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16 October 2024

Dear Matt,

Re: Outline application with all matters reserved for a proposed development at land south and east of Sittingbourne, Kent [application reference: 21/503914/EIOUT]

Thank you for consulting Kent County Council (the County Council) on the outline planning application for the phased development of up to 577.48 hectares at Highsted Park, Land to the South and East of Sittingbourne, Kent, comprising of: up to 7,150 residential dwellings including sheltered / extra care accommodation (Use Class C2 and Use Class C3); up to 170,000 sq m / 34 hectares of commercial, business and service / employment floorspace (Use Class B2, Use Class B8 and Use Class E), and including up to 2,800 sq m of hotel (Use Class C1) floorspace; up to 15,000 sq m / 1.5 hectares for a household waste recycling centre; mixed use local centre and neighbourhood facilities including commercial, business and employment floorspace (Use Class E), non-residential institutions (Use Class F1) and local community uses (Use Class F2) floorspace, and Public Houses (Sui Generis). Learning institutions including primary and secondary schools (Use Class F1(a)); open space, green infrastructure, woodland, and community and sports provision (Use Class F2(c)). Highways and infrastructure works including the provision of a new motorway junction to the M2, a Highsted Park Sustainable Movement Corridor (inc. a Sittingbourne Southern Relief Road), and new vehicular access points to the existing network; and associated groundworks, engineering, utilities, and demolition works.

The County Council notes that this application has been submitted alongside a related proposal for land to the west of Teynham Road (reference 21/503906). A separate response is being made in respect of that application, and where appropriate, the cumulative impact of these two applications is considered. Commentary will make it clear where this is the case.

The County Council draws reference within this response to the prior responses submitted in respect of this planning application, and the related land to the west of Teynham Road application – these responses were provided on 30 November 2021, 1 March 2023 and 27 June 2024 and are available on the planning application portal for reference.

In summary, and in considering the application as it currently stands, the County Council raises an **objection** on the following grounds:

- Inadequate information has been submitted to satisfy the Local Highway Authority that a satisfactory means of access to the site can be achieved.
- Inadequate information has been submitted to satisfy the Local Highway Authority that the existing road network in the vicinity of the site has sufficient capacity to accommodate the material increase in traffic likely to be generated by the proposed development.
- Inadequate information has been submitted to satisfy the Local Highway Authority that the impact of the proposed development can be adequately mitigated.
- The changes made to the application do not reflect prior comments or advice from the County Council as Local Highway Authority responsible for the Public Rights of Way Network. The amendments / additional information do not alter the significant adverse impact on the recorded PRow Network. . The severity of the impact on the PRow Network remains underestimated and the application does not reflect the importance of the local access network and the quality of the user experience and amenity value. The combined effects of all the aspects of the development, such as the severance and loss of the physical resource, timescale of overall development, construction traffic, noise, visual intrusion, and loss of tranquillity, all contribute to the quality of the user experience inherent in a recreational walk or ride.
- Without further archaeological evaluation as previously advised by the County Council, an objection is raised on the grounds of the potential harm to archaeological remains.

The County Council has reviewed the application in its entirety and has an extensive commentary to raise in response to the proposal, set out clearly below, in a subject chapter format. The County Council is disappointed to note that matters raised during earlier consultations have not been addressed and the County Council therefore maintains its objection to the scheme on the grounds as set out above.

The County Council will continue to work closely with the Borough Council to help ensure the delivery of new housing and infrastructure in response to local needs – delivering sustainable growth for the Swale Borough.

If you require any further information or clarification on any matter, please do not hesitate to contact me.

Yours sincerely,



Stephanie Holt-Castle
Director – Growth and Communities

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1. Highways and Transportation

Introduction

From the start of considering the initial submission of the planning application in August 2021, the County Council Highways and Transportation has provided a series of technical responses spanning the numerous rounds of consultation requests that followed the submission of amended plans or additional information. These will provide the reference to detailed technical commentary on the matters raised on behalf of the Local Highway Authority thus far.

To respond to the last comments made by the County Council in the consultation response dated 26th June 2024, the applicant has now submitted a Technical Note (document reference 16-023-036 Rev A). This has been prepared to specifically address the points of clarification requested by the County Council Highways and Transportation. In particular, it is appreciated that the document should be read in conjunction with the Transport Assessment dated September 2022, as the Technical Note provides clarification on the queries raised regarding the traffic modelling that was contained in the earlier document.

The County Council would therefore comment as follows on the suite of information that has been received:

Technical Note 16-023-036 Rev A

The Technical Note (TN) submitted by the applicant has provided responses to each of the “Actions” that were raised in the highway section of the County Council’s comments dated 26th June 2024. A review of the TN has enabled the County Council to confirm the following matters:

Highway Network Modelling

The information provided has enabled the County Council to confirm that the Base and Reference Case models used to assign traffic across the highway network have been constructed appropriately. The SWECO base model used to build the future year scenarios had been agreed by the County Council and Swale Borough Council previously as part of the emerging Local Plan evidence, and the tables in the TN that summarise a number of quoted link flows from the base model have now corrected the errors that were noted in the TA.

Further details have also been provided to confirm that the future year scenarios with and without the development each include the correct list of committed highway infrastructure.

However, the County Council is concerned that the Development model and TA do not provided sufficient detail to fully consider the impacts on the local highway network. While the Development model assumes a limited number of strategic connections to the existing highway network for modelling purposes, the scale of the development does cover a large

geographic area. Due to the area covered and the number of minor/rural lanes crossing into the site, many other potential vehicular connections could be made. This has the potential to draw traffic through local rural lanes and villages beyond the application site. Without any assessment of the distribution of traffic routing through these lanes, it is not possible to appraise the impact on the highway network.

Accident Data Analysis

Sufficient detailed information of the accident data from the latest five year period available has now been provided and an assessment carried out to identify any clusters or patterns that would warrant mitigation. The study area has focused on junctions where the development would have a net impact of 30 or more vehicles in the peak hours, or where local context deemed it appropriate. Of the relevant 25 junctions identified within the study area, only a small number of these indicated any clusters that might suggest an issue with the existing highway layout;

- *A249/B2006 Bobbing Interchange* – 17 collisions were recorded at this junction but the locations were evenly spread around the interchange. The only pattern apparent were rear end shunts, which is a common occurrence with roundabouts and can be attributed to poor driver attention rather than a design problem. This level of occurrence can be expected at a major junction of this size and activity, and not likely to be exacerbated by modest increases in traffic flows. Additionally, it is noted that this junction is due to be upgraded as part of the NW Sittingbourne development, reference 18/502190.
- *A2/M2 Brenley Corner* - A cluster of incidents were identified around the A2 East entry to M2 West. It is noted that the development is only expected to give rise to around a 1% increase in that movement, but in any case, National Highways is the Highway Authority with jurisdiction over the junction and would comment on this aspect.

It is therefore agreed that the collision data does not identify any pattern of incidents that would require addressing by the development.

Junction Modelling Selection

In addition to the junctions modelled in the TA for capacity assessment, the TN now includes revised modelling of two previously assessed junctions that have improvement schemes committed or that are currently being built.

Transport Impact Assessment

In light of the information provided in the TN that has now enabled the County Council to generally agree the traffic flows from the strategic model outputs, the relevant details from the previous TAs can be reviewed together with the additional junction capacity assessments provided to consider the Traffic Impact Appraisal. As has been highlighted previously, the traffic modelling assumes the delivery of infrastructure delivered by this application as well as that of the linked application north of the A2, reference 21/503906/EIOUT, which would deliver the Sittingbourne Northern Relief Road (SNRR). As

21/503906/EIOUT has yet to be consented, 21/503914/EIOUT cannot be consented in isolation, and would need to be tied to the delivery of the SNRR.

Traffic Link Flows

Comparing the 2038 Reference Case model with the 2038 Development model, it can be seen that delivery of the Sittingbourne Northern Relief Road (SNRR) and a Sittingbourne Southern Relief Road (SSRR) results in a general reduction in two-way traffic flows around Sittingbourne town centre and the majority of its road network, including the A2 west of the site through to Key Street. The A2 east of the site between Teynham and Brenley Corner would also see a neutral or reduction in traffic flows. Of note are significant reductions on the Lower Road/Tonge Road corridor, the A2 through Bapchild, and routes north of the A2 in Sittingbourne to the commercial areas at Eurolink.

The exceptions are Swale Way, the A249 between Bobbing and Grovehurst, Woodstock Road, Gore Court Road, Adelaide Drive, Ruins Barn Road. In addition in the PM peak hour, Rectory Road to Highsted Road and the A2 between Key Street and Newington also see large increases in traffic volumes.

Local Junction Testing

The suite of junction capacity assessment outputs gathered from the TN and TA now available indicates a number of junctions within the study area that will be exceeding desirable capacity in the Reference Case Model. These being:

- A249/Swale Way
- Castle Road/Dolphin Road
- A249/B2006 (Bobbing)
- A2 – The Mall/A251 Ashford Road
- Woodstock Road/Cromer Road/Tunstall Road
- Woodstock Road/Bell Road/Gore Court Road
- Park Road/Gore Court Road/Ufton Lane
- Eurolink, Mill Way
- Eurolink/Milton Road
- A2/Western Link
- A251/M2 eastbound
- A251/M2 westbound
- A2/Wises Lane
- A2/Borden Lane
- A2/Chalkwell Road
- A2/Rectory Road
- A2 Faversham Road

The Development model junction assessments show that the introduction of proposed infrastructure from both applications (SNRR and SSRR) with associated development brings a noticeable improvement in the performance of those within Sittingbourne town centre, Eurolink/Murston and the A2 corridor between Teynham and Brenley Corner.

However, the TN and tables 6.5 and 6.6 in the TA do also indicate that a number of the junctions listed above would deteriorate further, and a number of additional junctions would now exceed the desirable capacity. While several junctions from the list would continue to be over capacity, many of these show an improvement in performance or little change, so the development would not be required to mitigate these. These tables therefore suggest that only the following junctions would require mitigation:

- Woodstock Road/Cromer Road/Tunstall Road
- Woodstock Road/Bell Road/Gore Court Road
- Swale Way/Barge Way
- Swale Way/Ridham Avenue
- Swale Way/Castle Road
- Swale Way/Bingham Road
- A2/Faversham Road
- A2/Chalkwell Road
- A2/Church Lane

Appendix D of the TA dated September 2022 discusses these local junction assessment results and concludes that measures to mitigate the impact of the proposed development would need to be investigated. It is appreciated that some drawings had been produced to indicate potential schemes at Woodstock Road/Bell Road, Woodstock Road/Tunstall Road/Cromers Road, Swale Way/Barge Way, Swale Way/Ridham Avenue and Swale Way/Bingham Road, and further junction capacity modelling has been provided for these schemes to demonstrate that they would provide sufficient mitigation.

However, no potential improvement schemes have been presented at the remaining junctions as follows;

Swale Way/Castle Road – The junction modelling indicates that the Swale Way (West) arm would be approaching theoretical capacity in the development scenario, with queues doubling to around 15 vehicles in the AM peak hour. The TA suggests that this is within daily variation of traffic and no mitigation is required. The County Council disputes this and considers that mitigation should be investigated.

A2/Faversham Road – Section 3.2.4 of appendix D TA dated September 2022 states that improvements to the junction need to be investigated in order to mitigate the impact of the proposed development.

A2/Chalkwell Road – The text of the TA suggests that the impact of the development would be inconsequential at this junction. The modelling results show that the queue on the A2 East arm would increase from 3.2 passenger car unit (pcu(s)) to 8.8. As this would exceed the vehicle storage within the right turn filter lane, vehicles would therefore block the through lane. The County Council considers that mitigation should also be required at this junction to address this.

A2/Church Lane – Table 3.2 of appendix D indicates that it has compared different arms of the A2 at this junction between the Reference Case and the Development model. However, the PM peak does show shows a queue of 25 passenger car units with development, compared to 8 pcus in the reference case. The TA has not indicated whether mitigation

should be investigated but the County Council would conclude that it is as this would appear to be a lengthy queue within Newington village.

Junction Testing (Proposed Infrastructure)

Junction capacity assessments for the proposed infrastructure associated with the proposed SNRR and SSRR have been carried out and the results presented in the TA and appendix D indicate that junctions X, R, G, D and B would either be over desirable capacity or have exceeded theoretical capacity in the 2038 With Development scenario. It has been suggested in the TA that further design refinements should be undertaken during the next planning stage to address this where necessary. However, the County Council would consider that the application demonstrates at the current stage that the refinement can be achieved, given the sensitivity of the interaction with the A2.

Mitigation Proposals

As noted above, only some of the junctions that have been identified as requiring mitigation, either by the applicant or additionally by the County Council, have been progressed far enough through the TA to provide proposed mitigation schemes. It is therefore considered that insufficient evidence has been submitted to demonstrate that appropriate mitigation can be provided, but the following comments can be made on those schemes that have been submitted:

Swale Way/Barge Way

With development, the junction is expected to operate close to maximum capacity. The mitigation scheme proposed widens the approaches to increase capacity, and the modelling indicates that the junction would then operate close to desirable capacity with a queue of under 8 pcus on both of the Swale Way arms in the AM peak hour. A queue of 7 pcus is predicted on the southern arm only during the PM peak hour. This level of queueing is considered acceptable.

