



MATTER : 4

REPRESENTOR : 268343

SWALE BOROUGH LOCAL PLAN 2031

HEARING STATEMENT ON BEHALF OF G H DEAN & CO LTD

MATTER 4 : NEW SITE ALLOCATIONS (IWADE)

1 Introduction

- 1.1 These representations are made on behalf of G H Dean & Co Ltd, the owner of the largest of the three proposed allocations at Iwade referred to as "Land east of Iwade". The company has owned the land for many years and it is currently in intensive arable use.
- 1.2 G H Dean & Co support the allocation for housing and Country Park etc but seek amendments to MM158 and 159.
- 1.3 Iwade is located within the Thames Gateway Growth Area. Its strategic location next to the employment concentration at Ridham/Kemsley saw it identified for expansion in RPG9a in 1994 and subsequent Development Plans have reflected that intent.
- 1.4 G H Dean & Co acknowledge the scale of housing development that has taken place in Iwade in the past and now put forward the final "end state" of development, delivering a Country Park for public ownership and a strategic gap between the village and Sittingbourne, between the village and the A249 and a buffer to the protected area to the north.
- 1.5 Wildlife issues at Land East of Iwade are important but the various studies submitted with the responses to the MM's confirm the suitability of the allocation.
- 1.6 Wintering Bird Surveys of the site and the adjacent protected area are in progress and it is hoped that preliminary survey findings can be delivered orally at the Hearing.
- 1.7 Despite the substantial scale of development proposed the responses made to MM158 and 159 are relatively few. Swale BC has responded comprehensively to those representations and we do not repeat those responses but rather comment selectively in responding to the Inspector's questions:-

4.1 – is Policy AX5 justified by robust evidence, including landscape character assessment, sustainability appraisal and consideration of countryside gaps?

- 1.8 Reasoned justification for the allocation of Land East of Iwade is set out by the Council in its MM's and its response to representations thereon (SBC/PS/117d).



- 1.9 In response to our representations the Council has agreed to further modify the text to include reference to the strategic rationale for sustainable expansion at Iwade, namely the complementary location of new homes at Iwade and the employment opportunities at Ridham and Kemsley.
- 1.10 Consequently, reducing the need to travel (and the length of journeys to work) was, and is, fundamental to the identification of Iwade as an appropriate location for sustainable development. (See RPG9a paras 6.11.8 and 9.)
- 1.11 Thereby, the proposed allocation is soundly based.
- 1.12 **Landscape Character Assessment** – reference to the Council’s Urban Extensions Landscape Capacity Study (CD/060c) identifies the Land East of Iwade (SHLAA reference SW/123) as having a “high” capacity to accept change notwithstanding its current status as part of a Countryside Gap and its proximity to the SPA.
- 1.13 At this point, it is important to remember that Local Countryside Gaps are **not** landscape designations.
- 1.14 The proposed allocation is to be set within a series of semi mature shelter belts, strategically located around the east side of the village. The location of these shelter belts was undertaken only after a detailed analysis of what, in landscape terms, would be an acceptable limit to new housing development whilst at the same time preserving a sufficient gap between Iwade and Sittingbourne to maintain a perception of separate identity of the former. Planting was carried out several years ago and the substantive trees within the tree and shrub mix are beginning to extend above the level of the shrubs. In due course, these shelter belts will provide a good foundation for supplementary landscape planting within the proposed Country Park to provide a more appropriate (softer) eastern edge to the village.
- 1.15 Consequently the definition of the extent of the housing allocation on the east side of the village (now proposed) has been “landscape-led”.
- 1.16 The Country Park will become a new and permanent multi functional element of the landscape. Held by the community in perpetuity, the Country Park would ensure the long term and permanent separation of the settlements; would have a formal and informal recreational role; provide a buffer to the A249; a buffer to industry at Ridham/Kemsley and importantly, a buffer to the SPA. As a green corridor and Countryside Gap, it would contribute significantly to the extended Green Grid network between the Iwade and North West Sittingbourne allocations.
- 1.17 Broadly, SHLAA sites SW/123 and SW/116 comprise the proposed allocation. SW/123, the larger parcel located due east of the village, has been referred to above and its allocation is, in effect, endorsed by the Aecom Ranked Assessment of sites (SBC/PS/039). However, area SW/116 (allocation of which is of concern to Iwade Parish Council (IPC)) warrants further comment.



