<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>	<p>SPRU did not comment on this site in its assessment.</p>
<p>SW/330- Stones Farm</p>	<p>(SN, MLN) Site is actually more advanced than all large sites at Sittingbourne. S106 signing is at the point of resolution with developer bids 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>	<p>The matter remains that until the S106 is signed, no planning permission exists for this site, and whilst it is accepted that this site is more advanced than the other sites within Sittingbourne, it remains unlikely that should a reserved matters application be submitted in Spring 2017, that the delivery of the first completions will be in place by 2019/20. Two years to submit and determine the reserved matters, discharge any (pre-commencement) conditions and deliver the first completions will be highly challenging.</p>

		<p>Given the size of the site, it is also highly likely that additional developers will be required.</p> <p>Conclusion:</p> <p>SPRU maintain its revised trajectory and make no changes.</p>
<p>SW/343- Land at the Bell Centre, Sittingbourne</p>	<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. 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 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>	<p>These previously approved schemes relate to a mixed-use development including residential, office space, retail and D1 and D2 uses (Ref: SW/07/1025), and most notably an application for the erection of a block of sheltered housing (C2) and a residential building (C3) (Ref: SW/10/1400) in addition to the application for a hotel. None of which have ever come forward and been completed. The Council state that the viability issues related to non-residential schemes, which is clearly not the case for this site as none of the above schemes have ever come forward.</p> <p>The latest correspondence dated 11th November 2016 for 16/506946/FULL from Environmental Health recommends a refusal for this application due to the lack of clear noise mitigation measures and the lack of a contaminated land assessment. Correspondence from Kent Highways Department dated 16th January also requests full Transport Assessment, and deems the Transport Statement submitted insufficient. Clearly, there are unresolved issues with the application currently pending that will delay the delivery of the site in addition to the concerns raised regarding the number of previously</p>

		<p>unimplemented permissions. Therefore, it is considered optimistic that this application will be determined in Spring 2017. This area issues which could impact upon the schemes viability.</p> <p>Conclusions:</p> <p>SRPU make no changes to their revised trajectory.</p>
SW/348 Cockleshell Walk Sittingbourne	<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>	SPRU did not comment on this site.
SW/998 Former Istill Mill, Queenborough	<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>	SPRU did not comment on this site.
SW/194 Barton Hill Drive, Minster	<p>(GLAD) The assumed delivery rates within the five year supply do not reflect 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.</p> <p>(MLN) This is an unduly pessimistic assessment because of the over-rigorous use of average lead in time figures</p>	<p>It is reiterated that as per paragraph 5.38 of our five year supply assessment (Appendix 1 to Matter 9), the site has planning permission on at least half the site for horse related development (ref: 14/503827/FULL) to which the Council make no reference in their commentary, or the impact this may have on the delivery of the site. A subsequent discharge of conditions application was approved in February 2016, reaffirming commitment to the site for horse related development.</p>