Swale Way/Ridham Avenue

With development, the southern Swale Way arm of the junction is expected to operate close to maximum capacity in the AM peak hour. The mitigation scheme proposed widens the approach on the southern arm to increase capacity, and the modelling indicates that the arm would then operate close to desirable capacity with a queue of 7 pcus. This level of queueing is considered acceptable.

Swale Way/Bingham Road

With development, the southern Swale Way arm of the junction is expected to operate close to maximum capacity in the AM peak hour and the northwestern Swale Way arm is expected to operate close to maximum capacity in the PM peak hour. The mitigation scheme proposed widens their approaches to increase capacity, and the modelling indicates that the arms would then operate close to desirable capacity with queues of 7 pcus. This level of queueing is considered acceptable.

Woodstock Road/ Cromer Road/Ruins Barn Road/Tunstall Road

As has been noted above, the Woodstock Road/Ruins Barn Road corridor is expected to draw a significant level of traffic through it due to the development proposals, with around an additional 650 two-way movements along Woodstock Road in the AM peak hour and almost 800 in the PM peak hour. Modelling shows that the junction would expect queues in the AM peak hour of 128 pcus on Tunstall Road and 129 on Cromer Road. While no queues are shown on either Woodstock Road or Ruins Barn Road, it is not considered that the modelling is validated as queues are evident currently due to the restricted width and on-street parking along Ruins Barn Road.

The proposed mitigation at this junction would be to signalise the operation of it and introduce additional roadspace. However, it is noted that the carriageway widening around the junction would reduce the footway widths down to around 1.8m on the radius of Tunstall Road, and on the eastern side of Woodstock Road. Given the pedestrian activity at this location associated with Tunstall Primary School, the County Council has concerns with the impact this may have on active travel.

Despite the proposed widening of Ruins Barn Road to accommodate the right turn filter for turning movements into Cromer Road, the layout does not account for the existing on-street parking that would restrict the southbound carriageway. It has therefore not been demonstrated that the layout would be able to operate as per the modelling in reality without the removal of the on-street parking, or how that would be mitigated.

Notwithstanding the above, the capacity assessment of the mitigation scheme does still show that all arms apart from Ruins Barn Road would still exceed capacity in the AM peak hour. Woodstock Road would have a queue of 80 pcus and the other arms each around 25 pcus. In the PM peak hour, all arms would be approaching practical capacity and both Ruins Barn Road and Woodstock Road would have queues of around 50 pcus. This level of congestion is not considered appropriate, and the mitigation cannot be agreed at this time.

The TN suggests that this congestion can be used as demand management for the corridor. However, without further proposed measures to model the changes in distribution around the network to avoid this corridor, the impact on other routes and junctions cannot be assessed. It therefore considered that insufficient information is provided to enable an assessment of this.

Woodstock Road/ Bell Road/Gore Court Road/Park Avenue

Based on the above assessment, this junction has been identified in the TA as requiring mitigation due to worsening of congestion with the development in the 2038 future year model scenarios.

As with the previous revision of the improvement scheme, the County Council does have some concerns with the current outline design as the footways would be narrowed at the junction radius and road markings are unclear. In addition, the TN advises that the junction would operate within capacity with the mitigation scheme in place. However, the modelling

provided in Appendix D indicates that the junction would in fact still be in exceedance of capacity in both AM and PM peak hours with maximum queues of 93 pcus and 120 pcus on Bell Road and Woodstock Road respectively. Therefore, it has not been demonstrated that congestion at the junction can be adequately mitigated.

Highway Infrastructure Proposals

Sittingbourne Northern Relief Road

The delivery of this infrastructure is not included in the current application, and the TN and TA are based on the premise of it being secured and delivered through application 21/503906/EIOUT. Comments relating to the SNRR proposals are therefore provided within the response for that specific application.

Sittingbourne Southern Relief Road

Noting that the application has been made in a three-tiered format, only the principle of the development is to be considered at this first tier of the planning process, as access will remain a reserved matter for tier two determination. The information provided for the SSRR and access strategy are therefore illustrative only, and provide a level of detail to give an indication of where the roads, junctions and site access locations may be located, and allow assessment of the high level road network.

For Tier 1 assessment, the indicative road layout and junction positions are considered to be acceptable in the context of connecting to the existing highway where shown, and the conceptual form of these junctions are appropriate, subject to detailed design at Tier 2. However, a number of capacity issues have been identified above with some of the proposed junctions, and it should be demonstrated that these can be addressed. Additionally, further information has been requested to consider the non-strategic highway connections from the development onto the rural lanes

The principle of the bus guideway, SNRR and being provided as a 7.3m wide road with additional off-carriageway footway/cycle provision to connect to the wider network is appropriate. This provision will need to accord with the guidance contained within LTN1/20 and can also be determined at Tier 2.

The delivery of the route would be expected through a combination of Section 38 agreements over the applicant's land control and Section 278 agreements where connections or changes to the existing public highway would be made.

Sustainable Transport Strategy

Due to the Three-Tiered nature of the application, the sustainable transport measures cannot yet be fully fixed as these are expected to evolve during the progression of the development. Conditions will therefore need to be placed on any consent granted for this application, to seek detail for approval of the measures that are considered appropriate or

available from emerging technologies at that time. The S106 agreement will also need the flexibility to secure the financial contributions associated with any measures that are subsequently approved or required once the cost plans are known nearer the time.

This could include the provision of new bus routes to pass through the development and link to Teynham, Sittingbourne and Great East Hall as suggested within the strategy document. As mentioned above, these can only be determined at the second tier when the access points and detail of the infrastructure have been approved. However, it is understood that bus service contributions have been proposed that can be secured at the current (first tier) planning stage. This would amount to a contribution of £8.8M in order to provide pump priming of services to the application site for a period of five years.

Improvements to cycle parking convenience are welcomed with easier accessibility integrated into proposed dwellings. These would need to be both secured and sheltered.

An electric bike hire scheme within the development is proposed and welcomed. This would be served from the transport hub with supporting infrastructure provided throughout the development. It is proposed that the development's electric bike scheme could be expanded to cover wider areas of the Borough.

Conclusion

Due to the number of outstanding issues and concerns raised above, the County Council wishes to raise a holding objection and would recommend, if the issues cannot be addressed, that the application be refused for the following reasons:

- Inadequate information has been submitted to satisfy the Local Highway Authority that a satisfactory means of access to the site can be achieved.
- Inadequate information has been submitted to satisfy the Local Highway Authority that the existing road network in the vicinity of the site has sufficient capacity to accommodate the material increase in traffic likely to be generated by the proposed development.
- Inadequate information has been submitted to satisfy the Local Highway Authority that the impact of the proposed development can be adequately mitigated.

Notwithstanding the above recommendations, should the Local Planning Authority be minded to approve the application, the following should be included within any consent:

1. Approval and implementation of Sustainable Transport Strategy with review mechanism over the phased progression of the development.
2. Provision of off-site highway works to improve highway capacity at the following junctions:
 - a.) Woodstock Road/ Bell Road/ Park Avenue/ Gore Court Road.

- b.) Woodstock Road/ Cromer Road / Tunstall Road / Ruins Barn Road
 - c.) Swale Way/Barge Way
 - d.) Swale Way/Ridham Avenue
 - e.) Swale Way/Castle Road
 - f.) Swale Way/Bingham Road
 - g.) A2/Faversham Road
 - h.) A2/Chalkwell Road
 - i.) A2/Church Lane
3. Submission of details to improve walking and cycling routes between the development and local communities, and thereafter provided in accordance with a phasing plan to be submitted and approved by the Local Planning Authority.
 4. Contribution of £8.8M towards the provision of bus services.
 5. Completion of the Sittingbourne Northern Relief Road and associated accommodation works as shown indicatively on drawings 16-023/6000D Revision C, 16-023/6010D Revision C, 16-023/6011D Revision B, 16-023/6012B Revision C and 16-023/6015 prior to occupation, via highway adoption agreements with the Highway Authority.
 6. Completion of the Sittingbourne Southern Relief Road and associated accommodation works as shown indicatively on drawings 16-023/2000D, 16-023/2010D, 16-023/20110D, 16-023/2012D, 16-023/20013D, 16-023/2014D 16-023/6015D Revision B, 16-023/6016D and 16-023/6017D prior to occupation, via highway adoption agreements with the Highway Authority.
 7. Submission of a Construction Management Plan before the commencement of any development on site to include the following:
 - (a) Routing of construction and delivery vehicles to / from site.
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel, which may require supporting vehicle tracking/swept paths.
 - (c) Timing of deliveries, avoiding network and school peaks where possible.
 - (d) Provision of wheel washing facilities.
 - (e) Measures to prevent the discharge of surface water onto the highway.
 - (f) Temporary traffic management / signage.
 8. Before and after construction of the development, highway condition surveys for highway access routes should be undertaken and a commitment provided to fund the repair of any damage caused by vehicles related to the development.
 9. No dwelling shall be occupied until vehicle parking and turning space has been provided, surfaced and drained to the satisfaction of the Local Planning Authority in accordance with the adopted parking standards, and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), shall

be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

10. All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing a 7kw output) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>
11. Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority. And shall be carried out as approved.
12. The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority. And shall be carried out as approved.
13. Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling:
 - (a) Footways and/or footpaths, with the exception of the wearing course;
 - (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).
14. The development shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

Informatives:

- Planning permission does not convey any approval for construction of the required vehicular crossings, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.
- The applicants should be advised that separate prior approval will be required from Kent County Council for the proposed retaining/basement wall adjacent to the

highway and in this regard they should contact structurestechnicalapproval@kent.gov.uk

- Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Public Transportation

The County Council has been in discussions with consultants Charles and Associates on this site, particularly concerning their proposed Sustainable Transport Strategy.

Firstly, it is the County Council's understanding that earlier versions of the Transport Strategy did not reference the principle of financial contributions for buses. This position would be unacceptable and would likely result in no bus provision for the site. The scale of the development may mean that arguably in the longer term there may be potential for a commercial bus operation (i.e. after full build out), this would certainly not be the case from initial construction. Subsequent discussions with Charles and Associates have identified that a financial contribution would be essential, and it is the County Council's understanding that this principle is now accepted by the developer.

In terms of contribution levels and principles:

Land South and West of Sittingbourne:

- The County Council would seek to secure contributions from the site to deliver new service provision.
- The County Council anticipates that based on current a costs, a minimum contribution of £8,800,000 would be required to deliver this provision. As an overall principle this would secure 4 vehicles for a 10 year period.
- The scale of the application means that it is the County Council's understanding that the site will come forward as phases / separate villages. It is therefore crucial that flexibility is maintained within this overall figure in order to allow appropriate amounts to be allocated to identified phases of development at appropriate trigger points.
- The County Council would request that in addition to the funding request, the developer is required to produce a detailed public transport phasing plan which identifies how development phasing will support the delivery of a bus service, utilising this funding. The plan would need to be approved by the County Council with principles linked to associated conditions within S106 agreements for relevant phases.
- The County Council will also require the developer to produce a detailed delivery plan to support the delivery of the bus service with respect to supporting infrastructure and subsequently deliver / fund the delivery plan as part of their build out in order to facilitate the bus service(s). This will need to be agreed with the County Council (and SBC with respect to bus shelters) as part of any S106s and include provision for bus stop locations (temporary and permanent), any temporary turning areas due to phasing or works, bus standing facilities / driver facilities and any supporting infrastructure linked to any bus only links.

2. **Public Rights of Way**

The County Council, in respect of Public Rights of Way and Access, maintains its position of objection to the application due to issues set out within this response in consideration of the [Rights of Way Improvement Plan](#) (2018-2028) (ROWIP) and NPPF (December 2023) paragraph 104: “*Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails*”.

The County Council has been actively engaged in responding to consultations from the Local Planning Authority in respect of its role and responsibilities around Public Rights of Way and Access and the ROWIP.

The application has now been amended again; however, the further documentation provided does not resolve prior comments and advice from the County Council in respect of PRow and the amendments/additional information do not alter the significant adverse impact on the recorded PRow Network and the significant loss of open countryside, both of which provide numerous benefits to the Borough. As such, the underlying concerns raised in previous County Council responses remain outstanding.

Planning Statement Addendum

The County Council continues to raise concern that the “detailed PRow improvement strategy” will not be delivered until Tier 2 of the proposal.

The severity of the impact on the PRow Network remains underestimated and the application does not reflect the importance of the local access network and the quality of the user experience and amenity value. The combined effects of all the aspects of the development, such as the severance and loss of the physical resource, timescale of overall development, construction traffic, noise, visual intrusion, and loss of tranquillity, all contribute to the quality of the user experience inherent in a recreational walk or ride.

Some PRow are the only off-road access for a community or provide the main recreational space. The impact of a development (either North or South or combined) of this size and scale may well contribute to local users choosing to travel a greater distance by car in order to walk in open countryside and maintain recreation with a high amenity value.

KCC PRow and Access Mitigation / Contributions request

To clarify the request made for developer contributions and investment as mitigation for the severe impact on the Network:

- The County Council has identified offsite strategic PRow routes which would be significantly impacted by increase of use, for both Active Travel and leisure/recreation purposes, in line with the aims and objectives of the KCC policy document, the [ROWIP](#). These routes are by no means the only PRow affected in the area.

