

Representations Received to the Regulation 16 Consultation on the Faversham Creek Neighbourhood Plan

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
FCNP01	Eldon Hinchliffe		<ul style="list-style-type: none"> • First an overall observation. There is too much residential use proposed. The Creek is already flanked by too many houses, and because of two important reasons all housing will be very expensive to build and therefore has to be luxury housing for the wealthy. The two very big problems are liability for tidal flooding and geology. Houses have to be raised above the probable flood level causing extra expense and difficulty in providing mobility access, and they will require very expensive piling for the foundations. This will do nothing for the Borough's requirement to provide affordable housing, for which other sites are available away from the creek. • Specific sites which require further observation are:- • Site 2 – Ordnance Wharf. Alternative A suggests six houses and is completely unacceptable. They will never be built because they will be horrendously expensive for the reasons mentioned above, aggravated by being sited on a severely degraded historic quay dating back to the reign of Elizabeth 1st, when it was used in connection with the gunpowder works on the adjacent Stonebridge Allotments. This quay has always been industrial and was used in the 20th Century for the purification of town gas. It will be heavily polluted. Designating this site as residential will also grossly inflate its value so no one will be able to implement Alternative B. This can be a timber framed, weatherboarded structure on a reinforced concrete raft, which will hold the quay together, keep the pollution trapped below the raft and provide an invaluable community benefit, and if operated in conjunction with the Purifier Building on the adjacent Site 1 it will help create skilled craftsmen. • Site 3 – BMM Weston. In general I am happy with this providing wharfage and space to work on the quayside next to the basin are provided and provided the housing is restricted to the hill, but a single vehicular access from Brent Hill is inadequate. Brent Hill already has traffic problems, so another roadway should connect to the junction of Bridge Road, Bramblehill Road and the Upper Brents. • Site 5 – Swan Quay. Nearly all the buildings on this site are extremely interesting heritage assets. They could be used as workplaces for craftsmen and the modern building on the creekside is already an excellent home for a sailmaker. This site combined with the creek basin could be a fantastic tourist attraction as they are both very close to the town centre. This would not only create work opportunities on-site but would also lead to many more jobs in the tourist industry. Calculations indicate a multiplier of 10 extra jobs for each job created on site. The policy must be to keep all these buildings. • Site 8 – Standard Quay. This used to be a thriving maritime asset, with barges and fishing craft moored on the quayside and shipwrights, blockmakers and the like working on them. It has become a depressing car park. Admittedly there are still a very small number of boats moored there but, since there are no facilities to work on them they are deteriorating quickly. The decision to grant planning permission for a wine bar in one of the quayside buildings was very regrettable and it has led to continuing pressure from the owner for a restaurant in another quayside building. It is time to stand firm and only permit maritime workshops in the three remaining weatherboarded buildings, and to designate the quayside as a maritime workplace – not a car park. • For most of the remaining sites my opening paragraph applies. • My previous letter, sent to you on Monday 15th was based on an out-of-date copy of the 	<ul style="list-style-type: none"> • Too much residential is proposed. Because of flooding and geology (piling) it will be expensive to build and will by necessity be luxury housing. This will do nothing for the Borough's requirement to provide affordable housing. • Site 2 – Ordnance Wharf. Residential development is not acceptable. The site will be too expensive to develop, as set out above. Previous use as a quay, in connection with the gunpowder works; and for the purification of town gas means that the site is heavily polluted. Allocating the site for residential development will inflate its value and alternative development (see below) won't come forward. The site could be used in conjunction with the Purifier Building (education facility for skilled craftsmen). Will vote no to the referendum on his basis. • Site 3 – BMM Weston. Welcome provision of wharfage and space to work on the quayside. Housing must be restricted to the hill. A single vehicular access from Brent Hill is inadequate. Brent Hill already has traffic problems. Another roadway should connect to the junction of Bridge Road, Bramblehill Road and the Upper Brents. • Site 5 – Swan Quay. Nearly all the buildings on this site are extremely interesting heritage assets. They could be used as workplaces for craftsmen. The modern building on the creekside is already an excellent home for a sailmaker. This site (and the creek basin) could be a fantastic tourist attraction as they are both very close to the town centre. This would create work opportunities and lead to many more jobs in the tourist industry. • Site 8 – Standard Quay. This used to be a thriving maritime asset. It has become a depressing car park. As there are no facilities to allow working on the moored boats, they are deteriorating. Allowing non-boating activities has led to pressure for other unsuitable development. The quayside should be designated as a maritime workplace – not a car park. • For most of the remaining sites the opening paragraph applies. • The neighbourhood plan process has been flawed and undemocratic and if referendum rejects the neighbourhood plan, which is highly likely, there will almost certainly be consequences that no one wants. Should remove the housing designation from Ordnance Wharf and keep the creek basin a housing-free zone.

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			<p>plan in Faversham Library. I now realise that there is only one proposal for Site 2 – Ordnance Wharf and it includes residential which is completely unacceptable. As I said:- “They will never be built because they will be horrendously expensive for the reasons mentioned above, aggravated by being sited on a severely degraded historic quay dating back to the reign of Elizabeth 1st, when it was used in connection with the gunpowder works on the adjacent Stonebridge Allotments. This quay has always been industrial and was used in the 20th Century for the purification of town gas. It will be heavily polluted. Designating this site as residential will also grossly inflate its value”. This will have the effect of continuing dereliction of the site and further deterioration of the historic quay. There should be:- “A timber framed, weatherboarded structure on a reinforced concrete raft which will hold the quay together, keep the pollution trapped below the raft and provide an invaluable community benefit, and if operated in conjunction with the Purifier Building on the adjacent Site 1 it will help create skilled craftsmen.”</p> <ul style="list-style-type: none"> • I have to say that if residential use remains designated for this site I will not be the only one voting no in the referendum. This a key site for the regeneration of the creek and basin and something like 85% of respondents to previous consultations have said - “No housing on Ordnance Wharf.” The entire process has been severely flawed and undemocratic and if referendum rejects the neighbourhood plan, which is highly likely, there will almost certainly be consequences that no one wants. So please remove the housing designation from Ordnance Wharf and keep the creek basin a housing-free zone. • This is a supplement to my previous letter, which is again attached, and I stand with all the other comments. 	
FCNP02	Efficiency Reform Group within Cabinet Office	Comment	<ul style="list-style-type: none"> • Thank you for submitting your draft consultation paper into the Efficiency Reform Group within Cabinet Office. • The guidance which previously advised that we require sight of such documentation is no longer extant so there is now no need to submit these to us. 	<ul style="list-style-type: none"> • We no longer require sight of such documentation.
FCNP03	Faversham Town Council		<ul style="list-style-type: none"> • I am writing on behalf of Faversham Town Council further to the Faversham Creek Neighbourhood Plan: Publication Consultation, which runs from 7 November to 22 December. • Faversham Town Council requests that, in view of the importance of Faversham Creek to the whole town, the referendum be extended beyond the designated area of the Neighbourhood Plan to the four wards of Faversham: Abbey, Priory, St Ann's and Watling. • Faversham Creek is an inherent part of Faversham's history. As the draft Plan states, "The Creek has played a large part in the origins and development of Faversham. A tidal inlet off the Swale, on the outer reaches of the Thames Estuary on the north coast of Kent, it extends six kilometers inland on a winding course, providing navigable access to the port of Faversham. For centuries this was a thriving and strategically important seaport and was the town's commercial and economic engine." • The designated area is mostly industrial with some housing either side of the Creek. The Creek is considered important not only in terms of its heritage, but also in respect of its future potential for tourism, employment and housing. The Town Council feels, therefore, that it would be right and proper for the whole town to have a say in its future. • The Town Council requests that it is notified of the local planning authority's decision 	<ul style="list-style-type: none"> • Requests that the referendum be extended beyond the designated area of the Neighbourhood Plan to the four wards of Faversham: Abbey, Priory, St Ann's and Watling. • Faversham Creek is an inherent part of Faversham's history and has played a large part in the origins and development of Faversham. • The designated area is mostly industrial with some housing, The Creek is important in terms of its heritage and its future potential for tourism, employment and housing. • The Town Council feels it would be right for the whole town to have a say in its future. • The Town Council requests that it is notified of the local planning authority's decision under regulation 19.

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			under regulation 19 in relation to the Faversham Creek Neighbourhood Plan.	
FCNP04	Highways Agency	Comment	<ul style="list-style-type: none"> • Thank you for consulting the Highways Agency regarding the above, seeking a response no later than 22 December. • We note that the Faversham Creek Plan covers a small area and contains policies and proposals for relatively modestly scaled development fairly remote from the Strategic Road Network (SRN). On this basis the HA is content to deal with any SRN implications arising from any applications for development as they come forward. Consequently, we have no comments on the Plan itself. 	<ul style="list-style-type: none"> • Content to deal with any SRN implications arising from any applications for development as they come forward. • No comments on the Plan itself.
FCNP05	Mrs Hilary Morley	Comment	<p>Ordnance Wharf</p> <ul style="list-style-type: none"> • I would be grateful if Proposal A could be deleted, and just Proposal B put forward. Housing on this site, a pimple amongst a lot of thriving commercial and community use, and further vibrant proposals for similar on adjacent sites around the upper basin, would be out of place. The suggestion, in the plan, that housing is possible, might overvalue it, so it could not be acquired for more suitable uses. • I can see that potential impact on undesignated heritage assets, urbanising effect on Flood Lane, and Stonebridge allotment views applies to Proposal A for 3 storey housing, but not how such objections would apply to Proposal B - commercial and community use. • Its a small site, subject to flooding, likely to be contaminated. These problems are more easily overcome by Plan B proposals. <p>Housing Proposals</p> <ul style="list-style-type: none"> • Is it possible to include that housing sites should be built to highest environmental standards? This applies particularly to creekside, which are unlikely to help with affordable housing quotas. 	<ul style="list-style-type: none"> • Prefers proposal A over proposal B as no housing. • Potential impact on undesignated heritage assets, urbanising effect on Flood Lane, and Stonebridge allotment views applies to Proposal A for 3 storey housing, but not Proposal B. • Site subject to flood risk and contamination. • Housing should be built to highest environmental standard.
FCNP06	Janet Harper	Comment	<ul style="list-style-type: none"> • I used to work in Gt. Yarmouth when it had an opening bridge. This was hugely inconvenient to the residents - bridge opening depended on the tide and was difficult to plan for especially when trying to catch a train, get children to school or get to an appointment. 	<ul style="list-style-type: none"> • An opening bridge would be inconvenient to residents.
FCNP07	Marika Sherwood	Comment	<p>Would like:</p> <ul style="list-style-type: none"> • Footpath around whole area essential • Areas – eg gardens/parks for community use • Creek must be dredged • Openable bridge installed • As much as possible should be open for maritime use • Including ship repair yards • No other commercial use • If we must have housing, at least 50% should be ‘affordable’ • All housing should have solar panels and • Rainwater recycling 	<p>Would like:</p> <ul style="list-style-type: none"> • Footpath around whole area essential • Areas – eg gardens/parks for community use • Creek must be dredged • Openable bridge installed • As much as possible should be open for maritime use • Including ship repair yards • No other commercial use • If we must have housing, at least 50% should be ‘affordable’ • All housing should have solar panels and • Rainwater recycling
FCNP08	Medway Council	Comment	<ul style="list-style-type: none"> • Thank you for your letter dated 6th November 2014 notifying Medway Council of the consultation on the Faversham Creek Neighbourhood Plan; Publication Consultation. • After a review of the plan Medway Council has no comments to make on the consultation. 	<ul style="list-style-type: none"> • No comments to make.
FCNP09	Andrew Osborne	Support	<ul style="list-style-type: none"> • I have read the Faversham Town Councils submission draft of the Faversham Creek Neighbourhood Plan and find it to be a well-constructed and thought out document. The Plan has been written after extensive public consultation and the consideration of many alternatives proposed made by one or two groups and members of the public. 	<ul style="list-style-type: none"> • It is a well-constructed and thought out document, written after extensive public consultation and the consideration of many alternatives. • The plan allows for a wide range of developments on the vacant sites in the plan. • Opposition to housing development does not appear to be motivated by logical argument

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			<ul style="list-style-type: none"> The plan allows for a wide range of developments on the vacant sites in the plan area including boat building and repair, use class 81 and 82, that are advocated by a particularly voracious group. The opposition to housing development on almost any of the vacant sites does not appear to be motivated by any logical argument or reason for not using some of the sites for residential development but simply by a desire to use the planning system to reduce the value of land to make it cheaper for these groups to purchase the sites for their own use. There are extensive opportunities for industrial development in the plan including the large site at Iron Wharf that has reasonable vehicle access from Whitstable Road and is under-used at the present time and has potential for the development of marine facilities. The remaining creekside industrial sites have limited access through the town centre and are subject to flooding that makes them unattractive for commercial development. The majority of the sites currently vacant or under used have been allocated in the Swale Borough Council Local Plan for commercial use for almost a decade, but no development has taken place. The Plan should encourage development and regeneration of the whole area. Housing on the creekside will bring life and activity to the area in daytime and the evening and encourage use of the waterway by those who have boats and can moor them along the creekside path. The proposals for a continuous creekside path will allow the public to enjoy the waterway and the requirement for moorings to be provided in all new developments will ensure that the creek is brought to life and justify the provision of an opening bridge and the dredging of the navigation. The design guidance is generally sound, but I think that the limits placed on the height of buildings suggested for many sites is too restrictive bearing in mind the tradition to build tall on waterside sites where land was limited and expensive. Nevertheless the guidance should not inhibit modern design and the opportunity to build some buildings of architectural quality in the plan area. The Plan is a well-considered and balanced and after almost twenty years of neglect and decay the Plan should lay the foundations for a sound and prosperous future for Faversham Creek. 	<p>but by a desire to use the planning system to reduce the value of land.</p> <ul style="list-style-type: none"> Opportunities for industrial development include Iron Wharf which has vehicle access and is currently under-used and has potential for marine facilities. The remaining creekside industrial sites have limited access through the town centre and are subject to flooding that makes them unattractive for commercial development. Some of the vacant sites, with a Local Plan commercial allocation, have had no development for the last decade. The Plan should encourage development and regeneration of the whole area. Housing will bring life and activity to the area, day and night, and encourage use of the water by residents who have boats. Supports the continuous creekside path and the moorings requirement as they will justify an opening bridge and creek dredging. Supports the design guidance, but limits on heights of buildings are too restrictive. It should not inhibit modern design and architectural quality. Plan is a well-considered and balanced.
FCNP10	Dr Patricia Reid	Support and comment	<ul style="list-style-type: none"> I have been a Creekside resident for 14 years. I am also the Community Archaeologist for the Faversham Society, although in these comments I am in no way speaking on the Society's behalf. Given the stormy and often acrimonious progress of this Plan through its public phases, this is a remarkably sane and balanced report. It is hard to find any fault with the objectives, which cover heritage, employment, culture, environment, community needs and access. The emphasis on seeing the Creek in the wider urban context is very welcome and seems to be a new approach. Within the more detailed study of the objectives, there is full recognition, for example, of the acute problems in this part of Faversham with regard to road access, especially to the northern end of that (in effect) single track spur road, Abbey Street; the potentially lethal junction between Belvedere Road and Quay Lane; the lack of parking space generally. No further development should be allowed north of Quay Lane until these problems are solved - there are already major difficulties such as 'high noon' type stand offs in Abbey Street where vehicles refuse to give way to each other (I have witnessed these). 	<ul style="list-style-type: none"> This is a remarkably sane and balanced report. It is hard to find any fault with the objectives and the emphasis on seeing the Creek in the wider urban context is very welcome. There is recognition of the road access problems, especially Abbey Street, the junction at Belvedere Road and Quay Lane and the lack of parking space generally. No further development should be allowed north of Quay Lane until these problems are solved. Supports the 35% affordable housing, the restriction of height in relation to townscape and the bringing back into use of brownfield sites. The design criteria are excellent. The range of activities to be encouraged is impressive, especially the CLR and BTE policies Town and Swan Quay are crucial to the success of these policies, being accessible and attractive, as the success of the new Nautical Festival on these sites demonstrates. Standard Quay is not really developable until the road access problem is sorted. States that it has become a desolate cinder car park with a few decaying boats. If the Planning Department do not let developers get short term gain from housing and

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			<ul style="list-style-type: none"> The expectation of 35% affordable housing is commendable, and the restriction of height in relation to townscape essential. The bringing back into use of various brownfield sites is also to be fully supported. The design criteria are excellent. The range of activities to be encouraged is impressive, the CLR and BTE policies especially so. Town and Swan Quay are crucial to the success of these policies, being accessible and attractive, as the success of the new Nautical Festival on these sites demonstrates. These, along with Tanners Street and the Stonebridge crossing, lie at the heart of the most ancient Faversham (I could give you detailed archaeological evidence for this). Standard Quay, on the other hand, is not really developable until the road access problem is sorted. The fact that it has become a desolate cindery car park with a few decaying boats for most of the week is, of course, a tragedy, but that is the price of private ownership of heritage assets. In short, if this framework is fully enforced and a) the Planning Department does not give in to developers who just want short term gain from expensive housing b) the various non-commercial developments like the improved Sea Cadets facilities can obtain appropriate funding, then the Creek is both protected and enhanced and opened up for more people to enjoy it as much as we do. 	the non-commercial developments can obtain funding, then the Creek is protected, enhanced and opened up for people to enjoy it.
FCNP11	Sarah Deeson	Object	<ul style="list-style-type: none"> The upper basin of the creek should be kept free from housing given that Morrisons, BMM Weston, Shepherd Neame and now the Purifier building are all in operation in close proximity. Any housing at all would be out place at such a site. Any residential building on Ordnance wharf would not be possible unless very many units were built because of the high costs of decontamination, rebuilding of the wharves and piling necessary, which would be inappropriate. Please ensure that the planning designation for Ordnance Wharf is industrial and not residential. 	<ul style="list-style-type: none"> The upper basin should be kept free from housing. Ensure the planning designation for Ordnance Wharf is industrial and not residential.
FCNP12	Southern Water	Comment and object	<ul style="list-style-type: none"> Thank you for consulting us on the submission version of the Faversham Creek Neighbourhood Development Plan (NDP). Southern Water is the statutory sewerage undertaker providing wastewater services to Faversham. We were consulted on the previous version of the Faversham Creek NDP and submitted representations to Faversham Town Council. The Consultation Statement submitted in support of this version of the NDP outlines our representations and indicates that the plan has been revised accordingly. We are pleased that the Town Council has considered our representations. However, in line with national planning policies and government guidance, we seek policy provision to support the delivery of the requisite infrastructure rather than this requirement being identified in the supporting text. This is also because planning law requires planning applications to be determined in accordance with planning policies. Accordingly, please find following our response to the submission version of the NDP. We would be grateful if you could keep us informed of any future progress. <p>Sewerage and drainage, page 25</p> <ul style="list-style-type: none"> We welcome the supporting text on page 25, which outlines that where there is limited capacity in the sewerage network, proposed developments will need to make a connection at the nearest points of adequate capacity. <p>Natural Environment Policies, page 33</p>	<ul style="list-style-type: none"> Is the statutory sewerage undertaker providing wastewater services to Faversham. Are pleased that the Town Council revised the NP in response to their previous reps. Seek policy provision to support the delivery of the requisite infrastructure rather than this requirement being identified in the supporting text. Sewerage and drainage - Welcome the supporting text on page 25. Natural Environment Policies (page 33) - Understands the desire to designate 'Local Green Spaces', but, this could create a barrier to statutory utility providers from delivering essential infrastructure. Policy NE2 - Proposed amendment "<i>NE2 The green spaces to either side of the Albion Taverna and between the Upper Brents and Crab Island shall be designated as Local Green Spaces. Proposals for any development on this land will be resisted other than in very special circumstances, for example, it is essential to meet specific necessary utility infrastructure needs and no alternative feasible site is available.</i>" Infrastructure Policies (page 37) - Policy INF5 supports the provision of renewable energy proposals but there is not similar support for sewerage infrastructure or additional capacity at wastewater treatment works, despite one of the policy objectives on page 36 of the submitted NDP seeking to address 'capacity issues on the local sewerage and surface water networks'. Southern Water is committed to ensuring the right wastewater infrastructure in the right place at the right time in collaboration with developers, town/parish councils and the planning authority. Although there are no current plans, over the life of the NDP it maybe that we need to provide new or improved infrastructure. We therefore seek specific policy

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			<ul style="list-style-type: none"> Southern Water understands Faversham Town Council’s desire to designate ‘Local Green Spaces’. However, the implication is that these areas are afforded the same level of protection as Green Belt land and this could create a barrier to statutory utility providers, such as Southern Water, from delivering their essential infrastructure required to serve existing and planned development. We seek an amendment to Policy NE2 of the NDP to ensure that it meets the basic conditions necessary for a Neighbourhood Development Plan (NDP), namely: to have regard to national policies and advice contained in guidance issued by the Secretary of State and contribute to the achievement of sustainable development. <p>National policies and guidance</p> <ul style="list-style-type: none"> Southern Water may have to provide additional water or wastewater infrastructure to serve new and existing customers or meet stricter environmental standards. It is likely that there would be limited options with regard to location, as the infrastructure would need to connect into existing networks. The National Planning Practice Guidance recognises this scenario and states that <i>‘it will be important to recognise that water and wastewater infrastructure sometimes has locational needs (and often consists of engineering works rather than new buildings) which mean otherwise protected areas may exceptionally have to be considered’</i>. Therefore, utility infrastructure is considered to constitute the ‘very special circumstances’ envisaged by paragraph 76 of the National Planning Policy Framework (NPPF). This approach has recently been supported by the Examiner of the Hurstpierpoint and Sayers Common Neighbourhood Plan and page 13 of the guidance on ‘Writing planning policies (A guide to writing planning policies which will address the issues that matter to your neighbourhood plan) written by Tony Burton and issued in September 2014. Accordingly to meet the basic conditions necessary for a NDP, we propose the following amended wording to policy NE2: <ul style="list-style-type: none"> <i>NE2 The green spaces to either side of the Albion Taverna and between the Upper Brents and Crab Island shall be designated as Local Green Spaces. <u>Proposals for any development on this land will be resisted other than in very special circumstances, for example, it is essential to meet specific necessary utility infrastructure needs and no alternative feasible site is available.</u></i> <p>Infrastructure Policies, page 37</p> <ul style="list-style-type: none"> Our previous representations sought a new policy supporting the delivery of new or improved utility infrastructure. We notice that policy INF5 supports the provision of renewable energy proposals but we cannot find similar support for sewerage infrastructure or additional capacity at wastewater treatment works. This is despite one of the policy objectives on page 36 of the submitted NDP seeking to address <i>‘capacity issues on the local sewerage and surface water networks’</i>. Without our proposed policy provision, the NDP does not meet the basic conditions necessary for a NDP, namely to have regard to national policies, be in general conformity with strategic policies and contribute to the achievement of sustainable development. National policies and guidance: Southern Water is the statutory sewerage undertaker 	<p>provision to support new or improved utility infrastructure.</p> <ul style="list-style-type: none"> Proposed amendment (to comply with paragraphs 17, 157 or 184 of the NPPF): <i>“INF6 <u>New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community, subject to other policies in the development plan.</u>”</i> BMM Weston Site Specific Policies - Additional local sewerage infrastructure would be required to accommodate the proposed development. There is an existing pumping station adjacent to the site and below ground sewers that need to be taken into account when designing the development. The requirement to make a connection to the local sewerage network at the nearest point of adequate capacity has been included in the supporting text, but it should be a site specific policy requirement. This would be in line with paragraphs 17, 41, 45, 183 and 184 of the NPP. The Basic Conditions Statement does not address how the NP has had regard to paragraphs 17, 109 or 184 of the NPPF or the National Planning Practice Guidance, therefore the following additional provision is sought: <i>“BMMW3 <u>The redevelopment will need to provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.</u>”</i> Swan Quay Site Specific Policies - additional local sewerage infrastructure would be required to accommodate the proposed development. Also that there is an existing pumping station adjacent to the site and below ground sewers that need to be taken into account when designing the development. Whilst the requirement to make a connection to the local sewerage network at the nearest point of adequate capacity has been included in the supporting text, we consider it should be a site specific policy requirement to be in line with paragraphs 17, 41, 45, 183 and 184 of the NPPF. <ul style="list-style-type: none"> Proposed amendment- “SWQ4 <u>The redevelopment will need to provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.</u>” Former Coach Depot Site Specific Policies - Additional local sewerage infrastructure would be required to accommodate the proposed development. However, whilst the requirement to make a connection to the local sewerage network at the nearest point of adequate capacity has been included in the supporting text, consider it should be a site specific policy requirement to be in line with paragraphs 17, 41, 45, 183 and 184 of the NPPF. <ul style="list-style-type: none"> Proposed amendment – “CD4 <u>The redevelopment will need to provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.</u>” Without our proposed changes to the NP, it will not meet the basic conditions necessary for a NP, namely to have regard to national policies, be in general conformity with strategic policies and contribute to the achievement of sustainable development. Please keep us informed of any future progress.

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			<p>providing wastewater services to Faversham. Southern Water has a statutory duty to serve new development, and is committed to ensuring the right wastewater infrastructure in the right place at the right time in collaboration with developers, town/parish councils and the planning authority. The adopted Faversham Creek Neighbourhood Plan and adopted Swale Local Plan will inform Southern Water's investment planning. Adoption provides the planning certainty required to support investment proposals to Ofwat, the water industry's economic regulator. Investment proposals are prepared every five years through the price review process. The next price review is this year (2014). Ofwat's price determination will fund the investment programme in the period to 2020. There will be another price review in 2019, covering the investment period 2020 to 2025.</p> <ul style="list-style-type: none"> • Although there are no current plans, over the life of the NDP it maybe that we need to provide new or improved infrastructure. Page 8 of the National Policy Statement on Wastewater states that <i>'Waste water treatment is essential for public health and a clean environment. Demand for new and improved waste water infrastructure is likely to increase in response to the following main drivers: More stringent statutory requirements to protect the environment and water quality; Population growth and urbanisation; Replacement or improvement of infrastructure; Adaption to climate change. The Government is taking measures to reduce the demand for new waste water infrastructure in England...However, there will still be a need for new waste water infrastructure to complement these approaches and ensure that the natural and man-made systems are able to function effectively together to deliver a wide range of ecosystem services and other benefits to society'.</i> • Accordingly, we seek specific policy provision to support new or improved utility infrastructure. Such policy provision would also be in line with the main intention of the National Planning Policy Framework (NPPF) to achieve sustainable development. For example, one of the core planning principles contained in paragraph 17 of the NPPF is to <i>'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs'.</i> Also paragraph 157 of the NPPF requires positive planning for development and infrastructure required in an area. <p>Strategic policies</p> <ul style="list-style-type: none"> • Policy SP6 of the adopted Swale Local Plan (2008) states that <i>'To meet the needs of those living, working, or investing in the Borough, planning policies and development proposals will ensure that sufficient infrastructure is available to overcome existing deficiencies and to facilitate development. In particular, they will.....ensure that utility services, including those to enable access to new technology, are planned and provided to serve new developments'.</i> Our proposed policy provision would reflect this policy and ensure that the NDP positively supports it, in line with paragraph 184 of the NPPF. • Proposed amendment: The assessment contained in the Basic Conditions Statement (accompanying the submission version of the Faversham Neighbourhood Plan) does not recognise paragraphs 17, 157 or 184 of the NPPF as outlined above. Our proposed policy provision supporting the delivery of utility infrastructure would address these omissions and enable the basic condition necessary for a NDP to be met: <ul style="list-style-type: none"> ○ <i><u>INF6 New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community, subject to other policies</u></i> 	

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			<p style="text-align: center;"><u>in the development plan.</u></p> <ul style="list-style-type: none"> • BMM Weston Site Specific Policies, page 44 • The NDP identifies that the southern end of the above site could create 35-40 residential units. In line with paragraph 162 of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance, we have undertaken an assessment of our infrastructure and its ability to meet the forecast demand for such a development. That assessment reveals that additional local sewerage infrastructure would be required to accommodate the proposed development. Also that there is an existing pumping station adjacent to the site and below ground sewers that need to be taken into account when designing the development. We made representations to this effect to the previous version of the NDP and are pleased that Faversham Town Council have considered our representations. However, whilst the requirement to make a connection to the local sewerage network at the nearest point of adequate capacity has been included in the supporting text, we consider it should be a site specific policy requirement. • National policies and guidance • Specific provision to facilitate the delivery of the requisite local infrastructure would be in line with the following government guidance: <ul style="list-style-type: none"> • paragraph 17 of the NPPF requires plans to provide a practical framework for the determination of planning applications, • paragraph 183 of the NPPF requires neighbourhood plans to set planning policies to determine decision on planning applications, • paragraph 184 of the NPPF states that ‘.....local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them’. • the National Planning Practice Guidance advises in paragraph 41 that ‘A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared’. • Paragraph 45 of the National Planning Practice Guidance also directs that ‘Infrastructure is needed to support development and ensure that a neighbourhood can grow in a sustainable way. The following may be important considerations for a qualifying body to consider when addressing infrastructure in a neighbourhood plan: * what additional infrastructure may be needed to enable development proposed in a neighbourhood plan to be delivered in a sustainable way....’. • Importantly, our proposed policy provision would give early warning to developers, ensure that drainage is considered during the course of determining any planning application and ultimately ensure delivery of the requisite local infrastructure by way of a planning condition. There is a risk that the necessary local sewerage infrastructure will not be delivered in time to service the proposed development, unless delivery is supported by planning policies and subsequently in planning conditions. • If development is permitted to proceed where there is inadequate capacity in the sewerage network, then the system would become overloaded, leading to pollution of the 	