	<p>relative to site size, especially when compared with the respondent's own assessment of their omission site (see below).</p> <p>This is a straightforward site to develop, especially with infrastructure issues now resolved.</p> <p>Conclusions: The Council envisages no change to its current estimates.</p>	<p>It is strongly indicative that as this planning application went to appeal, that the resource invested into the planning process for horse related development, is a priority for the landowner. It is not a temporary permission and in light of this, our revised trajectory which only reduces the supply by 50 units is considered generous given over 50% of the site may not realistically come forward within the plan period.</p> <p>The Council's statement that this is a straightforward site is not evidence based. There are multiple landowners for this site, which is never relatively straightforward for housing delivery. This exact issue was raised in the resumed Hearings by an agent for one of the land owners to this very site. It was clear there was; no agreement between landowners of the uses across the site, no access agreements and certainly no consideration with regards to land equalisation. These are all factors the Council has overlooked when considering the delivery of this site.</p> <p>Our assessment is not overly pessimistic; it is justified and based on evidence.</p> <p>Therefore, the comparisons the Council draws between this site and SW/133 are unfounded based on the above conclusions, and there is nothing to stop SW/133 coming forward now, unlike the identified constraints to SW/193 Barton Hill Drive. SW/133 has one landowner and one developer, suitable and adequate mitigation to issues can be achieved on site</p>
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		<p>which will bring benefits to Minster and furthermore, the SW/133 site can bring forward a substantial quantum of affordable housing.</p> <p>Conclusions: SPRU make no adjustments to their revised trajectory.</p>
SW/335 West of Rushenden Road, Rushenden	<p>(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.</p> <p>Other phases and other developers would come on stream in later phases.</p> <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>	<p>The Council has not been clear as to whether the S106 has been signed, nor have they updated their online planning system to reflect the granting of planning permission if this to be the case. To judge based on the online planning records, it would appear that planning permission was granted subject to the signing of a S106 agreement on 2nd February 2017, therefore until this is signed, there is no planning permission. Therefore, to expect development to commence Summer 2017 is highly unrealistic, when considering the S106 has yet to be signed and the (pre-commencement) conditions have yet to be discharged, unless evidence to the contrary presents itself.</p> <p>Conclusions: SPRU make no changes to their revised trajectory.</p>
SW/165 Belgrave Road, Halfway	<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 site promotor's statement says the following:</p> <p><i>"Through transport analysis undertaken by Amec Foster Wheeler, it is not considered that a secondary access is essential. Notwithstanding this position, the Highways Authority has identified a potential need and there is also a technical solution to provide a secondary</i></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>	<p><i>(emergency/cycle/pedestrian) access on to Rosemary Avenue, if required, crossing a small part of the existing open space.</i></p> <p><i>Development could compensate for the small amount of open space lost through the creation of an emergency access achieved by enlarging the open space on land owned by The Crown Estate. The emergency access would also create greater permeability, thereby improving pedestrian and cycle access to facilities in Halfway/Minster."</i></p> <p>We accept that there is a technical solution to the constraint, however, our original comments on this site questioned the feasibility of achieving this. The land required to achieve this solution is owned by Swale Borough Council and is currently used as open space. Therefore, the developer is not in control of the land required to make this development suitable in planning terms; which questions the delivery of the scheme. Our position is not that the site will never be delivered, but that it will take longer than the Council anticipate. Clearly landownership, access rights and re-provision of open space will be time constraints to the lead in of this site. The reduction of 25 dwellings from the 5 year supply from this site, is entirely reasonable and is based upon evidence.</p>
<p>SW/114 Halfway House Primary School, Halfway</p>	<p>(MLN) Notwithstanding local opposition, the school has relocated and KCC confirm delivery within the five-year supply.</p>	<p>Without a developer on board, and no imminent planning application, it remains unlikely that the site will deliver in the five year supply period. The site is still under the ownership of Kent County</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>	<p>Council, is not currently for sale, and would not appear to be under consideration for disposal at this current time.</p> <p>Therefore, by adopting a consistent approach and applying the standard assumptions, and considering there is no evidence to suggest the site could come forward earlier, it remains reasonable that completions will not be delivered until 2020/21. Even if an application was submitted within the next 6 months, 2020/21 could still be considered optimistic.</p> <p>Conclusions: SPRU make no changes to their revised trajectory.</p>
<p>SW/413 Perry Court Farm</p>	<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>	<p>The disposal of the site to a house-builder has yet to be completed and the Council provide no evidence to suggest that there is in fact a developer interested in the site. Presumably the site will be disposed of before the reserved matters application in order to the developer to take forward a scheme with their own house types. In light of this, it is still considered overly optimistic for the Council to expect 85 dwellings to be completed in 2018/19 when the site is still relatively early on in the planning process.</p> <p>In SBC/PS/113, the Council also states the following:</p> <p><i>“whilst completions from 18/19 are challenging, they are considered nevertheless reasonable given the</i></p>

		<p><i>exceptional opportunity the site provides for developers, provided that resolution of the remaining planning matters is not unduly delayed.”</i></p> <p>In which case, the Council once again demonstrates their housing trajectory to be overly optimistic. As asserted above, if all decisions makers consistently assume that all sites will deliver completions earlier and at rates above the long term average, then the aggregate of all these decisions will be the continued under delivery of the housing that Swale, and the rest of the country needs. Additionally, being an exceptional opportunity should not determine when the council's anticipated and optimistic completions on site, when they openly admit completions from 18/19 are challenging.</p> <p>Conclusions: SPRU make no changes to their revised trajectory. How can the delivery of a site be both challenging and reasonable?</p>
<p>SW/233 Preston Fields, Faversham</p>	<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 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</p>	<p>SPRU did not comment on this site.</p>