- The green spaces proposed by the development are all within the context of the site and do not replicate or provide the experience and benefits of access to wide open countryside or coast. The Primary and Secondary road networks proposed through the development would adversely affect the existing Tonge Country Park. The implication that new residents would therefore not wish to access areas in the wider area is somewhat unrealistic. Whilst the increase is described by the applicant as “encouraging” further use, this should be recognised in the proposal and provided for. The increase of use will require mitigation in order to maintain and improve the quality of the PRow Network, a free, publicly accessible County asset, as a direct result of such a development.

National Trail

The King Charles III England Coast Path is a National Trail. National Trails are long distance walking, cycling and horse-riding routes through the best landscapes in England and Wales. There are four quality standards set by Natural England. They cover a range of factors from path condition to the social and economic benefits of the trail (Natural England: National Trails Management Standards).

As the Trail is at a distance of within the 2.5km buffer from the proposed, development, it is only reasonable to expect new residents will wish to access the Nationally and locally promoted route.

The trails should be managed in a way which allows as many people as possible to enjoy a wide variety of walking and riding experiences along National Trails and through the English landscape.

Constant improvements should be made to the trail and its associated routes. It should contribute to the enhancement of the landscape, nature and historic features within the trail corridor. There should be a commitment to build and sustain a community of interest in caring for the trail and the landscape through which it passes. The trails should create opportunities for local businesses to benefit from the use of the trails.

3. Development Investment

The County Council below includes the same requests and detail as provided on 26 June 2024.

The County Council has re-assessed the implications of this proposal in terms of the delivery of its community services and the latest information from the applicant. It remains the opinion that the application will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary,
2. Related to the development, and
3. Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

The County Council that this application has been submitted concurrently with Highsted Park North application SW/21/503906, and indeed provisions have been proposed for both sites, particularly secondary education. However, the applications are separate and will be reviewed independently. The County Council would therefore wish to draw the Local Planning Authority's attention to particularly the Secondary, Special Education Need and Waste requirements, and how these matters should be dealt with if the applications proceed independently.

Request Summary

Table 1

	Per 'Applicable' House (5984)*	Per 'Applicable' flat (428)*	Total	Project
Nursery	26 place Nursery at each new Primary School – Provided as part of each Primary School			
Primary Education	£7,081.20	£1,770.30	£43,131,589.20*	Towards new on-site primary schools serving the development
Primary Land	2No. New Primary School sites of 3Ha each and 1No site of 2.05Ha, provided at 'nil' cost to the County Council (transferred as per the County Council's General Site Transfer Requirements)			

Special Education	£559.83	£139.96	£3,409,925.60*	Contribution towards a new special needs school serving this development and SRP provided within the Mainstream Education Schools on-site and within the Borough
Secondary Education	£5,587.19	£1,396.80	£34,031,575.36*	Towards a new secondary school to serve this and the adjoining Highsted Park (North) development
Secondary Land**	10Ha New 8FE Secondary School site to be provided as part of the combined Highsted Park (North & South) proposals. Sites provided at 'nil' cost to the County Council (transferred as per the County Council's General Site Transfer Requirements)			

Please Note:

'Applicable' excludes: 1 bed units of less than 56 sqm GIA, and any sheltered/extra care accommodation. The applicant has advised in correspondence that all proposed 1-bed flats are below this size and therefore not applicable. Should this change, the County Council will reassess the requirement for education places.

** The County Council has used the housing mix referenced in the January 2024 Planning Statement Addendum Para 3.3 Table 3.1). The applicant has advised in earlier correspondence that 10% of 2 bed flats/houses will be restricted to occupancy for over 70s. The County Council has applied this mix and removed the age restricted dwellings as non-applicable for education assessment, subject to a legal Agreement restricting occupancy age in the age restricted dwellings in perpetuity.*

*** Secondary land & SEN – Irrespective of whether the Highsted Park North and South sites proceed jointly or independently, Kent County Council Education has confirmed that there is a significant deficit in places locally, even allowing for a new Secondary school in Northwest Sittingbourne. Consequently, new standalone Secondary and SEN provision will be required for this Highsted South application.*

Should either the mix or age restricted unit numbers change, the County Council reserves the right to reassess the requirement for education places.

Table 1 continued:

Per Dwelling (x7150)	Total	On Site Community Buildings	Project
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Community Learning	£34.21	£244,601.50	Free use of on-site Community facilities for classes, plus provision of secure storage for equipment	Towards additional resources (including portable teaching and mobile IT equipment), and additional sessions and venues for the delivery of additional Adult Education courses locally.
Integrated Children's Services	£74.05	£474,808.60	Free use of on-site Community facilities for youth sessions, plus provision of secure storage for equipment	Towards additional resources and equipment to enable outreach services delivery in the vicinity, and/or the upgrade of existing youth facilities
Library Service	£62.63	£447,804.50	Free use of on-site Community facilities for library purposes, plus provision of secure storage for equipment	Towards additional resources, services and stock, the local mobile Library service and improved facilities in Sittingbourne to meet the needs of the development.
Social Care	£180.88	£1,293,292.00	Free use of new Community facilities on-site for meetings, group, and therapy sessions, plus provision of secure storage for equipment	Towards Specialist care accommodation, assistive technology and home adaptation equipment, adapting existing community facilities, sensory facilities, and Changing Places Facilities within the Borough
All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)				

Community Buildings specification:	<p>*Design that is Dementia friendly with dementia friendly decoration and signage.</p> <p>*A catering area which is compliant with the Equality Duty 2010, such as adjustable height work surfaces, wash areas, cupboards etc.</p> <p>*Toilets and changing facilities for the profoundly disabled which are Equality Duty 2010 Compliant and delivered in accordance with Changing Places Toilets (changing-places.org)</p> <p>* Provision of secure storage for County Council Social Care, Community Learning, Libraries and Youth Service.</p>		
Waste	£194.13	£1,388,029.50	Towards a new Household Waste Recycling Centre on-site and increases in capacity at the Waste Transfer Station in Sittingbourne.
Waste Site	A new Household Waste Recycling Centre site of 1.5ha is required at no cost to the County Council - transferred as per the County Council's General Transfer Terms, should either the South proceed independently, or the combined Highsted Park North and South proceed. If the new HWRC is ultimately located on the South site and the North site is in separate ownership, any land cost should be dealt with by the applicants through a <i>Development Land Equalisation Agreement</i> with the North site contributing its proportionate share.		
<i>Highways</i>	<i>Kent Highway Services will respond separately</i>		

Please note that these figures:

- are to be index linked by the All-In Tender Price Index from Q1 2022 to the date of payment.
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.
- Bonds will be required by the County Council for the Education contributions if the applicant wishes to pay the contributions in instalments. If the contributions are paid in instalments, the applicant will also be required to cover the County Council's borrowing costs for the construction of the schools.

Justification for Infrastructure Provision/Development Contributions Requested

The Developer Contributions Guide has been approved as County Council policy. Information on the areas the County Council will seek for, contribution rates, methodology for calculation and policy justification are contained within the Guide and can be viewed [here](#).

The County Council has modelled the impact of this proposal on the provision of its existing services and the outcomes of this process are set out below and in the attached appendices.

Primary Education

The indicative housing mix provided by the applicant has been used to calculate the Primary Education need created by the development. Based on this mix – which must be subject to regular review to confirm the final mix - the proposed South development is estimated to generate up to 1,705 primary pupils, equivalent to 8.12 Forms of Entry (FE). This need, cumulatively with other new developments in the vicinity, is assessed in Appendix 3A. Financial contributions towards construction will be required to mitigate the impact towards the projects identified in Table 1 and will be provided and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan (where available); timetable and phasing.

Applicant's Proposal – Primary School Sites/Indicative Locations / Phasing

The amended Design and Access statement confirms appropriate land areas for the three proposed primary schools as being 3Ha for Highsted West and Oakwood schools and 2.05ha for the Highsted East school site. As a result of the expected pupil demand it is requested that the Highsted East school would be a 2FE school which, given the current demand projections, would be acceptable to the County Council.

The above figures have been taken from page 15 of the Design and Access Addendum which are assumed as correct.

All sites must be transferred with agreement by the County Council as the Statutory Education Authority and in accordance with the County Council's General Site Transfer terms (attached).

It is required that all school sites will be served by vehicular and pedestrian/cycle routes prior to their opening, connecting not only the new communities to these schools, but also existing neighbourhoods in the locality.

The applicant has responded positively to our earlier consultation responses on the locations of the schools which are now, in principle agreeable, subject to the further information required below.

Highsted West Primary School Location

The proposal is showing the primary school located on 3Ha of land as required.

The location of the primary is at the edge of the built area of development and appears well located in terms of accessibility and is generally agreeable.

Greater detail of the proposed Primary School site is required to ensure it meets County Council General Site Transfer requirements, including any detailed study information upon: ground conditions, noise, air pollution, topography, public rights of way, flooding etc; and

confirmation the land transfer will be freehold without any encumbrances at no cost to the County Council. To assist with our suitability assessments the County Council will require 4 corner point co-ordinates of the site so that a thorough site inspection can take place before the County Council would be able to confirm suitability.

Highsted East Primary School Location

The proposal is showing the primary school located on 2.05Ha of land which would only be sufficient for a 2FE school.

The County Council welcomes school locations close to market centres, which aids in the creation of community and supporting footfall to other services.

It is unclear from the plans whether a PRow crosses this proposed school site. Please note the County Council's transfer terms and advise accordingly.

Greater detail of the proposed Primary School site is required to ensure it meets County Council General Site Transfer requirements, including any detailed study information upon: ground conditions, noise, air pollution, topography, public rights of way, flooding etc; and confirmation the land transfer will be freehold without any encumbrances at no cost to the County Council. To assist with our suitability assessments the County Council will require 4 corner point co-ordinates of the site so that a thorough site inspection can take place before the County Council would be able to confirm suitability.

Oakwood East Primary School Location

The proposal is showing the primary school located on 3Ha of land as required.

The location of the primary is at the edge of the built area of development and appears well located in terms of accessibility to sports and open space land use. It is noted the proposed location is in reasonable proximity of the existing schools of Bapchild and Rodmersham.

Greater detail of the proposed Primary School site is required to ensure it meets County Council General Site Transfer requirements, including any detailed study information upon: ground conditions, noise, air pollution, topography, public rights of way, flooding etc; and confirmation the land transfer will be freehold without any encumbrances at no cost to the County Council. To assist with our suitability assessments the County Council will require 4 corner point co-ordinates of the site so that a thorough site inspection can take place before the County Council would be able to confirm suitability.

Anticipated Phasing of School Builds

Table 1 below sets out the County Council's anticipated delivery triggers for schools. This will require appropriate monitoring and review mechanisms within the S106 Agreement to reflect build-out rates and dynamically respond to pupil demand, to ensure timely delivery and sufficient capacity is maintained. The proposals within the submitted phasing plans

would appear to be appropriate however limited information could be found on the numbers of dwellings within each phase. This will need to be provided so that the information can be reviewed, in the context of the below table, before confirmation of approval can be given on the proposed phasing plans.

Table 2

	Number of Dwellings Occupied
Primary School 1	350
Primary School 2	2600
Primary School 3	4700
Secondary School	1st phase delivered at 900 occupations***

****900 occupations combined across both the North and South Developments if built out jointly. (The Primary School triggers are occupations on Highsted South ONLY.*

Nursery and Pre-School Provision

The County Council has a duty to ensure early years childcare provision within the terms set out in the Childcare Acts 2006 and 2016. Whilst the County Council is seeking the provision of pre-school facilities within the new primary schools, it also expects to see the delivery of infrastructure on-site for use by the private/voluntary/independent (PVI) sector at affordable rents. Currently, approximately 40% of two-year old children are entitled to free early education (15 hours per week), while all three and four-year olds are entitled to 15 hours per week, increasing to 30 hours for those with working parents. Take-up for these places has been high. By the time the development is becoming occupied it is likely that 30 hours free childcare will be available to all, increasing levels of demand. The County Council supports the provision of PVI nurseries on new developments (especially extended hours and provision for babies/under two-year olds)) and will work with the Applicant to advise on the appropriate method of delivery.

Special Education Needs and Disabilities Provision

The Children’s and Families Act 2014, Equality Act 2010 and Children and Families Act 2014 sets out the county council’s responsibilities for children and young people with Special Educational Needs and Disabilities (SEND) aged 0-25 years. The County Council’s [SEND Strategy \(2021-2024\)](#) sets out its vision and priorities in respect of this area of its service.

Children with more complex needs are supported through an Education, Health and Care Plan (ECHP) which sets out the provision they are entitled to. School-age pupils with ECHPs are educated in mainstream school classes, in Specialist Resourced Provisions (SRPs) on mainstream sites and in stand-alone special needs schools.

Mitigation of Need

This proposal gives rise to additional pupils with Education and Health Care Plans (EHCPs) requiring extra support through specialist provision. All SEND infrastructure in Kent is currently at capacity.

A proportionate contribution is therefore required to mitigate the impact from the development through the provision of additional SEND places as identified in Table 1.