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			<p>environment. This situation would be contrary to paragraph 109 of the NPPF, which requires the planning system to prevent both new and existing development from contributing to pollution.</p> <ul style="list-style-type: none"> • Strategic policies • Policy SP4 of the adopted Swale Local Plan (2008) requires that <i>'Development proposals will....be released by the Borough Council to ensure that infrastructure (including services and facilities) and, when appropriate, employment opportunities, are available to support the new communities'</i>. Similar site specific policy provision can be found in policy 8 of the adopted Local Plan that allocates housing at Thistle Hill. Also policy CP5 of the Draft Local Plan requires that <i>'The Council will work with the developers and other public agencies to identify deficiencies in infrastructure, which will need to be addressed in order to facilitate sustainable growth'</i>. Our proposed site specific policy provision would be in line with these strategic policies, which aim to ensure that infrastructure is provided to service new development. • Proposed amendment • The Basic Conditions Statement submitted in support of the Faversham Creek NDP does not address how the NDP has had regard to paragraphs 17, 109 or 184 of the NPPF or the National Planning Practice Guidance. To meet the basic conditions and ensure the delivery of sustainable development, the following additional provision is sought in the 'BMM Weston Site Specific Policies': • <u><i>BMMW3 The redevelopment will need to provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.</i></u> • Swan Quay Site Specific Policies, Page 48 • The NDP identifies that the above site could create 15-20 residential units. In line with paragraph 162 of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance, we have undertaken an assessment of our infrastructure and its ability to meet the forecast demand for such a development. That assessment reveals that additional local sewerage infrastructure would be required to accommodate the proposed development. Also that there is an existing pumping station adjacent to the site and below ground sewers that need to be taken into account when designing the development. We made representations to this effect to the previous version of the NDP and are pleased that Faversham Town Council have considered our representations. However, whilst the requirement to make a connection to the local sewerage network at the nearest point of adequate capacity has been included in the supporting text, we consider it should be a site specific policy requirement. • National policies and guidance • Specific provision to facilitate the delivery of the requisite local infrastructure would be in line with the following government guidance: <ul style="list-style-type: none"> • paragraph 17 of the NPPF requires plans to provide a practical framework for the determination of planning applications, • paragraph 183 of the NPPF requires neighbourhood plans to set planning policies to determine decision on planning applications, • paragraph 184 of the NPPF states that <i>'.....local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them'</i>. • the National Planning Practice Guidance advises in paragraph 41 that <i>'A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient</i> 	

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			<p><i>clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared’.</i></p> <ul style="list-style-type: none"> • Paragraph 45 of the National Planning Practice Guidance also directs that ‘<i>Infrastructure is needed to support development and ensure that a neighbourhood can grow in a sustainable way. The following may be important considerations for a qualifying body to consider when addressing infrastructure in a neighbourhood plan: * what additional infrastructure may be needed to enable development proposed in a neighbourhood plan to be delivered in a sustainable way....’.</i> • Importantly, our proposed policy provision would give early warning to developers, ensure that drainage is considered during the course of determining any planning application and ultimately ensure delivery of the requisite local infrastructure by way of a planning condition. There is a risk that the necessary local sewerage infrastructure will not be delivered in time to service the proposed development, unless delivery is supported by planning policies and subsequently in planning conditions. • If development is permitted to proceed where there is inadequate capacity in the sewerage network, then the system would become overloaded, leading to pollution of the environment. This situation would be contrary to paragraph 109 of the NPPF, which requires the planning system to prevent both new and existing development from contributing to pollution. • Strategic policies • Policy SP4 of the adopted Swale Local Plan (2008) requires that ‘<i>Development proposals will...be released by the Borough Council to ensure that infrastructure (including services and facilities) and, when appropriate, employment opportunities, are available to support the new communities’.</i> Similar site specific policy provision can be found in policy 8 of the adopted Local Plan that allocates housing at Thistle Hill. Also policy CP5 of the Draft Local Plan requires that ‘<i>The Council will work with the developers and other public agencies to identify deficiencies in infrastructure, which will need to be addressed in order to facilitate sustainable growth’.</i> Our proposed site specific policy provision would be in line with these strategic policies, which aim to ensure that infrastructure is provided to service new development. • Proposed amendment • The Basic Conditions Statement submitted in support of the Faversham Creek NDP does not address how the NDP has had regard to paragraphs 17, 109 or 184 of the NPPF or the National Planning Practice Guidance. To meet the basic conditions and ensure the delivery of sustainable development, the following additional provision is sought in the ‘Swan Quay Site Specific Policies’: • <i>SWQ4 The redevelopment will need to provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.</i> • Former Coach Depot Site Specific Policies, Page 50 • The NDP identifies that the upper floors of the above site could be used for residential purposes. In line with paragraph 162 of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance, we have undertaken an assessment of our infrastructure and its ability to meet the forecast demand for such a development. That assessment reveals that additional local sewerage infrastructure would be required to accommodate the proposed development. We made representations to this effect to the previous version of the NDP and are pleased that Faversham Town Council have considered 	

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			<p>our representations. However, whilst the requirement to make a connection to the local sewerage network at the nearest point of adequate capacity has been included in the supporting text, we consider it should be a site specific policy requirement.</p> <ul style="list-style-type: none"> • National policies and guidance • Specific provision to facilitate the delivery of the requisite local infrastructure would be in line with the following government guidance: • paragraph 17 of the NPPF requires plans to provide a practical framework for the determination of planning applications, • paragraph 183 of the NPPF requires neighbourhood plans to set planning policies to determine decision on planning applications, • paragraph 184 of the NPPF states that ‘.....local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them’. • the National Planning Practice Guidance advises in paragraph 41 that ‘A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared’. • Paragraph 45 of the National Planning Practice Guidance also directs that ‘Infrastructure is needed to support development and ensure that a neighbourhood can grow in a sustainable way. The following may be important considerations for a qualifying body to consider when addressing infrastructure in a neighbourhood plan: * what additional infrastructure may be needed to enable development proposed in a neighbourhood plan to be delivered in a sustainable way....’. • Importantly, our proposed policy provision would give early warning to developers, ensure that drainage is considered during the course of determining any planning application and ultimately ensure delivery of the requisite local infrastructure by way of a planning condition. There is a risk that the necessary local sewerage infrastructure will not be delivered in time to service the proposed development, unless delivery is supported by planning policies and subsequently in planning conditions. • If development is permitted to proceed where there is inadequate capacity in the sewerage network, then the system would become overloaded, leading to pollution of the environment. This situation would be contrary to paragraph 109 of the NPPF, which requires the planning system to prevent both new and existing development from contributing to pollution. • Strategic policies • Policy SP4 of the adopted Swale Local Plan (2008) requires that ‘Development proposals will....be released by the Borough Council to ensure that infrastructure (including services and facilities) and, when appropriate, employment opportunities, are available to support the new communities’. Similar site specific policy provision can be found in policy 8 of the adopted Local Plan that allocates housing at Thistle Hill. Also policy CP5 of the Draft Local Plan requires that ‘The Council will work with the developers and other public agencies to identify deficiencies in infrastructure, which will need to be addressed in order to facilitate sustainable growth’. Our proposed site specific policy provision would be in line with these strategic policies, which aim to ensure that infrastructure is provided to service new 	

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			<p>development.</p> <ul style="list-style-type: none"> • Proposed amendment • The Basic Conditions Statement submitted in support of the Faversham Creek NDP does not address how the NDP has had regard to paragraphs 17, 109 or 184 of the NPPF or the National Planning Practice Guidance. To meet the basic conditions and ensure the delivery of sustainable development, the following additional provision is sought in the 'Former Coach Depot Site Specific Policies': • <u>CD4 The redevelopment will need to provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.</u> 	
FCNP13	Faversham Creek Trust and Brents Community Association	Object	<p>FAVERSHAM CREEK TRUST AND BRENTS COMMUNITY ASSOCIATION RESPONSE TO NEIGHBOURHOOD PLAN CONSULTATION</p> <p>p2 1. INTRODUCTION p3 2. STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) p5 3. CONFORMITY WITH LOCAL PLAN p7 4. CONSULTATION PROCESS</p> <p>4.1 Consultation history 4.2 Town Council consultation events 4.3 Independent consultation events 4.4 Unreliable information 4.5 Consultation statement</p> <p>p24 5. COMMENTS ON THE SUBMISSION DRAFT</p> <p>APPENDICES</p> <p>p32 A. Consultation and Engagement Strategy p34 B. Feedback from May 2012 consultation – independent analysis p44 C. Response to 2013 consultation from the late Arthur Percival (respected local historian and one of the founders of the Faversham Society) p49 D. Response to 2013 consultation from Lady Berkeley p51 E. Response to 2013 consultation from Timothy Stevens p56 F. Response to 2013 consultation from the Faversham Creek Trust p63 G. Outline business case for the repair and maintenance of traditional vessels on Faversham Creek p105 H. BCA proposal for community centre and boatyard on Ordnance Wharf p110 I. LET'S MAKE THE CREEK WORK FOR FAVERSHAM exhibition panels p143 J. LET'S MAKE THE CREEK WORK FOR FAVERSHAM questionnaire p148 K. LET'S MAKE THE CREEK WORK FOR FAVERSHAM feedback analysis p166 L. LET'S MAKE THE CREEK WORK FOR FAVERSHAM comments p190 M. Dissenting report by steering group members p193 N. Letter to Town Clerk from a member of the public re Reg 14 consultation</p> <p><u>OTHER INFORMATION</u></p> <p>Steering group minutes: http://favershamcreekneighbourhoodplan.org.uk/steering-group/ Swale Borough Council Local Development Framework Panel minutes: http://services.swale.gov.uk/meetings/ieListMeetings.aspx?Cid=149&Year=0 Feedback from 2012 consultation: http://www.faversham.org/upload/docs/Faversham%20Creek%20Reps%20doc%20%281%29.pdf Feedback from 2013 consultation: http://favershamcreekneighbourhoodplan.org.uk/exhibition/Visions of a Creek website http://visionsofacreek.wordpress.com/ Faversham Creek Trust website http://favershamcreektrust.com/ Response to Faversham Creek</p>	<ul style="list-style-type: none"> • The Faversham Creek Neighbourhood Plan fails to meet the Basic Conditions: <ol style="list-style-type: none"> 1. It is not in accordance with European law in respect of the Strategic Environmental Assessment (SEA) Directive. 2. It is not in conformity with the policy for the neighbourhood plan area in the adopted Swale Borough Council Local Plan (policy AAP2). 3. It is not in accordance with UK and European law and guidance on the process of consultation. <p>The following claims made in the Basic Conditions Statement (page 7) cannot be substantiated and should not be accepted:</p> <ul style="list-style-type: none"> • That the plan contains a mix of uses that meets the need of the local community - There is no evidence for this, and considerable evidence that the local community would be better served by a different mix of uses. • That the plan has been developed through widespread local consultation - While there have been consultation events, the consultation process has been deeply flawed and the outcomes have not been allowed to shape the development of the plan in any substantive respect. <ul style="list-style-type: none"> • That the plan has broad local support from the residents, notwithstanding specific objections to certain aspects - The Regulation 14 consultation on the pre-submission draft asked: "Do you support the Faversham Creek Neighbourhood Plan as drafted?" 70% of respondents said "no". It is therefore unacceptable to claim that the plan has broad local support. • This negative feedback was not an isolated or exceptional response. The feedback from this consultation was in line with feedback from previous consultations, and with independent evidence. • It would be more correct to say that the plan is broadly opposed by residents, notwithstanding support for aspects of the Creekwide policies. • The Basic Conditions statement itemises the relevant statutory policies, it does not relate them to the plan or indicate in what way the plan conforms with or has regard to them. • Also have serious concerns about the Consultation Statement and about the plan itself. <p>STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)</p> <ul style="list-style-type: none"> • The plan is in a conservation area with an exceptionally high concentration of listed buildings and other heritage assets and impacts a waterway and sensitive natural habitats. It is bordered by a residential area (the Brents/North Preston estate) with a high level of deprivation. Given all these, it would not be unreasonable to expect a full Sustainability Appraisal, and at the very least an SEA. • The pre-submission consultation draft issued in May 2014 said: "the Plan will then be subject to a Sustainability Appraisal, Habitats Regulation Appraisal and Viability Assessment",

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			<p>Neighbourhood Plan Regulation 16 publication consultation December 2014</p> <p><u>1. INTRODUCTION</u></p> <ul style="list-style-type: none"> The Faversham Creek Neighbourhood Plan fails to meet the Basic Conditions, in that: <ol style="list-style-type: none"> It is not in accordance with European law in respect of the Strategic Environmental Assessment (SEA) Directive. It is not in conformity with the policy for the neighbourhood plan area in the adopted Swale Borough Council Local Plan (policy AAP2). It is not in accordance with UK and European law and guidance on the process of consultation. <ul style="list-style-type: none"> The following claims made in the Basic Conditions Statement (page 7) cannot be substantiated and should not be accepted: <ul style="list-style-type: none"> That the plan contains a mix of uses that meets the need of the local community. There is no evidence for this, and considerable evidence that the local community would be better served by a different mix of uses. That the plan has been developed through widespread local consultation. While there have been consultation events, the consultation process has been deeply flawed and the outcomes have not been allowed to shape the development of the plan in any substantive respect. That the plan has broad local support from the residents, notwithstanding specific objections to certain aspects. <ul style="list-style-type: none"> The Regulation 14 consultation on the pre-submission draft asked: "Do you support the Faversham Creek Neighbourhood Plan as drafted?" 70% of respondents said "no". It is therefore unacceptable to claim that the plan has broad local support. This negative feedback was not an isolated or exceptional response. The feedback from this consultation was in line with feedback from previous consultations, and with independent evidence (see 4.2 and 4.3). It would be more correct to say that the plan is broadly opposed by residents, notwithstanding support for aspects of the Creekwide policies. Furthermore, although the Basic Conditions statement itemises the relevant statutory policies, it does not relate them to the plan or indicate in what way the plan conforms with or has regard to them. We also have serious concerns about the Consultation Statement and about the plan itself. <p><u>2. STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)</u></p> <ul style="list-style-type: none"> The plan area is in a conservation area with an exceptionally high concentration of listed buildings and other heritage assets and impacts a waterway and sensitive natural habitats. Socially, it is bordered by a residential area (the Brents/North Preston estate) with a high level of deprivation. Given all these conditions, it would not be unreasonable to expect a full Sustainability Appraisal, and at the very least an SEA. The pre-submission consultation draft issued in May 2014 said: "the Plan will then be subject to a Sustainability Appraisal, Habitats Regulation Appraisal and Viability Assessment", indicating that these were considered to be a requirement. In June 2014, James Freeman (head of planning at Swale Borough Council) said: "The NP will need to be supported by a Sustainability Appraisal and HRA." (Appendix to minutes of neighbourhood plan steering group meeting, 4 June 2014) 	<p>indicating that these were considered to be a requirement. In June 2014, Head of Planning at Swale Borough Council said: "The NP will need to be supported by a Sustainability Appraisal and HRA."</p> <ul style="list-style-type: none"> At a meeting of Faversham Town Council on 13 October 2014, at which changes to the submission draft were agreed, it was said that under the heading "Consultation" on page 13, there would be a second paragraph: "The Plan has been subject to (Strategic Environmental Assessment) (Habitat Regulations Assessment) (Sustainability Appraisal). This should be included or deleted as necessary once SBC advise which were needed. The Plan should not go forward as a Submission Draft while this is unclear." There is no such paragraph in the submission draft, nor any reference to an SEA or other assessments in the Basic Conditions Statement. There is no documentation of any screening or scoping processes for any appraisals or assessments. Swale Borough Council has indicated that an SEA is being carried out, but there has been no formal notification of this. If any assessments have been conducted, they have not, at the time of writing (December 2014) been made public. Conducting an SEA retrospectively clearly contravenes the requirement for the SEA to be part of the plan development process. Planning Practice Guidance (11-029 -20140306) states that where an SEA is needed, work on this should start at the same time as work starts on developing the plan, so that the processes for gathering evidence for the environmental report and for producing the draft plan can be integrated, to allow the assessment process to inform the choices being made in the plan. The process diagram (11-033-20140306) shows that the environmental report should have been prepared at the same time as the pre-submission draft and should have been part of the pre- submission consultation. In this case, it has not even been produced in time for the submission draft consultation. Those responsible for the plan have long been aware of the SEA requirements. There is reference in a workshop report from November 2012 to lack of information: "flooding, contamination, silting ... inaccuracies of the flood map ... low-level pollution: a better quality of contamination samples and more definitive information about flooding is needed to inform thinking". There is no documentation of follow-up action to obtain this information. The plan proposals have not been subject to any form of objective sustainability or environmental assessment. No account was taken during the development of the plan of the Water Framework Directive or marine planning considerations required under the Marine and Coastal Access Act 2009. Concerns raised by an experienced conservationist, and calls for an independent heritage assessment, have been dismissed. Neither English Heritage nor local historians were consulted. The Undesignated Heritage Assets paper was produced internally, without independent input or review, and does not appear to have been scrupulously objective. There has been no traffic/transport assessment despite Head of Planning at Swale Borough Council saying "earlier planning consultant had done a fair amount of work on this with KCC, (but Local Plan work is going to be too high level to assist), so need not to lose sight of that and get something (re)confirmed with KCC." There is no record of the original work referred to, nor of any subsequent action. Social factors, including the high level of deprivation in Davington Priory ward, were not mentioned until the Brents Community Association joined the steering group and even now, although it is referred to, the plan has not responded to it. <p>STRATEGIC ENVIRONMENTAL ASSESSMENT: CONCLUSION</p>

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<ul style="list-style-type: none"> • At a meeting of Faversham Town Council on 13 October 2014, at which changes to the submission draft were agreed, it was said that under the heading “Consultation” on page 13, there would be a second paragraph: “The Plan has been subject to (Strategic Environmental Assessment) (Habitat Regulations Assessment) (Sustainability Appraisal). This should be included or deleted as necessary once SBC advise which were needed. The Plan should not go forward as a Submission Draft while this is unclear.” • There is no such paragraph in the submission draft, nor any reference to an SEA or other assessments in the Basic Conditions Statement. There is no documentation of any screening or scoping processes for any appraisals or assessments. Swale Borough Council has indicated, in response to enquiries from a member of the public, that an SEA is being carried out during the current consultation period, but there has been no formal notification of this. If any assessments have been conducted, they have not, at the time of writing (December 2014) been made public. • Conducting an SEA retrospectively in this manner clearly contravenes the requirement for the SEA to be part of the plan development process. Planning Practice Guidance (11-029 -20140306) states that where an SEA is needed, work on this should start at the same time as work starts on developing the plan, so that the processes for gathering evidence for the environmental report and for producing the draft plan can be integrated, to allow the assessment process to inform the choices being made in the plan. • The process diagram (11-033-20140306) shows that the environmental report should have been prepared at the same time as the pre-submission draft and should have been part of the pre-submission consultation. In this case, it has not even been produced in time for the submission draft consultation. • Those responsible for the plan have long been aware of the SEA requirements. The minutes of a steering group meeting in February 2012 refer to undertaking an SA/SEA, but no action ensued. An SEA is referred to again in the minutes and papers of a meeting in February 2014, but still no action. • There is reference in a workshop report from November 2012 to lack of information: “flooding, contamination, silting ... inaccuracies of the flood map ... low-level pollution: a better quality of contamination samples and more definitive information about flooding is needed to inform thinking”. There is no documentation of follow-up action to obtain this information. • The plan proposals have not been subject to any form of objective sustainability or environmental assessment. No account was taken during the development of the plan of the Water Framework Directive or marine planning considerations required under the Marine and Coastal Access Act 2009. • Concerns raised by experienced conservationists*, and calls for an independent heritage assessment, have been dismissed. Neither English Heritage nor local historians were consulted during the development of the plan. The Undesignated Heritage Assets paper was produced internally, without independent input or review, and does not appear to have been scrupulously objective (Steering group minutes, Feb 2013: “It was important to ensure the list was accurate and that it contained those areas that would support and not prevent the overall regeneration of Faversham Creek.” – implying that assets which might obstruct development may not have been listed.) * These concerns are detailed in submissions by others. • There has been no traffic/transport assessment. In June 2014, James Freeman (head of planning, Swale Borough Council) said: “Tony Fullwood [planning consultant until August 2013] had done a fair amount of work on this with KCC, (but Local Plan work is going to be too high level to assist), so need not to lose sight of that and get something (re)confirmed with KCC.” There is no record of the original work referred to, nor of any subsequent action. 	<ul style="list-style-type: none"> • The plan does not have a Strategic Environment Assessment nor a Habitats Regulation Assessment. It would appear that an SEA is required. Whatever the outcome, it can only be retrospective. It cannot have been used to inform the development of the plan, there can be no comparative data on alternative options which may have had a better environmental score (a fundamental requirement), and the environmental report will not have been subject to consultation. • The plan therefore does not meet the Basic Conditions with respect to the SEA Directive. <p>CONFORMITY WITH LOCAL PLAN POLICY</p> <ul style="list-style-type: none"> • The policy for the Faversham Creek Area in Swale Borough Council’s adopted Local Plan is Area Action Plan 2 (AAP2). • AAP2 was developed through local consultation and was adopted in 2008. It was saved in July 2010. • In December 2012 all of Swale Borough Council’s saved policies were reviewed for conformity with the NPPF. The review concluded not only that AAP2 is in accordance with the NPPF, but also that it should be afforded significant weight. • Both the neighbourhood plan and the 2010 draft Development Plan Document were pursued in full knowledge that they were not in conformity with the Local Plan. No attempt was ever made to draw up a development plan which would be in conformity with the Local Plan. • AAP2 was criticised because it has not resulted in development of disused or under-used industrial sites. This cannot be blamed on the policy, but rather on the failure to act in accordance with it. In the same year as it adopted AAP2, instead of resisting residential development and supporting commercial uses for waterfront sites, Swale Borough Council commissioned consultants (Urban Initiatives) to produce a report on potential for residential development. This introduced residential hope. E.g. the Oil Depot site was purchased in early 2014 for almost twice its market value as an industrial site. • Landowners’ claims that industrial uses cannot be found are disputed. Existing uses have been deliberately terminated (eg, the refusal in 2011 to renew the lease or sell premises to viable maritime businesses which had operated on Standard Quay for almost 20 years and the refusal to renew the lease on the Coach Depot site). Sites have not been actively marketed to the business sectors most likely to be interested in sustainable maritime or other light industrial activities. • Options exist which would enable the neighbourhood plan to be compliant with AAP2 and the strategy for the adopted local plan while still including new housing (eg, by directing the bulk of residential development away from the waterfront to the BMM Weston site) but these options have never been considered or put forward for consultation. The BMM Weston site would be capable of supporting up to 80 residential units, compared with the 35-40 indicated in the plan. <p>CONFORMITY WITH LOCAL PLAN POLICY: CONCLUSION</p> <ul style="list-style-type: none"> • The plan does not conform with the adopted Local Plan. There is no objective evidence that industrial/ commercial development in accordance with the Local Plan would not be viable, provided that residential hope is not encouraged and allowed to inflate land values. Thus there is no justification for the neighbourhood plan to diverge from the Local Plan. • The plan does not meet the Basic Conditions with respect to conformity with the strategies of the adopted Local Plan or with saved policy AAP2.

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			<ul style="list-style-type: none"> ● Social factors, including the high level of deprivation in Davington Priory ward, were not even mentioned until the Brents Community Association was allowed to join the steering group two years after the start of the planning process, and even now, although it is referred to, the plan has not responded to it. <p><u>STRATEGIC ENVIRONMENTAL ASSESSMENT: CONCLUSION</u></p> <ul style="list-style-type: none"> ● The plan does not have a Strategic Environment Assessment nor a Habitats Regulation Assessment. ● It would appear that an SEA is required, but there is no evidence that this has been done even now; it certainly was not done during the preparation of the plan. Whatever the outcome, it can only be retrospective. Thus it cannot have been used to inform the development of the plan, there can be no comparative data on alternative options which may have had a better environmental score (a fundamental requirement), and the environmental report will not have been subject to consultation. ● The plan therefore does not meet the Basic Conditions with respect to the SEA Directive. <p><u>2. CONFORMITY WITH LOCAL PLAN POLICY</u></p> <ul style="list-style-type: none"> ● The policy for the Faversham Creek Area in Swale Borough Council’s adopted Local Plan, which has been in place throughout the development of the neighbourhood plan and is the policy against which the neighbourhood plan must be examined, is Area Action Plan 2 (AAP2). ● AAP2 was developed through local consultation and was adopted in 2008. It was saved in July 2010. ● The introduction to AAP2 states that “The Council considers that levels of new housing have reached the point where further proposals will damage the area and it will now resist them as both contrary to the strategy for the Local Plan and the policy for this AAP. Additionally, the Council considers that frontage development not involving active use or management of the creek itself, or that which prevents use of the creek by vessels, should not be permitted.” ● It states further that “For existing and former employment sites, a rigorous application of Policy B1 will mean retaining the availability of employment land and buildings along the creekside” and that “where sites may be considered unsuitable for their current or former use, it will normally be the case that an alternative, more suitable, commercial use will be sought by the Council, rather than the site being accepted for housing development.” ● The policy itself states that “Planning permission will not be granted for proposals that would result in the loss of land or buildings suitable for employment uses or, on appropriate sites, would not involve active use or management of the creek itself” and that Swale Borough Council will “specifically encourage the regeneration of the creek basin for commercial and tourism purposes, including use of the basin and its wharfage for historic craft”. ● In December 2012 all of Swale Borough Council’s saved policies were reviewed for conformity with the NPPF. The review concluded not only that AAP2 is in accordance with the NPPF, but also that it should be afforded significant weight, on the grounds that: “The NPPF sets out a core planning principle of seeking to proactively and objectively identify sustainable economic development. In terms of building a strong, competitive economy and healthy communities, the NPPF gives significant weight to the need to support economic growth (para 19).” ● Both the neighbourhood plan and the 2010 draft Development Plan Document were pursued in full knowledge that they were not in conformity with the Local Plan (this is explicit in the DPD, and recognised in the minutes of steering group meetings, for example 13 January 2013). No attempt was ever made to draw up a development plan which would be in conformity with the Local Plan. ● AAP2 has been criticised because it has not resulted in development of disused or under-used industrial sites. However, this cannot be blamed on the policy, but rather on the failure to act in 	<p>CONSULTATION PROCESS</p> <ul style="list-style-type: none"> ● The number of consultation events might give the impression that there has been thorough consultation, but in practice the process has been closed, non-inclusive and unresponsive, with a predetermined concept of what the plan should be and resistance to any divergence of opinion. ● The plan was never community-led and there was no “front-loading” to involve the public in setting the agenda. ● The plan was not originated by the qualifying body (Faversham Town Council). It was instigated by Swale Borough Council as a means of obtaining funding to progress its draft development plan document (DPD) for the area. Steering group minutes of 11 October 2012 state that this DPD – which was not the product of public consultation – was the basis for the neighbourhood plan. The local community had no say in the matter, contrary to the principle of neighbourhood planning. ● The setting up of the steering group was not transparent. Members were appointed; by whom is not recorded. It was not representative of the wider community. Applications for membership from residents, Creek users, local businesses or community groups were not invited. The Faversham Creek Trust – a community group closely involved with the Creek – asked to be included, and offered to provide administrative support. This was turned down with no reason given. ● The steering group did not seek community involvement. The planning process had been going on for 18 months before a communications and engagement strategy was produced. ● The steering group’s concept of communication was one-way – “sell and tell” rather than “listen and learn” – to “increase residents’ understanding of the process and proposals” and to present the plan in the best possible light: “the general message should be a positive one”. ● The priority was not to engage the public but to be seen to have done enough to satisfy the Independent Examiner. ● Landowners/developers have been identified from the start as the primary “stakeholders” and consultation has prioritised them above local residents and other interest groups. Service providers and users have never been regarded as key stakeholders. Input from the wider community has not been welcomed and, at times, has been actively resisted. ● The steering group perceived its role to be the pursuit and defence of a predetermined strategy, based on the borough council’s DPD and the landowners’ preferences, and in public consultations it sought endorsement of this strategy rather than inviting new ideas or comparing different options. ● Alternative options have been excluded from successive consultations. Site proposals are described as “options”, but at no stage has there been any meaningful choice of options, or an explanation of what options had been considered and the reasons why a preferred option had been chosen. It is stated in a written answer to a question at a steering group meeting in November 2013 that “It is not the role of the steering group to take the lead in preparing viable alternatives.” We would have thought that was precisely its role. ● The process has not taken due account of feedback from consultations. The 2013 consultation in particular should have triggered a radical rethink. It led planning consultant Tony Fullwood to resign from the steering group, citing the significant gap between the consultation responses and the recommendations of his report. But the rest of the group resisted any change in direction. ● Changes were refused on the grounds of non-viability or non-deliverability, even though