	<p>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>(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 reserve matters are considered excessive.</p> <p>Conclusions: The Council envisages no change to its current estimates.</p>	<p>The committee report for this application refers to S106 heads of terms and a contribution to off-site highways works, namely a S278 works including works to Oare Road, Ham Road and J5 of the M2. The S106 is not publically available nor a draft of this document. As Highways England (HE) will need to be party to these agreements this will be an additional and significant delay to the signing of them. Such agreements with HE take a long time. But is the case that the S106 has not been signed now, and no works have been undertaken yet.</p> <p>A Section 278 Agreement has not been resolved in respect of these off-site contributions, which is required to do so before the commencement of any development on site.</p> <p>Therefore, it is reaffirmed that the Council's anticipated delivery of 12 units in 2018/19 is highly unrealistic, and uphold our revised trajectory which suggests 70 dwellings can be delivered in the year 2020/21.</p> <p>Regardless of whether a reserved matters application was submitted in summer 2017, it is highly unlikely that this application, and discharge of conditions will allow for completions in 2018/19. It is also extremely unlikely when marrying this with the requirement for a S278</p>

		<p>Agreement for off-site highways works, which could take up to a 12-15 month to complete the agreement.</p> <p>Conclusions:</p> <p>It is once again considered that the Council have failed to consider all the evidence, and the implications of the S106 Head of Terms on the delivery of the site.</p> <p>SPRU make no changes to their revised trajectory.</p>
SW/334 Land north of Graveney Road, Faversham	<p>(SN) Full planning application submitted by Bellway Homes. Thus the respondent's disposal time can be removed from lead in times.</p> <p>Conclusions: The Council envisages no change to its current estimates.</p>	SPRU did not comment on this site.
SW/407 Land off High Street, Newington	<p>(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.</p> <p>Conclusions: The Council envisages no change to its current estimates.</p>	SPRU did not comment on this site.
Planning Permissions		

<p>14/0045 Land east of Love Lane, Faversham</p>	<p>(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 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>	<p>Irrespective of whether a developer is being confirmed is imminent, it still remains the case that there is no developer currently on board. The fact that the reserved matters is in preparation is also irrelevant, as it currently stands it has not been submitted to the local planning authority and as such, our anticipated trajectory for the site remains.</p> <p>The Council has provided no evidence to suggest this site will come forward any sooner than SPRU's standard assumptions, nor does it provide an indication of whether a reserved matter is likely to be submitted in 1 month or 1 year.</p> <p>Conclusions: SPRU makes no changes to their revised trajectory.</p>
<p>14/502729 Ospringe Works, Sumpter Way, Faversham</p>	<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 the previous site owner and does not impact upon the 5YHLS.</p>	<p>It is accepted that the site has now been sold to Bovis, but given the stage in the planning process, this does not necessarily mean the site will come forward any quicker.</p> <p>Furthermore, there are a number of pre-commencement conditions which prevent demolition until these have been discharged by way of an application. No discharge of condition applications have been submitted, nor a reserved matters application, therefore to do all this in two years would be challenging, hence our reduced delivery rate in year 4 from 40 to 10 dwellings.</p> <p>Conclusions:</p>

	Conclusions: the council envisages no change to its current estimates.	SPRU make no changes to their revised trajectory.
Total Reductions	The Council envisages no change to its current estimates.	SPRU upholds all revisions to its trajectory contained within Appendix 1, of its five year housing land supply assessment (Appendix 1 to Matter 9).
Other Sites		
SW/133 Land East of Scocles Road, Minster	<p>Whilst the Examination has not considered omission sites, the inclusion of the site within the respondent's land supply figures requires comment.</p> <p>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</p>	<p>In delivery terms, the two sites are not similar; this is set out above in our response to Barton Hill Drive comments. The two sites are of a different site capacity.</p> <p>It is profoundly disagreed with that there is an over-reliance on standard assumptions. Rather, these sites have all been assessed with the same standard assumptions for consistency and in the same way that the council uses the standard assumptions of delivery rates in NLP's research for their trajectory.</p> <p>Barton Hill Drive is also dissimilar from SW/133 in terms of the landowner's obvious priority for horse related development on a portion of the site, given that it was taken to appeal to obtain planning permission and is not a temporary permission.</p> <p>It does not fall away from the five year supply because of being part of a larger site size, but rather because it unlikely to be delivered within the five years; because of the clear issues and barriers to delivery we have identified in our main report.</p>

		Conclusions: SPRU reaffirm its conclusions that SW/133 should be allocated for housing within Swale's Local Plan.
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Further comments; It is assumed that as the Council has not responded to our assessment of Little Oyster, Seaside Avenue, Minster, that they agree and that it should not be included within the supply as the OAN work prepared by Peter Brett Associates is ambiguous as to how C2 Use Class has been dealt with in terms of objectively assessed housing need. As iterated in paragraph 5.56 of our assessment of Swale's Housing Land Supply, the only reference made to care homes in the OAN work is for the elderly, and nowhere in this application does it state the care home is specifically for elderly people. The current care home adjacent to the application site accommodates a mixed age range with various health issues and there is no evidence to suggest this would not continue.