Secondary School Provision

The indicative housing mix provided by the applicant has been used to calculate the Secondary Education need created by the development. Based on this mix – which must be subject to regular review to reflect the final mix– the proposed South development is estimated to generate up to 1,218 secondary pupils, equivalent to 6.85 Forms of Entry (FE). This need, cumulatively with other new developments in the vicinity, is assessed in Appendix 3A. Financial contributions towards construction will be required to mitigate the impact towards the projects identified in Table 1 and will be provided and delivered in accordance with the Local Planning Authority’s Infrastructure Delivery Plan (where available); timetable and phasing.

Secondary Education demand is exceeding provision in the Borough, with a significant forecast deficit in places, as extant permissions are built out, and the County Council awaits the land for the new school in North-West Sittingbourne to meet the current Local Plan. Consequently, this application will place additional pressures on education provision.

To accommodate this additional demand, along with the demand from the Highsted North and wider development, a new, on-site 8FE Secondary school is required on a site of 10ha at nil cost to the County Council, in a location to be agreed by the County Council and transferred in accordance with the County Council’s General Site Transfer Terms.

Whilst the County Council are generally agreeable to the proposed location, greater detail of the proposed Secondary School site is required to ensure it meets County Council General Site Transfer requirements, including any detailed study information upon: ground conditions, noise, air pollution, topography, public rights of way, flooding etc; and confirmation the land transfer will be freehold without any encumbrances at no cost to the County Council. It is expected that the majority of pupils and their carers will reside in the proposed development. The County Council will require 4 corner point co-ordinates of the site so that a thorough site inspection can take place before the County Council would be able to confirm its suitability.

The secondary school site will need to be served by vehicular, public transport and pedestrian/cycle routes prior to its opening, connecting not only the new community to this school, but also the existing developments in the locality and further afield in the Borough. As proposed, the location should provide excellent opportunities for connecting with existing and new communities.

The County Council note that a site size of 9ha has been offered and not the 10ha requested. The County Council would be prepared to negotiate this point such that an

additional adjoining 1ha be safeguarded for Education purposes immediately adjacent to any proposed secondary school 9ha site offered and that it is provided at nil cost to the County Council, should the Pupil Product Rate from the development be as, or above that currently calculated.

If Highsted Park (North and South) proceeds concurrently then proportionate contributions towards the Secondary School land at Highsted Park South of £3,022.72 per 'applicable' house and £755.68 per 'applicable' flat will be required through a Development Equalisation Agreement from the 21/503906 application.

The site acquisition cost is based upon current local land prices and any section 106 agreement would include a refund clause should all or any of the contribution not be used or required. The school site contribution will need to be reassessed immediately prior to the County Council taking the freehold transfer of the site to reflect the price actually paid for the land.

Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

The County Council will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its Commissioning Plan for Education Provision 2021-25 and Children, Young People and Education Vision and Priorities for Improvement 2018-2021.

Anticipated Delivery of Secondary School

The County Council's assessment of secondary education places in the planning groups shows that there is a significant deficit of places. Whilst the school will be built out in phases, it is anticipated that the first phase will be required to open by 600 occupations (combined across both the North and South Developments if built out jointly). This will be subject to appropriate monitoring and review mechanisms within the S106 Agreement to reflect build-out rates and pupil demand, to ensure timely delivery and sufficient capacity to meet demand.

Community Learning and Skills

The County Council provides Community Learning and Skills (CLS) facilities and services in line with [Framing Kent's Future – Our Council Strategy 2022/2026](#) (Priority 1 – Levelling UP Kent and Priority 2 – Infrastructure For Communities).

Appendix 3B provides detail of the current shortfall in the provision of this service, the demand generated by the application and proportionate cost requested. Table 1 identifies the mitigating projects serving the development. Adult Education will also require free use of on-site Community facilities for classes, as well as provision of secure storage for equipment.

Integrated Children’s Service – Youth Service/Early Years Service

The County Council has a statutory duty to provide Youth Services under section 507B of the Education Act 1996 and the statutory guidance '[Working Together to Safeguard Children](#)'.

Appendix 3B provides detail of the current shortfall in the provision of this service, the demand generated by the application and proportionate cost requested. Table 1 identifies the mitigating projects serving the development.

The services will also require free use of on-site Community Facilities for meetings & sessions locally, as well as secure storage within the new facilities for equipment. The masterplan demonstrates provision of accessible outdoor and sports and recreational facilities for youth activity along with additional amenities that may be achievable within the proposed county park.

Additional indoor facilities may also be able to be delivered within the employment spaces being proposed.

Library, Registrations and Archives Service

Under the [Public Libraries and Museums Act 1964](#), the County Council has a statutory duty to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires the County Council to take proper care of its libraries and archives.

There is an assessed shortfall in provision for this service. Borrower numbers are in excess of capacity, and book stock in Borough at 669 items per 1,000 population is below the National standard of 1,532.

An evaluation of the impact of this development is shown in Appendix 3B. The appendix demonstrates; the demand generated by the application and proportionate cost requested. Table 1 identifies the mitigating projects serving the development. As there are no details of the community facilities proposed a flexible approach to provision should be facilitated. Provision would either be through the free use of on-site community facilities for Library purposes (including secure storage within these facilities for equipment), towards the local mobile Library service, and towards improved facilities in Sittingbourne.

Description of requirements – LRA will continue to deliver its library service for this area at the existing Faversham library. This library was fully refurbished in 2018 & is currently co-locating with the Good Day Programme.

Contribution or floorspace – LRA would like to seek contributions to existing service rather than floor space in a new development.

Adult Social Care

The proposed development will result in additional demand upon Adult Social Care Services (ASC), including older persons and adults with Learning/Neurodevelopmental/Physical Disabilities and Mental Health Conditions.

Appendix 3C provides detail of the current shortfall in the provision of this service, and also explains the statutory duty upon the County Council to provide Adult Social Care services. The appendix demonstrates; the demand generated by the application, the projects serving the development and proportionate cost requested to mitigate the impact arising from this development. Table 1 also identifies the mitigating projects serving the development.

The Department for Levelling Up, Housing and Communities identified in June 2019 guidance [Housing for older and disabled people](#), that the need to provide housing for older & disabled people is critical. Accessible and adaptable housing enables people to live more independently and safely, the County Council requests these dwellings are built to Building Reg Part M4(2) standard (as a minimum) to ensure that they remain accessible throughout the lifetime of the occupants, meeting any changes in the occupant's requirements.

Community Buildings

There remains little detail within the application of the community facilities being proposed which, acknowledging the size and likely lifespan of build out, is unsurprising. Provision for community buildings is mentioned and demonstrated in appropriate locations for each of the development areas, however not all of these buildings are likely to need to include provision for all County Council services. The approach to the delivery and use of community buildings will therefore require a strategy that includes flexible and phased delivery so that it can be proportionate to the population and services needs. This mechanism should be established through any accompanying s106 agreement. It should however be noted that all buildings must include:

- Toilets and changing facilities for the profoundly disabled which are Equality Duty 2010 Compliant and delivered in accordance with [Changing Places Toilets \(changing-places.org\)](#).
- Design that is Dementia friendly with dementia friendly decoration and signage.
- Catering areas to be compliant with the Equality Duty 2010, including adjustable height work surfaces, wash areas, cupboards etc.
- Accessible community outdoor areas such as allotments or gardens.

Potential provision of care homes/extra care

Concerning the provision of older person care homes in Kent, the County Council has seen a steady decline in overall numbers in the past five years, with the situation further exacerbated by Covid-19. In addition, the number of people wishing to access purely older person care homes is reducing. Consequently, there are specific types of care home delivery models which, the County Council would wish to support. For example, there is a significant demand for residential and nursing care homes that can meet the needs of people

with challenging and complex needs, including dementia. The County Council would encourage any new residential care home provider to join the County Council Care Home Contract and to operate a mixed economy of both local authority funded and private funded residents. As such, the County Council recommends that the applicant works with County Council Adult Social Services to develop the most appropriate form of care delivery.

Supported Living Accommodation

Paragraph 3.2 of the Planning Statement identifies that the development proposes to include the provision of extra care units for over 65's. This inclusion is welcomed however there is no detail at this stage as to the amount that would be available. The demand for support living accommodation (especially within the working-age population) has increased significantly. The County Council would wish to ensure that the dwelling mix of this development and level of extra care units available is sufficient to meet the levels if demand. As such, the County Council recommends that the applicant works with County Council Adult Social Services to develop the most appropriate forms of care delivery and that any legal agreements or conditions on housing mix have the ability to set out minimum levels of provision of extra care units.

Waste

Kent County Council is the statutory 'Waste Disposal Authority' for Kent, responsible for the safe disposal of all household waste. Appendix 3D provides detail of the current shortfall in the provision of this service, the demand generated by the application and also explains the statutory duty upon the County Council.

The appendix demonstrates the projects serving the development and proportionate cost requested to mitigate the impact arising from this development and accommodate the increased waste throughput within the Borough. Table 1 also identifies the mitigating projects serving the development.

Waste Transfer - Developer Contributions are required towards works to increase capacity at the Church Marshes Waste Transfer Station.

Household Waste and Recycling Centre (HWRC) - The County Council is pleased to see the inclusion of a new Household Waste Recycling Centre site of 1.5ha, required at no cost to the County Council. Proportionate HWRC land contributions from application 21/503906 will be required through a Development Equalisation Agreement to fund the provision within this application.

The County Council also notes that the new HWRC allocation has a colour coding error on the legend on the plan in the Environmental Compliance statement.

The County Council is pleased to see that the HWRC allocation remains in place. The minor amendments to the submission will not change the impact on Waste.

Implementation

The above contributions comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the proposal. The Local Planning Authority is requested to seek a section 106 obligation with the developer/interested parties prior to the grant of planning permission. The obligation should include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement. Additionally, a County Council monitoring fee of £300 for each trigger point identified for County contributions within the Agreement is also required, irrespective of whether or not the County Council are party to the agreement.

Any Section 106 or UU containing contributions for County Council services should be shared with the authority via the Developer.Contributions@kent.gov.uk email address prior to its finalisation.

If you do not consider the contributions requested to be fair, reasonable, compliant with CIL Regulation 122 or supported for payment, it is requested that you notify us immediately and allow at least 10 working days to provide such additional supplementary information as may be necessary to assist your decision-making process in advance of the Committee report being prepared and the application being determined.

Appendix 3A - Education Need Assessment / Education Land Assessment

KCC developer contribution assessment for Primary Education

District:	Swale	Non-applicable units:	739
Site:	Land South East of Sittingbourne Kent	Houses:	5964
Plan ref:	SW/21/503914	Flats:	428
Date:	13/03/2024	Total units:	7150

Current and forecast pupils on roll for schools within		Sittingbourne South and Sittingbourne East planning groups										
DfE no.	School	2022-23 (A)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)	2032-33 (F)
2055	Lansdowne Primary School	394	409	396	394	384	375	365	366	357	360	361
2126	Sunny Bank Primary School	178	174	183	177	178	173	173	175	171	172	172
2233	Lynsted and Norton Primary School	71	83	73	75	73	73	63	66	64	64	65
2239	Rodmersham School	113	135	114	113	114	105	103	103	101	102	102
2254	Canterbury Road Primary School	207	208	209	208	206	202	202	200	196	197	198
2435	South Avenue Primary School	406	414	400	393	385	378	369	372	364	366	368
2463	Minsterne Community Junior School	373	374	371	378	376	365	365	353	347	352	357
2513	Haks Community Infant School	275	274	264	261	255	260	265	265	266	267	268
3110	Milstead and Frinsted CE Primary School	85	60	82	81	89	89	88	90	90	91	91
3117	Teynham Parochial CE Primary School	200	198	197	193	189	187	182	184	180	181	182
3328	Bapchild and Tonge CE Primary School	208	210	215	215	215	214	213	211	206	208	209
3329	Borden CE Primary School	127	122	129	130	134	132	135	133	133	134	135
3330	Bredgar CE Primary School	108	98	109	110	111	112	116	116	117	120	121
3337	Tunstall CE Primary School	422	423	422	428	427	425	425	425	419	423	427
3714	St. Peter's RC Primary School	212	209	208	205	202	201	198	195	192	194	196
3912	Westlands Primary School	575	518	498	486	467	441	442	441	438	442	447
Current and forecast pupils on roll (including the expected pupil yield from consented developments up to 31st March 2021)		3,954	3,909	3,871	3,847	3,804	3,732	3,695	3,693	3,640	3,673	3,697
Required capacity to maintain 2% surplus capacity		4,035	3,989	3,950	3,926	3,881	3,808	3,770	3,769	3,715	3,748	3,773