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- 1.18 Firstly, the area shown on the SHLAA plan takes no account of the existing shelter belt which, broadly, bisects the SHLAA site SW/116. Consequently, only the south western half (broadly) of site SW/116 is proposed for allocation for housing. The remaining north eastern part (beyond the shelter belt) is proposed as part of the Country Park.
- 1.19 Secondly, the Urban Extensions Landscape Capacity Study states that it would not be appropriate to develop the rural remote landscape to the north of "Sheepfolds" or to further develop the landscape east of the Church. The proposed allocation for housing does not transgress into and would remain clear of both these areas. As a consequence, the proposed allocation provides an opportunity to design a more appropriate transition between the marshland landscape and the northern entrance to the village and the open setting of the Church would be conserved in perpetuity.
- 1.20 The IPC's concerns about the allocation of SW/116 can therefore be allayed and the proposed allocation takes full account of landscape issues.
- 1.21 **Sustainability** – reference has been made in para 1.3 above to the identification of Iwade as a sustainable location for expansion. Over the years, this opportunity has cascaded down through the development plan system at regional, county and local level and despite the expansion that has taken place to date further potential capacity, in all senses, remains.
- 1.22 There can be no doubt that the environmental quality, services and facilities in the village have improved immeasurably since the bypass (A249 dual carriageway) was constructed; through traffic removed and the new housing added. In this way, Iwade has become a more sustainable community and a more attractive place to live. Additional housing development is likely to bolster the viability of existing services and facilities further and allow for example, the enhancement of public transport services.
- 1.23 On behalf of the Borough Council, Aecom have undertaken a Sustainability Assessment focussing in particular on the three main options for meeting the identified additional housing need, including the Iwade Expansion Option (SBC/PS/105a).
- 1.24 Measured against the chosen SA objectives, the Iwade expansion option performs best and thereby is considered justified and sound.
- 1.25 Perhaps the greatest concern expressed by Aecom however relates to the perceived relatively poor performance of the Iwade option in terms of "biodiversity" and "soil".
- 1.26 However, these "HRA issues" were assessed by Aecom at a relatively high level and before the detailed surveys and preliminary assessments prepared on behalf of G H Dean & Co Ltd were submitted in response to the MM's namely:-
- (i) Preliminary Ecological Appraisal for Land East of Iwade
 - (ii) Preliminary Ecological Appraisal for G H Dean owned land West of Sheppey Way (North Iwade)
 - (iii) Great Crested Newt Surveys
 - (iv) HRA Screening & Scoping Report



- 1.27 The Preliminary Ecological Appraisals show the two areas proposed for housing to be of relatively low ecological value overall (no more than 'District' value). Great Crested Newts are the main protected species present but mainly on land within 500m of the site (rather than on-site) and there is substantial and adequate scope to provide appropriate mitigation, on-site.
- 1.28 Notably, the Preliminary Ecological Appraisals do not suggest that the land is used by species that frequent the SPA/Ramsar or are cited by that designation. However, further Wintering Bird Surveys of the land are scheduled, as well as surveys of those parts of the SPA lying adjacent to the proposed allocation. It is hoped that preliminary survey results can be reported orally at the Hearing.
- 1.29 The Great Crested Newt Survey shows limited on-site presence of the species but with a high population off-site within 500m. However, adequate scope exists on-site to retain historic translocations and accommodate any other that may be required.
- 1.30 The HRA Screening and Scoping Report confirms the above and identifies a range of possible mitigation and management measures such as:-
- (i) ample scope for SANG;
 - (ii) potential for net additional habitat in accordance with Natural England's "Natural Development Project";
 - (iii) recreational activities located furthest from SPA boundary;
 - (iv) double water filled ditches to SPA boundary;
 - (v) relocate existing agricultural accesses to the SPA so that there is no access between the Country Park and the protected area;
 - (vi) consider providing "dog proof" fencing;
 - (vii) consider appropriate diversion of existing public rights of way;
 - (viii) use of permanent SUDS features as barriers and
 - (ix) Landscape and Ecological Management Plan and Monitoring.
- 1.31 The Landscape and Ecological Management Plan and its Monitoring will be a key component in ensuring that the allocation does not lead to future adverse affects on the SPA's. However, the evidence to date indicates clearly that significant adverse affects on the protected areas are unlikely.
- 1.32 In terms of SA objectives therefore, it can be concluded that the allocation is justified and soundly based.
- 1.33 **Countryside Gaps** – Policy DM25 "The Separation of Settlements – Important Local Countryside Gaps" contains the Borough Council's (now long standing) policy regarding the coalescence and setting of settlements. Not a landscape designation, strategic gap policy nor green belt, the policy is intended to act as a planning tool; as a control mechanism for development in these identified locations. Normally, development would take place in such gaps only after the degree of assessment afforded to local plan designations. The allocation at Stones Farm in Sittingbourne is a case in point.



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- 1.34 Consequently, development within ILCG's is not precluded but that development is to come forward via the Local Plan.
- 1.35 Policy AX5 and in particular the allocation at Land East of Iwade, although located on an existing defined ILCG would not erode the gap between Sittingbourne and Iwade to the point where separation is lost or setting is adversely affected.
- 1.36 On Grovehurst Road itself, (between the A249 and the village) the gap is at its narrowest. Therefore the width of the proposed allocation is minimised to accommodate access and a potential location for a nursery school and community hall, ie in an accessible and sustainable location on the main transport route between the settlements. The Country Park would take up the rest of the gap providing real separation between the settlements and supplementary planting to the existing shelter belts would provide an appropriate green edge to the village. The strategic open space (SANG) within the NW Sittingbourne allocation; the severance effect of the A249 and the Grovehurst grade separated junction would also serve to reinforce the perception of separation of the settlements.
- 1.37 Further north, the allocation for housing stops short of the stream course which runs through the village with land either side given over to Country Park which together with the existing community orchard will maintain and preserve in perpetuity the open rural character of the village core.
- 1.38 Further north again, the new housing would be limited to just part of SW/116 where new development could provide an attractive new edge to the village but not impinge on the setting of the parish church. With Country Park wrapping around the east side of the village and flowing into the centre, the open character of the centre and the setting of the parish church would be preserved in perpetuity.
- 1.39 Led by a Landscape Strategy and Ecological Management Plan, the Country Park would preserve and enhance the countryside gap between the settlements and preserve the setting of the village. Via a range of improvements, the value of the land to the community would be significantly enhanced and the long term provision of a pedestrian/cycle link to the open space to be provided as part of the NW Sittingbourne allocation would add significantly to the green grid network in Sittingbourne in this part of Thames Gateway.
- 1.40 By establishing a countryside gap in the form of a Country Park in public ownership, there would be no further opportunities for additional housing development east of the village.