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			<p>accordance with it. In the same year as it adopted AAP2, instead of resisting residential development and supporting commercial uses for waterfront sites, Swale Borough Council commissioned consultants (Urban Initiatives, see 4.1) to produce a report on potential for residential development. This introduced residential hope and did not incentivise landowners to invest in industrial or commercial development or to sell land for development at market rates for industrial sites.</p> <ul style="list-style-type: none"> • Examples of this are the purchase of the Oil Depot site in early 2014 for almost twice its market value as an industrial site because of residential hope, and the granting of only short-term leases for businesses on Standard Quay and adjacent sites (see for example planning application 14/501373/FULL, in which it is stated that the operators of a car wash had been granted only a short-term lease since the owner intends to develop the site for mixed use). • Landowners' claims that industrial uses cannot be found are disputed. Existing uses have been deliberately terminated (eg, the refusal in 2011 to renew the lease or sell premises to viable maritime businesses which had operated on Standard Quay for almost 20 years and wished to remain and expand, and the refusal to renew the lease on the Coach Depot site, which had operated successfully for a similar length of time). Sites have not been actively marketed to the business sectors most likely to be interested in sustainable maritime or other light industrial activities. • Options exist which would enable the neighbourhood plan to be compliant with AAP2 and the strategy for the adopted local plan while still including new housing (eg, by directing the bulk of residential development away from the waterfront to the BMM Weston site) but these options have never been considered or put forward for consultation. The BMM Weston site would be capable of supporting up to 80 residential units, compared with the 35-40 indicated in the plan. <p>CONFORMITY WITH LOCAL PLAN POLICY: CONCLUSION</p> <ul style="list-style-type: none"> • The plan does not conform with the adopted Local Plan. There is no objective evidence that industrial/ commercial development in accordance with the Local Plan would not be viable, provided that residential hope is not encouraged and allowed to inflate land values. Thus there is no justification for the neighbourhood plan to diverge from the Local Plan. The plan does not meet the Basic Conditions with respect to conformity with the strategies of the adopted Local Plan or with saved policy AAP2. <p>4. CONSULTATION PROCESS</p> <ul style="list-style-type: none"> • Superficially, the duration of the neighbourhood planning process and the number of consultation events might give the impression that there has been thorough consultation, but in practice the process has been closed, non-inclusive and unresponsive, with a predetermined concept of what the plan should be and resistance to any divergence of opinion. • The plan was never community-led and there was no "front-loading" to involve the public in setting the agenda. • The plan was not originated by the qualifying body (Faversham Town Council). It was instigated by Swale Borough Council as a means of obtaining funding to progress its draft development plan document (DPD) for the area. It is documented in minutes of the steering group meeting on 11 October 2012 that this DPD – which was not the product of public consultation – was the basis for the neighbourhood plan. The local community had no say in the matter, contrary to the principle of neighbourhood planning. • The procedure for setting up the steering group was not transparent. Members were appointed; by whom is not recorded. It was not representative of the wider community. Applications for membership from residents, Creek users, local businesses or community groups were not invited. The Faversham Creek Trust – a community group closely involved with the Creek – asked to be included, and offered to provide administrative support. This was turned 	<p>there has been no viability or deliverability testing of any options, including those within the plan.</p> <ul style="list-style-type: none"> • Failure to respond to the 2013 consultation feedback was excused on the grounds that it was too late to make changes. • The designation consultation was inadequate. It did not take place at the start of the process; this is excusable since at that stage the requirement had not been formalised. The town council applied to Swale Borough Council in January 2013, the consultation was held in the autumn of 2013. The consultation was low-key and few people understood it, so there was little response. Requests for boundary changes were disregarded. • Unreliable information has been given to the public to justify the plan and the refusal to explore alternative options. • Lack of support for the plan is acknowledged in the Consultation Statement, but it is claimed this must be balanced against "technical advice, best practice in planning and urban design, landowner interests, national and local planning policy and other guidance". There is, however, no evidence that alternative strategies more closely aligned with consultation feedback would not be equally capable of meeting these criteria. • The Consultation Statement says "A qualifying body is not obliged to revise a neighbourhood plan to be strictly in line with public opinion." This rather understates the problem. <p>CONSULTATION PROCESS: CONCLUSION</p> <ul style="list-style-type: none"> • The consultation process is in breach of Planning Practice Guidance, which requires the qualifying body to be inclusive and open in the preparation of the plan, and to ensure that the wider community are kept fully informed of what is being proposed; are able to make their views known throughout the process; have opportunities to be actively involved in shaping the emerging plan; and are made aware of how their views have informed the draft plan. • It is similarly in breach of the Gunning/Sedley principles (1986) and, in EU legislation, the Aarhus Convention which require that consultation must take place when options are still open and that account must be taken of the outcome. Notes a Supreme Court decision on 29 October 2014 in R (on the application of Moseley (in substitution of Stirling Deceased)) (Appellant) v London Borough of Haringey (Respondent) [2014] UKSC 56*, which declared that a consultation without options was unfair and unlawful. https://www.supremecourt.uk/decidedcases/docs/UKSC_2013_0116_Judgment.pdf • It cannot be denied that, in the case of this neighbourhood plan, arguable alternative options were available. Since there has been no viability testing or other objective assessment of any proposals, it cannot be said that alternative options were any less reasonable or viable than the proposals included in the plan. They were not, however, included or explained in any consultation. • The plan therefore does not meet the Basic Conditions with respect to UK and EU statutory requirements for public consultations. <p>CONSULTATION HISTORY</p> <p><u>Urban Initiatives (2008/9)</u></p> <ul style="list-style-type: none"> • Consultants were engaged to produce a development plan and undertook consultation

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			<p>down with no reason given. The appointment of the steering group was ratified at a meeting of Faversham Town Council in August 2011, but there is no record of any discussion or explanation of the basis for decisions made.</p> <ul style="list-style-type: none"> ● The steering group did not seek community involvement. The planning process had been going on for 18 months before a communications and engagement strategy was produced. (Nov 2011: "The Chairman will develop a communications strategy." June 2012: "No progress has been made on this item." July 2012: "Difficulty in managing communications and engagement ... increasing concern about communications." August 2012: "Action: to draw up a communications and engagement strategy.") ● The steering group's concept of communication was one-way – "sell and tell" rather than "listen and learn" – to "increase residents' understanding of the process and proposals" (Jul 2012) and to present the plan in the best possible light: "the general message should be a positive one" (Nov 2012). ● The priority was not to engage the public but to be seen to have done enough to satisfy the Independent Examiner (July 2012: "A thread of meaningful consultation running through to show the Inspector." August 2012: "what [the examiner] would consider to be sufficient" and "whether the engagement to date would be sufficient to satisfy the independent examiner as well as the wider public"). ● Landowners/developers have been identified from the start as the primary "stakeholders" and consultation has prioritised them above local residents and other interest groups. Service providers and users have never been regarded as key stakeholders. Input from the wider community has not been welcomed and, at times, has been actively resisted. ● The steering group perceived its role to be the pursuit and defence of a predetermined strategy, based on the borough council's DPD and the landowners' preferences, and in public consultations it sought endorsement of this strategy rather than inviting new ideas or comparing different options. Alternative options have been excluded from successive consultations. They have been summarily dismissed as "myths" and "fantasies". Asking for them to be considered was interpreted as "campaigning against the plan" long before any plan was supposed to exist, and those who questioned the process were demonised as "activists". ● Site proposals are described as "options", but at no stage has there been any meaningful choice of options, or even an explanation of what options had been considered and the reasons why a preferred option had been chosen. It is stated in a written answer to a question at a steering group meeting in November 2013 that "It is not the role of the steering group to take the lead in preparing viable alternatives." We would have thought that was precisely its role. ● The process has not taken due account of feedback from consultations. The 2013 consultation in particular should have triggered a radical rethink. It led planning consultant Tony Fullwood, author of the draft DPD upon which the plan had been based, to resign from the steering group, citing the significant gap between the consultation responses and the recommendations of his report. But the rest of the group resisted any change in direction. ● A study of documentation throughout the process (meeting minutes etc.) shows clear intent to seek reasons for refusing any other substantive changes, rather than a willingness to explore other options put forward during consultations that would better reflect the preferences shown in the feedback. ● Changes have been refused on the grounds of non-viability or non-deliverability, even though there has been no viability or deliverability testing of any options, including those within the plan. It is noted in the minutes of a steering group meeting on 12 November 2013 that "viability had to be tested on all sites, and alternative proposals should be tested at the same time ... it was important at the Independent Examination stage to demonstrate that all possibilities for 	<p>workshops.</p> <ul style="list-style-type: none"> ● These workshops cannot be considered open and inclusive consultation, since (a) they were not widely publicised, (b) membership of the "creek team" was by invitation only and included no more than 30 people, of whom a significant proportion were Swale Borough councillors or council officers, and (c) the discussions were managed and limited, rather than inviting participants to bring forward original ideas. Some outcomes which did not fit the consultants' framework were disregarded. ● The consultants' recommendations included extensive housing development, even though this conflicted with Swale Borough Council's recently adopted Local Plan. <p><u>2010 Development Plan Document (Fullwood Report)</u></p> <ul style="list-style-type: none"> ● In the next stage of the process there was no public consultation at all, though the report's author had ad-hoc and un-minuted conversations with landowners/developers. The consultant did not seek input from service providers and users and did not respond to input which they volunteered. Changes were made to flood risk/flood plain designation without any consultation with local residents. The report also proposes residential development while acknowledging that this is not compliant with the adopted Local Plan policy AAP2. 177 responses to the published report were recorded, but they have not been made public. <p><u>Neighbourhood Plan steering group</u></p> <ul style="list-style-type: none"> ● For two years, the process was controlled by a steering group appointed through a process that was not open or transparent. Terms of reference were not published. The group did not maintain a register of interests and there is no record of members being asked to declare interests. ● The steering group met in private. Minutes were published on a non-interactive website, and tended to be indicative rather than informative. Numerous private meetings were held with landowner representatives; some are mentioned but none is minuted. ● A small number of individuals have had a disproportionate influence on the development process. The Faversham Creek Consortium (FCC) management group have played a dominant role in the development of the plan, but do not have a mandate from their membership. For several years, in breach of its own constitution, the FCC has had only one public meeting a year which throws into question the legitimacy of its management group's involvement in the steering group. ● The steering group did not represent a range of opinion, knowledge or expertise, and did not welcome expert opinion which diverged from its own views. It had no knowledge or experience of maritime industry or the technical requirements for maritime activity, and did not welcome input from those who did. ● Dissent from the majority view was not tolerated. Later, when the steering group accepted new members, two member organisations which had jointly issued a dissenting report (Appendix M) were summarily ejected from the group. ● Despite repeated representations from members of the public, no changes were made to any of the steering group's procedures and practices until the autumn of 2013 when its position became untenable following the largely negative response to public consultation. A number of community organisations were invited to join the group, but they were only permitted one representative apiece, while the original constituent bodies had multiple members, who remained in place. ● The group had always been an informal advisory committee of Faversham Town Council, the group was not governed by the council's standing orders and was able to dictate its own

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			<p>the site had been properly considered". None of this has been done.</p> <ul style="list-style-type: none"> ● Failure to respond to the 2013 consultation feedback was also excused on the grounds that it was too late to make changes. ● The designation consultation was inadequate. It did not take place at the start of the process; this is excusable since at that stage the requirement had not been formalised. However, the town council was aware of the requirement by autumn 2012. It applied to Swale Borough Council in January 2013, but the consultation was not held until the autumn of 2013, and only then after repeated reminders from members of the public. The consultation was low-key and few people understood it (they could not understand what they were being asked to comment on, given that the plan had already been in progress for over two years), so there was little response. Requests for boundary changes were disregarded. ● Unreliable information has been given to the public to justify the plan and the refusal to explore alternative options (see 4.4) ● Lack of support for the plan is acknowledged in the Consultation Statement, but it is claimed this must be balanced against "technical advice, best practice in planning and urban design, landowner interests, national and local planning policy and other guidance". There is, however, no evidence that alternative strategies more closely aligned with consultation feedback would not be equally capable of meeting these criteria. ● The Consultation Statement says "A qualifying body is not obliged to revise a neighbourhood plan to be strictly in line with public opinion." This rather understates the problem. When the divergence between the plan and public opinion is so consistently extreme over multiple consultations, when no serious effort has been made to accommodate public opinion by exploring other options, and when despite its best endeavours the council is unable to muster more than 59 people to support its plan, the legitimacy of the plan must be called into question. <p><u>CONSULTATION PROCESS: CONCLUSION</u></p> <ul style="list-style-type: none"> ● In these and other respects, the consultation process is in breach of Planning Practice Guidance, which requires the qualifying body to be inclusive and open in the preparation of the plan, and to ensure that the wider community are kept fully informed of what is being proposed; are able to make their views known throughout the process; have opportunities to be actively involved in shaping the emerging plan; and are made aware of how their views have informed the draft plan. ● It is similarly in breach of the Gunning/Sedley principles (1986) and, in EU legislation, the Aarhus Convention (ratified by the UK in 2005) which require that consultation must take place when options are still open and that account must be taken of the outcome. ● The Gunning/Sedley principles were further endorsed by the Supreme Court decision on 29 October 2014 in R (on the application of Moseley (in substitution of Stirling Deceased)) (Appellant) v London Borough of Haringey (Respondent) [2014] UKSC 56*, which declared that a consultation without options was unfair and unlawful. The judgement refers to procedural fairness (interested persons should be consulted not only on the preferred option but also upon discarded options) and to the need for consultees to at least be made aware of the existence of arguable alternative options in order to be able to express meaningful views on the proposals. https://www.supremecourt.uk/decided-cases/docs/UKSC_2013_0116_Judgment.pdf ● It cannot be denied that, in the case of this neighbourhood plan, arguable alternative options were available. Since there has been no viability testing or other objective assessment of any proposals, it cannot be said that alternative options were any less reasonable or viable than the proposals included in the plan. They were not, however, included or explained in any consultation. 	<p>procedures.</p> <ul style="list-style-type: none"> ● With the introduction of new members, it was declared that the group was now a statutory committee subject to standing orders. There had been no public debate about this change of status and there is no record of it having been ratified by the Town Council. The group now operated under rigidly upheld standing orders. This included the rule that only the town council members had binding votes, and that a resolution, once passed, could not be amended for six months. ● The combination of standing orders and single representatives for new organisations ensured that new members could always be outvoted. Interests now had to be declared, which led to the Faversham Creek Trust representative being excluded from the room when matters of interest to the Trust were being discussed, which rather negated the concept of representation. ● The six-month rule removed all flexibility from the plan drafting process. A site use document agreed by Faversham Town Council in October 2013 explicitly says "there would be opportunities throughout the drafting process for further amendments to be proposed and alternative uses to be presented", but the six-month rule was invoked in April 2014 to prevent the draft plan from containing options other than those in the October document. ● Although meetings were now held in public, standing orders excluded members of the public from active participation. Questions could only be asked before the meeting, and only by people with addresses within the town's four central electoral wards. There was no possibility of free and open discussion, nor of recording or filming meetings for the benefit of those unable to attend (most meetings being held in a venue without disabled access). <p><u>Attitude towards the public</u></p> <ul style="list-style-type: none"> ● The steering group has signally failed to engage with the community. During 2012 there were growing concerns about the lack of engagement and lack of response to feedback. Rather than engaging with the public the steering group/town council aggressively defended their position and have consistently sought to marginalise anyone who queried the direction of the plan or tried to introduce new ideas. <p><u>TOWN COUNCIL CONSULTATION EVENTS</u></p> <ul style="list-style-type: none"> ● There are numerous details which do not appear in the Consultation Statement. ● October 2011 onwards - There was a series of informal and un-minuted consultation with landowners. ● April 2012 - Faversham Creek Streetscape Strategy consultation: there were only 33 comments. The completed document was not put out for comment or further consultation. It is available online but in a format that is extremely difficult to read, and there are no printed copies available for reference. It was nevertheless given a dominant role in the neighbourhood plan. ● April 2012 - Faversham 2020 town plan consultation: There were a large number of Creek-related responses, but these were excluded from the report (apart from a brief summary) because it had been agreed that they would be fed into the Neighbourhood Plan. This was never done. ● May 2012 - Panels which outlined the pros and cons of housing-only, employment-only, and mixed development, weighted the argument against employment-related development. The exhibition also included displays by landowners of their development plans for some of the key sites. Some members of the public found the arrangements confusing since there

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			<ul style="list-style-type: none"> The plan therefore does not meet the Basic Conditions with respect to UK and EU statutory requirements for public consultations. <p>4.1 <u>CONSULTATION HISTORY</u></p> <ul style="list-style-type: none"> <u>Urban Initiatives (2008/9)</u> Consultants were engaged to produce a development plan. According to the minutes of meetings of Swale Borough Council's Local Development Forum (LDF), the brief was "to engage the local community, specifically local businesses/developers". The starting point for consultation was a series of lunches for landowners, at which it was noted that "many landowners were uncomfortable giving their views in forums where the wider community were present." Further consultation involved a "creek team" who attended a series of workshops. These workshops cannot be considered open and inclusive consultation, since (a) they were not widely publicised, (b) membership of the "creek team" was by invitation only and included no more than 30 people, of whom a significant proportion were Swale Borough councillors or council officers, and (c) the discussions were managed and limited, rather than inviting participants to bring forward original ideas. Some outcomes which did not fit the consultants' framework were disregarded. The consultants' recommendations included extensive housing development, even though this conflicted with Swale Borough Council's recently adopted Local Plan. 37 comments are recorded (though this record is known to be incomplete). Some notable comments: <ul style="list-style-type: none"> "It was important to retain the industrial background to Faversham Creek." (members of Swale Borough Council Local Development Forum). "Maritime trades and youth training should be facilitated. Further housing development should be limited." (Faversham Town Council) "There is no spare sewer capacity" and "development that takes place before adequate water and sewerage infrastructure may lead to flooding and environmental pollution." (Southern Water) "Future development should be such that increases in traffic generation are minimal unless new routes can be provided." (KCC Strategy & Planning) None of this is reflected in the subsequent development of the neighbourhood plan. A member of the public commented that "Towns develop best organically and planners need to understand the town and its people rather than impose their plan," to which the response was: "The front loading of public participation and consultation through the DPD process will ensure the town and its inhabitants' needs are the cornerstone of the proposals." This did not happen. <u>2010 Development Plan Document (Fullwood Report)</u> In the next stage of the process there was no public consultation at all, though the report's author Tony Fullwood (a consultant appointed by SBC) had ad-hoc and un-minuted conversations with landowners/developers. The consultant did not seek input from service providers and users, such as boat owners or businesses providing maritime services, and did not respond to input which they volunteered. Changes were made to flood risk/flood plain designation without any consultation with local residents. The report also proposes residential development while acknowledging that this is not compliant with the adopted Local Plan policy AAP2. It is known from a Freedom of Information request that 77 responses to the published report were recorded, but they have not been made public. <p><u>Neighbourhood Plan steering group</u></p> <ul style="list-style-type: none"> For two years, the process was controlled by a steering group appointed in autumn 2011 through a process that was not open or transparent. Terms of reference were not 	<p>was no clear explanation of the relationship between the Neighbourhood Plan and the developers' plans.</p> <ul style="list-style-type: none"> The developers' plans were mainly for 3- to 4-storey blocks of flats/terraced housing, with some commercial use of ground flood areas (unusable for residential purposes because of high flood risk), markedly similar to what was and still is proposed in the Neighbourhood Plan. Feedback comments not made public until January 2013; were never analysed, and not used to inform the development of the plan. Independent analysis (Appendix B) shows that while 77% of the tick-box responses were for mixed development (compared with 0% for housing only and 23% for employment only), more than three quarters of respondents qualified their response in some way. People also said that housing and employment should not be mixed on the same site, and there should not be housing above and employment below. These concerns were not reflected in the development of the plan. November 2012 - A one-day "stakeholder workshop". Landowners/agents, steering group members and other council representatives made up two-thirds of the attendance. No representative from English Heritage. Meeting was facilitated by CPRE, who produced a report of the "consensus" outcome http://www.faversham.org/upload/docs/FavershamWorkshop9Nov2012.pdf Not an open public consultation; attendance by invitation and workshop conducted under Chatham House rules. It was the outcome of this event which was used as the basis for the next stages of the plan. It is not listed in the Basic Conditions statement. February 2013 - The belated Communication and Engagement Strategy has references to "the plan" and those who are "against the plan" and divergent views are to be "countered" rather than considered – see examples in Appendix A. The stages of consultation described were carried out, few of the proposed actions to engage the wider community were ever implemented. May 2013 - The consultation showed artists' impressions of how proposed developments might look, most of these were largely the same as those presented by landowners in May 2012. "Options" for one contentious site (Ordnance Wharf), were four designs for residential development; there was no industrial option. Questionnaire feedback was promptly analysed and reported, but many detailed written comments were never made public, even to the steering group, and there is no record of responses to them. Questionnaire feedback was negative, particularly with respect to the volume, location and height of proposed residential developments. Before the consultation, members of the public had been told they should propose alternatives. Faversham Creek Trust did so, in a detailed written response and a meeting. The meeting was well-attended but there was no subsequent acknowledgement or response. Following the resignation of the consultant Tony Fullwood, no replacement was appointed. A set of site use proposals was prepared by the steering group and approved by Faversham Town Council. This was little different to the original site use proposals presented in the illustrations exhibition, even where this clashed with the consultation feedback. This was justified on the grounds that no other options were viable, though there had been no viability testing and discussions revealed considerable confusion as to the meaning of "viability" in this context. The town council had explicitly stated that there was scope for alternative proposals to emerge during the development of the plan, but this was resisted by the steering group. In

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			<p>published. The group did not maintain a register of interests and there is no record of members being asked to declare interests.</p> <ul style="list-style-type: none"> The steering group met in private. Minutes were published on a non-interactive website, typically not until 3-4 weeks after each meeting, and tended to be indicative rather than informative (ie, itemising topics discussed but not always recording what was said or by whom). The minutes of two meetings (Dec 2011 and Jan 2012) have never been put on the website. Numerous private meetings were held with landowner representatives; some are mentioned but none is minuted. A small number of individuals have had a disproportionate influence on the development process, on the Urban Initiatives “creek team”, the neighbourhood plan steering group, and the Faversham Creek Consortium (FCC) management group. The latter have played a dominant role in the development of the plan, but do not have, and have not sought, a mandate from their membership. For several years, in breach of its own constitution*, the FCC has had only one public meeting a year – its AGM – which throws into question the legitimacy of its management group’s involvement in the steering group. Item F3: Meetings of the Consortium: “The Consortium will meet at least twice each year.” The steering group did not represent a range of opinion, knowledge or expertise, and did not welcome expert opinion which diverged from its own views. Crucially, it had no knowledge or experience of maritime industry or the technical requirements for maritime activity, and did not welcome input from those who did. It was thus ill-equipped to make judgements about the potential for sustainable economic development. Dissent from the majority view was not tolerated. A town councillor representing a key creekside ward (Davington Priory), who dissented on a matter which related to local residents, was replaced on the steering group by a different councillor who does not represent that area. Later, when the steering group had been forced by public opinion to accept new members, two member organisations which had jointly issued a dissenting report (Appendix M) were summarily ejected from the group. Despite repeated representations from members of the public, no changes were made to any of the steering group’s procedures and practices until the autumn of 2013 when its position became untenable following the largely negative response to public consultation. A number of community organisations were invited to join the group, but they were only permitted one representative apiece, while the original constituent bodies had multiple members, who remained in place. The group had always been an informal advisory committee of Faversham Town Council (minutes of FTC meeting 24 Oct 2011: “Members agreed that the Creek Vanguard Working Party is an Advisory Committee and therefore all members thereof have the right to vote on all questions before them, but that any decisions taken by that body then need ratification of the fully elected body of the Town Council.”) The group was not governed by the council’s standing orders and was able to dictate its own procedures. With the introduction of new members, it was arbitrarily declared that the group was now a statutory committee subject to standing orders. There had been no public debate about this change of status and there is no record of it having been ratified by the Town Council. Subsequently, when challenged, the steering group voted to “remain” a statutory committee, but as it was not a statutory committee in the first place, it could not validly vote to remain one. Nevertheless the group now operated under rigidly upheld standing orders. This included the rule that only the town council members had binding votes, and that a resolution, once passed, could not be amended for six months. 	<p>December 2013 a Planning Aid advisor identified shortcomings in the consultation process and recommended that substantive changes were necessary, this advice was not followed. Another Planning Aid advisor subsequently provided some input to the drafting process, though his advice was not always accepted.</p> <ul style="list-style-type: none"> May/June 2014 - The pre-submission draft offered fundamentally the same site use proposals as the May 2013 consultation and the landowner development plans presented at the May 2012 consultation. Feedback has never been fully reported - neither the detailed analysis nor the full response data have ever been made available. The detailed information was not even available to the steering group In the consultation draft, the steering group had excluded references to alternative development strategies and land use proposals, with the sole exception of Ordnance Wharf, where two possibilities – with residential use (the steering group’s preferred option) or with employment use only – were described. 70% of respondents did not support the draft plan. 87% supported non-residential use of Ordnance Wharf. October 2014 - Submission stage did not include the non-residential option for Ordnance Wharf. <p><u>INDEPENDENT CONSULTATION EVENTS</u></p> <ul style="list-style-type: none"> While there may be no statutory obligation to take account of independent consultation events, they are clear indicators of public opinion. March 2011 - A formal e-petition to Swale Borough Council attracted 1172 signatures in a month. The petition said: “Faversham Creek has been a centre for ship building and repair for more than 300 years. In recent years Standard Quay has regenerated the heritage, skills and apprentice training of Faversham’s maritime craftsmen. It is the last stronghold of traditional barges in the South East of England. Standard Quay, on Faversham Creek’s unique historic waterway, is of national and European importance. This industry, jobs and heritage is now under immediate threat. We, the undersigned, petition Swale Borough Council to protect, preserve and enhance Standard Quay and the Creek environment for the building, restoration, maintenance and berthing of traditional vessels by all means possible including: 1. Helping to secure the quayside, land and buildings at Standard Quay so that local maritime craftsmen can continue their traditional boatbuilding and apprentice training activities, and Faversham Creek can expand as a national centre for Thames Sailing barge berthing, repair and restoration. 2. A Guarantee that any future Faversham Creek Development Plan will specifically rule out any possibility of the historic Standard Quay site being developed inappropriately in future - for example for housing, restaurants, cafes, hotels, licensed premises and retail use. 3. Rejecting any proposed change of use for Standard Quay’s quayside buildings, so they can continue to be used for their traditional purposes by maritime craftsmen.” May/June 2014 - LET’S MAKE THE CREEK WORK FOR FAVERSHAM: a five-week consultation organised by the Brents Community Association, the Faversham Creek Trust and BMM Weston. (Appendix I). The questionnaire (Appendix J) was prepared and feedback analysed. The events attracted 841 visitors and 462 questionnaire responses. The analysis of the responses (Appendix K) was presented to the Neighbourhood Plan steering group. The great majority of respondents did not support the draft Neighbourhood Plan but did

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			<ul style="list-style-type: none"> The combination of standing orders and single representatives for new organisations ensured that new members could always be outvoted. Interests now had to be declared, which led to the Faversham Creek Trust representative being excluded from the room when matters of interest to the Trust were being discussed, which rather negated the concept of representation. The six-month rule removed all flexibility from the plan drafting process. A site use document* agreed by Faversham Town Council in October 2013 explicitly says “there would be opportunities throughout the drafting process for further amendments to be proposed and alternative uses to be presented”, but the six-month rule was invoked in April 2014 to prevent the draft plan from containing options other than those in the October document. See http://www.favershamcreekneighbourhoodplan.org.uk/content/12_November_%202013_Agenda_and_papers.pdf Although meetings were now held in public, standing orders excluded members of the public from active participation. Questions could only be asked before the meeting, and only by people with addresses within the town’s four central electoral wards, thus excluding anyone beyond those boundaries even when they had legitimate business or personal interests in plan area. There was no possibility of free and open discussion, nor of recording or filming meetings for the benefit of those unable to attend (most meetings being held in a venue without disabled access). The latter was rigidly and aggressively prohibited, until the council was forced to allow it by law from 6 August 2014. <p><u>Attitude towards the public</u></p> <ul style="list-style-type: none"> The steering group has signally failed to engage with the community. During 2012 there were growing concerns about the lack of engagement and lack of response to feedback, which culminated in an exchange of correspondence in the local press. In early 2013 a group of residents produced a film entitled “Visions of a Creek”, which highlighted public frustration at the lack of response to concerns and lack of opportunity to participate in the development of the plan. Rather than engaging with the public, listening to their concerns and discussing alternative strategies that were being put forward, the steering group/town council aggressively defended their position, accused the film of inaccuracies (though declined to say what they were), and have consistently sought to marginalise anyone who queried the direction of the plan or tried to introduce new ideas, with members disparaging them variously as “activists”, “rabble” and “bullies and fascists”. <p><u>4.2 TOWN COUNCIL CONSULTATION EVENTS</u></p> <ul style="list-style-type: none"> There are numerous details which do not appear in the Consultation Statement. <u>October 2011 onwards</u> There was a series of informal and un-minuted consultation with landowners. <u>April 2012</u> Faversham Creek Streetscape Strategy consultation: there were only 24 comments on the day (2 from the same person) plus a further 9 written responses and a detailed response from the Faversham Creek Trust. 6 of the respondents commented that the exhibition was poorly presented. The completed strategy document was not put out for comment or further consultation. Few people have ever seen it. It is available online but in a format that is extremely difficult to read, and there are no printed copies available for reference. It was nevertheless given a dominant role in the neighbourhood plan. <u>April 2012</u> Faversham 2020 town plan consultation: There were a large number of Creek-related 	<p>support alternative proposals.</p> <ul style="list-style-type: none"> The alternative proposals did not oppose residential development, but directed it away from waterfront sites in Flood Zone 3 and towards more natural residential areas on higher ground, notably the BMM Weston site, where the type of housing provided would be more likely to meet local needs and there would be a more realistic chance of getting affordable housing. The feedback strongly supported this approach, with opposition to waterfront housing anywhere around the creek and in particular around the basin, but support for housing on the BMM Weston site. The extensive comments (Appendix L) give an indication of the many issues that members of the public felt had been overlooked, and ideas they would have like to contribute had they been given the opportunity to do so. <p>UNRELIABLE INFORMATION</p> <ul style="list-style-type: none"> No hard information (eg, estimated developer contributions, proposed employment floor space) has been collected and no impact assessments. Questionable information has been given to the public to defend the town council’s position and its refusal to consider other options. You cannot propose a use for a site if you do not own the land. Proposals which are not in line with the intentions of the current landowners are not viable or deliverable. Employment sites are unused/underused because there is no demand for employment use therefore residential use must be allowed. If a valid Neighbourhood Plan is not agreed, “the National Planning Policy Framework takes precedence, and its presumption in favour of sustainable development applies”. The neighbourhood plan will put an end to applications being decided on appeal. Housing will revitalise the area - is contradicted in the plan itself: “The vitality of the creekside has declined over recent years with the closure of employment sites and the increase in private housing development.” The proposed residential developments are essential to meet Faversham’s housing need. There are no data for housing need in Faversham. The plan ignores alternative options for comparable volumes of housing in different locations within the plan area. Sustainable development “is code for housing” - the December 2014 parliamentary committee report on the NPPF* emphasises that all types of sustainable development must be given equal weight. <p>* http://www.publications.parliament.uk/pa/cm201415/cmselect/cmcomloc/190/190.pdf</p> <ul style="list-style-type: none"> Every site must have a viability test and if one fails the whole plan will fail - this contradicts PPG 10-006-20140306 – and there has been no viability testing. The Independent Examiner will reject any site use proposal if it cannot be demonstrated that funding is already available - this is not the role of the examiner, nor of the planning system. Proposals for maritime industry have a “funding gap” and are financially uncertain, yet proposals for funding streetscape and public realm improvements are acceptable. An external group was authorised by Faversham Town Council to produce an Outline business case for the repair and maintenance of traditional vessels on Faversham Creek (Appendix G). This demonstrates that – even without the multiplier effect of tourism on the local economy – a business-led planning strategy is viable. The steering group and council dismissed the document. By contrast, the council’s proposals for funding streetscape and public realm improvements from unquantified developer contributions and other unspecified sources are