Current and forecast capacity for schools within		Sittingbourne South and Sittingbourne East planning groups										
DfE no.	School	2022-23 (A)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)	2032-33 (F)
2055	Lansdowne Primary School	420	420	420	420	420	420	420	420	420	420	420
2126	Sunny Bank Primary School	315	315	315	300	285	270	255	240	225	210	210
2233	Lynsted and Norton Primary School	140	105	105	105	105	105	105	105	105	105	105
2239	Rodmersham School	70	105	100	95	90	85	80	75	70	70	70
2254	Canterbury Road Primary School	210	210	210	210	210	210	210	210	210	210	210
2435	South Avenue Primary School	420	420	420	420	420	420	420	420	420	420	420
2463	Minsterne Community Junior School	360	360	360	360	360	360	360	360	360	360	360
2513	Haks Infant School	270	270	270	270	270	270	270	270	270	270	270
3110	Milstead and Frinsted CE Primary School	105	105	105	105	105	105	105	105	105	105	105
3117	Teynham Parochial CE Primary School	210	210	210	210	240	270	300	330	360	390	420
3328	Bapchild and Tonge CE Primary School	210	210	210	210	210	210	210	210	210	210	210
3329	Borden CE Primary School	140	140	140	140	140	140	140	140	140	140	140
3330	Bredgar CE Primary School	105	105	105	105	105	105	105	105	105	105	105
3337	Tunstall CE Primary School	420	420	420	420	420	420	420	420	420	420	420
3714	St. Peter's RC Primary School	210	210	210	210	210	210	210	210	210	210	210
3912	Westlands Primary School	600	540	510	480	450	420	420	420	420	420	420
Current and forecast capacity (1)		4,205	4,145	4,110	4,060	4,040	4,020	4,030	4,040	4,050	4,065	4,095

(1) including expansion projects at existing schools that have successfully passed through statutory processes but may not yet be complete

Expected pupil yield from new developments within		Sittingbourne South and Sittingbourne East planning groups		
Planning reference	Development	Houses	Flats	Primary product
SW/24/500430	The Former Pumping Station St Michaels Road Sittingbourne Kent ME10 1AX	0	10	1
SW/23/502558	87 High Street/15 Central Avenue Sittingbourne Kent ME10 4AU	0	18	1
SW/23/503980	The Granary Berkeley House Lynsted Lane Lynsted Sittingbourne Kent ME9 9RL	3	3	1
SW/23/503467	Pembury Court Pembury Street South Of Fountain Street Sittingbourne Kent ME10 3EF	0	19	1
SW/23/503228	Cockleshell Walk Car Park St Michaels Road Sittingbourne Kent ME10 1AU	0	35	2
SW/23/502365	77-83 & 87 London Road, Sittingbourne, Kent ME10 1NL	0	15	1
SW/22/505646	Land At Upton Court Farm Borden Kent	290	0	81
SW/22/502963	Brewers Yard St Michaels Road Sittingbourne Kent ME10 3DN	50	0	14
SW/22/503418	Land At Tonge Road Sittingbourne Kent ME9 9BD (S106)	16	0	0
SW/22/502834	Land West Of Church Road Bapchild Tonge Kent	251	75	76
SW/22/500601	Ridfield House And Farm London Road Tonge Sittingbourne Kent (S106)	10	0	0
SW/21/506812	25-29 Staron Street Sittingbourne ME10 3DU	0	3	0
SW/21/505544	Hillfield Heats Delight Borden Sittingbourne Kent ME9 9HX	5	0	1
SW/21/505498	Land Off Swainstree Avenue Sittingbourne Kent ME10 4LU (S106)	125	0	0
SW/21/505096	Land To The North Of Lower Road Teynham Kent ME9 9EL	23	0	6
SW/21/502609	Land To The East Of Lynsted Lane Lynsted Kent ME9 9QN (S106)	10	0	0
SW/21/501334	Land At Fox Hill And School Lane Bapchild Kent ME9 9NL	95	0	27
SW/20/506066	Storage Land At Lomas Road Bapchild Kent ME9 9BD	14	0	4
SW/20/505156	Former Sittingbourne Adult Education Centre College Road Sittingbourne Kent ME10 1LF (S106)	5	17	0
SW/20/503665	88-100 West Street Sittingbourne Kent ME10 1AS	0	10	1
SW/20/503325	Land East Of Crown Quay Lane Sittingbourne Kent ME10 3ST (S106)	47	30	0
SW/20/503223	Barrow Green Farm Frenchs Row Barrow Green Teynham ME9 9EH	9	0	3
SW/20/501631	Moore's Yard Crown Quay Lane Sittingbourne ME10 3JN	12	15	4
SW/19/505036	Land South Of London Road Teynham Kent ME9 9QJ	70	10	20
SW/18/501693	Land To The Rear Of 45-55 High Street Sittingbourne Kent ME10 4BJ (S106)	0	24	0
SW/18/504460	Former Conyer Brickworks Conyer Quay Conyer Kent ME9 9HJ	24	0	7
SW/17/505711	Land at Wises Lane, Borden (S106)	675	0	0
SW/16/507689	Land between Froggal Lane and Orchard View, Lower Road, Teynham (S106)	300	0	0
New developments within the planning area		2,044	264	252
This development		5,964	428	1,705

Assessment summary		Sittingbourne South and Sittingbourne East planning groups										
Detail		2022-23 (A)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)	2032-33 (F)
Surplus / (deficit) capacity (including the expected pupil yield from consented developments up to 31st March 2021)		170	156	160	134	159	212	260	271	335	317	322
Expected pupil yield from new developments		252	252	252	252	252	252	252	252	252	252	252
Surplus / (deficit) capacity including the expected pupil yield from new developments		-81	-96	-92	-118	-93	-40	8	19	83	65	70
Expected pupil yield from this development		1,705	1,705	1,705	1,705	1,705	1,705	1,705	1,705	1,705	1,705	1,705
Surplus / (deficit) capacity including the expected pupil yield from new developments and this development		-1,787	-1,801	-1,797	-1,823	-1,798	-1,745	-1,697	-1,686	-1,622	-1,640	-1,635
Expected pupil yield from this development that on current plans for school provision cannot be accommodated		1,705	1,705	1,705	1,705	1,705	1,705	1,697	1,686	1,622	1,640	1,635

Background notes:
Pupil forecasts 2023 employed from September 2023. Incorporating roll data from Schools Census Autumn 2022. Data from the Health Authority includes pre-school children born up to 31st August 2022. Forecasts use trend data over the previous three years.

Expected pupil product from new developments within the planning area
Where a section 106 agreement has been secured for a development that includes education contributions (indicated by code S106 in brackets), the expected pupil product from that development has been shown as zero. This indicates that the pupil product need arising from the development has been mitigated by the developer.

KCC developer contribution assessment for Secondary (Years 7-11) Education

District:	Swale	Non-applicable units:	739
Site:	Land South And East Of Sittingbourne Kent	Houses:	5904
Plan ref:	SW/21/503914	Flats:	428
Date:	13/03/2024	Total units:	7150

Current and forecast pupils on roll for schools within

Sittingbourne non-selective and Sittingbourne & Sheppey selective planning groups

DfE no.	School	2022-23 (A)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)	2032-33 (F)
4002	Sittingbourne School	1,402	1,418	1,464	1,497	1,487	1,514	1,519	1,521	1,536	1,520	1,468
4080	Highest Grammar School	720	688	714	714	701	724	718	715	707	707	665
4527	Borden Grammar School	664	686	701	722	714	724	721	720	722	715	694
5414	Fulston Manor School	1,860	1,857	1,867	1,863	1,863	1,881	1,873	1,865	1,866	1,846	1,815
5434	Westlands School	1,596	1,591	1,661	1,690	1,691	1,748	1,746	1,747	1,749	1,753	1,716
Current and forecast pupils on roll (including the expected pupil yield from consented developments up to 31st March 2021)		5,441	5,440	5,606	5,706	5,676	5,791	5,776	5,768	5,788	5,741	5,579
Required capacity to maintain 2% surplus capacity		5,552	5,551	5,721	5,822	5,792	5,910	5,894	5,897	5,907	5,858	5,692

Current and forecast capacity for schools within

Sittingbourne non-selective and Sittingbourne & Sheppey selective planning groups

DfE no.	School	2022-23 (A)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)	2032-33 (F)
4002	Sittingbourne School	1,410	1,440	1,440	1,440	1,410	1,380	1,350	1,350	1,350	1,350	1,350
4080	Highest Grammar School	750	690	690	690	690	720	750	750	750	750	750
4527	Borden Grammar School	660	690	720	750	750	750	750	750	750	750	750
5414	Fulston Manor School	1,050	1,050	1,050	1,050	1,050	1,050	1,050	1,050	1,050	1,050	1,050
5434	Westlands School	1,590	1,560	1,545	1,500	1,455	1,440	1,425	1,425	1,425	1,425	1,425
Current and forecast capacity (1)		5,460	5,430	5,445	5,430	5,355	5,340	5,325	5,325	5,325	5,325	5,325

(1) including expansion projects at existing schools that have successfully passed through statutory processes but may not yet be complete

Expected pupil yield from new developments within

Sittingbourne non-selective and Sittingbourne & Sheppey selective planning groups

Planning reference	Details	Houses	Flats	Secondary product
SW/24/50652	151 Saddlehurst Road Sittingbourne Kent ME10 1J5	20	24	5
SW/24/50438	The Former Pumping Station St Michaels Road Sittingbourne Kent ME10 1AX	0	10	1
SW/24/50001	Land Off Sheppey Way Inwide Kent ME9 8JY	6	0	1
SW/23/505678	Land West Of Warden Road Eastchurch Kent ME12 4EJ	27	3	1
SW/23/50558	87 High Street/1-5 Central Avenue Sittingbourne Kent ME10 4AU	0	18	1
SW/23/505365	Land To The Rear Of Eden Meadow Newington Kent ME9 7JH	25	0	5
SW/23/50380	The Garden Bellamy House Limited Lane Lynsted Sittingbourne Kent ME9 9RL	3	3	1
SW/23/503467	Pembury Court Pembury Street South Of Fountain Street Sittingbourne Kent ME10 3EF	0	19	1
SW/23/50328	Oodleshall Walk Car Park St Michaels Road Sittingbourne Kent ME10 1AU	0	35	2
SW/23/503028	Land On Northern Side Of Canterbury Lane Upchurch Kent ME9 8JW	36	4	7
SW/23/502365	77-83 & 87 London Road, Sittingbourne, Kent ME10 1NL	0	15	1
SW/22/505646	Land At Upton Court Farm Borden Kent	290	0	58
SW/22/505399	W1 Desborough Hill Road Rushenden (Queborough) Kent ME11 5HB	22	0	1
SW/22/505076	Land At Pleasant Farm Bramblefield Lane West Of Inwide Bypass Sittingbourne Kent	42	0	8
SW/22/504274	Land At Sittingbourne Mill Mill Way Sittingbourne Kent ME10 2DZ	0	107	5
SW/22/503654	Land To The West Of Bobbing Sittingbourne Kent ME9 9JL	1,750	500	375
SW/22/503418	Land At Tonge Road Sittingbourne Kent ME9 9BD (S106)	16	0	0
SW/22/502963	Brewers Yard St Michaels Road Sittingbourne Kent ME10 3DN (S106)	50	0	0
SW/22/502881	Land South Of B Rushenden Road (Queborough) Kent ME11 5HB	13	12	1
SW/22/502834	Land West Of Church Road Bapchild Tonge Kent (S106)	251	75	0
SW/22/502096	Land To The East Of Scoles Road Minster-on-sea Kent	650	0	33
SW/22/501005	77 High Street Newington Sittingbourne Kent ME9 7J3	10	0	2
SW/22/500601	Rudfield House And Farm London Road Tonge Sittingbourne Kent (S106)	10	0	0
SW/22/500275	Land South Of London Road Newington Kent (S106)	135	0	0
SW/21/504612	25-29 Station Street Sittingbourne ME10 3DU	0	3	0
SW/21/504014	The Lane 2 Church Street Milton Regis Sittingbourne Kent	0	12	1
SW/21/503722	128 High Street Newington Sittingbourne Kent ME9 7JH (S106)	39	0	0
SW/21/503544	Hillfield Hurts Dalight Borden Sittingbourne Kent ME9 8JX	5	0	1
SW/21/503498	Land Off Swanstraw Avenue Sittingbourne Kent ME10 4LU (S106)	135	0	0
SW/21/503096	Land To The North Of Lower Road Teynham Kent ME9 9EJ	23	0	5
SW/21/503041	Land North Of Lower Road Eastchurch Kent	59	0	2
SW/21/503124	Land To The North Of Elm Avenue Minster-on-sea Sheerness Kent ME12 3RZ (S106)	44	0	0
SW/21/502609	Land To The East Of Lynsted Lane Lynsted Kent ME9 9JN (S106)	10	0	0
SW/21/502038	Northern Phase Regent Quay Crown Quay Lane Sittingbourne Kent (S106)	84	10	0
SW/21/501839	Land Off Otterham Quay Lane Upchurch Kent (S106)	74	0	0
SW/21/501740	Land At Hill Farm Rock Lane Keycol Hill Bobbing (S106)	30	0	0
SW/21/501334	Land At Fox Hill And School Lane Bapchild Kent ME9 9JL	95	0	19
SW/21/500294	181 House At Home 159-162 High Street Sheerness Kent ME12 1JX	0	4	0
SW/20/506107	Reads Orchard, Pursonage Chase, Minster-on-Sea ME12 3DX	9	0	0
SW/20/506066	Storage Land At Lomas Road Bapchild Kent ME9 9BD	14	0	3
SW/20/505921	Land At Highfield Road Minster-on-sea Kent (S106)	19	0	0
SW/20/505156	Former Sittingbourne Adult Education Centre College Road Sittingbourne Kent ME10 1UF (S106)	5	17	0
SW/20/505059	Willow Trees 111 High Street Newington Sittingbourne Kent (S106)	10	0	0
SW/20/503032	Dales Of Queens Trading Estate High St. Blue Town, Sheerness Kent ME12 1RQ	5	6	0
SW/20/503665	88-100 West Street Sittingbourne Kent ME10 1AS	0	10	1
SW/20/503636	The Former Kemsley Arms Public House The Square Sittingbourne Kent ME10 2SL	0	13	1
SW/20/503225	Land East Of Crown Quay Lane Sittingbourne Kent ME10 3ST (S106)	47	30	0
SW/20/503223	Barrow Green Farm Frenchs Row Barrow Green Teynham ME9 9EH	9	0	2
SW/20/502715	Bobbing Car Breakers Sheppey Way Bobbing Sittingbourne Kent (S106)	12	4	0
SW/20/502531	Moore Yard, Crown Quay Lane Sittingbourne ME10 3JN	12	15	3
SW/20/501208	240-248 High Street Sheerness Kent (S106)	0	9	0
SW/19/505036	Land South Of London Road Teynham Kent ME9 9JQ	70	10	15
SW/19/504831	Land at Scoles Farm, Minster on Sea, Sheerness Kent ME12 3RU (S106)	12	0	0
SW/19/504736	The Ivy Leaf, Members Club, High Street Sheerness ME12 1NL (S106)	0	6	0
SW/19/503974	Land East Of Inwide Inwide Kent ME9 8ST (S106)	395	48	0
SW/19/503145	1, Bramblefield Lane, East Of Inwide Kent (S106)	22	0	0
SW/19/501693	Land To The Rear Of 45-55 High Street Sittingbourne Kent ME10 4BD (S106)	0	24	0
SW/19/501332	Land At Pond Farm Grovehurst Road Sittingbourne Kent ME9 8RD (S106)	72	0	0
SW/18/506677	Halfway Egg Farm Featherbed Lane Sittingbourne ME9 8RA (S106)	19	0	0
SW/18/506460	Former Conyer Brickworks Conyer Quay Conyer Kent ME9 9HD	24	0	5
SW/18/506289	Land Lying To The South Of Dunlin Walk Inwide Kent ME9 8TG (S106)	20	0	0
SW/18/505157	Land North Of Sandling Way Inwide Kent ME9 8TJ	60	5	12
SW/18/503272	Land at Great Grovehurst Farm Grovehurst Road Sittingbourne (S106)	110	0	0
SW/18/502190	Land North of Quinton Road Sittingbourne	913	201	193
SW/17/505711	Land at Wises Lane, Borden (S106)	675	0	0
SW/16/507689	Land between Frogal Lane and Orchard View, Lower Road, Teynham (S106)	300	0	0
New developments within the planning area		6,788	1,252	771
This development:		5,984	428	1,218