2 **4.2 – Deliverable within the Plan period**

- 2.1 The whole of the Land East of Iwade (and part of the Land North of Iwade) is owned by G H Dean & Co Ltd. G H Dean are farmers and growers and not developers but it would be the company's intention to secure the necessary outline planning permission and then sell the land to a house builder or builders.



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- 2.2 The company has pursued a similar approach on a similar scale elsewhere in Sittingbourne and therefore its conclusions that the Land East of Iwade can be delivered within the Plan period is based on experience and conservative assumptions.
- 2.3 The potential constraints to development and conclusions on its deliverability are those set out in the SHLAA for sites SW/123 and SW/116.
- 2.4 With no ownership constraints the potential impact of development on the SPA's is perhaps the most significant development issue identified thus far. However, the recently submitted Ecological Surveys (and preliminary results of Wintering Bird Surveys) indicate that the protected areas are not likely to be adversely affected by the development proposed. It seems likely that neither the development site nor the adjacent part of the SPA's is frequented by species cited by the SPA designations. Nevertheless, a substantial buffer area between the development and the SPA is proposed in the form of a Country Park with significant opportunities to prevent or mitigate any adverse impacts. (See para 1.30 above.)
- 2.5 Also it is likely that the development would contribute to the SAMM, ie for access management within the protected areas. In all therefore it is considered that the development site will achieve significant enhancement to biodiversity (within the proposed Country Park where little biodiversity exists at present) and is unlikely to create any adverse impact on the SPA's.
- 2.6 **Potential off site highway constraints** – namely the potential impact of development traffic on the Grovehurst junction with the A249 – have been addressed by highway consultants acting for G H Dean & Co. Those consultants have participated in joint working with SBC/KCC/HE and others confirming the potential (in principle) of an Interim Improvement Scheme for the Grovehurst Junction on the A249 sufficient to accommodate the traffic flows arising from the allocation. The Interim Improvement Scheme is anticipated to cater for development traffic during the Plan period (at least) by which time (even on conservative estimates) the development is likely to be complete.
- 2.7 The housing development parts of the proposed allocation will be located away from flood risk areas and would not be at risk from flooding. Surface water drainage would utilise SUDS techniques, possibly as a means of providing enhanced security to the SPA boundary as well as additional habitat. Foul water disposal would likely be accommodated (pursuant to Policy DM21) by way of requisition and Southern Water has no objection in principle to the allocation (bearing in mind SBC's correction of their omissions from the IDS regarding sewerage infrastructure, mains water and waste water treatment capacity) (SBC/CSR/10).
- 2.8 Swale BC has addressed (generally) the issue of potable water supply and past local upgrades to utility services required to facilitate existing expansion levels in the village are more than adequate to cater, even for the cumulative requirements of the proposed allocations.



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2.9 G H Dean & Co acknowledge the need for a Masterplan to guide the form and delivery of new housing allocations in consultation with other developers, local residents, IPC and Swale BC. However, whilst involvement of the Design Panel is envisaged a formal SPD process leading to adoption of such a guidance document by Swale BC is not envisaged. Thereby, the development process should not be unduly delayed.

2.10 We reiterate that delivery projections given to Swale BC assume a conservative approach to securing planning permission and even a relatively modest build out rate would see completion of the allocation by 2029.

3 **4.3 Infrastructure Implications**

3.1 The infrastructure implications of the proposed allocations are identified above and are comprehensively addressed in the Borough Council's Statement SBC/PS/1071Appendix4 and in their correction to the IDS reference SBC/PS/117Appendix10.

3.2 G H Dean will (subject to viability) commit the developer to contribute to the usual range of developer contributions identified by the Council and in particular will endow the village community with land for a replacement village hall (land for the existing village hall was previously provided by G H Dean) for a nursery school as well as establishing a new Country Park together with Landscape And Ecological Management Plan therefor and commuted sum for its future maintenance and management.

3.3 It is considered therefore that all relevant infrastructure requirements for the development proposed have been identified and appropriately addressed for delivery through relevant policies and the IDS.

3.4 **The Inspector is requested to recommend to the Council the further amendments set out by G H Dean & Co in its response to the Modifications.**