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			<p>responses, but these were excluded from the report (apart from a brief summary) because it had been agreed that they would be fed into the Neighbourhood Plan. This was never done.</p> <ul style="list-style-type: none"> • <u>May 2012</u> • Panels which outlined the pros and cons of housing-only, employment-only, and mixed development, weighted the argument against employment-related development. The exhibition also included displays by landowners of their development plans for some of the key sites, and by the Faversham Creek Trust of its plans for the Purifier Building and maritime trades. Some members of the public found the arrangements confusing since there was no clear explanation of the relationship between the Neighbourhood Plan and the developers' plans. • The developers' plans were mainly for 3- to 4-storey blocks of flats/terraced housing, with some commercial use of ground flood areas (unusable for residential purposes because of high flood risk), markedly similar to what was and still is proposed in the Neighbourhood Plan. • The feedback comments were not made public until January 2013. They were never analysed, and thus not used to inform the development of the plan. It was claimed (Faversham Creek Consortium AGM, 2013) that they were not analysed because of insufficient administrative support. Members of the public offered administrative assistance, but their offers were not taken up. • Independent analysis (Appendix B) shows that while 77% of the tick-box responses were for mixed development (compared with 0% for housing only and 23% for employment only), more than three quarters of respondents qualified their response in some way. The most frequent comments were that residential development must not predominate; housing should be affordable, for local people; new buildings must be low-rise and in scale with their surroundings. • People also said that housing and employment should not be mixed on the same site, and there should not be housing above and employment below. These concerns were not reflected in the development of the plan. • <u>November 2012</u> • A one-day "stakeholder workshop" (also described as a "site evolution event") was attended by 41 people, including facilitators and presenters. Landowners/agents, steering group members and other council representatives made up two-thirds of the total attendance. No representative from English Heritage was present. The meeting was facilitated by CPRE, who produced a report of the "consensus" outcome http://www.faversham.org/upload/docs/FavershamWorkshop9Nov2012.pdf • This was not in any sense an open public consultation. Attendance was by invitation and the workshop was conducted under Chatham House rules. Nevertheless, it was the outcome of this event, rather than the feedback from the May public consultation, which was used as the basis for the next stages of the plan. It is not, however, listed in the Basic Conditions statement. • Despite the small number of attendees, the report claims that the workshop can potentially be regarded as expressing the views of up to 4,600 people, most of this number being accounted for by one Swale Borough councillor whose ward has a population of 4,000. This cannot be taken seriously, particularly since the council elections pre-dated the Neighbourhood Plan and thus the councillor's views on the plan had no mandate. • <u>February 2013</u> • The belated Communication and Engagement Strategy (see pp21-44 in 	<p>vague. The steering group made a decision (a) to exclude any mention of the costs of the Streetscape Strategy from the Evidence Base for the consultation draft (now the Basic Conditions Statement) on the grounds that details could be found in the online document, and yet (b) to itemise in detail the costings for the Business Case, even though these could equally be found in the online document. This is unreasonable and unacceptable bias.</p> <ul style="list-style-type: none"> • Other options can be put forward during the Reg 14 consultation - the public were told that alternatives could be put forward during the consultation, without being told that the plan could not be changed to accommodate them without a further consultation stage. <p>CONSULTATION STATEMENT - does not give a full and accurate account of the consultation process.</p> <ul style="list-style-type: none"> • The list of publicity events for the Regulation 14 consultation gives no indication of attendance. • There are significant omissions from the account of the consultation process. • There is no indication of the gap between the feedback and the direction the plan was taking (and how this was dealt with). • For the Regulation 14 consultation, the response to comments is highly selective. Comments from landowners are included in detail, but there are few comments from individuals of the public. • There is no mention of the problems which members of the public experienced in their attempts to respond to the consultation, although these were made known to the Town Council. The example at Appendix N is typical. • Excluding the responses to statutory consultees, there are more than 30 revisions in response to comments from landowners but only 6 in response to comments from others. • Where comments are rejected, the majority of responses are merely that the town council "believes" or "considers" otherwise, with no evidence. • Other comments are dismissed on the grounds that the matter "is sufficiently referenced". • In response to references by Natural England, it is noted that "screening opinion on SEA and HRA will be sought by the town council". Long before this consultation, the council considered that an SEA would be needed. • It is stated in more than one response (eg, 08) that "The neighbourhood plan is not encouraging more housing directly on the side of the creek." This is unacceptable; virtually all of the existing housing developments are referred to and marketed as riverside or waterfront properties. • It is stated (respondent 14) that "Abbey Street is outside the boundary of the neighbourhood plan and so cannot be directly addressed by policies within the plan." This is not the case. There are many things outside the plan boundary (eg, views, downstream habitats, heritage assets, traffic impacts) which may be affected by developments within the area and can legitimately be addressed. • It is stated that Swale Borough Council have not accepted any of the submitted alternative methodologies regarding the designation of heritage assets and are supporting the Undesignated Heritage Assets (UHA) paper. No reasons have been given. The UHA paper has not been subject to independent examination. • It is stated that the plan "does not consider residential uses to be incompatible with most industrial uses". No evidence is provided to substantiate. • The acceptability of garages as a suitable ground floor use in Flood Zone 3 should be a decision for the Environment Agency at the planning application stage. It also reduces potential employment space.

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			<p>http://www.favershamcreekneighbourhoodplan.org.uk/content/12_November_%202013_Agenda_and_papers.pdf has references throughout to “the plan” and those who are “against the plan” – a plan which supposedly did not yet exist – and divergent views are to be “countered” rather than considered – see examples in Appendix A.</p> <ul style="list-style-type: none"> • Although the stages of consultation described were carried out, few of the proposed actions to engage the wider community were ever implemented and the formal monitoring and recording procedures were not maintained. • <u>May 2013</u> • The consultation based on the outcome of the November 2012 “stakeholder workshop” showed artists’ impressions of how proposed developments might look. Apart from cosmetic details (eg, weatherboarding and pitched roofs) most of these were largely the same in concept, height, density and land use as those presented by landowners in May 2012. “Options” for one contentious site (Ordnance Wharf), where there was disagreement over residential/industrial use, were four designs for residential development; there was no industrial option. • The questionnaire feedback was promptly analysed and reported, but there were also many detailed written comments which were never made public, even to the steering group, and there is no record of responses to them. The questionnaire feedback was predominantly negative, particularly with respect to the volume, location and height of proposed residential developments. • Before the consultation, members of the public concerned about the plan process had been told that if they disagreed with what they saw they should propose alternatives. The Faversham Creek Trust did so, in the form of a detailed written response followed by an invitation for steering group members and town councillors to a meeting to discuss an alternative development strategy, more closely aligned with the consultation feedback. The meeting was well-attended but there was no subsequent acknowledgement or response. • Following the resignation of the consultant Tony Fullwood, no replacement was appointed. A set of site use proposals was prepared by the steering group and approved by Faversham Town Council. This was little different to the original site use proposals presented in the illustrations exhibition, even where this clashed with the consultation feedback. This was justified on the grounds that no other options were viable, though there had been no viability testing and discussions revealed considerable confusion as to the meaning of “viability” in this context. • The town council had explicitly stated that there was scope for alternative proposals to emerge during the development of the plan, but this was resisted by the steering group. In December 2013 a Planning Aid advisor (Stella Scrivener) identified shortcomings in the consultation process and recommended that substantive changes were necessary, but this advice was not followed. Another Planning Aid advisor (Brian Whiteley) subsequently provided some input to the drafting process, though his advice was not always accepted. • <u>May/June 2014</u> • The pre-submission draft put forward for consultation offered fundamentally the same site use proposals as the May 2013 consultation and the landowner development plans presented at the May 2012 consultation. • The feedback has never been fully reported. A document* entitled “Initial Survey Outcomes” was published on 16 July 2014. In the introduction it says “A more detailed analysis of themes and suggestions is to follow. References to full response data are not included in this document at present.” Neither the detailed analysis nor the full response data have ever been made available. The detailed information was not even available to the 	<ul style="list-style-type: none"> •The conclusions are misleading, in that they misrepresent opposing views as unrealistic (“little or no residential development at all in the creek area”) and say that “a plan that excludes residential uses completely will not be robust enough to pass examination”. Most of the opposition is not to the inclusion of residential development, but to its location and type. •The references throughout to “a balanced mix of uses” and a “living and working environment” ignore what already exists in the plan area. • It is stated that the council “must balance the views of the public against a range of other factors, including technical advice, best practice in planning and urban design, land owner interests, national and local planning policy and other guidance”. There is no documentation of “technical advice” and no evidence of conflict between these factors and the views of the public. The council has no obligation to grant change of use to enable more profitable development options. • It is stated that “A qualifying body is not obliged to revise a neighbourhood plan to be strictly in line with public opinion,” but when the gap between the plan and public opinion is so wide and so consistent it should be taken more seriously. •The statement that the plan has “opportunity sites” which contain space where marine-related trades and crafts can find a home and flourish has no basis in fact and is contradicted by those carrying out such trades and crafts. •A NP is supposed to be specific to the character and environment of the neighbourhood. It is unreasonable to suggest that boat repair/boatbuilding and associated crafts is an unacceptably narrow area of industrial activity. It is in a town where heritage tourism plays a major role in the economy, and maritime heritage and associated crafts provide a USP. <p>COMMENTS ON THE SUBMISSION DRAFT</p> <p><u>Generally</u></p> <p>While the submission draft is in several respects a marked improvement on the pre-submission draft:</p> <ul style="list-style-type: none"> •It does not state the period covered by the plan. The duration of the plan is a material consideration which should have informed its development, and should have been made known in consultations. •There are significant differences between the submission draft and the pre-submission draft. The submission draft dated November 2014 also differs from the version approved by Faversham Town Council on 13 October 2014 (after which only minor proofreading amendments were supposed to have been made) and from the version dated 17 October. The changes made do not adequately reflect consultation feedback. •The site-specific proposals and policies do not reflect and are not compatible with the Creekwide policies or the whole-creek vision and are at odds with public opinion. •On the “mixed development” sites, the proposed non-residential uses are vague and speculative. There has been no research into demand for or viability of retail, offices, restaurants, etc. •The Urban Analysis section is a useful approach, but it has not been subject to public scrutiny or consultation. It was prepared by consultants who are not familiar with the area nor with this particular type of maritime environment, and have visited only briefly. •The section on Monitoring is an even later addition which has neither been subject to consultation nor approved by the town council. The monitoring criteria do not have targets or benchmarks.

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			<p>steering group (requested by a member at a meeting on 23 July, but never provided). * http://www.favershamcreekneighbourhoodplan.org.uk/content/23%20July%202014%20Paper%205.1for%20web%20site.pdf</p> <ul style="list-style-type: none"> In the consultation draft, the steering group had excluded references to alternative development strategies and land use proposals, with the sole exception of Ordnance Wharf, where two possibilities – with residential use (the steering group’s preferred option) or with employment use only – were described. 70% of respondents did not support the draft plan. 87% supported non-residential use of Ordnance Wharf. <u>October 2014</u> Despite the lack of support for the plan, it was progressed to the submission stage. It did not include the non-residential option for Ordnance Wharf. (See Section 5) <p>4.3 INDEPENDENT CONSULTATION EVENTS</p> <ul style="list-style-type: none"> While there may be no statutory obligation to take account of independent consultation events, they are clear indicators of public opinion, especially when they mirror and reinforce the feedback from the council’s own consultations. <u>March 2011</u> A formal e-petition to Swale Borough Council attracted 1172 signatures in little over a month and the number was still growing when the petition was closed. See http://www.swale.gov.uk/epetitions/petitiondetail.aspx?petitionid=110. The petition said: “Faversham Creek has been a centre for ship building and repair for more than 300 years. In recent years Standard Quay has regenerated the heritage, skills and apprentice training of Faversham’s maritime craftsmen. It is the last stronghold of traditional barges in the South East of England. Standard Quay, on Faversham Creek’s unique historic waterway, is of national and European importance. This industry, jobs and heritage is now under immediate threat. We, the undersigned, petition Swale Borough Council to protect, preserve and enhance Standard Quay and the Creek environment for the building, restoration, maintenance and berthing of traditional vessels by all means possible including: 1. Helping to secure the quayside, land and buildings at Standard Quay so that local maritime craftsmen can continue their traditional boatbuilding and apprentice training activities, and Faversham Creek can expand as a national centre for Thames Sailing barge berthing, repair and restoration. 2. A Guarantee that any future Faversham Creek Development Plan will specifically rule out any possibility of the historic Standard Quay site being developed inappropriately in future - for example for housing, restaurants, cafes, hotels, licensed premises and retail use. 3. Rejecting any proposed change of use for Standard Quay’s quayside buildings, so they can continue to be used for their traditional purposes by maritime craftsmen.” <u>May/June 2014</u> LET’S MAKE THE CREEK WORK FOR FAVERSHAM: a five-week consultation organised by the Brents Community Association, the Faversham Creek Trust and BMM Weston. One Friday night + Saturday exhibition, followed by four half-day exhibitions on subsequent Saturdays (Appendix I). The questionnaire (Appendix J) was prepared and feedback analysed with support from a professional consultant. The events attracted 841 visitors and 462 questionnaire responses. The analysis of the responses (Appendix K) was presented to the Neighbourhood Plan steering group. In line 	<p><u>Specifically</u></p> <ul style="list-style-type: none"> p8: The introduction emphasises endorsement of the Vision and objectives through multiple consultations – but the versions here are not those which were endorsed. During the drafting process, both the steering group and town council insisted that the Vision and objectives must remain unchanged and yet now the Vision has been amended and so has Objective 9. These are material changes, at the request of landowners, with the effect of watering down the economic/ employment focus. This is not acceptable. p21: The final paragraph, about navigability, seems out of place – it has no connection with the “Homes” section. p24: Photo caption: the bridge is not a lifting bridge. It is a swing bridge. p26: the introduction refers to eleven development sites (there are 12). p27: para 2 says the Undesignated Heritage Assets paper was written by Anne Salmon and [planning consultant] Tony Fullwood. There is no record of the involvement of Tony Fullwood. The steering group minutes (February 2013) mention only Anne Salmon, John Sell and Peter Bell (SBC conservation officer). No external, independent input or review was sought. The minutes say: “It was important to ensure the list was accurate and that it contained those areas that would support and not prevent the overall regeneration of Faversham Creek.” The implication here is that assets which might conflict with proposed developments were not to be listed. p28: The wording is imprecise. The policies should apply to alterations or extensions to existing buildings, as well as new buildings, and should be consistent. DQ4 says “new development”, DQ5 says “redevelopment” – they should both say “development proposals”, and they should say “shall be required to” rather than “needs to/need to”. p29: Eats, shoots and leaves. There is a world of difference between “Community, Leisure + Recreation” (as in the heading of the section) and “Community Leisure + Recreation” (as in the policies). The former is what was intended and what was in the pre-submission consultation – the community needs more than just opportunities for leisure and recreation. The comma must be reinstated. The consultants’ use of + is also inconsistent (compare p29 and p30) and undesirable: where “and” is meant, it should say “and”. And again, policies should say “development” rather than “new development” to avoid ambiguity re modifications to existing buildings. p30, last paragraph: This is not the wording of the Objective 9 – it even differs from the newly rewritten version on p9. p31: BTE1 should say “development” rather than “new development”. BTE2 has been changed from “are not detrimental” to “do not undermine” – why? The former is clearer; undermine could mean anything. p31, New homes, para 4, last sentence: “Numbers of residential units are indicated in the site-specific policies” – they are not. p32, HO2 – bad wording. “New developments” could exclude conversions. Should say “In any development, 35% of residential units will be affordable”. p32, HO3 – bad wording. This would make it acceptable to block access to the waterfront on sites where there is no access at present (eg, Ordnance Wharf, Coach Depot, Oil Depot) since there would be no loss. p32: Associated Housing Policies – should be Projects. p33, para 1: “... footpaths through Faversham Reach and in on the creek side of Waterside Close onto ...” makes no sense; in any case, this would be a single footpath. p33, NE1: Taken literally, this means that anything will be given planning permission,

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			<p>with the feedback from Faversham Town Council’s pre-submission draft consultation, the great majority of respondents did not support the draft Neighbourhood Plan but did support alternative proposals.</p> <ul style="list-style-type: none"> Importantly, the alternative proposals did not oppose residential development, but directed it away from waterfront sites in Flood Zone 3 and towards more natural residential areas on higher ground, notably the BMM Weston site, where the type of housing provided would be more likely to meet local needs and there would be a more realistic chance of getting affordable housing. The feedback strongly supported this approach, with opposition to waterfront housing anywhere around the creek and in particular around the basin, but support for housing on the BMM Weston site. The extensive comments (Appendix L) give an indication of the many issues that members of the public felt had been overlooked, and ideas they would have like to contribute had they been given the opportunity to do so. <p>4.4 UNRELIABLE INFORMATION</p> <ul style="list-style-type: none"> Any consultation process should have been based on reliable factual information, but virtually no hard information (eg, estimated developer contributions, proposed employment floor space) has been collected and there have been no impact assessments. Questionable information has been given to the public, at meetings and in print, to defend the town council’s position and its refusal to consider other options. Examples can be found in minutes of steering group and town council meetings; in statements by the Chair of the steering group in consultation publicity and in the pre-submission draft; in letters to local newspapers and other publications (eg, the Faversham Society newsletter). These include: <ul style="list-style-type: none"> a. You cannot propose a use for a site if you do not own the land. b. Proposals which are not in line with the intentions of the current landowners are not viable or deliverable. c. Employment sites are unused/underused because there is no demand for employment use therefore residential use must be allowed. d. This cannot be substantiated – see section 2. If a valid Neighbourhood Plan is not agreed, “the National Planning Policy Framework takes precedence, and its presumption in favour of sustainable development applies”. e. The NPPF and the presumption in favour of sustainable development apply whether there is a Neighbourhood Plan or not. f. The neighbourhood plan will put an end to applications being decided on appeal, as happened with existing residential developments around the creek. g. In reality (a) many of these developments were approved by Swale Borough Council and did not go to appeal, and (b) the existence of a neighbourhood plan would have no effect on an applicant’s right to appeal against a planning decision. (The latter is pointed out in a secretary’s note to the minutes of the steering group meeting on 12 September 2013, but the claim that the plan will stop planning appeals has been publicly repeated many times since then.) h. Housing will revitalise the area. Observation of existing developments does not support this statement, and it is contradicted in the plan itself: “The vitality of the creekside has declined over recent years with the closure of employment sites and the increase in private housing development.” i. The proposed residential developments are essential to meet Faversham’s housing need. There are no data for housing need in Faversham. In Swale as a whole, the greatest demand is for affordable housing. There is no evidence to substantiate the claim that the type of housing proposed (upmarket waterfront apartments) will meet 	<p>regardless of any other considerations, as long as it does no harm to the natural environment. It should say: “Any development shall be required to demonstrate that it will not cause significant harm ...”</p> <ul style="list-style-type: none"> p33, NE2: needs to be better defined. “Green spaces either side of the Albion Taverna” could be taken to mean the green area downstream of the Albion plus the small green adjacent to it upstream – ie, not including the large green area on the other side of the Front Brents car park. It is also possible that the Albion Taverna might change its name during the lifetime of the plan. For clarity, it would be best to refer to areas marked on the map on p39 (which itself needs to be amended, as it does not mark the small patch of green upstream of the Albion). p33, NE4: development (not “new”). p43: the wording of the flooding policies has been changed at landowner request. The wording in the consultation draft (section 6.3) was what the Environment Agency is said to have agreed to in the 2010 DPD, and was further supported by the EA in its response to the Regulation 14 consultation. It should not have been changed for the landowners’ convenience. p35, FL2: “development” (not “new”). FL5: “No residential development of more than six units ...” (otherwise no definition of what a “unit” is). p36, introduction: refers to sewerage, drainage and flood risk even though these have been removed to another section. p37, INF1: Open to challenge – there is no explanation, and the figure is arbitrary (why not 3 or 5 metres?)The definition should be curtilage, not buildings (as worded, this policy would allow a garden, parking area or bin store to extend right to the waterfront). Almost all the modern residential developments criticised for inhibiting use of the creek are at least four metres from the water. To facilitate active use of the Creek and also to permit a safe walkway wide enough for disabled access, the distance would need to be more than four metres. Suggest that, in order to conform with adopted Local Plan policy AAP2 and to clarify the distance requirement, the Infrastructure policies should be modified as follows: <ul style="list-style-type: none"> INF1 Any proposal for development on any waterfront site shall be required to demonstrate how it will contribute to, and will not inhibit, the active use or management of the creek itself. INF2 (as now) INF3 To facilitate the active use and management of the creek, and to enable pedestrian and disabled access to the waterfront, the curtilage of any new building on any waterfront site shall be no less than [an appropriate number of] metres from the existing waterfront, except where this is physically impossible. Subsequent policies should then be renumbered. p37, INF2: any development (not “new”). p37, INF4: any development (not “new”) – and there is no point in this unless there are criteria against which a D&A statement can be measured. There should at least be a specific policy on parking. The only site where on- site parking is mentioned specifically is Fentiman’s Yard. This is inconsistent and illogical. p37, projects: Does not mention the bridge and dredging. There also needs to be consistency here and elsewhere as to “a public toilet” or “public toilets”. There is a need for public toilets on both sides of the Creek. <p><u>Purifier Building</u> - Should say B1/B2 to accommodate the current uses of the building, which are widely supported.</p> <p><u>Ordnance Wharf</u></p>

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			<p>local housing need. The plan ignores alternative options for comparable volumes of housing in different locations within the plan area, which are arguably a better fit with local need and are at less risk of flooding. The number of units at issue would make little difference to Swale's housing supply, and there are proposals for several large housing developments around Faversham, some of which have already been granted permission.</p> <p>j. Sustainable development "is code for housing". In promoting the Town Council's views, "sustainable development" has repeatedly been equated with housing, even though it has been pointed out that the NPPF encompasses other types of sustainable development. The December 2014 parliamentary committee report on the NPPF* emphasises that all types of sustainable development must be given equal weight. http://www.publications.parliament.uk/pa/cm201415/cmselect/cmcomloc/190/190.pdf. This is recognised by Swale Borough Council's statement in support of Local Plan policy AAP2 which promotes non-residential development: "The NPPF sets out a core planning principle of seeking to proactively and objectively identify sustainable economic development. In terms of building a strong, competitive economy and healthy communities, the NPPF gives significant weight to the need to support economic growth." This is not acknowledged by the steering group or the Town Council in the information provided to the public.</p> <p>k. Every site must have a viability test and if one fails the whole plan will fail. This contradicts PPG 10-006-20140306 – and in fact there has been no viability testing.</p> <p>l. The Independent Examiner will reject any site use proposal if it cannot be demonstrated that funding is already available. This is not the role of the examiner, nor of the planning system. Even in cases where compulsory purchase is being considered on planning grounds, the planning authority only has "to be satisfied that there is a funding strategy" – not to see evidence of funding already in place.</p> <p>m. Proposals for maritime industry have a "funding gap" and are financially uncertain, yet proposals for funding streetscape and public realm improvements are acceptable. Under pressure from consultation feedback, the steering group undertook to explore the business case for maritime industry (minutes of meetings, Aug/Sep/Oct 2013) but did not do so. An external group was then authorised by Faversham Town Council to do the work, and they produced an Outline business case for the repair and maintenance of traditional vessels on Faversham Creek (Appendix G). This is a professional and detailed document, which demonstrates that – even without the multiplier effect of tourism on the local economy – a business-led planning strategy is viable. The steering group and council, however, dismissed the document and represented it to the public in a negative light, referring to expenditure not as "cost" or "investment" but as "a funding gap" and claiming that a requirement for public/third sector funding "introduces uncertainties". They also failed to acknowledge that a high proportion of the expenditure was for an opening bridge, which was already an accepted objective for which funding would be needed in any case.</p> <p>n. By contrast, the council's own proposals for funding streetscape and public realm improvements from unquantified developer contributions and other unspecified sources are vague in the extreme – and while emphasising £1m up-front costs for the Business Case (without mentioning that the bulk of this is for an opening bridge, which is being funded separately, and there would be financial returns on investment after a few years), it conceals the not-dissimilar costs of the Streetscape Strategy (£811,000+ at 2012 prices, with no financial ROI) and makes no reference to a funding gap or</p>	<ul style="list-style-type: none"> ●The policies for the Ordnance Wharf site are not those which were consulted on. The claim that they are "common ground" is incomprehensible. ●The range of proposed uses – particularly the idea of "a small community hall and training rooms" on the ground floor of a residential development in Flood Zone 3, plus outdoor space for boat storage and car parking, and a public walkway – is completely unrealistic given the size and nature of the site. ●The option preferred by the public offers a wider and more sustainable range of community uses and is a key factor in the regeneration of the creek basin for commercial and tourism purposes, including the use of the basin and its wharfage for historic craft, in accordance with saved Local Plan policy AAP2. ●The wording has been changed to "two or more" of the land uses, supposedly to guarantee that it cannot be residential-only – but since one of the options is offices, and change of use from office to residential does not require planning permission, this is no guarantee at all. ●The wharf structure is of itself a heritage asset. The policies do not give due consideration to its significance. ●Non-residential use was preferred by 87% of consultation respondents, and there is no good reason why this should not have been the preferred policy. ●OW6 has come out of nowhere. It did not appear in the submission draft, was not consulted on, and conflicts with bullet point 4 on previous page. <p><u>BMM Weston</u></p> <ul style="list-style-type: none"> ●Not clear why there is a distinction between the office site ("shall be used for residential purposes") and the rest ("residential use will be permitted") – "may be used" or "will be permitted" would be more reasonable throughout. ●The policies do not mention the car park and wharf and their role in "the regeneration of the creek basin for commercial and tourism purposes, including use of the basin and its wharfage for historic craft." (AAP2) ●The policies do not emphasise the role of this site as a main focus for residential development, as shown on pp30-31. <p><u>Frank and Whittome</u> -this raises the problem of office-to-residential conversion, and there is no mention of provision for parking.</p> <p><u>Swan Quay</u></p> <ul style="list-style-type: none"> ●The text and policies do not reflect the opposition to three-and-a-half storey buildings or the impact on the character of the area, including the view from the bridge and across the creek from Front Brents. ●The site context considers only individual buildings, not the site and the wharfage) or its proximity to Town Quay and its 15th century grade II* warehouse. The policies do not reflect conservation concerns and have not been subject to heritage assessment as part of an SEA or Sustainability Appraisal. ●In the introduction: "land uses could include some limited parking" – where is the rest of the parking going to go? ●SWQ1 – what is "a mix"? All of these? Two? Three? <p><u>Oil Depot</u> - Why not "residential uses will be permitted"?</p> <p><u>Coach Depot</u></p>

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			<p>uncertainties in this latter context.</p> <p>o. On 25 March 2014 the steering group made a deliberate decision (a) to exclude any mention of the costs of the Streetscape Strategy from the Evidence Base for the consultation draft (now the Basic Conditions Statement) on the grounds that details could be found in the online document, and yet (b) to itemise in detail the costings for the Business Case, even though these could equally be found in the online document. This is unreasonable and unacceptable bias.</p> <p>p. Other options can be put forward during the Reg 14 consultation. In response to concerns about lack of options, the public were told (April 2014) that alternatives could be put forward during the consultation, without being told that the plan could not be changed to accommodate them without a further consultation stage. It was also implied that there would be a further opportunity at the next consultation, without explaining that this consultation (Reg 16) would only be on matters relating to the Basic Conditions. Response to Faversham Creek Neighbourhood Plan Regulation 16 publication consultation December 2014</p> <p>4.5 CONSULTATION STATEMENT</p> <ul style="list-style-type: none"> ● The Consultation Statement does not give a full and accurate account of the consultation process. ● The list of publicity events for the Regulation 14 consultation is misleading since there is no indication of attendance. At least one of these events was attended by only one member of the public. ● There are significant omissions from the account of the consultation process (See 4.2). ● There is a description of the process for the June 2013 consultation, but no indication of the gap between the feedback and the direction the plan was taking (cited by the consultant Tony Fullwood in his resignation statement) and how this was dealt with. ● For the Regulation 14 consultation in May/June 2014, the response to comments is highly selective. Comments from landowners are included in detail, but there are few comments from individuals (and one of these is anonymous). Many members of the public spent hours preparing detailed and carefully considered comments to which there are no responses. It cannot be argued that these were omitted because they duplicated other comments, since all the landowner comments are included even where they duplicate one another with identical wording and receive identical responses. ● There is no mention of the problems which members of the public experienced in their attempts to respond to the consultation, although these were made known to the Town Council. The example at Appendix N is typical, showing the seriousness with which members of the public approached the consultation, and the difficulties they had in responding to it. ● Excluding the responses to statutory consultees, there are more than 30 revisions in response to comments from landowners but only 6 in response to comments from others. This includes amendments to the vision and objectives which invalidate the introductory statement on page 8 of the plan, since the vision and objectives now differ materially from those endorsed in previous consultations. ● Where comments are rejected, the majority of responses are merely that the town council “believes” or “considers” otherwise, with no evidence to substantiate these beliefs or considerations. ● Other comments are dismissed on the grounds that the matter “is sufficiently referenced”. Making reference to something is not the same as making provision for it. ● In response to references by Natural England, it is noted that “screening opinion on SEA and HRA will be sought by the town council”. It is well documented that, long before this 	<ul style="list-style-type: none"> ● Do not accept that the site “is suitable for buildings up to three storeys in height, with a taller element to the corner of the building closer to Standard Quay”. This is the owner’s definition of “suitable”, not an objective consideration. This height would have a detrimental effect on heritage assets. ● Use classes – again, what is “a mix”? <p><u>Standard Quay</u></p> <ul style="list-style-type: none"> ● The policies disregard public opinion. ● Local Plan policy AAP2, is still the adopted policy, and it states that planning permission will not be granted for proposals that “on appropriate sites, would not involve active use or management of the creek itself” and requires development proposals to “maintain or enhance an environment appropriate to enable traditional waterside activities to flourish”. This is an appropriate and viable site for maritime industrial use and this would be prevented by allowing non-industrial use of frontage buildings and the quayside itself. The policies for this site are not compliant with AAP2. ● The policies pay no regard to the factors considered important in the Conservation Area Character Appraisal. ● The policies (particularly STQ1) pay no regard to the 2014 decision by a Planning Inspector, which said, with reference to the NPPF, that restaurant use was not suitable for a waterfront building on this site. On this basis, the policies cannot be considered to be in conformity with the NPPF. ● These policies disregard the views of English Heritage* on the significance of the buildings, and neither English Heritage nor local historians were consulted about the development of the policies. <p>The introduction and policies are incoherent. Statements like “it is expected that the landowner will make a further application” have no place in a long-term plan. The “suitable uses” for Building 1 are the owner’s definition of “suitable”.</p> <ul style="list-style-type: none"> ● It is described in terms of individual buildings rather than the significance and setting of the site as a whole. The proposed mix of uses is highly speculative, exposing listed buildings and heritage assets to the risk of cumulative damage from successive changes. ● STQ1 does not exclude residential use of buildings on the quay. ● A creekside footpath would not be compatible with the industrial character of the quay unless it can be shared with quayside activities and can be closed temporarily when certain types of work are in progress. Any new footpath should be additional to the right of way between the two rows of buildings (which is also listed as a highway). ● Why does this site have to be “vibrant” at night when other sites do not? There are implications for noise and light pollution, loss of amenity for residents on the opposite bank of the Creek. <p><u>Standard House</u></p> <ul style="list-style-type: none"> ● Why “shall be used for residential purposes”? Why not “will be permitted” along with other possible uses, eg hotel? ● STH5 is not tenable. This is an existing right of way and a listed highway and the site has no access rights from New Creek Road. <p><u>Fentiman’s Yard</u> - why “shall be used for residential purposes”? Why not “may be” or “will be permitted”?</p>