Assessment summary

Details	2022-23 (A)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)	2032-33 (F)
Surplus / (deficit) capacity (including the expected pupil yield from consented developments up to 31st March 2021)	-92	-121	-276	-392	-437	-570	-569	-561	-582	-533	-367
Expected pupil yield from new developments	771	771	771	771	771	771	771	771	771	771	771
Surplus / (deficit) capacity including the expected pupil yield from new developments	-663	-692	-1,047	-1,163	-1,208	-1,341	-1,340	-1,332	-1,353	-1,304	-1,129
Expected pupil yield from this development	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218
Surplus / (deficit) capacity including the expected pupil yield from new developments and this development	-2,081	-2,110	-2,265	-2,381	-2,436	-2,559	-2,558	-2,550	-2,571	-2,522	-2,357
Expected pupil yield from this development that on current plans for school provision cannot be accommodated	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218

Background notes:

Pupil forecasts 2023 employed from September 2023. Incorporating roll data from Schools Census Autumn 2022. Data from the Health Authority includes pre-school children born up to 31st August 2022. Forecasts use trend data over the previous three years.

Expected pupil product from new developments within the planning area

Where a section 106 agreement has been secured for a development that includes education contributions (indicated by code S106 in brackets), the expected pupil product from that development has been shown as zero. This indicates that the pupil product need arising from the development has been mitigated by the developer.

Education Build and Land Contributions
Appendix 1a

Site Name	Land South & East Sittingbourne
Reference No.	21/503914
District	Swale

	Houses	Flats	Total
Unit Numbers	5984	428	6412

Primary Education

	Per house	Per flat	
<i>Primary pupil generation rate</i>	0.28	0.07	
New Primary Pupils generated from this development		1,705	
New Primary School build contribution			
	per Pupil	per House	per Flat
<i>New Build Rate</i>	£25,289.80	£7,081.20	£1,770.30
Contribution requested towards New Primary School Build			£43,131,589.20

Secondary Education

	Per house	Per flat	
<i>Secondary pupil generation rate</i>	0.20	0.05	
New Secondary Pupils generated from this development		1,218	
New Secondary School build contribution			
	per Pupil	per House	per Flat
<i>New Build Rate</i>	£27,935.95	£5,587.19	£1,396.80
Contribution requested towards New Secondary School Build			£34,031,575.36

Special Education Needs

	Per house	Per flat	
<i>SEN pupil generation rate</i>	0.0110	0.0027	
New SEN Pupils generated from this development		67	
New Special Educational Needs build contribution			
	per Pupil	per House	per Flat
<i>New Build/Expansion Rate</i>	£50,893.35	£559.83	£139.96
Contribution requested towards New SEN School Build			£3,409,925.60

Notes

Costs above will vary dependant upon land price at the date of transfer of the school site to KCC
 Totals above will vary if development mix changes and land prices change

Appendix 3B - Communities' Assessment

**KCC Communities
Development Contributions Assessment**

Site Name	Land South & East of Sittingbourne
Reference No.	21/503914
District	Swale
Assessment Date	30/05/2024
Development Size	7,150
Non-Applicable Dwellings (under 56sqm GIA)	738

COMMUNITY LEARNING & SKILLS (CLS)

CLS generally operates from one central location per district owned by KCC. Many practical courses require resources (e.g., potter's wheels, kilns, stained glassing making equipment) that are not portable. Locations per district can be found on the Kent Adult Education website.

Provision of general courses (such as modern foreign languages, Maths, English and ESOL) are at capacity within these main centres. To increase capacity, CSL operates an outreach programme to bring services directly to communities: new developments will be required to contribute towards the cost of equipment and resources.

There is currently physical capacity within the hubs for specialist courses. However, increased enrolments will place additional demands on IT, learning technology and other equipment. New developments will also be expected to contribute towards this.

New adult participation from this development **317 clients**

Contributions requested from this development	£34.21 per dwelling
<i>7150 dwellings from this proposal</i>	£244,601.50

Contributions requested towards additional equipment and resources for Adult Education Centres and outreach provision serving the development.

INTEGRATED CHILDREN'S SERVICES - YOUTH / EARLY YEARS SERVICE

Historically, services for children and young people have been delivered from a static facility, typically youth/children's centres. The level of growth planned for each district will see the majority of development taking place away from the main hubs. To increase capacity and provide for the additional need created by new developments, much of the Youth/Early Years Services will be provided via Mobile/Outreach work. This will enable services to be delivered in the vicinity of new developments, increasing the likelihood of children, young people and parent/carers engaging with them. Therefore, all development will be expected to make contributions towards equipment and resources to enable Mobile/Outreach work to take place.

For expansions and enhancements of youth hubs and children's centres, including provision of specialist equipment and resources to increase capacity, this will be determined on a case-by-case basis, to mitigate the impact of growth. District provision will be assessed, and contributions requested where there is a project.

New Youth/Early Years Service participation from this development **882 clients**

Contributions requested from this development	£74.05 per dwelling
<i>6412 dwellings from this proposal</i>	£474,808.60

Contributions requested towards additional resources for Integrated Children's Services to enable expansion of capacity within the hubs and provision of outreach work in the vicinity of the development.

LIBRARIES, REGISTRATIONS AND ARCHIVES (LRA)

New developments will place additional demands for both physical (hard copy) books and digital (eBooks/E-Audio) stock. The National Library Standard upper threshold recommends 1532 items per 1000 population; where stock levels are below this, contributions will be sought.

Library capacity has historically been based on Museums, Libraries and Archives (MLA) recommendation of 30sqm per 1,000 population – KCC does not currently meet this standard and has no plans to increase the number of libraries in Kent (the possible exception is the provision of new space on strategic sites/garden communities). In most cases, it will seek instead to meet the need generated by new growth by:

- Improving existing facilities
- Refits and reconfiguration
- Intensification of use

Library bookstock items per 1,000 population for Swale (Dec 2022) **669**

<i>Target: National Library Standard bookstock items per 1,000 population (upper threshold)</i>	1,532
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New borrowers from this development **1844 borrowers**

Contributions requested from this development	£62.63 per dwelling
<i>7150 dwellings from this proposal</i>	£447,804.50

Towards additional resources, equipment and book stock (including reconfiguration of space) at local libraries serving the development, including Sittingbourne.

Net contributions requested for KCC Communities' Services	£1,167,214.60
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Appendix 3C – Social Care Assessment

**ADULT SOCIAL CARE ASSESSMENT REPORT
APPENDIX 3**

Development Contributions Assessment over the planning period 1/1/2019 to 31/12/2039

Site Name	Land South & East of Sittingbourne
Reference No.	21/503914
District	Swale
Assessment Date	30/05/2024
Development Size	7,150

Net Social Care contributions requested:	
Social Care and Health Services	£1,293,292.00
<p>Kent County Council has statutory* responsibilities to provide a variety of services that support and care for vulnerable adults and children across the county. In line with KCC Strategy**, the modern focus of the service is to support adults to live fulfilling and independent lives at home and in their community, ensuring adults receive the right care when they need it, and are also supported to get back on their feet when it is appropriate and possible.</p> <p>To support this strategy, KCC seeks contributions toward five priority areas and may choose to apply the whole contribution to a single project, or proportionately between projects. The contribution from the development is the same. The result is greater certainty of project delivery and benefit to new communities to put together workable projects for the community and clients.</p> <p>Proposed new housing development results in additional demands upon Adult Social Care (ASC) services from increases in older people and also adults with Learning, Physical and/or Mental Health Disabilities. Available care capacity is fully allocated already, with no spare capacity to meet additional demand arising from this and other new developments.</p> <p>The focus of Adult Social Care is currently on the five areas listed below, offering a preventative approach to providing care. Based on an agreed set of service delivery models, an annual assessment of the impact of new and existing housing on these services has been carried out. Only the financial impacts relating to new housing are displayed.</p> <p><i>Note: Client numbers are rounded for display purposes, but costs are based on unrounded figures</i></p> <p>* Under the Care Act 2014, Mental Health Act 1993 and Mental Capacity Act 2005</p> <p>**https://www.kent.gov.uk/about-the-council/strategies-and-policies/adult-social-care-policies/your-life-your-wellbeing</p>	

A. ASSISTIVE TECHNOLOGY & HOME ADAPTATION EQUIPMENT	<i>Assistive Technology systems and Home Adaptation Equipment are delivered to vulnerable adults in their own homes, enabling them to: live with the confidence that help is available when they urgently need it and to remain independent in their own homes.</i>
B. ADAPTING COMMUNITY FACILITIES	<i>Adapting Community Facilities to be accessible for those with both mental and physical disabilities means vulnerable adults can access other support services and facilities safely and comfortably.</i>
C. SENSORY FACILITIES	<i>Sensory facilities use innovative technology to provide a relaxing or stimulating environment for people of all ages with sensory impairment conditions. The facilities may be used to calm stress and anxiety, or to encourage sensory development and social engagement.</i>
D. CHANGING PLACE	<i>Changing Places have additional features than standard accessible toilets to meet the needs of people with a range of disabilities and their carers. These toilets are usually located in or near a popular public area to ensure suitable facilities are available for use by vulnerable adults when necessary.</i>
E. SPECIALIST CARE HOUSING	<i>Specialist care housing includes extra care accommodation and other care living accommodation for those clients with special requirements. These requirements include but are not limited to, the elderly and those with physical and learning requirements.</i>

New Social Care Clients generated from this development:	660 client(s)
<i>Forecast SC clients generated from ALL proposed developments within the District (up</i>	1,511 clients
Contributions requested from this development	£1,293,292.00
Contributions requested towards Specialist Housing in the District, Assistive Technology & Home Adaptation Equipment, Adapting Community Facilities, Sensory Facilities and Changing Places in the vicinity of the development.	

Note: These projects will be delivered once the money is collected except where the implementation of the proposed project(s) relies upon pooled funds, then the project will commence as soon as practicable once the funding target has been reached.

Appendix 3D – Waste Assessment

Development Contributions Assessment over the planning period 1/1/2021 to 31/12/2030

Site Name	Land South& East of Sittingbourne
Reference No.	21/503914
District/Area	Swale
Assessment Date	30/05/2024
Development Size	7,150

Net Waste contributions requested:

Kent County Council is the statutory 'Waste Disposal Authority' for Kent, meaning that it is responsible for the receipt and onward processing/disposal of household waste, providing Waste Transfer Stations (WTS), Household Waste Recycling Centre Services (HWRC) and monitoring closed landfills. Kent residents make approximately 3.5 million visits to HWRCs per year and each household produces an average of a 1/4 tonne of waste to be processed at HWRCs, and 1/2 tonne to be processed at WTSs annually. Kent's Waste Management services are under growing pressure with several HWRCs and WTSs over operational capacity (as of 2020).

In accordance with the Kent Waste Disposal Strategy 2017-2035, contributions may be sought towards the extension or upgrading of existing Waste facilities, or towards the creation of new facilities where a proposed development is likely to result in additional demand for Waste services. Existing Waste services will be assessed to determine the available capacity to accommodate the anticipated new service demands before developers are requested to contribute to additional provision. The proportionate costs of providing additional services for households generated from the proposed development are set out below:

A. WASTE TRANSFER STATIONS (WTS)

Additional waste generated by new households increase the throughput of waste and reduce speed of waste processing at Waste Transfer Stations.

1. Applicable dwellings from this development	7,150
2. Applicable dwellings from ALL proposed developments for County-wide projects (up to 2030)*	70,100
3. Overall cost of increasing capacity for 70,100 new dwellings by 2030	£9,963,313.00
4. Cost per new dwelling (£9,963,313 / 70,100 new homes)	£142.13
Contributions requested from this development	£142.13 per dwelling
7,150 dwellings from this proposal	£1,016,229.50
Contributions requested towards Sittingbourne WTS	

B. HOUSEHOLD WASTE RECYCLING CENTRES (HWRC)

Additional households increase queuing times and congestion at HWRC's and increase throughput of HWRC waste.

1. Applicable dwellings from this development	7,150
2. Applicable dwellings from ALL proposed developments for County-wide projects (up to 2030)*	64,200
3. Overall cost of increasing capacity for 64,200 new dwellings by 2030	£3,338,400.00
4. Cost per new dwelling (£3,338,400 / 64,200 new homes)	£52.00
Contributions requested from this development	£52.00 per dwelling
7,150 dwellings from this proposal	£371,800.00
Contributions requested towards closer of Sheerness, Sittingbourne or Faversham HWRC	

Net Contributions requested for KCC Waste from this development	£1,388,029.50
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*** Estimated**

Note: These projects will be delivered once the money is collected except where the implementation of the proposed project(s) relies upon pooled funds, then the project will commence as soon as practicable once the funding target has been reached.

4. Minerals and Waste

The site affects important brickearth reserves, which are a safeguarded mineral in the Kent Minerals and Waste Local Plan, part of the Development Plan for the purposes of this application. Areas HB and HC of the site are affected. A Mineral Assessment has been submitted with the proposal which seeks to address mineral safeguarding matters. The County Council has commented separately on this assessment, and I draw your attention to those comments in considering the proposal. In determining the application, the Borough Council should satisfy itself that the policy requirements of DM7 of the Kent Minerals and Waste Local Plan are satisfied and in the case of area HC that the safeguarding requirements and the need to consider prior extraction is addressed by planning condition.

The County Council as Minerals and Waste Planning Authority provided the following commentary direct to the Borough Council on 27 September 2024.

From: Bryan Geake - GT GC <Bryan.Geake@kent.gov.uk>
Sent: Friday, September 27, 2024 12:25 PM
To: planningsupport@midkent.gov.uk
Cc: Francesca Potter - GT GC <Francesca.Potter@kent.gov.uk>
Subject: Application reference – 21/503914/EIOUT – Outline planning application for the phased development of up to 577.48 hectares at Highsted Park, Land to the south and East of Sittingbourne, Kent

Dear Matt Duigan

Application reference – 21/503914/EIOUT – Outline planning application for the phased development of up to 577.48 hectares at Highsted Park, Land to the south and East of Sittingbourne, Kent comprising of up to 7,150 residential dwellings including sheltered / extra care accommodation (Use Class C2 and Use Class C3). Up to 170,000 sq m / 34 hectares of commercial, business and service / employment floorspace (Use Class B2, Use Class B8 and Use Class E), and including up to 2,800 sq m of hotel (Use Class C1) floorspace. Up to 15,000 sq m / 1.5 hectares for a household waste recycling centre. Mixed use local centre and neighbourhood facilities including commercial, business and employment floorspace (Use Class E), non-residential institutions (Use Class F1) and local community uses (Use Class F2) floorspace, and Public Houses (Sui Generis). Learning institutions including primary and secondary schools (Use Class F1(a)). Open space, green infrastructure, woodland, and community and sports provision (Use Class F2(c)). Highways and infrastructure works including the provision of a new motorway junction to the M2, a Highsted Park Sustainable Movement Corridor (inc. a Sittingbourne Southern Relief Road), and new vehicular access points to the existing network; and associated groundworks, engineering, utilities, and demolition works. Land South and East of Sittingbourne Kent

21/503914/EIOUT Mineral Safeguarding

Thank you for consulting the County Council's Minerals and Waste Planning Policy Team on the above reserved matter application.

I will confine my comments to the submitted mineral assessment (MA) that addresses the land-won mineral safeguarding issues that is dated 3 July 2024.

The two areas of potential safeguarded mineral sterilisation are H.B and H.C. The MA addresses the need to examine the potential for there to be a viable mineral deposit and for any prior extraction event. I have the following comments to make for each area in turn.

Area H.B

This is divided into two Phases, 1 and 2. Phase 1 is related to ensuring the overall development has importance in terms of transportation accessibility, and on that basis a delaying effect of any prior extraction event would be incompatible with mineral safeguarding

exemption criterion 5 of Policy DM 7: Safeguarding Mineral Resources, of the adopted Kent Minerals and Waste Local Plan 2013-30 [Early Partial; Review 20202] (KMWLP) that states:

incompatible with minerals safeguarding, where it is demonstrated that material considerations indicate that the need for the development overrides the presumption for mineral safeguarding such that sterilisation of the mineral can be permitted following the exploration of opportunities for prior extraction;

Therefore, the matter of the argued need to ensure that accessibility of the appropriate type is made available for Phase 1 and 2 that is anticipated to be developed in years 5-15 effectively precludes any prior extraction of the minerals. The discussion of the current availability of permitted brickearth reserves at Paradise Farm is an irrelevancy, as material could be taken from Phase 2 and either directly used or stored at the relevant nearby Smeed Dean works. There is also the argument put forward that the remainder of Phase 2 is simply of no economic viability and the MA cites mineral safeguarding exemption criterion 1 and 2 of Policy DM 7. This may be the case though no data on the quantum of material is given (nor for that matter for Phase 2) on which this conclusion can be objectively drawn. Though, as a generality the extractive industry requires in the order of 50,000 cubic metres of potential and usable mineral resource to be at a point of viability. The overall area of H.B appears sufficiently extensive to meet this viability threshold.

Therefore, the County Council regards the matter of the applicant wishing to invoke exemption criterion 5 of Policy DM 7: Safeguarding Mineral Resources as one that has to be considered by the determining authority to be satisfied of when making its determination on the proposal.

Area H.C

This is Phase 3 of the overall development proposal. Anticipated to be developed in years 10-20. The MA does not conclude that there is a justification that any safeguarded Brickearth can be sterilised by invoking any exemption criterion of Policy DM 7. What is suggested is that a three staged approach to access this is undertaken at an undefined position in the future, the three stages being:

Stage 1: Confirmation of built development areas

We consider that the potential mineral extraction areas should be reviewed to identify areas still being taken forward for built development that would sterilise the mineral, and exclude all uses that would not result in sterilisation. Clarification will be provided on this matter from Quinn in the format of an overlay drawing, which would in turn provide an updated area to be taken forward for a more detailed minerals assessment.

Stage 2: Environmental constraints mapping

The provision of a constraints map which would, in our view, possibly assist in a case for prior extraction not being feasible / acceptable on environmental grounds in certain areas;

Stage 3: Further site investigation

It is possible that a more comprehensive assessment of mineral presence and quality may demonstrate that some of the areas that fall through the stage 1 and 2 mapping are not of economic value. We consider that the site investigation may further reduce the area of workable mineral resource. It should be noted that a SI would be required in any event in support of a minerals application.

Essentially the applicant wishes deferring a full MA to a future date, to determine if there are justifiable grounds for exempting the area or areas of Phase 3 from a prior extraction of the minerals event. Given the anticipated timescales, and the fact that the application is in outline, this appears reasonable. Though it is considered that these stages should be subject to at least a reserved matter detailed planning permission approval condition of any outline planning permission granted by the determining authority.

I hope the above is useful. If you would wish to discuss any of the above in further detail, please do not hesitate to contact me again.

Yours sincerely

Bryan Geake BSc Hons (Geol), MSc, MRTPI

Bryan Geake | Principal Planning Officer | Minerals and Waste Planning Policy | Growth, Environment and Transport | Kent County Council First Floor, Invicta House, County Hall, Maidstone, Kent ME14 1XX | Telephone: 03000 413376 | www.kent.gov.uk/planning

5. Sustainable Urban Drainage Systems

The County Council as Lead Local Flood Authority Planning Authority provided the following commentary direct to the Borough Council 17 September 2024

Appendix 5A – Lead Local Flood Authority Response



Matt Duigan
Swale Borough Council
Swale House
East Street
Sittingbourne
Kent
ME10 3HT

Flood and Water Management
Invicta House
Maidstone
Kent
ME14 1XX

Website: www.kent.gov.uk/flooding
Email: suds@kent.gov.uk
Tel: 03000 41 41 41
Our Ref: SBC/2021/086050
Date: 17 September 2024

Application No: 21/503914/EIOUT

Location: Land South And East Of Sittingbourne Kent

Proposal: Southern Site. Outline Planning Application for the phased development of up to 577.48 hectares at Highsted Park, Land to the South and East of Sittingbourne, Kent, comprising of up to 7,150 residential dwellings including sheltered / extra care accommodation (Use Class C2 and Use Class C3). Up to 170,000 sq m / 34 hectares of commercial, business and service / employment floorpace (Use Class B2, Use Class B8 and Use Class E), and including up to 2,800 sq m of hotel (Use Class C1) floorpace. Up to 15,000 sq m / 1.5 hectares for a household waste recycling centre. Mixed use local centre and neighbourhood facilities including commercial, business and employment floorpace (Use Class E), non-residential institutions (Use Class F1) and local community uses (Use Class F2) floorpace, and Public Houses (Sui Generis). Learning institutions including primary and secondary schools (Use Class F1(a)). Open space, green infrastructure, woodland, and community and sports provision (Use Class F2(c)). Highways and infrastructure works including the provision of a new motorway junction to the M2, a Highsted Park Sustainable Movement Corridor (inc. a Sittingbourne Southern Relief Road), and new vehicular access points to the existing network; and associated groundworks, engineering, utilities, and demolition works

Thank you for your consultation on the above referenced planning application. Kent County Council as Lead Local Flood Authority have the following comments: Having reviewed the latest information supplied we note that this does not have any implication on or alterations to the previously submitted strategy for managing surface water and that as such our previous response dated 28th March 2024 containing our comments and recommendations remains valid. This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Yours faithfully,

Neil Clarke
Sustainable Drainage Team Leader Flood and Water Management

6. Heritage Conservation

The County Council has provided the following response direct to the Borough Council Thursday 26 September.

Appendix 6A – Heritage Conservation Response



Mr Matt Duigan
Principal Planning Consultant
Place Services
Swale Borough Council
Swale House
East Street
Sittingbourne
Kent
ME10 3HT

Heritage Conservation

Invicta House
County Hall
Maidstone
Kent
ME14 1XX

Tel: 03000 413415
Simon.mason@kent.gov.uk

26th September 2024

BY EMAIL

Dear Matt

21/503914/EIOUT – Highsted Park Southern Site, Land South and East of Sittingbourne, Kent : Outline Planning Application for the phased development of up to 577.48 hectares

Thank you for your consultation with respect to the further updated and amended information concerning the above major application on land to the south and east of Sittingbourne known as Highsted Park South. I have sent separate advice for the Highsted Park Northern Site application (21/503906/EIOUT).

I provided advice with respect to this application on the 2nd August 2024. In my advice I objected to the application on the basis that there is strong evidence to suggest that there are potentially archaeological remains of high significance within the development area and that the applicant has not sufficiently evaluated the archaeology of the site to enable the remains and their significance to be sufficiently understood and an informed planning decision to be had reached.

I have highlighted specific areas and aspects that should be evaluated in that and previous advice.

The applicant maintains that evaluation fieldwork can be deferred until Tier 2 applications and that there is sufficient flexibility in design to accommodate preservation in situ measures for archaeological remains should they be necessary. It is our view that parameter plans, densities of development and other aspects that are set and established at the outline application stage will limit the potential for preservation measures to be secured in Tier 2

design. Many of the archaeological remains that have been described in my response are substantial in their extent and fall within extensive areas of built development. Opportunity for Preservation in Situ in such areas would be very limited and any substantial areas of archaeology where preservation may be appropriate would not be able to be preserved within the set parameters.

I concluded in my August response that:

“It is our view that there is potential for the development proposals to cause harm to nationally important archaeological assets. Should archaeological assets be found to be of lesser importance the planning authority would need to consider the significance of the asset and weigh against the scale of harm caused by the development proposals. It is our view therefore that without the further archaeological evaluation set out above an informed planning decision can not be reached and the provisions of paragraph 200 of the NPPF have not been met. We therefore object to the proposed development and recommend that it be refused on the grounds of the potential harm to archaeological remains.”