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			<p>consultation, the council considered that an SEA would be needed, and the consultation draft itself says “the Plan will then be subject to a Sustainability Appraisal, Habitats Regulation Appraisal and Viability Assessment”. (See Section 2).</p> <ul style="list-style-type: none"> ● It is stated in more than one response (eg, 08) that “The neighbourhood plan is not encouraging more housing directly on the side of the creek.” This is unacceptable in that (a) the comments related to housing on waterfront sites (not “directly on the side of the creek”), and (b) even if the housing is 4 metres from the water, it will still be waterfront housing: virtually all of the existing housing developments referred to and marketed as creekside or waterfront properties are at least 4 metres from the waterfront. ● It is stated (respondent 14) that “Abbey Street is outside the boundary of the neighbourhood plan and so cannot be directly addressed by policies within the plan.” This is not the case. There are many things outside the plan boundary (eg, views, downstream habitats, heritage assets, traffic impacts) which may be affected by developments within the area and can legitimately be addressed. The consultation draft to which this person was responding actually says: “Any developments within the area may also have an impact on adjacent parts of the Conservation Area and on many other listed buildings (e.g. by traffic along Abbey Street).” ● It is stated that Swale Borough Council have not accepted any of the submitted alternative methodologies regarding the designation of heritage assets (even though these were proposed by conservation experts) and are supporting the Undesignated Heritage Assets (UHA) paper. No reasons have been given for this. The UHA paper has not been subject to independent examination or audit, and there is no evidence that alternative methodologies have been given due consideration. ● It is stated that the plan “does not consider residential uses to be incompatible with most industrial uses”. No evidence is provided to substantiate this statement, nor does it indicate whether the type of maritime industry under consideration falls within the compatible or incompatible group of uses. It also does not refer to proximity: what is broadly compatible within a residential neighbourhood is not necessarily compatible right next door to, or on the ground floor of, a residential building. ● The acceptability of garages as a suitable ground floor use in Flood Zone 3 (amendment made at landowners’ request) should be a decision for the Environment Agency at the planning application stage. It also reduces potential employment space, which is already very limited given the small footprint of the waterfront sites. ● The conclusions are misleading, in that they misrepresent opposing views as unrealistic (“little or no residential development at all in the creek area”) and say that “a plan that excludes residential uses completely will not be robust enough to pass examination”. There has never been any proposal to exclude residential use completely. Most of the opposition is not to the inclusion of residential development, but to its location and type, and alternative proposals offer locations which are arguably more suitable. ● The references throughout to “a balanced mix of uses” and a “living and working environment” ignore what already exists in the plan area – ie, that a very large proportion of the waterfront is already a “living environment”, dominated by private residential development, such that a balance can only be achieved by prioritising non-residential development on the few remaining sites. ● It is stated that the council “must balance the views of the public against a range of other factors, including technical advice, best practice in planning and urban design, land owner interests, national and local planning policy and other guidance”. There is no documentation of “technical advice” received, and there is no evidence of conflict between any of these factors and the views of the public, with the possible exception of landowner interests. Even there, the 	<p><u>Industrial estate</u> - what are the “two sets of footpaths across the frontage of the site”?</p> <p><u>Iron Wharf</u> - Oyster Bay house use should include B1/B2 generally (not restricted to “offices”).</p> <p><u>APPENDICES</u></p> <p>p32 A. Consultation and Engagement Strategy p34 B. Feedback from May 2012 consultation – independent analysis p44 C. Response to 2013 consultation from the late Arthur Percival (respected local historian and one of the founders of the Faversham Society) p49 D. Response to 2013 consultation from Lady Berkeley p51 E. Response to 2013 consultation from Timothy Stevens p56 F. Response to 2013 consultation from the Faversham Creek Trust p63 G. Outline business case for the repair and maintenance of traditional vessels on Faversham Creek p105 H. BCA proposal for community centre and boatyard on Ordnance Wharf p110 I. LET’S MAKE THE CREEK WORK FOR FAVERSHAM exhibition panels p143 J. LET’S MAKE THE CREEK WORK FOR FAVERSHAM questionnaire p148 K. LET’S MAKE THE CREEK WORK FOR FAVERSHAM feedback analysis p166 L. LET’S MAKE THE CREEK WORK FOR FAVERSHAM comments p190 M. Dissenting report by steering group members p193 N. Letter to Town Clerk from a member of the public re Reg 14 consultation</p> <p><u>OTHER INFORMATION</u></p> <p>Steering group minutes: http://favershamcreekneighbourhoodplan.org.uk/steering-group/ Swale Borough Council Local Development Framework Panel minutes: http://services.swale.gov.uk/meetings/ieListMeetings.aspx?Cid=149&Year=0 Feedback from 2012 consultation: http://www.faversham.org/upload/docs/Faversham%20Creek%20Reps%20doc%20%281%29.pdf Feedback from 2013 consultation: http://favershamcreekneighbourhoodplan.org.uk/exhibition/ Visions of a Creek website http://visionsofacreek.wordpress.com/ Faversham Creek Trust website http://favershamcreektrust.com/</p>

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			<p>public's preferences do not preclude a reasonable return on development, which is all that is required. The council has no obligation to grant change of use to enable more profitable development options.</p> <ul style="list-style-type: none"> ● It is stated that "A qualifying body is not obliged to revise a neighbourhood plan to be strictly in line with public opinion," but when the gap between the plan and public opinion is so wide and so consistent over multiple consultations, it should be taken more seriously and considerably more effort should be made to find ways of closing it. ● The statement that the plan has "opportunity sites" which contain space where marine-related trades and crafts can find a home and flourish has no basis in fact and is contradicted by those actually carrying out such trades and crafts. ● A neighbourhood plan is supposed to be specific to the character and environment of the neighbourhood. It is therefore unreasonable to suggest that boat repair/boatbuilding and associated crafts is an unacceptably narrow area of industrial activity. Faversham Creek is a very specific location with particular characteristics (a tidal estuarine creek, with a high risk of flooding) which make it singularly appropriate for this type of water-compatible industry. It is also in a town where heritage tourism plays a major role in the economy, and maritime heritage and associated crafts provide a USP which offers a big competitive advantage. It would thus be entirely logical for the plan to focus on this area-specific type of economic activity. <p>5. <u>COMMENTS ON THE SUBMISSION DRAFT</u> <u>Generally</u> While the submission draft is in several respects a marked improvement on the pre-submission draft:</p> <ul style="list-style-type: none"> ● It does not state the period covered by the plan, as required by TCPA s38(b)(i)(a). The duration of the plan is a material consideration which should have informed its development, and should have been made known in consultations to enable the public to make an informed judgement – for example, something which may not be deliverable within 5 years may well be deliverable in 10 or 15. In the minutes of the steering group meeting of 11 October 2012 it was said that the plan would extend until 2031, but this has not been mentioned since and does not appear on the drafts. On 7 October 2014 it was said that "the Plan had to go to examination; its start date would be from that point ... Both the start and end dates would be written in as the Plan went through the next stages." This conflicts with statements made by examiners of other plans, who have expected the plan to state its intended period when it arrives with them. ● There are significant differences between the submission draft and the pre-submission draft. The submission draft dated November 2014 also differs from the version approved by Faversham Town Council on 13 October 2014 (after which only minor proofreading amendments were supposed to have been made) and from the version dated 17 October. The changes made do not adequately reflect consultation feedback (from the Regulation 14 consultation or from other events). It is our view that the differences from the pre-submission draft are substantive and should have been subject to further consultation. ● The site-specific proposals and policies do not reflect and are not compatible with the Creekwide policies or the whole-creek vision (eg, proposed developments conflict with policies protecting heritage assets and views) and are largely at odds with public opinion as expressed through consecutive consultations. ● On the "mixed development" sites, the proposed non-residential uses are vague and speculative. There is no indication of usable space, and there has been no research into demand for or viability of retail, offices, restaurants, etc. ● The Urban Analysis section is a useful approach, but it has not been subject to public scrutiny or consultation. It was prepared in some haste by consultants who are not familiar with the area 	

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			<p>nor with this particular type of maritime environment, and have visited only briefly. The photo caption on p24, “View from the lifting bridge”, does not inspire confidence in the consultants’ understanding of the neighbourhood and the Creek (it is a swing bridge, and is very visibly not a lifting bridge).</p> <ul style="list-style-type: none"> ● The section on Monitoring is an even later addition which has neither been subject to consultation nor approved by the town council. The monitoring criteria do not have targets or benchmarks and are, therefore, meaningless. The majority of measures relate to residential development, giving the lie to the claim that the plan is about “a vibrant mix of uses”. There are no criteria for delivery of community facilities. The paragraph on public realm improvements is so vague that it might as well not be there: given that this has been a primary justification for encouraging housing development, it should be significantly more specific and robust, and given the emphasis on footpaths it is surprising that there are no related benchmarks. There is no indication of delivery mechanisms, of monitoring and reporting mechanisms or their frequency, or of actions to be taken in response. <p><u>Specifically</u></p> <ul style="list-style-type: none"> ● p8: The introduction emphasises endorsement of the Vision and objectives through multiple consultations – but the versions here are not those which were endorsed. During the drafting process, both the steering group and town council insisted that the Vision and objectives must remain unchanged (even a change of wording from “toilet” to “toilets” was vetoed) – and yet now the Vision has been amended (including changing the last line to “enriched by new businesses and uses”) and so has Objective 9 (from “business-led focal points” to “focal areas of activity”). These are material changes, made at the request of landowners, with the effect of watering down the economic/ employment focus. This is not acceptable. ● p21: The final paragraph, about navigability, seems to be out of place – it has no connection with the “Homes” section. ● p24: Photo caption: the bridge is not a lifting bridge. It is a swing bridge but is not currently functional. Suggest just “view from the bridge”. ● p26: the introduction refers to eleven development sites (there are 12). ● p27: para 2 says the Undesignated Heritage Assets paper was written by Anne Salmon and [planning consultant] Tony Fullwood. There is no record of the involvement of Tony Fullwood. The steering group minutes (February 2013) mention only Anne Salmon, John Sell and Peter Bell (SBC conservation officer). No external, independent input or review was sought – this was, in effect, people committed to a particular outcome marking their own homework. The minutes say: “It was important to ensure the list was accurate and that it contained those areas that would support and not prevent the overall regeneration of Faversham Creek.” The implication here is that assets which might conflict with proposed developments were not to be listed. Attempts by community representatives on the steering group to have additional assets included on the list were rejected. ● p28: The wording is imprecise. The policies should apply to alterations or extensions to existing buildings, as well as new buildings, and should be consistent. DQ4 says “new development”, DQ5 says “redevelopment” – they should both say “development proposals”, and they should say “shall be required to” rather than “needs to/need to”. ● p29: Eats, shoots and leaves. There is a world of difference between “Community, Leisure + Recreation” (as in the heading of the section) and “Community Leisure + Recreation” (as in the policies). The former is what was intended and what was in the pre-submission consultation – the community needs more than just opportunities for leisure and recreation. The comma must be reinstated. The consultants’ use of + is also inconsistent (compare p29 and p30) and undesirable: where “and” is meant, it should say “and”. And again, policies should say 	

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			<p>“development” rather than “new development” to avoid ambiguity re modifications to existing buildings.</p> <ul style="list-style-type: none"> ● p30, last paragraph: This is not the wording of the objective (Objective 9) – it even differs from the newly rewritten version on p9. ● p31: BTE1 should say “development” rather than “new development”. BTE2 has been changed from “are not detrimental” to “do not undermine” – why? The former is clearer; undermine could mean anything. ● p31, New homes, para 4, last sentence: “Numbers of residential units are indicated in the site-specific policies” – they are not. In some cases they are mentioned in the introduction to the policies; in others they are not mentioned at all. ● p32, HO2 – bad wording. “New developments” could exclude conversions. Should say “In any development, 35% of residential units will be affordable”. ● p32, HO3 – bad wording. This would make it acceptable to block access to the waterfront on sites where there is no access at present (eg, Ordnance Wharf, Coach Depot, Oil Depot) since there would be no loss. ● p32: Associated Housing Policies – should be Projects. ● p33, para 1: “... footpaths through Faversham Reach and in on the creek side of Waterside Close onto ...” makes no sense; in any case, this would be a single footpath. ● p33, NE1: Taken literally, this means that anything will be given planning permission, regardless of any other considerations, as long as it does no harm to the natural environment. It should say: “Any development shall be required to demonstrate that it will not cause significant harm ...” ● p33, NE2: needs to be better defined. “Green spaces either side of the Albion Taverna” could be taken to mean the green area downstream of the Albion plus the small green adjacent to it upstream – ie, not including the large green area on the other side of the Front Brents car park. It is also possible that the Albion Taverna might change its name during the lifetime of the plan. For clarity, it would be best to refer to areas marked on the map on p39 (which itself needs to be amended, as it does not mark the small patch of green upstream of the Albion). ● p33, NE4: development (not “new”). ● p43: the wording of the flooding policies has been changed at landowner request. The wording in the consultation draft (section 6.3) was what the Environment Agency is said to have agreed to in the 2010 DPD, and was further supported by the EA in its response to the Regulation 14 consultation. It should not have been changed for the landowners’ convenience. ● p35, FL2: “development” (not “new”). FL5: “No residential development of more than six units ...” (otherwise no definition of what a “unit” is). ● p36, introduction: refers to sewerage, drainage and flood risk even though these have been removed to another section. ● p37, INF1: Open to challenge – there is no explanation, and the figure is arbitrary (why not 3 metres? Why not 5?). The definition should be curtilage, not buildings (as worded, this policy would allow a garden, parking area or bin store to extend right to the waterfront). It is also of note that almost all the modern residential developments criticised for inhibiting use of the creek are at least four metres from the water. To facilitate active use of the Creek and also to permit a safe walkway wide enough for disabled access, the distance would need to be more than four metres. We would suggest that, in order to conform with adopted Local Plan policy AAP2 and to clarify the distance requirement, the Infrastructure policies should be modified as follows: <ul style="list-style-type: none"> ○ INF1 Any proposal for development on any waterfront site shall be required to demonstrate how it will contribute to, and will not inhibit, the active use or 	

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			<p>management of the creek itself.</p> <ul style="list-style-type: none"> ○ INF2 (as now) ○ INF3 To facilitate the active use and management of the creek, and to enable pedestrian and disabled access to the waterfront, the curtilage of any new building on any waterfront site shall be no less than [an appropriate number of] metres from the existing waterfront, except where this is physically impossible. Subsequent policies should then be renumbered. <ul style="list-style-type: none"> ● p37, INF2: any development (not “new”). ● p37, INF4: any development (not “new”) – and there is no point in this unless there are criteria against which a D&A statement can be measured. There should at least be a specific policy on parking. At the January 2012 steering group meeting, Tony Fullwood reported that Kent Highways had said “all parking must be on site as there is no spare capacity within the vicinity.” On most of the sites, it would be difficult if not impossible to accommodate all the parking that would be associated with mixed use*. This has been pointed out repeatedly but not addressed. The only site where on-site parking is mentioned specifically is Fentiman’s Yard. This is inconsistent and illogical. * As an example, Waterside Close was built with permission for ground floor commercial use with residential above, like many of the developments proposed in this plan. For most properties there is only sufficient room for two parking spaces, and there is very little space for communal visitor parking. Many households have more than two cars. One property in which the ground floor is used as an office typically has 4 or 5 cars parked every weekday in association with the business use, in addition to those for residents living above. If this dual use were replicated throughout the development, as was intended, parking would be impossible. In practice, most of the properties are entirely residential, and some have ground floor garages (which preclude commercial use). Even then there can be parking problems, with cars parked in non-permitted areas or off-site. ● p37, projects: Does not mention the bridge and dredging. There also needs to be consistency here and elsewhere as to “a public toilet” or “public toilets”. There is a need for public toilets on both sides of the Creek. <p><u>Purifier Building</u></p> <ul style="list-style-type: none"> ● Should say B1/B2 to accommodate the current uses of the building, which are widely supported. <p><u>Ordnance Wharf</u></p> <ul style="list-style-type: none"> ● The policies for the Ordnance Wharf site are not those which were consulted on. The claim that they are “common ground” between alternative options is incomprehensible: the crucial difference between the options was residential or non-residential, and since the revised policies allow residential use, they are not common ground in any sense. ● The range of proposed uses – particularly the idea of “a small community hall and training rooms” on the ground floor of a residential development in Flood Zone 3, plus outdoor space for boat storage and car parking, and a public walkway – is completely unrealistic given the size and nature of the site. It disregards the effect on land value of permitting residential use on a previously industrial site, and the impact this would have on the viability of other uses. ● The option preferred by the public offers a wider and more sustainable range of community uses and is a key factor in the regeneration of the creek basin for commercial and tourism purposes, including the use of the basin and its wharfage for historic craft, in accordance with saved Local Plan policy AAP2. ● The wording has been changed to “two or more” of the land uses, supposedly to guarantee that it cannot be residential-only – but since one of the options is offices, and change of use from office to residential does not require planning permission, this is no guarantee at all. 	

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			<p>[Note: it is not clear why the stipulation of two or more land uses is included only on this site, and not on all the sites that are allocated for mixed development.]</p> <ul style="list-style-type: none"> ● The wharf structure is of itself a heritage asset. The policies do not give due consideration to its significance. ● Non-residential use was preferred by 87% of consultation respondents, and there is no good reason why this should not have been the preferred policy. The number of residential properties that this site could accommodate would be too small to make any significant contribution to housing land supply, and the type of property proposed would make no contribution to meeting local housing need. ● OW6 has come out of nowhere. It did not appear in the submission draft, was not consulted on, and conflicts with bullet point 4 on previous page. <p><u>BMM Weston</u></p> <ul style="list-style-type: none"> ● It is not clear why there is a distinction between the office site (“shall be used for residential purposes”) and the rest (“residential use will be permitted”). This is a plan, not a development order, so cannot force anyone to develop a site – “may be used” or “will be permitted” would be more reasonable throughout. ● The policies do not mention the car park and wharf and their role in “the regeneration of the creek basin for commercial and tourism purposes, including use of the basin and its wharfage for historic craft.” (AAP2) ● The policies do not emphasise the role of this site as a main focus for residential development, as shown on pp30-31. <p><u>Frank and Whittome</u></p> <ul style="list-style-type: none"> ● This again raises the problem of office-to-residential conversion, and there is no mention of provision for parking, which it has been acknowledged could be problematic (“Stakeholder” meeting, Nov 2012). <p><u>Swan Quay</u></p> <ul style="list-style-type: none"> ● The text and policies do not reflect the consistent public opposition to three-and-a-half storey buildings on this site or the impact such buildings would have on the character of the area, including the view from the bridge and across the creek from Front Brents (referred to on p19, and in the 2004 Conservation Area Character Appraisal). ● The site context considers only individual buildings, not the site and the wharfage (with a distinctive oak wharf) or its proximity to Town Quay and its 15th-century grade II* warehouse. The policies do not reflect conservation concerns and have not been subject to heritage assessment as part of an SEA or Sustainability Appraisal. ● In the introduction: “land uses could include some limited parking” – where is the rest of the parking going to go? (see notes re p37, INF4, above). ● SWQ1 – what is “a mix”? All of these? Two? Three? <p>Oil Depot</p> <ul style="list-style-type: none"> ● Why not “residential uses will be permitted”? <p><u>Coach Depot</u></p> <ul style="list-style-type: none"> ● Do not accept that the site “is suitable for buildings up to three storeys in height, with a taller element to the corner of the building closer to Standard Quay”. This is the owner’s definition of “suitable”, not an objective consideration. Buildings of this height would have a detrimental effect on heritage assets, including blocking the view of Oyster Bay House and moored barges from the Crab Island footpath. ● Use classes – again, what is “a mix”? <p><u>Standard Quay</u></p> <ul style="list-style-type: none"> ● The policies disregard public opinion as expressed in successive consultations, in consistent 	

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			<p>opposition to planning applications (often retrospective) for change of use of industrial buildings on this site, and in the 2011 petition to Swale Borough Council (see section 4.3).</p> <ul style="list-style-type: none"> ● In response to that petition, the Council gave a number of assurances with reference to protection afforded by Local Plan policy AAP2. This is still the adopted policy, and it states that planning permission will not be granted for proposals that “on appropriate sites, would not involve active use or management of the creek itself” and requires development proposals to “maintain or enhance an environment appropriate to enable traditional waterside activities to flourish”. This is an appropriate and viable site for maritime industrial use (which also attracts tourism) and this would be prevented by allowing non-industrial use of frontage buildings and the quayside itself. The policies for this site are thus not compliant with AAP2. ● The policies pay no regard to the factors considered important in the Conservation Area Character Appraisal. ● The policies (particularly STQ1 which considers that only the external appearance of the buildings is of any significance) pay no regard to the 2014 decision by a Planning Inspector, which said, with reference to the NPPF, that restaurant use was not suitable for a waterfront building on this site. The decision included the statement that: “The significance of the building lies in the part it plays in the wharf as a whole and by enclosing a space which evokes the utilitarian uses for which it was built and subsequently used. With regard to the conservation area, I find that the significance of the building lies in its contribution to the industrial character of the quay.” On this basis, the policies cannot be considered to be in conformity with the NPPF. ● Similarly, these policies disregard the views of English Heritage* on the significance of the buildings, and neither English Heritage nor local historians were consulted about the development of the policies. * Letter from Nigel Barker (Historic Areas Advisor, Conservation South East, English Heritage) to Peter Bell (Swale Borough Council conservation officer), 8 April 2004: "... I contacted Peter Falconer, an acknowledged English Heritage expert on this building type who confirmed in broad terms that the significance of the buildings is greater than currently understood. In light of this discussion, English Heritage requests that your council seeks the withdrawal of the current applications to allow further negotiations with the applicants on principles to be adopted for the refurbishment of these buildings. As previously advised, we regard the information accompanying the applications as being insufficient to allow for their impact to be properly assessed. In the light of further research carried out, English Heritage would like to be involved in those negotiations." ● The introduction and policies are incoherent. Statements like “it is expected that the landowner will make a further application” have no place in a long-term plan. The “suitable uses” for Building 1 are the owner’s definition of “suitable”. ● The whole thing is described in terms of individual buildings rather than the significance and setting of the site as a whole. The proposed mix of uses is highly speculative, exposing listed buildings and other heritage assets to the risk of cumulative damage from successive changes*, as has already happened with the Grade II listed Baltic House building. * Planning Practice Guidance Reference ID: 18a-015-20140306: “It is important that any use is viable, not just for the owner, but also the future conservation of the asset. It is obviously desirable to avoid successive harmful changes carried out in the interests of repeated speculative and failed uses.” ● STQ1 does not exclude residential use of buildings on the quay. ● A creekside footpath would not be compatible with the industrial character of the quay unless it can be shared with quayside activities (ie, people can walk through but not allowed to complain about having to step over ropes or boat repair materials) and can be closed temporarily when certain types of work are in progress. Any new footpath should be additional to the right of way between the two rows of buildings (which is also listed as a highway). 	

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			<ul style="list-style-type: none"> ● Why does this site have to be “vibrant” at night when other sites do not? There are implications for noise and light pollution, loss of amenity for residents on the opposite bank of the Creek; the risks of an unguarded quayside. <u>Standard House</u> ● Why “shall be used for residential purposes”? Why not “will be permitted” along with other possible uses, eg hotel? ● STH5 is not tenable. This is an existing right of way and a listed highway (as has repeatedly been pointed out but ignored) and the site has no access rights from New Creek Road. The reason given is spurious: there is vehicular access and parking everywhere else on the quayside, so why not here? <u>Fentiman’s Yard</u> ● Again, why “shall be used for residential purposes”? Why not “may be” or “will be permitted”? <u>Industrial estate</u> ● What are the “two sets of footpaths across the frontage of the site”? If Faversham Reach is intended, it is not across the frontage of the industrial estate. <u>Iron Wharf</u> ● Oyster Bay house use should include B1/B2 generally (not restricted to “offices”). ● <u>APPENDIX A</u> ● Extracts from the Consultation and Engagement Strategy Report, 4th February 2013 ● (circulated at the steering group meeting on 12 November 2013) ● http://www.favershamcreekneighbourhoodplan.org.uk/content/12_November_%202013_Agenda_and_papers.pdf ● p5: FCNPSG has established a good level of dialogue with landowners and their agents, environment agencies, Medway ports, Swale Borough Council and Kent County Council along with a wide range of key stakeholders with interest in the Creek. The following consultation activities aim to bring about wider engagement with the townsfolk and encourage impartial reporting and information sharing. ● “Wider engagement with the townsfolk” is being considered only after the plan has been in progress for over 18 months. ● pp6-7: The importance of marketing the benefits of having a Neighbourhood Plan was a key feature throughout discussions with the Group in developing their communications and engagement strategy. The Group felt that benefits such as moorings, a public footpath and walkway increasing access to the Creek, and a good townscape all need to be explained to a wider audience than the range of stakeholders engaged thus far around more specific site developments within the Plan. ● This is contrary to neighbourhood planning guidelines which describe “marketing” and “selling” plans as poor practice. ● p7: Principles underlying the consultation and engagement strategy include: ● To align consultation activities to deliver the best outcome for the Plan, balancing the need for a robust strategy for consultation and engagement with the need to press on quickly, avoiding delays to the Plan process. ● To target the approach to influence those who are likely to, or may, vote against the Plan at referendum which tends to be those stakeholders energised by site specifics. ● To cast the net much wider across Faversham town to raise awareness of what the Plan can achieve for the community as a whole and get “buy in” to the Plan, in order to counter those voting against the Plan. ● Highlighting the determination to push ahead with a predetermined strategy and to 	

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			<p>“influence” or “counter” rather than listen to other ideas.</p> <ul style="list-style-type: none"> • p8: All sites around the Creek have consensus on their use with the exception of Ordnance Wharf and, to a lesser extent, the frontage to the BMM Weston Site. • Demonstrably untrue. • p9: The group felt that the manner in which site specific information was provided by developers at the May [2012] exhibition was quite fragmented and the details given for each site would have been hard for many attending to picture in their mind's eye, hence the benefits of having some artist's impressions to help illustrate what the Creek could look like as a whole. • The steering group has always claimed that the developer proposals at the May 2012 exhibition were quite separate from the plan, but this makes clear that they were integral and remained the basis for the plan proposals. • p9: The group needs to ensure it is consulting widely enough throughout the town to increase the number of positive votes come the time of referendum. • <u>Marketing, not consultation.</u> • p9: It is important that the community and stakeholder/ interest groups do not have an impression that the Plan is being developed "behind closed doors"; a perception that is being fuelled by some opposed to the Plan. Therefore the Group agreed there should be no reference to a draft Plan until after the Consultation Feedback Exhibition has been held which aims to capture more comments on aspirations for the Creek and more specifically comments on site options based on illustrations showing design principles for the Plan as a whole. • At this time, steering group meetings were not open to the public, so the plan was,, quite literally, being developed behind closed doors. It is clear that, in the minds of the steering group, the plan already existed before the consultation, otherwise there could be no-one opposed to it and no need for a decision not to refer to it. • p10: Public meetings are not considered to be a productive use of time or a mechanism for positive engagement due to the potential for disruption which distracts from the information being shared during such an event. • p11: FCT [Faversham Creek Trust] are actively opposed to the Plan, particularly with respect to Ordnance Wharf. The impact the actions of FCT have on the Plan's progress may be detrimental to its success; FCT are effective in engaging the press to run stories and are influential with many residents of Faversham. The Creek Trust has a lot of traction with voters across the political parties and with considerable support from the Faversham Society. • Again, this assumes that the plan already exists. It acknowledges that the Creek Trust has widespread support, but demonstrates unwillingness to change direction. It also holds the Trust responsible for all “opposition” when in fact many people were independently expressing concern about what was happening. • p11: The Steering Group felt there may be a need for more support to the Town Council, bringing the Town Council fully up to speed on all issues surrounding the Plan such that the Town Council can remain abreast of issues as the Plan progresses and champion the Plan for the people of Faversham. • Suggests that the town council was not aware of what the steering group was doing in its name. • p12: The extent of campaigning by the Creek Trust has the potential to derail the Plan for Faversham Creek. There remains however a lack of clarity over viability and deliverability of the Trust's preferred options for Ordnance Wharf to support their vision for the basin. CPRE 	

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			<p>has therefore offered to hold a meeting specifically with a small number of representatives of Faversham Creek Trust as part of this consultation programme with the view to exploring further the Trust's concerns and to hopefully find a resolution that allows the Plan to progress without significant distractions as far as possible.</p> <ul style="list-style-type: none"> • Again, all problems are blamed on the Creek Trust; calls for other options to be considered are “derailing the Plan” (which supposedly does not yet exist) and “distractions”. <p>Assumptions about viability and deliverability are made without any studies having been done.</p> <p><u>APPENDIX B</u></p> <ul style="list-style-type: none"> • <u>Feedback from May 2012 consultation – independent analysis</u> • QUESTIONNAIRE RESPONSES • There were 162 responses. Some respondents did not tick all the boxes. • To the questions Employment only/Housing only/Mixed development: • Employment only: 35 • Housing only: 0 • Mixed: 118 • To the question “Is the Vision appropriate for the NP?” • Yes: 113 • No: 17 • The intentions of the NP were stated as: • Preserve and enhance the areas special archaeological, architectural and historic character (151 agreed) • Preserve and enhance landmark and other important buildings, waterside structures and details (152 agreed) • Preserve and create access to the waterside, including wharfage and moorings, and provide a Creekside walk with high quality materials as specified in the streetscape strategy. (161 agreed) • Retain existing green space and provide additional open space to connect Town Green with the bridge (102 agreed) • By use of its design, scale, form and theme of materials, be Creekside in character (144 agreed) • The aim will be to achieve repair of the sluice gates and the opening of the bridge but the practicality of delivering this aim is under further investigation (154 agreed) • There were also free-form written comments: • <u>MAY 2010 - COMMENTS ON THE VISION AND OBJECTIVES</u> • The Vision should reflect the commercial reality that housing development is necessary. • The Vision must involve dredging the Creek. • The reference to development in the Vision must be removed. • The Vision is too cleverly worded and specific needs will run contrary to it. • We question whether the Plan does justice to the Vision. • Keep this Vision not the UI one – employment opportunities would lead to regeneration, housing will kill it. • The Vision must include the Basin – regeneration for maritime activities. • Both Yes and No to the Vision. 	

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			<ul style="list-style-type: none"> • Mixed-use option is best to fulfil the Vision. • The Vision should be changed – increased employment, minimal housing. • The Vision had excellent aims. • The Vision is good but needs tangible proposals – employment should take precedence, together with maritime heritage. • The Vision is still appropriate as long as no more housing is built. • The Vision and Objectives are correct but they are not being followed. • Vision should reflect proposed Policy NP1 [landowner comment] • I agree with elements of the Vision but it needs to be revised in line with Fullwood Report and current economic context, NPPF and NP1. [landowner comment] • What are the implications for inclusion of the current Vision into the NP? • Vision is appropriate but difficult to realise – creek navigation should come before any new developments. • Challenge the adoption of the Vision from the UI report which did not take an inclusive approach to community engagement. • Why is the Vision in AAP2 not being carried forward? This Vision is non-specific and too vague with no mention of maritime industries and public spaces. It needs to be inspiring. • MAY 2012 – COMMENTS ON HOUSING • There were 162 respondents. • 101 comments specifically mention housing*. • 35 want no housing. 5 are unequivocally in favour of housing proposals (2 of these are developers). • Other comments are qualified in some way. Most common: • 31 concerned about traffic and parking. • 20 concerned about height and scale of new buildings. • 15 want any housing to be affordable/low-cost/for local people only. • This excludes comments that were specifically about the design of the block of flats on Ordnance Wharf that was being proposed at the time, rather than about housing in general. It is worth noting, however, that many of those comments (which were overwhelmingly critical) were that it was too big and too high, which ties in with more general concerns about height and mass of new developments. • Actual comments: • Enough housing • Housing proposals inappropriate, misleading, will prevent industrial use • Sympathetic housing – affordable – low-rise and appropriate • Profit from housing development necessary to fund regeneration • Minimum housing, no flats, no higher than present buildings or less • Residential use must be sensitive to creek, not “fenced-in” – industrial use should be primary • Yes, houses are needed, but affordable houses. • Housing on sites 3,4,5,6,7 if in keeping and below height of existing housing. • Mixed use would allow far too much housing, which would reduce Faversham to a bland town, the like of which you can see anywhere – wall-to-wall housing destroying Faversham’s uniqueness. • What will limit residential overbuild? Maximise employment, housing on sites 6 and 10 only. • How would you ensure fair process [for mixed use]? Who would ensure housing does not turn into just high end market? 	

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			<ul style="list-style-type: none"> • No more residential development. • The creek has already had too much housing that has changed the environment. Further housing will ruin the area. • No housing. • Housing development would have to be strictly controlled and limited in favour of community businesses that will create jobs and opportunities. People will not come to Faversham to see blocks of flats. • References to [housing] development in the Vision should be removed. • Not all buildings appropriate for employment so would be better for housing, but all housing not appropriate either. Concern for housing near potential dangerous industrial materials. • Strongly disapprove of any housing development. • Mixed use but with reservations. • Mixed use preferred but plan is poorly conceived. • Well designed housing but not overpopulated. • No housing. • Mixed use will bring benefit. • Risk of becoming a dormitory town. Need sympathetically designed affordable housing. • Some reservations regarding residential proposals (including height). • Mixed use to prevent becoming a dead suburban area. • Enough if not too much housing. Housing should not be in the plan (except Standard House). • Mixed use ambiguous – with shared use, housing will take over – building must be appropriate in scale and size (not 4/5 storey) and affordable. • Housing will prevent access to the creek. Mixed use is “all housing” via the back door. • Some sites business only, others mixed business and housing. • Strong opposition to all housing. Exhibition seemed to be a forum for developers. • Not too many houses as this will spoil the area. • Developments shown are too dense and too high. • Does the plan do justice to the vision? Housing can be mixed with small businesses but not with industry. No more than 2 storeys. • Housing should be in keeping in scale and design, with affordable housing quota. • Small scale housing developments, not large and overbearing , affordable and limited to Faversham residents. • Working town, not a dormitory or historical theme park pastiche. Some affordable housing. • Need housing as well as employment. • Plans disliked, but will go ahead since planners and developers have colluded. • Employment opportunities will lead to regeneration, housing will kill it. • Mixed development with mainly housing. • Some housing proposals inappropriate in scale. • Mixed development only when housing/employment can coexist without noise problems. No housing above 3 storeys. • Intentions can be achieved without building houses. • Development limited to 3 floors including loft spaces. • Town needs work more than housing. • Mixed use with sensitivity to buildings and character. • Balance towards employment, no housing in 2,7,8,12 • Manageable numbers of houses. • Do not pretend that having craft workshops under houses is realistic. 	

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			<ul style="list-style-type: none"> • Where employment can be maintained it should be. Any housing must be sympathetic to site • Mixed use is bad – employment will be crowded out for noise reasons. • Strictly separate zones, otherwise houses will be built and employment left empty on speculation that housing will be allowed in future. No residential at Standard Quay. Flats to be avoided. • Housing must not be too modern – need cheap employment sites. • Plenty of housing already. More tourism interest in working creek than housing, which brings only short-term profits. • Already large amount of housing, which is out of keeping – employment a must, apart from Standard House • Housing and employment will not fit – house owners will complain about noise and vehicles. • Housing should be minimal. • Mixed use will give housing in sought-after area while encouraging trade. • Limited housing. • Housing in keeping architecturally and low rise. • No housing on most sites (except 4 and 6). • Housing would spoil the area – appalled at proposed developments. • Balance too loaded towards housing – should be more towards marine and leisure. • Mixed use – we already have the housing. No housing along the creek. • Employment should take precedence – proposals misleading, as mostly housing. • Resist pressure from property developers. • Housing must blend in. • “Housing” and “mixed use” options are a disguise for more apartments. • Some sites good for homes for locals, not just the rich from out of town. • A little housing in appropriate buildings at low prices for local people. • No residential in the basin. • Not modernised and over-built. • Town needs jobs, not more homes. • No need for housing – houses can be built anywhere – residential development must not be allowed to prejudice the Purifier project. • Need for some housing, much of which should be affordable by young families. • Housing separate from industry – no complaints about noise – no more than 2 storeys. • Area already overburdened with housing – employment has to be priority. • Housing should be kept to a minimum. Easy for live/work to become just residential. Hard to get mortgages on flats above shops. Priority business and employment not residential. • No accommodation. People can live in Sittingbourne. • Mixed use with many reservations – residential use kept to a minimum – good mix of uses can be achieved but this is not it. Too much emphasis on housing. • Sensitive architecture, no blocks of flats, affordable housing for young families. • Too many new apartment developments will dilute magical atmosphere of the town. • All housing not suitable. <ul style="list-style-type: none"> • Massive house building or other structures will alter the character of the creek and Faversham. • Need employment – housing and employment are not good neighbours. • No more housing. • Enough housing. 	

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			<ul style="list-style-type: none"> • Housebuilding will only create short term employment. Should not exclude use of creek or block access to wharves. • More housing is a no-go, people need work. 3-1 favour of small businesses over housing. Housing two or three storeys at most. • Vision is appropriate so long as no more houses are built. • Employment use is impractical - residential development can be attractive and would provide creekside walkways (landowner comment, site 6). • Residential development, private moorings etc. will kill creekside industry – plenty of room for housing elsewhere in Faversham, where it would not damage heritage – expensive properties are not what the government intended when it called for more housing. • Vision should be revised (NPPF etc.), employment not deliverable, SECOS should be housing only. (landowner agent comment – also repeats previous landowner comment). • Small houses with gardens for first-time buyers, affordable. There are enough apartments. • Housing would bring only short-term benefits. • 2/3 storeys. • Steering group has disregarded responses to consultation on Fullwood report, which were critical of housing developments. Some affordable housing at BMM Weston. No housing on creek frontline, possibly some small second-line infill on Belvedere Road. Roof heights misleading in proposals. • No residential development at all in the basin. Proposed developments too high and dense. Flood risk and insurance problems for new housing. Stick to AAP2. • Lack of evidence base for argument that housing is needed to fund regeneration. • Housing proposals too big, too tall, out of scale. Value of developer contributions overstated. No residential on waterfront. No more than three storeys. Sustainable building standards. Concern re flood risk. • <u>MAY 2012 – COMMENTS ON EMPLOYMENT</u> • 100 comments specifically mention employment. • 96 want the emphasis of the plan to be on employment. • 4 are less positive (2 of these are from landowners). • <u>Actual comments:</u> • There are fewer places for job opportunities in Faversham. This is what the council needs to concentrate on and remember that Faversham is not just full of middle class people and commuters. • It should stay as it is, an industrial space, in particular for boatyard/maritime activities. • The Creek should remain at the heart of the community but not as the prerogative of the gin and tonic brigade. Better usage of existing buildings for traditional crafts and occupations • The Creek must retain industrial use as its primary function. • Businesses needed to boost jobs and economy. • The barge repair idea [Creek Trust] is fantastic and in keeping. Ordnance Wharf should be reopened as a wharf. Sites 8,9,10 as working quay with marine employment only. • The employment option is most appropriate for all 12 sites. • The essential element is to open the Creek as a waterway for its full length for boats and pedestrians, maximise creek-related employment • Employment and tourism only. Creek should be made usable for leisure and boat 	

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			<p>moorings and repairs.</p> <ul style="list-style-type: none"> • Option 1 (employment only) would provide and enhance the diversity already present and provide more opportunities and stop the area from stagnating. • Housing limited in favour of community businesses that will create jobs and opportunities. Priority for small businesses and apprenticeships. • There are limited employment opportunities in Faversham. • Creek needs to retain some buildings for working opportunities and marine projects. • Option 1 (employment only) would provide opportunities for young people. • It is imperative that boatbuilding can be continued at the Creek. This would be a tourist attraction. • We need employment for residents – not a dormitory town. Ordnance Wharf should be an industrial site. • Housing ruins the integrity of the creek environment as an industrial area. Faversham needs more jobs of all varieties and the original creekside industrial sites are ideal. Why was housing ever considered? • Businesses should have access to the creek. • Faversham needs more places to work. • There is a need for proper full-time employment for local residents. Some sites should be business use only. Developments must be sustainable in terms of infrastructure and employment. • Employment must be considered for all sites. • Business uses should be light industrial only. • Employment should be service industries for visitors by foot or boat and industries appropriate to the creekside. • Faversham desperately needs more employment but not for all sites. The mixture should be (1) leisure access to creek and open space; (2) employment in small units suitable in scale and harmony with creek heritage; (3) small-scale, affordable housing for local residents. • Faversham should remain a real working town – sustainable employment opportunities – leisure and tourism – training facility for water-related trades and skills – creation of genuine sustainable skill based employment • Important to provide business/employment in the area. • Employment opportunities would lead to regeneration, housing would kill it. The creek is a unique, historic resources for skilled employment and training, tell the developers no! • This is the wrong place for industry. • Every waterfront town has dwellings, boutiques and restaurants. Only Faversham has its barges and industry. • Industry to be small and traditional. • We need to have interesting things going on so that Faversham is a popular destination for visitors. • Do not pretend that having craft workshops under houses is realistic. • Where employment can be maintained it should. • Mixed use is bad. The employment bits will be crowded out for noise reasons. • Need to avoid the housing being built and employment zones left empty by developers speculating that housing will be allowed in future. • Important to maintain and create employment opportunities for people living in 	

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			<p>Faversham. Spaces should be cheap enough to rent/buy by artisans/creatives.</p> <ul style="list-style-type: none"> • Industrial/maritime uses need to be developed – tourists will be more interested in a working creek than housing. • There should be an increase in employment and housing should be minimal. • Might be difficult to get developers to invest in employment. • Maintain and preserve jobs, create jobs – where employment can be given to the old maritime trades this should be encouraged. Faversham can be unique in England for the maintenance of the old sailing barges – the Creek should be developed mainly for maritime purposes. • Employment facilities should be for craftspeople and small cottage industries. • The Creek with its historic buildings and traditional employment must stay in its current form. • Balance should be towards marine and leisure use. • We must have a clear mix of different industrial sectors. Retail and coffee shops do not really count for industrial uses and do not provide full time jobs for the young people of Faversham. • Ordnance Wharf should remain industrial. • Employment should take precedence together with maritime heritage. • The Creek has many opportunities for employment which the town needs – there should be a continuing industrial feel to the Creek – opportunities on barge restoration and associated crafts should be supported and encouraged. • The Creek will generate revenue through tourism. • We need employment for young people. • Option 1(employment only), but it probably won't happen. • Mainly employment and training for young people. • Jobs and training for young people before profit for developers. Everyone involved need to take serious notice of the views of the people of Faversham as demonstrated at recent events and exhibitions. • More facilities and employment for local people. • The town has very little in the way of industry – need jobs, not more homes. • More employment and tourism. • Generate some local employment. • Employment has to be a priority. • Some small areas might not be suitable for employment only, but priority should be given to marine businesses and employment not to residential use. • Employment only. • Emphasis should be skewed towards generating employment – I was close to going for employment only. • All in favour of employment opportunities. • Employment only. Boatbuilding activities should be encouraged and expanded. • A chance to provide much needed employment opportunities suitable to Faversham. • Employment only. • Employment only. • Employment only. • Creek Trust proposal is by far the preferred way to go. • Housing will only increase local unemployment levels. • People need work – work will make it vibrant – 3-1 ratio of small businesses to housing. 	

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			<ul style="list-style-type: none"> • Statement claims there would be 22.5% business use in new developments, but this is not borne out by the proposals. Why does the council want to destroy the hopes of the Creek Trust? • Plan should include uses beyond traditional industries, ie. residential, small-scale retail and restaurant. Redevelopment of disused sites would not cause loss of employment. [Landowner comment]. • [Residential development proposals] would jeopardise Purifier training centre and diminish the established industries that make up the character of Faversham – if more land is swallowed up the industry will die and more jobs will be lost. • Support Creek Trust training centre and regeneration of maritime activity. This would give employment, sensitive regeneration, enhance tourism and trade. • Landowners do not support employment-only option as demand is not there or unviable as it perpetuates dereliction. Redevelopment of disused sites would not cause loss of employment. [Landowner agent] • Important to retain traditional skills and businesses as well as introducing new and appropriate ones. Artisan type work to be encouraged. • Creek Trust has the most interesting and innovative proposals and they should be supported. Employment options are needed as well as encouraging barge repair. Facilities could be offered to attract artisans and craftsmen to increase tourism. Small industrial units should be welcome. • Recommendation that basin sites for employment are removed is based purely on landowners who say they do not need navigation – Creek Trust has proven this wrong with shipwright centre – SBC wants to maximise New Homes Bonus at the cost of realising potential for employment-led regeneration – Employment-only option is best as it will bring long-term benefits; disadvantages are not proven, reliance on CIL stifles imaginative solutions. • Stick to the clarities of AAP2. • This follows Fullwood report which ignores evidence of existing business needs including those operating with a wider vision of a revitalised working creek, and acknowledges only the imagined business needs of a future, different model – ignores 18 years of successful regeneration at Standard Quay, with jobs, skills, training, tourism and heritage protection – tidal range is perfect for boatbuilding. • On waterfront sites, presumption should be strongly in favour of employment and/or public amenity rather than housing. • MAY 2012 – COMMENTS ON FOOTPATHS • The Saxon Shore Way should be diverted along the waterside with signage to these attractions [suggests section of historic railway, waterside boatway with access for all including disabled] • Footpaths and access to the creek for public use. • Creekside walkways are a great idea • Creekside walk a priority • Creekside walk on both sides would be a priority • A creekside walk from Stonebridge Pond to the marshes would be a priority • It would be great to walk from Stonebridge Pond around the basin • A bridge beyond the town could create a circular walk. • Public footpaths should remain open all along the creek • Residential development could provide public walkways [2 identical landowner 	

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			<p>comments]</p> <ul style="list-style-type: none"> • Question the desirability of insisting on a creekside walk as it will mean people lose some of their garden because of a mistake made by planners some years ago • <u>SUMMARY</u> • 12 comments on footpaths/walkways. • 11 positive (including 2 landowner comments) • 1 with reservations. • COMMENTS ON THE CREEK ITSELF • 17 comments stressing the importance of dredging/sluicing/bridge. • OTHER IDEAS • Retain open spaces and wide prospects. • Youth and community based activities – rowing, sailing, private clubs, youth club. Wildlife/ecology/heritage centre. • Retain a small section of historic railway and waterside boatway for everyone to access, including disabled. • Just get rid of the mud and make a good waterway. • Allotment site must be kept as such, and not considered part of green space allocation as it is available only to allotment holders. • Good access for small craft such as canoes – Heritage Lottery provided funding for a canoe trail into Faversham but when people get here there is no access platform. • Tourist focus/feature, eg, a museum to reflect maritime history. • Whole area needs guidance of master planner/architect, not developed piecemeal for maximum profit. • Showers and toilets for visitors. • Environmental option – conserve and enhance environmental assets including bird and marine life. • Tidal renewable energy source. Bridge beyond town to make a circular walk. • Open space for play and picnic areas for families. • There is no such thing as “creekside in character” for building design [landowner comments] • Holiday lets should be encouraged but need inspiring architecture. • Need more protection for open spaces. • Need to encourage renewable energy/zero-carbon building standards. Combined heat and power plant. <p><u>APPENDIX C - Response to 2013 consultation by Arthur Percival</u></p> <ul style="list-style-type: none"> • Dear Jackie, Thank you again for letting me have print-outs of the panels which were on display at the recent Neighbourhood Plan exhibition at the Alexander Centre. I could not possibly have commented on these in a properly informed fashion without having them all to hand. In this respect I may not be alone. There is no substitute for the coherence of what in fact are pages from a book. • Perhaps you will be kind enough to refer the following response to the Group and invite its members to given them due consideration? I will also let you have them in the form of a letter. An acknowledgement would be valued. • I don't propose to comment on the panels in detail. This I am afraid is because I feel the thinking behind them is fundamentally flawed. • It grieves me to say this, because clearly the Steering Group has given a lot of thought to its brief, and invested a significant amount of public money in developing its vision of 	

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			<p>the future of the Creek’s riparian areas, or at least those that it considers are ripe for ‘regeneration’ (though this is not a term I myself would use for some of the developments envisaged).</p> <ul style="list-style-type: none"> • The fundamental flaw which has clearly informed the Group’s thinking is that it has chosen to regard the Creek as a street, like one in suburban London, perhaps, alongside which there are plots with potential for housing development. • However the Creek is not a street. It is a highway to the sea, and to the world beyond our island. It has served as such for centuries, since Roman and probably also pre-Roman times. In this Kingdom there are hundreds of thousands of urban streets, many no doubt with frontages with potential for redevelopment. There are far fewer navigable waterways, like the Creek, with access to the sea and the world beyond. These represent a precious, irreplaceable asset which deserve to be treated with all the care we can lavish on them. You can’t berth vessels, or build or maintain them, alongside urban streets. • If there are any vacant Creekside sites, or ones that might be suitable for development, the Steering Group would be better advised to look for development which would serve maritime rather than residential purposes. Also, given that the Faversham area has lost many employment opportunities in recent years, it would be better advised look for developments which would replace some of the many which it has lost. • Though it may not have been intentional, the exhibition could have given the very misleading impression that the only potential use for the sites identified (rightly or wrongly) as needing ‘regeneration’ was for the building of new dwellings. These would not generate much-needed new local employment opportunities, only make Faversham more of a dormitory town than it is already. This would be inherently undesirable because of all the extra travel involved, of increased strain on local public transport facilities, and of excessive and unnecessary use of fossil fuels. • The Steering Group may of course have been misled by Swale Borough Council’s Strategic Housing Land Availability Assessment (SHLAA), which identified some of the Creek’s riparian areas as having potential for the provision of 100 new dwellings. So indeed it did, but such identification did not carry with it any commitment to grant of planning permission. • Equally the Group may have taken into account that if any appropriate planning permissions were given developers would be liable to Community Infrastructure Levy (CIL). It’s unclear what this would yield. To take a cockshy based on the old section 106 contributions which developers had to pay, the maximum yield might in the region of £7,000 per new dwelling. Of this, subject to the approval of a Neighbourhood Plan, the town of Faversham might get £1,750 per unit, the rest going to Swale Borough Council. • If all 100 dwellings were built alongside the Creek, the yield would be £175,000 at most. In relation to the loss of sites which could be used for maritime uses this is a paltry sum. • There is every indication that if the Creek were regarded as a highway to the sea and not as a suburban street with potential for residential development the potential of its riparian areas for maritime uses is substantial. • Interest in, and use of, traditional vessels is increasing whilst at the same time the number of moorings and ‘service areas’ in and around the Thames Estuary is declining. This presents an outstanding opportunity for the Creek to offer berths, and services, no longer available elsewhere. Such provision would increase opportunities for skilled employment, and much-needed apprenticeships in appropriate skills. Indeed Faversham Creek could become a Mecca both for owners of traditional vessels, and for the crafts 	

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			<p>required for their maintenance.</p> <ul style="list-style-type: none"> • Given that the general public are fascinated by these vessels, and that many of them are of charm, or beauty, or both, their presence, and that of supporting craft skills, would substantially reinforce the town's already significant visitor offer, benefitting its economy, and particularly its shops, pubs and eating-places. • To my surprise, the exhibition failed to put the Creek in its geographical and historical context. Consideration and evaluation of this should surely be the very starting-point for the Neighbourhood Plan. You can't possibly plan properly for the future without full understanding of the physical character and the past (including the recent past) of the area concerned. What thought the Steering Group has given to this I'm afraid isn't at all clear. Little, I am tempted to think. • The Creek of course is inseparable from the town. Indeed Faversham would not exist but for the Creek. For centuries it was its lifeblood. It bred hardy seamen, fit for service in the Cinque Ports fleet, fit to save the nation from invasions which would have altered its destiny for ever and for the worse. It generated much of its wealth, and this is reflected today by the number of 16th and 17th century merchant houses which remain in the town centre and are a vital feature of its charm and distinctive character. • So even physically the town cannot be divorced from the Creek. Some of the merchants left bequests to the town, most notably Henry Hatch, who left it his whole fortune with astute directions as to how it was to be spent – a significant proportion on the Creek itself and its road accesses. 'Here I've made my money,' he told a friend, 'and here I intend to leave it.' • Unfortunately this kind of public-spirited personal generosity seems to be in small supply these days. However the pulling-power of the town's community remains strong, and if through the Steering Group it put its mind to the Renaissance of the Creek for maritime purposes, and not for sterile housing development, it could only improve the town's economy and standing. • Best wishes • Arthur Response to Faversham Creek Neighbourhood Plan Regulation 16 publication consultation December 2014 <p><u>APPENDIX D - Response to 2013 consultation from Lady Dido Berkeley on behalf of the organisation Thamesbank</u></p> <ul style="list-style-type: none"> • Thamesbank has been fully involved with the River Thames and its ecosystem plans and planning policies for the last 15 years and during that time have realised that there are land plans and there are land/waterway plans, which fully respect our waterways. • The fundamental flaw of this Faversham plan that it is a land/housing plan – the subtle detail in the objectives & vision focussing on meeting housing targets on what is essentially river land or its vital bufferzone land in and on either side of this famous and beautiful creek. • The functions of the creek and waterway of Faversham Creek have not been effectively respected in the plan or any targets put in place to monitor the enhancement and protection of its key functions to sustain its maritime heritage for generations to come and to maintain the unique conservation for Faversham. • The Creek's waterway linking Faversham with its vital Cinque Port connections and its importance to the rest of the River Thames, Henry VIII's shipyard at Deptford etc., must not be ignored, or its internationally [important] maritime heritage and industry, which has helped England, through Faversham's gunpowder, become the seafaring nation that it is today. 	

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			<ul style="list-style-type: none"> • The key functions of a river, creek & waterway as defined for the River Thames and tributaries (Regional Planning Guidance for the River Thames , RPG3b9b 1996 – this may be old; the functions remain the same) are: <ul style="list-style-type: none"> ○ drainage and water supply • 2 . landscape/ setting • 3 . open space and ecological corridor • 4 . transport • 5 . leisure, recreation and tourism. • The River Thames has now has a Blue Ribbon Zone with its own policies and protection preventing inappropriate development with no river uses (attached is a doc explaining the need for waterway policies). • There are no “brownfield” sites along the very special Creek, this is a misnomer – they are “bluefield ” sites – previously encroached or land used for waterway/ marine uses. Housing is only appropriate after all riverside functions’ targets have been met and related to the rest of the River Thames. • Faversham Creek’s waterway, the creek bufferzone & functions need to be to be enhanced and possibly regenerated, not turned into a glorified housing estate, reducing the flood and floodplain capacity, reducing biodiversity and marine industry and bringing people in to LOOK at the creek instead of activating all the marine functions with OPEN space. 4/5 storey buildings which can be built in other places on land are totally inappropriate along this small, beautiful open space Creek. • The plan is neither “robust” – there is no credible evidence to show that the maritime heritage and industry of the area is respected with any priority over housing – nor is it “effective” as there are no marine targets related to the rest of the town and other sites along the River Thames (essential for the EIA) and therefore there is nothing to monitor. It will be essential to have identified what Faversham as a Cinque Port Town needs to retain and sustain its maritime heritage and facilities for future generations. • A specific waterway plan needs to be done first before considering what other essential are added long before any residential homes are put in. • There are 3 Strategies along the River Thames already and the Thames Heritage Alliance has written a waterway plan for the whole Thames (like the Bluebelt and the Blue Ribbon Zone of the London Plan), ensuring that maritime uses are prioritised. • Thamesbank has a meeting with the Minister Richard Benyon, SS for the Natural Environment, to ensure that the Waterways are targeted and monitored better and planning policy protecting the environment is properly implemented. • There is a great deal of evidence now showing that prioritising the environment actually enhances the economy and builds decent social communities – building the Cambria is an economic example of success, sustaining Faversham as well as the Creek and bringing the pride and community together. • Thamesbank greatly supports Arthur Percival’s submission. • We would be more than happy to help Faversham link further with the rest of the River Thames and estuary, as you already have the Thames Heritage Alliance, which Faversham is helping to look after the heritage of the whole River Thames. • We look forward to working together for our exciting maritime heritage. • Lady Berkeley • Thamesbank. 5th July 2013. • <u>APPENDIX E</u> - Response to 2013 consultation from Timothy Stevens 	

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			<ul style="list-style-type: none"> • My letter falls into two parts. In the first are my reactions to the proposals overall and in the second some views on specific proposals made on a few of the individual boards. • Reactions to the proposals overall • It is worth remembering that planning is a mechanism for providing a community with a good environment in which to live. It is against that yardstick that I have attempted to measure these proposals. • By this measure these plans lack vision and are simply not fit for purpose because they do not meet the needs of Faversham in the 21st century. • From the display, visitors without local knowledge would not know that the creek made Faversham, nor would they have any real idea of the importance of the area to the well-being of the town, either now or in the future, let alone in its past history. It is not stressed that the creek area is relatively tiny and, more importantly, long and thin, so any large-scale development will be visually very intrusive. • There is no more important site in the town yet there is no attempt to put it in its wider context. • There is remarkable insensitivity to the spirit of the place. Indeed the proposals show the fatal current tendency of planners/councillors/committees not to be able to leave well alone. If it works, why meddle? Of the greatest seriousness, the group does not put forward all the possible options for the creek. Housing is often offered as the only solution for sites; the option of doing nothing for instance is not explored. • <u>Needs of Faversham</u> • The panels offer no discussion about the needs of Faversham: housing, industry, open spaces or positive preservation of its character for tourism. • Yet, given the positioning of the area, unless the town's needs are precisely defined, its use cannot be planned. What are the town's true priorities and how can they be met on this site? Having agreed on the 'needs', the issue of how many of them can be met on the creek site can be considered. It is unlikely that every 'need' can be accommodated as some are uncomfortable bedfellows ~ light industry, even ship building and repair do not mix naturally with expensive residential housing. • <u>The site's historic importance</u> • Although all parties agree on the area's great historic importance, no detailed archaeological survey of the site has been undertaken, nor has there been a systematic gathering of all documentary resources. Do we really yet know the significance of Ordnance Wharf: was this the quay from which gunpowder left for Trafalgar? Would excavation reveal a network of 16th century docks? The uncertainty over the swing bridge epitomises the somewhat amateur nature of this plan. As yet no one seems to know whether it can be restored, or the responsibilities of the respective parties, such as the KCC and Peel Ports. This is not a new problem but is of fundamental importance to all considerations about the area. • <u>The immediate past</u> • There is no résumé of the development in the creek area to date: is the existing new build of architectural distinction; has public access to the creek been improved; have the arrangements for increased traffic been successful? What has it contributed to the meeting the needs of the town. Has it created more jobs? By even the most modest standards, what has happened already is no cause for celebration. Why are the current proposals better as they look very much more of the same. • <u>Impact of the proposals</u> • There is no proper impact appraisal. 	