August 2024 Submission

I have reviewed the August 2024 submission and note:

The submission has included some adjustments to parameter and other plans however the adjustments do not affect my previous advice.

The submission includes additional clarifications by Wessex Archaeology for the ‘Response to LUC Review of ES Chapter 15’ (Wessex Archaeology, June 2024). The clarifications do not affect my previous advice and repeat the applicant’s position with respect to evaluation and the flexibility of future development to be able to accommodate preservation which I disagree with.

Recommendations

The additional information submitted by the applicant in August 2024 has been reviewed and does not alter my views and recommends that were provided to you on the 2nd August 2024. We therefore maintain our objection to the proposed development and recommend that it be refused on the grounds of the potential harm to archaeological remains. I refer you back to my previous advice for the detail of the grounds.

I hope that the above is helpful and am happy to discuss further.

Yours sincerely

Simon Mason Principal Archaeological Officer

7. Biodiversity

The County Council, in respect of Biodiversity matters provided the following commentary direct to the Borough Council on 20 September 2024.

Appendix 7A – Biodiversity Response



ECOLOGICAL ADVICE SERVICE

TO: *Matt Duigan*

FROM: *Helen Forster*

DATE: *20 September 2024*

SUBJECT: *21/503914/EIOUT Land South And East Of Sittingbourne*

The following is provided by Kent County Council's Ecological Advice Service (EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the County Council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application; and whether sufficient and appropriate ecological information has been provided to assist in its determination.

Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the Planning Officer, who will seek input from the EAS where appropriate and necessary.

We have reviewed the updated information and we advise that our comments have not significantly changed.

We have reviewed the ecological information submitted with the planning application and we advise the following:

The following ecological surveys have been carried out:

- NVC surveys of the LWS and Ancient Woodland
- Bat emergence surveys
- Bat Hibernation surveys
- Bat activity/automated surveys
- Badger survey • Dormouse surveys
- Breeding bird surveys
- Wintering bird surveys
- GCN HSI and eDNA surveys
- Reptile Surveys

- Invertebrate surveys

The surveys have detailed the following:

- The Swale SPA, SSSI and Ramsar site within 2km of the proposed development
- Local Wildlife Site and Ancient Woodland within or adjacent to the proposed development boundary
- A number of International/National/Locally designated sites within 5-10km of the proposed development site.
- Lowland mixed deciduous woodland, lowland meadow and open mosaic habitat on previously development land (all priority habitats) within the Highstead Quarry LWS
- The woodland within and adjacent to the site (including the ancient woodland and Corner's Wood LWS) has been assessed as lowland mixed deciduous woodland (a priority habitat)
- The parkland within the site has been assessed as Wood-pasture and Parkland (a priority habitat).
- Hedgerows throughout the site – hedgerows are a priority habitat and some hedgerows are considered important under the regulations.
- Building 4 (as per the Ecological Appraisal) recorded a brown long eared bat roost.
- Building 6 (as per the Ecological Appraisal) recorded a soprano pipistrelle bat roost and a brown long eared maternity roost.
- The quarry tunnels in the LWS considered to be used by brown long eared bats as a hibernation roost.
- Confirmed noctule bat roost within a tree in the LWS
- Possible common and soprano pipistrelle roosts within the trees in the parkland/Highstead wood AW.
- At least 6 species for bats recorded foraging/commuting within the site.
- 20 active badger setts recorded (including 3 main setts)
- Dormouse (population may have expanded since the 2017 survey)
- Brown hare (priority species)
 - Potential for hedgehog (priority species)
- GCN recorded within a pond to the south of the site
- 71 species of bird during the breeding bird survey (35 species confirmed/probable breeders). Including barn owl a schedule 1 species (Wildlife and countryside Act 1981 (as amended)).
- 50 species of birds recorded during the wintering bird survey (including farmland bird and priority species)
- Slow worm and common lizards
- At least 247 species of invertebrate – including species of notable conservation status.

The submitted ecological information provides a good understanding of the ecological interest of the site. An updated ecological walkover survey has been carried out and the results of the surveys demonstrate that the habitat within the site has not significantly changed and the results of the existing surveys are likely still to be valid but we highlight that if planning permission is granted updates of all species surveys must be carried out to inform detailed mitigation strategies.

When we previously commented we highlighted that it is likely/possible that the dormouse population may have increased since 2017 particularly within the Highstead Quarry's Local

Wildlife Site as at the time of the initial survey the vegetation had only recently established on site. This point has not been addressed within the updated mitigation strategy however we acknowledge that Highstead Quarry LWS is no longer being lost as part of the proposal.

Mitigation

The 'mitigation hierarchy' described in British Standard BS 42020:2013, which involves the following step-wise process:

- Avoidance – avoiding adverse effects through good design;
- Mitigation – where it is unavoidable, mitigation measures should be employed to minimise adverse effects;
- Compensation – where residual effects remain after mitigation it may be necessary to provide compensation to offset any harm;
- Enhancement – planning decisions often present the opportunity to deliver benefits for biodiversity, which can also be explored alongside the above measures to resolve potential adverse effects.

We advise that the proposed development is not following the steps of the mitigation hierarchy as the proposal will result in the direct loss of Local Wildlife Site and Ancient Woodland through the creation of the road associated with the proposed housing – these areas are of at least county importance. We note that the loss of LWS has been reduced since the original design but highlight that a large number of the protected species were recorded within the LWS and the AW and the creation of the road will result in the site being dissected in two. No green bridge has been proposed within this area to reduce the connectivity issue.

The National Planning Policy Framework (NPPF) (2023) paragraph 186 states “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists” We note that a detailed compensation strategy for the loss of the AW has not been provided as part of this application but information has been provided confirming at least 8.1ha of replacement woodland will be created within the site. We highlight that the compensation planting also incorporates the AW buffer for the area of ancient woodland in the south of the site. We highlight that part of the woodland planting would have had to be carried out to mitigate the impact on the area of AW in the south of the site and therefore the whole area can't be considered compensation for the loss of AW. We advise that the creation of the woodland planting can be considered as compensation under the NPPF but advise that SBC must be satisfied that there are wholly exceptional reasons for the proposal

An overarching mitigation strategy has been submitted as part of this application and mitigation largely relies on the creation of the proposed country park. We acknowledge that, theoretically, for the majority of species there is capacity within the site to support the species recorded within the site. However the ecological mitigation areas will also be used for other purposes such as the provision of SUDS and recreation – in particular we are concerned with the impact of recreation. The submitted information/parameter plans has been updated to detail that nature areas will be created and they will be designed to discourage residents/dog walkers to enter. From an ecology perspective we are supportive

of this but due to the numbers of dwellings proposed and adjacent to the site we query if these areas can be managed to restrict access to residents.

There is a need to ensure the proposed habitat creation can be implemented and retained on site to ensure the proposed species and habitat mitigation can be achieved. We advise that SBC must take advice on that point internally / organisations with experience of managing open space.

A skylark mitigation strategy has been proposed for the adjacent habitat to the site to provide skylark mitigation as skylarks required open areas for breeding. The area proposed as the mitigation area has been reduced as part of the previous land proposed for skylark mitigation is currently being considered under application 24/500125/FULL as a solar farm. We highlight that all of the area identified may not be suitable as a mitigation option due to the numbers of skylarks which have been recorded within the area. Any skylark mitigation proposed will have to be design to following breeding bird surveys.

A biodiversity net gain assessment has been submitted and it has assessed that an anticipated net gain of up to 21% for habitats is proposed. The results of the BNG metric is largely based on the proposal to improve the condition of the retained habitats within the site. As detailed above we have concerns that the recreational pressure will not enable the habitats to establish as intended and therefore the resulting in the development not achieving the anticipated net gain.

To enable connectivity across the road culverts/hop-overs, one green bridge and 3 Animex bridges are proposed. The proposed Animex bridges will increase connectivity across the site but we highlight that they must be located within areas where they can receive the minimal amount of lighting and the Highways Authority must be satisfied that they can be installed /maintained. However we note that the green bridge is within the urban area which doesn't appear to be the best location to support wildlife connectivity – we would expect it to be located in areas where it links habitat – such as two sections of the country parks. We continue to recommend that a green bridge is created to link sections of the country park. Details of the green bridge must be provided to enable SBC to consider if it is appropriate.

The lighting design principal plans provides details of where there will be avoidance of lighting spill or restrictions on lighting spills – this includes areas directly adjacent to the main road. As the lighting plan will impact the proposed road we advise that SBC will need to be satisfied that restricted lighting within those areas is achievable.

Habitat Regulations Assessment

We have reviewed the HRA and we advise that we have the following comments to make:

The report has concluded that the proposed could have a negative impact due to recreational pressure, loss of functionally linked land for curlew and habitat degradation due to air quality.

The impact on water quality has been ruled out however we advise that SBC must be satisfied that the proposed measures to avoid impacts from surface water run off and

sewage on the Swale during construction and operational phase are appropriate. The increase in dwellings from this site and application 21/503906/EIOUOUT could negatively impact the designated sites.

Recreational Pressure

The following mitigation is proposed to mitigate the impact of recreational pressure:

- Enhanced payment to the SAMMS
- Creation of open space within the site.
- Access to other country parks/open space within the wide area.

We advise that we are satisfied that the above measures are appropriate however highlight that appropriate management of the Tonge Country Park, Highsted Country Park, Highstead Quarries and Highsted Valley will have to be carried out. If the applicant does not have responsibility of the management of all of these areas we recommend that a financial contribution for towards the management of the areas are made. We also highlight that if application 21/503906/EIOUOUT is not granted then Tonge Country Park will not be created and therefore there will be reduce opportunities for recreation within the surrounding area.

Functionally Linked Land

Curlew have been recorded within the site on a sporadic basis and the HRA has detailed that to mitigate the impact habitat creation on a field to the south of the country park is proposed. The proposed habitat creation area is adjacent to existing housing and will be adjacent to an area of the country park which is to be used for recreation. The HRA has detailed that as there is no development along the eastern boundary the field is part of a continuous green corridor to the SPA and Ramsar site. We advise that we understand the reasoning but do have concerns that the proposed mitigation will not be sufficient.

However the applicant has confirmed that they have other landholdings available to them and if monitoring demonstrates that the mitigation has not been successful alternative mitigation will have to be implemented.

Air Quality:

The report has concluded the following:

- No measurable change to NO_x, ammonia or N deposition along the A299 is expected to occur as a result of the proposed development;
- Along the A249, there would be an exceedance of the relevant critical levels/loads within 25-40m of the road. The majority of this area comprises vegetated highway verges of negligible importance in terms of the SPA/Ramsar;
- In-combination development will result in a moderate increase in pollutant levels at the roadside, and an increase in the area which would experience pollutant levels above the critical level/lower critical load, the maximum extent being +17.1m (relating to the area exceeding the lower critical load for nitrogen deposition relative to the projected baseline scenario);
- Of this area, only 0.68ha comprises saltmarsh or grazing marsh (equating to 0.01% of the total SPA/Ramsar area), located at field margins adjacent to main roads. Given existing conditions, there is unlikely to be any measurable deterioration in vegetation in these areas, whilst such areas are not considered to be suitable for the bird species for which the SPA is designated;

- Beyond this zone, the lower critical load for relevant habitats is not exceeded, such that no significant effect is anticipated, in line with DMRB guidance;
- In any event, grazing marsh, saltmarsh and estuarine habitats are not particularly sensitive to nitrogen deposition, whilst other factors such as management (i.e. grazing intensity) and river/coastal nutrient inputs are likely to be of much greater relevance in terms of suitability of habitats for the interest bird species.

The air quality assessment was considered with regard to an increase in traffic along the A249 due to the proposal. We advise that we are not experts on air quality or transport assessments and we advise that the LPA must be satisfied that the conclusions of the air quality assessment and traffic assessment are accurate.

There is a need to ensure that the calculations are correct as the report highlights the following with regard to area of impact with regards to air quality and increase in traffic *Routes likely to be subject to increased traffic associated with the proposed development include a single main road which passes within 200m of the SPA/Ramsar, namely the A249 at the crossing to the Isle of Sheppey, lying adjacent to the SPA/Ramsar boundary.* As the assessment concluded that only habitat within 125m would exceed the nutrient critical load by 1% however if the traffic assessment is wrong it is possible that a greater area of the Swale SPA could exceed the nutrient critical load.

Suggested Conditions

If planning permission is granted we recommend that there will be the need for the following conditions:

- Lighting designed to minimise impacts on nocturnal animals
- Detailed ecological mitigation strategy – informed by updated surveys
- Ecological enhancement plan – including integrated enhancement features • Site wide management plan
- Site Wide Monitoring Plan
- Habitat creation plan

If you have any queries regarding our comments, please do not hesitate to get in touch.

Helen Forster MCIEEM
Biodiversity Officer

This response was submitted following consideration of the following documents: Base Line Ecological Appraisal; June 2021
Ecological Mitigation Strategy; Aspect Ecology; October 2022
Report to Inform HRA; Aspect Ecology; July 2024
Ecological Mitigation Strategy; Aspect Ecology; July 2024
Updated Walkover Survey Results; Aspect Ecology; July 2024
Habitat Regulations Assessment; Aspect Ecology ; July 2024