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			<ul style="list-style-type: none"> • Traffic and emergency services • Faversham is not good at thinking about traffic. The council's decision in the 1930s to encourage industry to locate near Oare, necessitating every heavy vehicle to travel through the town until the Western Link was built (leading to the suffocation of Ospringe) is the best known example of this reluctance to consider the practical consequences of a development. Have the increased car numbers of these proposals been evaluated? Can the present street system cope? Will ambulances and fire engines be able to reach the sites in the case of an emergency? Are the sewers of Faversham able to cope with more housing in this area and who will pay for any updating? • <u>Housing</u> • There seems to be an assumption in the plans ~ and certainly this is reinforced by the flyer for the exhibition ~ that fitting in housing is a good thing. Yet, if the number of units is added up, it does not add a significant number to the housing stock and certainly does not provide affordable housing. The benefits are primarily to a small number of people, and certainly not the community as a whole. Faversham's housing needs are better met by jumping the A2 or developing off Love Lane, as has been proposed. • There is no profit or loss study over more housing. What will this housing do to the viability of the shops in central Faversham? Why is housing to be preferred to industry? There may be no demand for industrial space this year, but if we are to recover economically it will be needed later this decade. • <u>Employment</u> • We are told that the creek will be 'enriched by new business' but there is no detail given. How many new jobs will be created? Given that the area available for industry is drastically reduced it seems reasonable to suppose there will be a net loss of skilled job opportunities. • <u>Viability of the proposed development</u> • Throughout, there are references to commercial use, craft workshops, galleries and cafes, but there is no analysis of the viability of the additional retail activity. Given the growth of charity shops and the number of empty premises in Faversham it is likely that the demand would be spread more thinly making the present town centre shops less viable. There is a strong argument for vetoing almost all retail activity on the grounds it will make the present shopping centre even less sustainable. What happens in the creek should underpin the existing retail centre. Under these plans the inevitable conflict between industrial and residential use will almost certainly see the departure of industry within a decade. A firm stand must be made if Faversham is to remain a balanced community and not become a dormitory. In the Vision statement we are told: 'Faversham Creek is leading the regeneration of the town' but how it is doing it is far from clear. Faversham requires tender loving care, not regeneration. • <u>Leisure and Tourism</u> • One of the few certainties about the future is that people will be living longer and are likely to be healthier and better educated than their grandparents. This audience needs to be wooed. (In very micro terms, the increased growth in walking has led to a several hundred percent increase in the number of visitors [and income] to Luddenham Church.) • I applaud the statement that we want 'A place where we enjoy spending time' but the proposals seem unlikely to deliver this aspiration. Nothing significant is said about leisure or tourism. 	

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			<ul style="list-style-type: none"> • Faversham has many of the right ingredients to benefit from the growth of tourism, notably a relatively well preserved town centre, but it does not have the critical mass yet to score highly with tourists deciding whether or not to visit Faversham, Sandwich or Deal. • Sensitively handled, the creek provides the extra dimension which would give the vital critical mass to Faversham as a tourist destination. There are for instance a growing number of people who walk into Faversham from Whitstable and then return by train. Potentially this area is an inexhaustible oil well for the town but if the plans as proposed go ahead it will dry up. Visitors want 'the real experience', hence the success of Big Pit in South Wales. • The housing invasion planned will do incalculable harm to the creek as a visitor attraction. The tourist is becoming increasingly sophisticated and has an ever-widening range of options so, if the creek does not tick all the boxes, it will not be visited. Appropriate industrial development such as ship building and repair would enhance the appeal. • <u>Open Space</u> • There are not many towns left where the countryside sweeps virtually into the town centre at one point and is within walking distance of almost every resident. It lifts the human spirit to walk down Abbey Street and out along the creek with its big skies or to approach the creek from Davington past the Western Works and over the swing bridge. Since the 1950s the countryside has been pushed back aggressively on every other side of Faversham. It no longer notably comes in to Stonebridge pond. These proposals would irredeemably destroy one of Faversham's greatest assets. Why is there no discussion about the inclusion of additional open space on the pattern of that on the Front Brents? • The town has grown dramatically in population since the 60s but the provision of additional open space has not kept up. The plan should allow for more so that the public have easy access. • <u>Funding</u> • Nothing is said about the availability of funding for a more publicly orientated development of the creek or for simply leaving it as is. This is a serious omission as again it suggests housing is the only way forward. Ten years ago the Heritage Lottery Fund made a grant of almost a million towards the costs of opening Oare Gunpowder Works Country Park to the public. It has been a huge success. Is there any reason to think that HLF would not fund a scheme for the creek which delivers what the town and its inhabitants need and deserve? This is a much more important project. • <u>Comments on the panels</u> • I have limited my remarks to a handful of points. • <u>Objectives</u> • Given the tiny area of the creek, many of these objectives are inevitably fighting each other. For instance Objective 11 (Provide a range of housing...) fights 7 (Avoid significant harm to areas designated for their ecological importance...) and with the development of Faversham as a tourist destination. To be successful there need to be far fewer objectives. • <u>Ordnance Wharf Options</u> • The timber walk-way along the frontage of the Shepherd Neame bottling store is an excellent idea. • The view from the creek up to the bushy hill of Davington crowned by the church is one 	

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			<p>of the great set pieces of Faversham. Due to the presence of the allotments it has survived relatively unscathed. It is also the point where tidal water meets the Stonebridge pond water. As mentioned, the wharf may be that from which Faversham-made gunpowder left to be used in such battles as Trafalgar.</p> <ul style="list-style-type: none"> • If this was Ironbridge in Shropshire, the wharf would be cherished as the key site in the industrial history of the area. What is proposed is the construction of housing which compromises the view and destroys this unique site. As important as being able to make gunpowder was the facility to move the powder safely to the customer; the creek provided the means. • <u>Swan Quay</u> • The gritty character of Faversham that will bring tourists is further squeezed out by these proposals. The area should be limited to industrial/office/ social use such as the sea cadets. Residential, cafe and gallery use should be excluded. What is there should be retained and cherished. The new buildings as elsewhere, particularly at Standard Quay, are out of scale and far too high. They would irreparably damage the historic townscape. • <u>Standard Quay</u> • Most visitors reach the creek by walking down Abbey Street, or Belvedere Road past the oil depot and the coach depot and then find a wonderfully higgledy piggledy group of buildings that were put up to meet local needs. It understandably does not have the formal grandeur of Sheerness but is like the fishermen’s huts at Hastings. What is proposed is a massive clear away and tidy up and the introduction of further housing. The whole area should remain for commercial use. What sort of commercial use is more difficult to predict with the country currently being in recession but a long view of at least fifty years has to be taken, and more research done on the nature of future small scale manufacturing. Once given over to housing it will never again be available for industry and employment. • One of the attractive features of the Oil Depot is that it is low and the sky soars above it. • <u>Standard House</u> • In Caroline Hillier’s The Bulwark Shore of 1982 there is a photograph of this house, then complete with its original dormer windows with the Oyster Bay House beyond. Why has no repairs notice been served on the owner by the local authority? It is also worthwhile remembering when considering these proposals that a key principle of heritage legislation is that owners and developers should not benefit from the neglect of historic buildings. The spirit of the creek will be destroyed if the suggested housing development goes ahead. • Yours sincerely • Timothy Stevens <p><u>APPENDIX F</u></p> <ul style="list-style-type: none"> • Response to 2013 consultation by the Faversham Creek Trust • Faversham Creek, especially its upper section, has long been neglected. But its heritage is deeply embedded in the consciousness of local people, who are looking to the local authorities for a vigorous approach to regenerating the area – an approach that makes good use of its unique qualities and contributes to a sense of place appropriate for a Cinque Port limb which is also one of the heritage highlights of the tidal Thames. <ul style="list-style-type: none"> ○ To engage public interest, support and trust in the planning process, we believe that the Faversham Creek Neighbourhood Plan could usefully be strengthened in a number of areas. It should: 	

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			<ul style="list-style-type: none"> ○ View the creek as a whole, and as an integral and important part of the town and port of Faversham, not as a collection of isolated plots of land. ○ Foster a living, working waterway that protects and keeps alive our rich maritime heritage and our Cinque Port status, supports and promotes local enterprise and attracts visitors. ○ Make a sustainable contribution to the economy of the town, through a tourism-led regeneration strategy which capitalises on the growing interest in maritime heritage. ○ Actively involve the community in process and delivery. ○ Protect valued amenities and heritage, and open up opportunities for a wealth of maritime activities and events. ○ Preserve and enhance the character of an important conservation area. ○ Allow for development which is sustainable and appropriate, and which does not detract from the appeal of the creek as an attractive and distinctive location for residents and visitors. ○ Leave an enduring legacy that will become the heritage of future generations. ○ We believe that Faversham should be approaching this Neighbourhood Plan with greater confidence. Developer pressures and uncertainties over planning legislation cannot be ignored, but benefit to the community and sustainable regeneration must be paramount. ○ This is a VANGUARD neighbourhood plan. We should not be looking to others to show us the way; Faversham should be taking the lead. With community support, this town can fight for a plan of its own making and set an example for others to follow. ● <u>FAVERSHAM CREEK TRUST RESPONSE TO NEIGHBOURHOOD PLAN CONSULTATION, June 2013</u> ● Aspects of the plan which we feel should be strengthened are: ● <u>CONSERVATION</u> ● The creek neighbourhood is an important conservation area, and the plan should include conservation area character appraisals. Without them, proposed developments may be undeliverable. The Trust already has a detailed appraisal of one key site, and work is in progress on others. ● <u>ECONOMIC REGENERATION</u> ● The key theme should be regeneration, with an evidence base and an analysis of how the proposals will contribute to Faversham’s economy. A recognition of the tourism strategy recommendation “to unlock the potential of the working creek” is vital. ● <u>ASSETS</u> ● From what we have seen, the plan is too focused on maximising land use for housing, for which many creekside sites are inherently unsuitable and for which better sites exist elsewhere. It should capitalise on the unique and irreplaceable value of the creek as an asset for the town, the community and a broad range of stakeholders. ● <u>STAKEHOLDER INTERESTS</u> ● So far, the process has taken a narrow interpretation of stakeholding, with the interests of housing developers given priority. A more inclusive approach is needed, based on a broader definition of who the plan is for. ● <u>COMMUNITY</u> ● The community needs a plan to get excited about, with a real sense of ownership. To win community buy-in, there must be tangible and enduring community benefits, together with much more active involvement in both the development of the plan and its delivery. ● <u>TIMESCALE & FINANCE</u> 	

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			<ul style="list-style-type: none"> • Regeneration needs to take place quickly. Waterfront housing will make this difficult, if not impossible, to achieve. The plan appears to rely heavily on developer contributions, which experience shows are slow to arrive and often fail to arrive at all. There are better alternatives. • <u>APPROACH</u> • The approach is defensive – the purpose of the plan most often given is not “to make things better” but “to stop people making them worse”. We need a better, more positive reason than that, The Trust believes that the primary objective of the Neighbourhood Plan should be sustainable regeneration, and that this can best be achieved by: <ul style="list-style-type: none"> • Exploiting the maritime heritage to attract visitors and increase visitor spend throughout the town. • Creating a maritime enterprise zone with hubs of boatbuilding/repair and associated businesses. • Developing a cohesive tourism strategy around the creek, with four key elements: Creative, Community, Maritime and Wildlife. • Providing sustainable jobs and apprenticeships. • Acting in synergy with existing town centre businesses and attractions. • Sensitive and attractive development adding value to the whole area. <p>We believe that further waterfront housing is incompatible with sustainable regeneration because:</p> <ul style="list-style-type: none"> • It will prevent the exploitation of the maritime heritage. • Further development will create a heavily built-up area which is unattractive to both visitors and homebuyers, devaluing not only existing properties but also the new developments themselves. • Its viability is questionable because of the small size, inaccessibility and inappropriate nature of many sites, conservation area and listed building constraints, flood mitigation requirements, possibility of site contamination, and other factors which will increase build costs, plus flood risk implications for building design, insurability and mortgageability. • Proposals for ground floor retail/commercial space are speculative, driven by flood risk regulations rather than any evidence of market demand; on the contrary, there is ample evidence that “mixed development” within the same building does not work in this neighbourhood, and it is consistently opposed by local people. <p>The Neighbourhood Plan could contribute to sustainable regeneration by adopting the following principles:</p> <ul style="list-style-type: none"> • No new housing or commercial development on the waterfront or its immediate proximity (“the waterfront zone”). All wharves and quays to be retained as such, and the waterfront zone to be restricted to water-compatible industrial use or public amenity. • No new buildings of any kind within the waterfront zone, other than low-rise structures associated with maritime industrial use or public amenity. • New housing development to be confined to higher ground beyond the waterfront zone. • Provision for visitor accommodation (of which there is a shortage) beyond the waterfront zone. • Any new developments within the plan area to be small-scale, low-rise and in keeping with the maritime environment, the conservation area and the wishes of the local community. 	

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			<ul style="list-style-type: none"> ● Appropriate maritime or related uses for heritage buildings. ● Public access to the waterfront, from land and water. ● Open spaces and natural areas to be retained. ● A clear and unequivocal commitment to a new opening bridge as an enabling factor for regeneration. ● This approach would not only bring about economic, social and environmental regeneration; it would also leave Faversham with an enduring legacy: <ul style="list-style-type: none"> ● A landmark bridge that would be an attraction in its own right. ● A navigable waterway extending right into to the town centre. ● A community boatyard, with public boatshed, workshops and slipway. ● A new maritime heritage museum. ● Creek-based activities and events for residents and visitors. ● Attractive public spaces and events that residents and visitors alike can enjoy. ● Conservation and enhancement of important heritage assets. ● Community cohesion and sense of ownership. <p>We are confident that this approach is viable and could kick-start regeneration rapidly, taking advantage of existing facilities and a community-based approach to delivery:</p> <ul style="list-style-type: none"> ● Local organisations, including the Faversham Creek Trust, to pool resources and specialist expertise, working with Kent County Council and Medway Ports to deliver an opening bridge, dredging of the basin and improved sluicing. ● A local conservancy to be formed, to enter agreements for the operation of the bridge and the management of the community boatyard and public moorings. ● Finance to be raised from multiple sources to spread risk, maintain income flow and avoid dependence on developer contributions. ● Community buy-in leading to volunteer action and support. ● If necessary, use of Community Rights legislation, compulsory purchase and heritage protection measures (up to and including World Heritage Site status) to make waterfront sites available for maritime use. <ul style="list-style-type: none"> ● The Trust's comments on individual development sites are: ● <u>IRON WHARF</u> ● Industrial use (boatyard) as part of the downstream hub of the maritime enterprise zone. ● <u>CHAMBERS WHARF</u> ● Industrial use (boatyard with slipway) as part of the downstream hub of the marine enterprise zone. ● <u>OYSTER BAY HOUSE AND GROUNDS</u> ● No development on land to the rear of the house (between footpath and road). ● <u>STANDARD QUAY: WATERFRONT ZONE</u> ● (including quayside and the complex of buildings closest to the quayside) ● Industrial use (boatyard) as part of the downstream hub of the maritime enterprise zone. ● <u>STANDARD QUAY: INNER SITE</u> ● Monk's Granary: to be used as an accredited museum (possibly a satellite of an existing museum) specialising in maritime heritage, incorporating Cambria and other collections, and in the Abbey of which this building is the last remaining relic. The museum could also include a café and gift shop. ● Standard House and adjacent green sheds: small hotel / visitor accommodation. ● Scope for some low-rise housing to the rear of the site, facing on to Creek Road. ● <u>OIL DEPOT</u> ● Waterfront zone: open quayside and moorings, as part of the downstream hub of the 	

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			<p>maritime enterprise zone.</p> <ul style="list-style-type: none"> • Low-rise buildings associated with the maritime enterprise zone (eg, offices; toilets/showers and other facilities for boat users). • <u>COACH DEPOT</u> • Waterfront zone: open quayside and moorings, as part of the downstream hub of the maritime enterprise zone. • To the rear: private landscaped car park for Abbey Street residents, with ongoing rental income (this might also enable improved parking arrangements in Abbey Street). • At the northern end of the site: public toilets (with disabled facilities). • Behind the car park: improved footpath from Belvedere Road. • <u>FENTIMAN'S YARD</u> • Low-rise housing. • <u>SWAN QUAY / TOWN QUAY</u> • Existing cluster of buildings, slipway and open spaces to be retained as part of conservation area. • Waterfront zone: sailmaking shed and facilities to be retained as midstream/bridge hub of the maritime enterprise zone. Wharf frontage to be managed as a holding point for vessels entering and leaving the basin. • Sensitive modifications to enable the rest of the buildings on both sites to become a "creative quarter", building on the success of Creek Creative in a more open, flexible, visible and accessible location. • Better facilities for sea scouts. • <u>FORMER FRANK & WHITTOME BUILDINGS</u> (between Belvedere Road and Abbey Street) • Sensitive conversion for residential use, subject to provision of space acceptable to Creek Creative. • <u>PURIFIER BUILDING</u> • Industrial use (boatbuilding and repair) and shipwright apprenticeship centre, as part of the Creek Basin hub of the maritime enterprise zone. • <u>ORDNANCE WHARF</u> • Industrial use / public amenity, as part of the Creek Basin hub of the maritime enterprise zone. • Boatyard for community use, with low-rise boatshed to the rear of the site; wharfage and slipway shared by users of Purifier Building and community boatyard. The character of the allotments/Brent Hill area, and views up the hill towards Davington, to be conserved. • <u>BMM WESTON</u> • The plan needs to recognise that this site is operating as an engineering works and likely to remain so for the foreseeable future, so its redevelopment cannot be relied on to contribute financially or physically to the regeneration of the creekside in the short to medium term. In the interim, it might be possible to negotiate weekend use of the car park for public parking. • <u>BMM WESTON</u> (car park, waterfront zone) • Creekside walkway and soft banks to be retained. • Reinstatement of wharfage as winter mooring for heritage craft, as part of the Creek Basin hub of the maritime enterprise zone. • Possible longer-term uses: • Boathouses/workshops in the area adjacent to Ordnance Wharf. • Landscaped public car park to relieve growing pressure on Upper/Lower Brents. 	

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			<ul style="list-style-type: none"> • <u>BMM WESTON</u> (Upper Site) • Residential use, subject to height restrictions and resolution of access problems. • (Realignment of Brent Hill and demolition of the brick walls should not be permitted.) • <u>BMM WESTON</u> (works) • Industrial use / hotel / low-rise housing would be acceptable. • <u>FRONT BRENTS</u> (waterfront, greens, car park) • To be retained as public amenity with natural waterfront. • CRAB ISLAND (and green slopes above) • To be retained as public amenity / natural environment / flood capture zone. • Improve walkway/bridge between Crab Island and Front Brents. • <u>UPPER BRENTS INDUSTRIAL ESTATE</u> • Industrial use. <p>The following Appendices are too large for this table and will be made available on request. The Examiner will be sent a paper version of them.</p> <p>G. Outline business case for the repair and maintenance of traditional vessels on Faversham Creek</p> <p>H. BCA proposal for community centre and boatyard on Ordnance Wharf</p> <p>I. LET'S MAKE THE CREEK WORK FOR FAVERSHAM exhibition panels</p> <p>J. LET'S MAKE THE CREEK WORK FOR FAVERSHAM questionnaire</p> <p>K. LET'S MAKE THE CREEK WORK FOR FAVERSHAM feedback analysis</p> <p>L. LET'S MAKE THE CREEK WORK FOR FAVERSHAM comments</p> <p>M. Dissenting report by steering group members</p> <p>N. Letter to Town Clerk from a member of the public <i>re</i> Reg 14 consultation</p>	
FCNP14	Simon Foster	Object	<ul style="list-style-type: none"> • Having been a District Councillor for a number of years elsewhere in Kent, I understand well the process of gathering together a Local Plan and the difficulties that ensue when this is not done properly. • I believe the Faversham Creek Local Plan, currently under review, is seriously flawed and requires re-examination. My reasons are as follows: • In the mid 2000s Swale Borough Council, under pressure from central government and KCC for more housing in the South-East, conducted an audit of unused industrial sites in the borough and the town of Faversham. • Developers were approached to acquire these sites with the expectation that re-zoning would occur and planning permission for housing would be granted. Some sites changed hands at many times their industrial value. • These understandings were subsequently incorporated into a proposal for the next Local Plan which eventually became known as the Fullwood Report to provide infill housing along the Creek. When the public were invited to comment on the Fullwood proposals it was only to choose cosmetic variations in appearance, rather than site usage. New industrial and commercial activity was considered unviable in the Fullwood proposals. • When SBC granted Faversham Vanguard status for its next Local Plan the Fullwood proposals were adopted wholesale and unaltered. • When put on public view the reaction was clear and unambiguous with a significant majority rejecting the proposals. The consultant immediately resigned when the results of the consultation was announced. Nevertheless the Town Council's Steering Group then proceeded with the original Fullwood proposals as the basis of its new Local Plan. • Surprisingly, the proposed Local Plan took no account of significant offers of housing by a non-developer land owner for some 85 dwellings, including local needs housing, to be set 	<ul style="list-style-type: none"> • The neighbourhood plan is seriously flawed and requires re-examination. • Following aspirations for development on brownfield land to meet housing need, industrial sites have changed hands at many times their industrial value. In the context of the Fullwood report there was no option to consider site usage, merely cosmetic variations. This has been carried forward to the neighbourhood plan. • Publication consultation indicated that a significant majority of participants objected to the proposals. Despite this, the neighbourhood plan Steering Group then proceeded with the original Fullwood proposals. • No account has been taken of the offer to provide 85 dwellings, including local needs housing, to be set back from the Creek. The publically supported Regeneration Plan for the Creek Basin for jobs and training has also been ignored. • The top-down process of the neighbourhood plan has been perpetuated for a decade. No changes were made to the neighbourhood plan in accordance with the wishes of local people. • No more housing should be built along Faversham Creek. The remaining vacant sites should be left open for commercial activity and public amenity. • Despite refusal of planning permission for residential development at Ordnance Wharf, the site is allocated for housing in the neighbourhood plan. The effect on its value sabotages its continued use for commercial activity and goes against the wishes of the people of Faversham. • Over 70% of those questioned oppose the neighbourhood plan in its current form. Consequently it requires reassessment before it is submitted to the people of the Town in a referendum.

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			<p>back from the Creek. The Regeneration Plan of the Faversham Creek Basin for jobs and training, which had received widespread public support , was also ignored.</p> <ul style="list-style-type: none"> • Swale Borough Council, in an attempt to facilitate the passage of the Plan now plainly in difficulty, appointed another Consultant whose brief was not to alter the substance of the Plan but to change the wording for certain sites while still including residential use. • This tidied-up version was passed by the Town Council without further local consultation, thus perpetuating the top-down process commenced a decade earlier at the instigation of Swale Borough Council. • At no time has the Faversham Town Council taken note of the public reaction in Faversham that no more housing should be built along Faversham Creek, and that the remaining vacant sites be held open for commercial activity and public amenity. • The case of Ordnance Wharf is telling. After several failed attempts to build flats or individual dwellings on this historic but small site were rejected by Swale Borough Council, or planning applications withdrawn by the applicant, the site is still included in the Local Plan as residential re-zoning. The effect on its value sabotages its continued use for commercial activity and goes against the wishes of the people of Faversham. • Over 70% of those questioned oppose the Local Plan in its current form. Consequently it requires reassessment before it is submitted to the people of the Town in a referendum. 	
FCNP15	Marine Management Organisation	Support and comment	<ul style="list-style-type: none"> • Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. The MMO has received the document and was pleased to see that the Neighbourhood Plan recognises the maritime links and the importance of the creek environment both to wildlife and economics/social factors. This is positive recognition of marine linking to terrestrial. • On page 24 MMO roles such as marine licensing and marine planning authority are recognised including the fact that the marine plan will link in to local plans. This is a positive inclusion. • As of April 2014, no significant dredging can be carried out without a licence from the MMO. The MMO also has the authority to control and license moorings, and will be developing a Marine Plan for the area which will have to interface with this and other local plans. You may find it useful to reference these details within the plan. • If you have any questions or need any further information please just let me know. More information on the role of the MMO can be found on our website www.gov.uk/mmo. 	<ul style="list-style-type: none"> • Is pleased the Plan recognises the maritime links and the importance of the creek environment both to wildlife and economics/social factors. • On page 24 MMO roles are recognised; this is a positive inclusion. • As of April 2014, no significant dredging can be carried out without a licence from the MMO. • The MMO can control and license moorings, and will be developing a Marine Plan for the area which will have to interface with this and other local plans.
FCNP16	Natural England	Support and Comment	<ul style="list-style-type: none"> • Thank you for consulting Natural England on your Neighbourhood Plan. My brief comments are as follows: • We support the recognition of the area's proximity to the internationally important Swale Ramsar/SPA/SSSI sites and the commitment to protect and enhance the natural environment. We welcome the plan to keep proposed development within existing boundaries and enhancing former industrial sites by including high quality green spaces for the benefit of people and biodiversity. • We welcome the commitment to work with the MMO regarding plans to improve the navigability of the Creek but stress that any such measures, including dredging, may impact on the designated sites downstream so all plans would need to be informed and tested by a HRA for any likely significant effect on the sites. There may be some modelling available to show how the dredging would impact on rates and locations of future sedimentation and erosion within the larger estuary. As the area also forms part of the Swale & Medway European Marine Site, it is likely to provide a focus for cross boundary discussion. Once specific plans have been confirmed, we would be grateful if you could keep us informed of any issues that are identified that may have implications for the natural environment, so 	<ul style="list-style-type: none"> • Support the recognition of the area's proximity to the Swale Ramsar/SPA/SSSI sites and the commitment to protect and enhance the natural environment. • Welcome the plan to keep proposed development within existing boundaries and enhancing former industrial sites by including high quality green spaces for the benefit of people and biodiversity. • Welcome the commitment to work with the MMO on improvements to the navigability of the Creek but any measures, including dredging, may impact on the designated sites downstream, so all plans would need to be informed and tested by a HRA. • As the area also forms part of the Swale & Medway European Marine Site, it is likely to provide a focus for cross boundary discussion. • Once specific plans have been confirmed, we would like to be kept informed of any issues that may have implications for the natural environment, so we can comment on them informally. This may also apply to decontamination work on industrial sites. • Fully support the aspiration to improve access and encourage people to engage with and appreciate the natural environment, provided proposals consider possible increased visitor pressure and disturbance and appropriate measures are employed to minimise impact on

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<p>that we have the opportunity to comment on them informally. This may also apply to decontamination work on industrial sites if there is possibility of run-off affecting adjacent areas.</p> <ul style="list-style-type: none"> We fully support the aspiration to improve access and encourage people to engage with and appreciate the natural environment, provided proposals consider possible increased visitor pressure and disturbance and appropriate measures are employed to minimise impact on sensitive areas. Increased access to the marsh via new cycle tracks may involve loss of SSSI area and so would require mitigation. Some evidence of why the Creek is the best route for this access when there is good access to marsh via Oare Ferry road would be useful. Due to the current pressure of consultations on land-use plans, I have not been able to spend the time I would have wished reviewing and commenting on your Neighbourhood Plan. Nevertheless, I hope you find these comments helpful. If there are issues I have not covered, please let me know and I will respond as quickly as possible. If discussion would be helpful, please contact me. 	<p>sensitive areas.</p> <ul style="list-style-type: none"> Increased access to the marsh via new cycle tracks may involve loss of SSSI and would require mitigation. Evidence of why the Creek is the best route for this access when there is good access to marsh via Oare Ferry road would be useful.
FCNP17	Pamela Fray	Object	<ul style="list-style-type: none"> I wish to state, once again, and just as emphatically, that there should be no residential development on Ordnance Wharf. In any case, building there would cause unacceptable disruption, noise, mess and traffic by plant while the building is going on. Residential property would mean more cars so, again, more traffic in an inappropriate area. Apart from that, the Purifier Building has been restored by a dedicated team of people and it is already being used for maritime trade and apprenticeships. For this to be a success, the adjacent land needs to be accessible to the people taking vessels to this site. Also, who on earth would want to live in these properties, overlooking a supermarket car park? Certainly not the financially secure people who could afford to buy here. This is certainly not being planned for affordable housing. With all the opposition to this proposal by so many Faversham people and others, I am surprised that the plan is still being considered. 	<ul style="list-style-type: none"> No residential development on Ordnance Wharf. The Purifier Building has been restored is used for maritime trade and apprenticeships. For this to be a success, the adjacent land needs to be accessible to the people taking vessels to this site. This is certainly not being planned for affordable housing. With all the opposition to this proposal is surprised that the plan is still being considered.
FCNP18	Angela Smith	Object	<ul style="list-style-type: none"> I would like to register my support for all the points raised in the submission document prepared by the Faversham Creek Trust and Brents Community Association in response to the Neighbourhood Plan Proposal. There appear to be many inaccuracies in the Proposal, and not enough weight has been given to the views of residents. 	<ul style="list-style-type: none"> Support the views of The Faversham Creek Trust and Brents Community Association.
FCNP19	Dr Burton	Object	<ul style="list-style-type: none"> I am writing to endorse the detailed document submitted to you by the Faversham Creek Trust and Brents Community Trust in relation to the Faversham Neighbourhood Plan. It is deeply concerning that the Faversham Neighbourhood Plan seems often to ignore the views of the people of Faversham, 70% of whom did not support the Plan in the consultation process. 	<ul style="list-style-type: none"> Endorses the Faversham Creek Trust and Brents Community Trust representation. Is concerning that the Plan seems often to ignore the views of the people of Faversham.
FCNP20	Rod Morley	Object	<ul style="list-style-type: none"> I am most disappointed to find that the views of residents to the earlier consultations have been largely ignored. What was the point of engaging with us if our comments were to be disregarded? In particular, the decision to allow residential development on 'Ordnance Wharf' and the historic Swan Quay area. This would prevent the restoration of these parts of the Creek to maritime use. I do hope that these and other similar oversights will be corrected before the final submission. 	<ul style="list-style-type: none"> Disappointed that the views of residents have been largely ignored. Residential development on 'Ordnance Wharf' and at Swan Quay would prevent the restoration of these parts of the Creek to maritime use.
FCNP21	Alistair Taylor	Object	<ul style="list-style-type: none"> I would like to go on record as supporting the views of The Faversham Creek Trust in respect of the current proposals regarding future development of the creek. 	<ul style="list-style-type: none"> Support the views of The Faversham Creek Trust.
FCNP22	John Owen	Object	<ul style="list-style-type: none"> I have now read this Submission thoroughly. I am dismayed that, after the Faversham and Swale Councils have received so many 	<ul style="list-style-type: none"> I am dismayed that after many constructive and informed suggestions from informed people and organisations, that it remains such a technically, factually and visionary flawed Submission.

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			<p>constructive and informed suggestions and comments from so many informed people and organisations, that it remains such a technically, factually and visionary flawed Submission.</p> <p>General Comments</p> <ul style="list-style-type: none"> • This Submission fails to set out the outline of the First Draft and then to quantify both the numbers and contents of comments made by both individuals and organisations. • Without this quantitative data you have not demonstrated nor proved what note you have taken of local concerns and how you have amended the Plan accordingly. • What data or files not referenced in the Submission will be passed to the Examiner? Why, if any, are these not listed in the Submission? • How therefore, can you as elected bodies demonstrate democratic regard for those who have criticised you? • This Submission fails to set the Creek Plan into the context of either the Town, Borough or national planning/development agreed or potential objectives, neither quantitatively nor qualitatively. The Submission claims to be bringing order to planning in a vital part of the Town yet refers only to the 12 sites around the Creek. • This Submission fails to set out 'top down' Faversham town overall plans and projections for industrial, commercial, tourist or residential sites and most importantly numbers and volumes. • Without this 'joined up' and conceptual outline you show that you are incapable of understanding, outlining and articulating a broad picture of the future of our part of The Borough. You show in the Submission you can only plan fragmentary and individual sites futures. As you fail to present an overall concept for the future, of which these 12 sites are a fragmentary part, you show a failure of vision. Why should this be acceptable of elected representatives? • This Submission states repeatedly its ideas are informed by the historic context of the buildings and sites and by the heritage of the buildings and sites. The word heritage is used about 100 times. You premise and construct your entire argument and then your conclusions on those. Clearly you deem these references fundamental to the argument of the Submission. • Despite this no detailed account of the historical development of the entire Creek is included in the Submission. Superficial references to sites or buildings only are given. No reference has been made to local historians nor the contribution they should make. The only personal names mentioned are those of a planner and an architect. • Furthermore, the word ' heritage' is not defined. How can the meaning or intentions of the Submission be understood without a definition of the word used most often? Ensuing ambiguity is divisive. • Why should this failure to define primary words and the failure to set out a historical detail of the Creek by historians in such an important policy document for the future of Faversham be considered as professional or acceptable? • One of the primary aims of the Plan is to achieve what is referred to as 'regeneration of the Creek. The Submission uses repeatedly the word 'regeneration yet nowhere is this elastic word defined. • Regeneration is a marketing or sales word used most often by developers wanting to imply exciting new developments without actually stating the reconstruction of buildings deemed no longer fit for use. • Why has this word not been defined and why should readers of the Submission not consider this as another example of sloppy drafting of a legal document? • As the concept of 'maritime heritage' is used so often to 'inform regeneration' it is surprising 	<p>General Comments</p> <ul style="list-style-type: none"> • It fails to set out the outline of the First Draft and then to quantify both the numbers and contents of comments made by both individuals and organisations. You have not demonstrated what note you have taken of local concerns and how you have amended the Plan accordingly. • What data not referenced in the Submission will be passed to the Examiner? Why are these not listed? • It fails to set the Plan into the context of either the Town, Borough or national planning/development agreed or potential objectives. • It claims to be bringing order to planning yet refers only to the 12 creek sites. • The Plan fails to set out 'top down' Faversham town overall plans and projections for industrial, commercial, tourist or residential sites and most importantly numbers and volumes. • Without this 'joined up' and conceptual outline you are incapable of understanding and articulating a broad picture of the future of Faversham. You only plan fragmentary and individual sites futures. You fail to present an overall concept and vision for the future. • No detailed account of the historical development of the entire Creek is included with no reference to local historians. • 'Heritage' should be defined. Ensuing ambiguity is divisive. • The Plan uses the word 'regeneration' yet nowhere is it defined; this is sloppy drafting of a legal document. • As the concept of 'maritime heritage' is used to 'inform regeneration', why are no historic photographs and maps shown? • The Plan should have looked at other ports in England facing the same challenges for guidance, understanding and vision. <p>Section Comments</p> <ul style="list-style-type: none"> • If the Vision is to celebrate the towns rich history set out that history in detail. <p>Objectives</p> <ul style="list-style-type: none"> • 3. Light industry related to maritime use must be allowed • 9. What does this mean? • 13. Include ... organisations... and their aspirations.. • 15. Delete or modify this. A Creek path on the town side is incompatible with commercial/maritime operations. • Any more than a tiny amount of housing is destructive of both the character of the Creek and the opportunity to provide any maritime commercial/industrial activities which are primary to maintaining the Creek as a working water way or site. • Define 'conserves heritage'. • Urban Analysis – needs re-writing by an historian as it is superficial and incomplete. The text is misleading and cannot properly inform development. • Character Areas - The Brewery, TS Hazard and Gilletts Flour mill should be added to the list of footprint buildings. The most significant Character Area is Ordnance Wharf and Flood Lane. The Plan shows ignorance of it and that compromises the future of the site. • Life and Vitality - Maritime light industry should be included. • Development Opportunities - Why are Areas 1,2 and 3 'able to embrace a higher density form'? This is an unsubstantiated assertion. The head of the Creek is the most sensitive area yet it receives only a throw-away line. • Easy to Get Around – Supports a path along the Brents side of the Creek but not along the

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			<p>that a range of historic photographs and maps is not included. The stray buildings photos fragment the presentation. There are several Faversham historians who would be very willing to produce these.</p> <ul style="list-style-type: none"> • Why has this not been done? • Other ports in England are facing the same challenges as Faversham. The Submission should have looked at these for guidance, understanding and vision. Once again this suggests failure to undertake a professional assessment of the situation. • Why has this approach not been followed? <p>Section Comments</p> <p>Introduction</p> <ul style="list-style-type: none"> • Faversham was a port and incidentally a town with a market. The value and volume of trade through the Creek was hundreds of times greater than that of the market, which dealt in small value small quantity items like dairy produce. <p>Vision</p> <ul style="list-style-type: none"> • If the Vision is to celebrate the towns rich history set out that history in detail. • How can you celebrate other than a ghost if the Submission does not make it easier rather than more difficult for trade and industry, the life of the Creek, to flourish? <p>Objectives</p> <ul style="list-style-type: none"> • 3. Light industry related to maritime use must be allowed • 9. What does this mean? • 13. Include ... organisations... and their aspirations.. • 15. Delete this or modify it. A Creek path on the town side is incompatible with any commercial/maritime operations activity dependent upon siting at the water edge. <p>Background</p> <ul style="list-style-type: none"> • Define 'regeneration. • Any more than a tiny amount of housing is destructive of both the character of the Creek and the opportunity to provide any maritime commercial/industrial activities which are primary to maintaining the Creek as a working water way or site. • Define 'conserves heritage'. <p>Urban Analysis</p> <ul style="list-style-type: none"> • This section must be re written by an historian as it is superficial and incomplete It does not set out the geographic development of the Creek, the chronology of embankment and the grouping and the types of building put up on the banks. • The text is hence misleading and cannot properly inform development. <p>Character Areas</p> <ul style="list-style-type: none"> • The Brewery, TS Hazard and Gilletts Flour mill should be added to the list of footprint buildings to improve the scope of the area and show just how many heritage assets are in the area. • The most significant Character Area is the entire Ordnance Wharf and Flood Lane area behind it. It is pastoral and restful in character. It is, more importantly, the northern tip and surviving part of the vast network of waterways and gunpowder mills running to Stonebridge Pond, behind Tanners Street, and previously along the northern side of Lower Road and thence to Ospringe Road just north of Water Lane. In its day this was one of the largest gunpowder works sites in England. The waterways, interspersed with gunpowder mills and ponds, stretched for over two miles. The 1825 Sale Plan should be attached to appreciate this significance visually. • The failure to understand and note this does not support the Plan contention that it is informed by heritage. In this case the Plan shows ignorance of it and ignorance that 	<p>town side. It will prevent maritime operations from having unhindered access to the water.</p> <ul style="list-style-type: none"> • Homes for People – Only 20% of the Creek front ever had housing.. Any more will irreversibly change the character of the Creek. • Improving Building Standards – This must include improving design and originality. Only ultra-modern buildings, reflecting water and light are allowed. • Improving the Natural Environment - Biodiversity will not be improved in the Ordnance Wharf and Flood Lane corridor if the Plan objectives are agreed. • Reducing the Flood Risk - All additional embanking and raising barriers compromises the setting of the Creek and prevents direct access to the water. • Height of housing should not be dictated by its viability but by its impact on the historic setting. • Historic Environment and Heritage Assets - A précis of each of the documents mentioned must be included. • Policy Objectives - must include supporting existing maritime organisations. • Business Tourism and Employment - Paragraph 3 must read ..."the Creek should provide additional workshops...not could provide additional workshops. " <p>Specific Sites Comments</p> <ul style="list-style-type: none"> • What comments were made previously should be set out under each section. • All the above comments are applicable to each of the 12 sites listed below. • Purifier - maritime related use only. • Ordnance Wharf - no housing and be available for maritime activities by those at The Purifier. Only single story. • BMM Weston - Creekside site should remain industrial. Car park tidied and fences removed. The office buildings on the hill should be retained and converted to apartments. No additional buildings on this visually vital site. • Frank and Whittome - No part of the old Saw Mill building should be demolished. If necessary part could be converted to residential use. • Swan Quay - The timber framed shed is a heritage asset and re must be preserved and used as an open building or glazed. The submission of Mr Ray Harrison should be implemented. • Oil Depot – Two storey residential development may be suitable with ultra modern architecture. • Standard Quay - All tourist uses must be resisted and traditional maritime activities supported. • Standard House - A modest amount of two story housing set away from the house could be allowed. • Fentimans Yard - As above. • Brents Industrial Estate – acceptable. • Iron Wharf – acceptable. • Conclusion - Creek does not need 'regeneration' but 'rejuvenation' and gentle intervention to recover the character of the place but not wholesale intrusive intervention. • The ideas are too intrusive, severely damage the unique character of the Creek and do not reflect their guiding principles. • Should be withdrawn and a further round of comments be included to make it one that reflects what a large number of informed local correspondents with vision want.

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			<p>compromises the future of the site.</p> <p>Life and Vitality</p> <ul style="list-style-type: none"> Maritime light industry should be included to bring contribution to Faversham's economy. The Creek side is where this always was. <p>Development Opportunities</p> <ul style="list-style-type: none"> Why are Areas 1,2 and 3 'able to embrace a higher density form'. This is an unsubstantiated assertion not backed up by reasons or fact. This area has never had dense development. Look at all the town maps from 1750 to date to prove that. Any development here will alter an entire area irreversibly and be seen from a long distance to do so. The head of the Creek is the most sensitive area yet it receives a throw-away line from what is supposed to be a serious Plan. Such drafting is sloppy and shows failure to address the most important site that has received more comments than any other, by not least The Faversham Creek Trust. <p>Easy to Get Around</p> <ul style="list-style-type: none"> A path along the Brents side of the Creek is a good idea as it gives fine views of the historic town. A continuous path along the town side is not. It will prevent maritime operations from having unhindered access to the water and will hence deter the very operations that produce the 'heritage' to survive. Take for example Standard Quay and the problems caused by the clearance of maritime 'tackle' from the water side. People and dirty noisy and oily maritime ventures do not mix. It deters the very people we should be encouraging to set up maritime business in Faversham. <p>Homes for People</p> <ul style="list-style-type: none"> The town side of the Creek has only ever had cheap housing, and housing that was occupied by people working nearby, because the area was always flooding. Housing was tucked in and subservient to trade and industry. Approximately only 20% of the Creek front ever had housing. Today the Belvedere Road developments account for 20% of the Creek front. Any more will irreversibly change the character of the Creek. <p>Improving Building Standards</p> <ul style="list-style-type: none"> The definition of these must include improving design and originality. The Belvedere Road houses are derivative, architecturally dull and lack originality. Golding Terrace has no relationship to the Creek area; it relates to Cheltenham. In 1866 Gilletts Mill and in 1730 what is now The Creek Hotel were original buildings. The Plan gives a unique opportunity to ensure that ultra-modern stunning eye catching state of the art in modern materials buildings which reflect water and light only are allowed. <p>Improving the Natural Environment</p> <ul style="list-style-type: none"> Biodiversity will not be improved in the Ordnance Wharf and Flood Lane corridor if the Plan objectives above are agreed. How do the drafters reconcile these statements? <p>Reducing the Flood Risk</p> <ul style="list-style-type: none"> All additional embanking and raising barriers compromises the setting of the Creek. It makes the Creek, which is a water way, feel like a motorway with barriers. It also prevents direct access by potential maritime uses to their water. The height of housing should not be dictated by its viability but by its impact on the historic setting. How is this compatible with the claim of the drafters to be informed by heritage? This is an example of the tail wagging the dog. <p>Historic Environment and Heritage Assets</p> <ul style="list-style-type: none"> A précis of each of the documents mentioned in the first 4 paragraphs must be included in 	

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			<p>the Submission. Reliance is put upon them but without a fuller understanding of them readers cannot achieve a proper understanding of their impact on the Submission.</p> <p>Policy Objectives</p> <ul style="list-style-type: none"> • These must include supporting existing maritime organisations such as The Faversham Creek Trust and similar voluntary organisations. <p>Business Tourism and Employment</p> <ul style="list-style-type: none"> • Paragraph 3 must read ...the Creek should provide additional workshops...not could provide additional workshops. <p>Specific Sites Comments</p> <ul style="list-style-type: none"> • The text for each should outline how many and what comments have been received so we can see how our views have been incorporated or ignored. • All the comments I set out above are applicable to each of the 12 sites listed and should be read in conjunction with each of the 12 sites entries below. <ul style="list-style-type: none"> ○ Purifier • This area should be for maritime related use only, whether commercial, light industrial, workshop or training only. <ul style="list-style-type: none"> ○ Ordnance Wharf • This should have no housing and be available for expanding maritime activities being undertaken so successfully at The Purifier. No buildings should be above single story. <ul style="list-style-type: none"> ○ BMM Weston • The Creek side site should remain as an industrial site. The car park should be tidied and the demeaning fences removed. The office buildings on the hill should be retained and converted to apartments if required. No additional buildings should be erected on this visually vital site and one that is a rare survival of a semi-rural walled garden. The site also creates a barrier between the town and Davington village; an accepted planning policy. <ul style="list-style-type: none"> ○ Frank and Whittome • No part of the old TA Whittle Saw Mill building should be demolished. For the first half of the last century it was the largest operation of its kind in Kent. If necessary part could be converted to residential use. <ul style="list-style-type: none"> ○ Swann Quay • The huge timber framed shed used as a timber store by T A Whittle is a valuable heritage asset and reflects the character of this part of the creekside. It must be preserved and a use as an open building or perhaps glazed one be found. • The submission of Mr Ray Harrison should be implemented. <p>6.Oil Depot</p> <ul style="list-style-type: none"> • Residential development may be suitable. As it does not relate to the immediately surrounding area the architecture should be ultra-modern to show Faversham can be adventurous and understand how important it is not merely to contextualise every development but encourage fine modern architecture. No building should be more than two stories high. <ul style="list-style-type: none"> ○ Oil Depot • Comments as above. <ul style="list-style-type: none"> ○ Standard Quay • All developments which make it more like the trashy tourist venue, full of vintage and retro shops, at Rye harbour must be resisted. The traditional maritime activities must be supported by policy objectives. <ul style="list-style-type: none"> ○ Standard House • A very modest amount of housing set well away from the house could be allowed. It should 	

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			<p>be no more than two stories high.</p> <ul style="list-style-type: none"> ○ Fentiman's Yard • Comments as above. ○ Brents Industrial Estate • Submission acceptable ○ Iron Wharf • Submission acceptable <p>Conclusion</p> <ul style="list-style-type: none"> • The Creek does not need 'regeneration' but 'rejuvenation'. That is akin to the treatment of a complex listed building, of which Faversham has hundreds, which has many unsuitable or poor quality interventions of many centuries, scruffy outbuildings and a setting or landscape that has been degraded over many years. The accepted approach is gentle intervention to recover the character of the place and to make the outbuildings viable but not wholesale intrusive intervention. • The Submission ideas are too intrusive, severely damage the unique character of the Creek area and often do not reflect the guiding principles the authors' state. • This Submission document should be withdrawn and a further round of comments that you are receiving again from informed parties be included in order to make it a better argued case and primarily one that reflects what a very large number of informed local correspondents with vision and intellectual rigour want. 	
FCNP23	Beatrice Felicity Patricia Carlton	Object	<ul style="list-style-type: none"> • I wish to endorse all the points made in the document: FAVERSHAM CREEK TRUST AND BRENTS COMMUNITY ASSOCIATION RESPONSE TO NEIGHBOURHOOD PLAN CONSULTATION. In particular I wish to register (again) my objection to residential use of Ordnance Wharf. 	<ul style="list-style-type: none"> • Supports the views of The Faversham Creek Trust and Brents Community Association. • Objects to residential use of Ordnance Wharf.
FCNP24	Eric Glynn	Object	<ul style="list-style-type: none"> • The Basic Conditions Statement says that a Neighbourhood Plan should have 'broad local support from the residents.....'. The Faversham Creek plan does not fit this requirement. • There have been three dominant people on the Faversham Steering Group for this plan (none of whom, incidentally, are elected members for Faversham Council) who have been working to promote housing projects along the Creek since long before the Neighbourhood Plan was thought of, and they continue to do so. The current version of the plan shows that their wishes are prevailing. • Their view of how the creek should be developed is not shared by a large majority of the residents. This is clear from the responses to the consultation in Faversham. • As a crucial example 87% of people did not want housing at Ordnance Wharf. The Plan has been re-written, but ignoring these public objections. • The situation has been very polarised with one of the above members of the Steering Group referring to the Creek Trust as "the howling mob". 	<ul style="list-style-type: none"> • The Plan does not have broad local support from the residents. • There have been dominant people on the Steering Group who have been working to promote housing projects along the Creek. The Plan shows their wishes prevailing. • Their view of how the creek should be developed is not shared by a large majority of the residents. This is clear from the responses to the consultation in Faversham. • 87% of people did not want housing at Ordnance Wharf. • The situation has been very polarised.
FCNP25	Merrilyn Thomas	Object	<ul style="list-style-type: none"> • I write to endorse the document submitted by the Faversham Creek Trust in relation to the Faversham Creek Neighbourhood Plan. I am one of the 70 per cent who did not agree to the plan and whose views have been largely ignored. 	<ul style="list-style-type: none"> • Endorse the document submitted by the Faversham Creek Trust.
FCNP26	Faversham Society	Comment	<ul style="list-style-type: none"> • The Faversham Society's board of Trustees have met and considered the above plan and comment as follows that in their opinion the FCNP fails to meet the basic conditions in as much:- <ul style="list-style-type: none"> • It is not in accordance with European law in respect of the Strategic Environmental Assessment (SEA) Directive; • It is not in accordance with UK and European law and guidance on the process of consultation; • English Heritage has not provided any input. 	<ul style="list-style-type: none"> • Fails to meet the basic conditions as: <ul style="list-style-type: none"> • Is not in accordance with European law in respect of the Strategic Environmental Assessment (SEA) Directive; • Is not in accordance with UK and European law and guidance on the process of consultation; • English Heritage has not provided any input. • As there was continuous use of the Creek as a waterway since Roman times an objective of

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			<ul style="list-style-type: none"> • It further considered that as there was been continuous use of the Creek as a waterway since Roman times that an objective of the Neighbourhood Plan should include the following:- • Ensure that before any development involving work on wharves around the creek there is an archaeological investigation and that no significant remains are destroyed by development; • Concerning site specific amendments the Society feels that with regard to Ordnance Wharf it should object on the grounds that three storeys would obstruct significant views and be out of keeping with Faversham’s historic townscape and undermine the heritage value of the conservation area. The Society feels that any development at Standard Quay should ensure the integrity of the conservation area and the maintenance of positive public space. • The Society acknowledges that the consultant has made significant improvements to the plan which now focuses upon the historic importance of the creek. This area is of enormous importance to the heritage of the town and we urge the examiner to look closely at the views we have expressed. We are neither opposing nor endorsing the plan at this time we are simply seeking to strengthen the protection of heritage in the plan and of course the Society will take a view on the final version of the plan at the appropriate time. 	<p>the Neighbourhood Plan should include the following: “Ensure that before any development involving work on wharves around the creek there is an archaeological investigation and that no significant remains are destroyed by development.”</p> <ul style="list-style-type: none"> • Objects to Ordnance Wharf as three storeys would obstruct significant views and be out of keeping with Faversham’s historic townscape and undermine the heritage value of the conservation area. • Any development at Standard Quay should ensure the integrity of the conservation area and the maintenance of positive public space. • Acknowledges the significant improvements to the plan which now focuses upon the historic importance of the creek. This area is of enormous importance to the heritage of the town. • Are neither opposing nor endorsing the plan at this time, are seeking to strengthen the protection of heritage in the plan.
FCNP27	Mr Bales	Object	<ul style="list-style-type: none"> • I wholeheartly support the submission documents from the Faversham Creek Trust and the Brent's Community Association (attached.) • We were treated like peasants in a medieval fiefdom. We were not properly consulted. All the way through the process it was as if the only people that mattered apart from the N.P. committee were the property speculators who stand to gain from the trashing of our 2000 year heritage just to make a large profit by building luxury houses. We were told that all landowners and people with an interest in the creek area would be consulted for their views, as a creek side landowner and having a great interest in the creek and its history I have to say that my views were not only never taken into account, any attempt to make my views heard were deliberately ignored. • There was no proper Heritage Assessment, no proper Environmental Assessment, and no notice was taken of the RAMSAR site which is in very close proximity to the area included in the N.P. • I feel that as the peoples opinion was so obviously ignored that a public hearing should be set up to get to the bottom of what appears to be at the very least a highly unjust process. • I wholeheartedly agree with the submission from the Faversham Creek Trust and the Brents community Association. • When the N.P. was first aired we were led to believe that all landowners and interested parties would be involved in the drafting of the plan. As it turns out the only parties asked for their views were the local businesses, notably property speculators who hope to make a great deal of profit by building expensive houses. This is the way in which the N.P. committee deemed that it would be formulated. This was in direct contravention of the guidelines set up by Government. • As the owner of a creek-side property and with a great interest in its history I have never been given the chance to express my views, in fact I have been shouted down at meetings when attempting to legitimately put my views across. At one public meeting, the public was told the police had been called which appeared almost comical. There has not been a full Heritage Assessment, there is no Environmental survey and no notice has been taken at all of the RAMSAR site that is in very close proximity to the area of the N.P. There does appear to be a widespread opinion that for whatever reasons, the committee has decided to accede to the wishes of the property speculators. With all this in mind I formally request 	<ul style="list-style-type: none"> • Support comments made by Faversham Creek Trust and the Brent's Community Association. • Community has not been properly consulted. • There has been no proper Heritage Assessment, no proper Environmental Assessment, and no notice was taken of the proximity of the RAMSAR site. • A public hearing should be set up to get to the bottom of what appears to be a highly unjust process. • Had thought that all landowners and interested parties would be involved in the drafting of the plan, but only local businesses (property speculators) were asked to contribute.

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			that a public hearing be set up to get to the bottom of this.	
FCNP28	James Rubinstein	Object	<ul style="list-style-type: none"> • There is so much public support in Faversham gathering around the idea of the regeneration of the town's maritime heritage that it is really quite incredible that, for all the lip service the town council pays to that idea, the reality is that it is pulling so hard in the opposite direction that it risks strangling it at birth. • Towards the end of the last century the Creek's commercial star faded and, in more recent times, speculators have acquired old industrial sites alongside it for development. Since then a new market has developed, based on the provision of facilities to service traditional boats that heralds an opportunity to restore an abundance of maritime trades to their proper setting on the Creek. • The Faversham Creek Trust and others have seized upon that opportunity and sought to demonstrate that, if it is given half a chance, it could provide both an economic and a cultural renaissance for the town. However, the town council has resisted all entreaties to change course and remains steadfast in its determination to flag the relevant sites, including the critical Ordnance Wharf inside the Creek basin – a site singularly unsuited to housing of any kind, as available for residential development. • Speculators do not have a god-given right to development gain, and the local community cannot be held hostage to any historic pledges by local authorities that are now encumbering the planning process. • Neighbourhood plans are supposed to allow local people to get the right type of development for their community. The fact that they must also still meet the needs of the wider area does not necessitate that every site retain a residential option. • Other responses to the Submission Plan, notably that delivered by the Faversham Creek Trust and the Brents Community Association, amply demonstrate that it fails to meet the basic conditions and does not carry the support of the community. • At this definitive stage of the process the council needs to change tack or risk failure at the public referendum. 	<ul style="list-style-type: none"> • There is public support in Faversham for the regeneration of its maritime heritage. The town council is pulling in the opposite direction and risks strangling it at birth. • The Creek's commercial star faded at the end of the last century and speculators have since acquired old industrial sites along it. Since then a new market has developed, based on the facilities to service traditional boats and that heralds an opportunity to restore an abundance of maritime trades to their proper setting on the Creek. • Faversham Creek Trust and others have sought to demonstrate that it could provide both an economic and a cultural renaissance. However, the town council remains determined to designate the relevant sites for housing. • Ordnance Wharf is unsuited to housing. • Speculators do not have a right to development gain, and the community cannot be held hostage to historic pledges by local authorities that are now encumbering the planning process. • Neighbourhood plans are supposed to allow local people to get the right type of development for their community. The fact that they must also still meet the needs of the wider area does not necessitate that every site retain a residential option. • The Faversham Creek Trust and Brents Community Association representation shows that the NP fails to meet the basic conditions and is not supported by the community. • The council must change tack or risk failure at the referendum.
FCNP29	Sue Cooper	Object	<ul style="list-style-type: none"> • My submission consists of this letter (8 pages) and a 'working document' which is a history of the activities at Standard Quay from 1992 to 2011 and beyond (26 pages). • My concern can be summarised as being that the Plan demonstrates no understanding of the Creek as a Working Waterway and thus gives no attention to its viable maritime uses. This lack of understanding is because of the lack of opportunity given to Creek Users and Service Providers to have any meaningful input into the plan. • While I accept that the Plan is a Neighbourhood Plan (NP) and thus should meet the needs of the local community, what has not been recognised at all in the drawing up of this NP is that the essential character of the Creek is not residential or urban. It is maritime and as such the community which uses it is far wider than is represented by the local population. The NP format gives the opportunity for such a unique essential character to be identified, represented and protected. This NP did not consult that wider community in any meaningful way and was in fact obstructive of input from that community. The Steering Group (SG) was initially I had thought meant to be an enabling body seeking a wide input from all interested parties - including Users and Service Providers. In fact, through the insistence that the SG was run according to the rules of Town Council committees, input at meetings from service users and providers, many of whom live outside the Town boundaries, was banned. I lived in Faversham Town for a short period and during that time I did speak at one meeting, (to ask why the NP was not only not based on AAP2 but actively contradicted it). This question was referred to the Borough Council representative to seek a reply but at the following meeting the Chairman began the meeting by saying that it was 	<ul style="list-style-type: none"> • This representation is accompanied by a 26 page documents detailing the activities at Standard Quay from 1992 to 2011. • The Plan demonstrates no understanding of the Creek as a working waterway and gives no attention to its viable maritime uses. This lack of understanding is because of the lack of opportunity given to Creek users and service providers to have meaningful input into the plan. • The essential character of the Creek is not residential or urban. It is maritime. As such the community which uses it is far wider than is represented by the local population. • The neighbourhood plan did not consult that wider community in any meaningful way and was obstructive of input from that community. Object to the fact that under Town Council committee regulations, contributions from members of the public at meetings was limited. • Specific questions have not been answered. Do not understand why the Plan is not only not based on, but so drastically contradicts AAP2 when the Borough Council has it as a saved policy after the NPPF came into force. • At Standard Quay the wording of the 2004 Character Appraisal shows the vibrant atmosphere which was then so much appreciated by visiting vessels, tourists and artists at the time and AAP2 in the 2008 Local Plan acknowledged the exceptional environment and specifically pledged to support it. • Since 2008 the Council has appointed two consultant groups both concerned primarily with Town Planning and neither with any background in maritime uses. The Fullwood Report did not build on AAP2 but totally went against its ethos and received a large number of. The

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			<p>insufficient to have an address in town, one must be a registered elector. I was not registered to vote and was unable to speak at any further SG meetings until the rules were relaxed by Richard Feria at a meeting at which his revisions to the NP were presented. But that of course was far too late as was particularly evidenced by a conversation between Mr Feria and Anne Salmon from the SG during the public question period regarding the difference between ‘substantive’ and ‘substantial’ changes and a comment from Mr Feria that he was not allowed to make any changes which would entail going back a stage in the process.</p> <ul style="list-style-type: none"> I never heard a proper answer to my question at any point and I still do not understand why the NP is not only not based on but so drastically contradicts AAP2 when the Borough Council has it as a saved policy examined by them after the NPPF came into force and deemed by them to be strong and in compliance with the NPPF. <p><u>My personal interest:</u></p> <ul style="list-style-type: none"> My personal background is not nautical, but I was involved closely with the establishment and growth of the successful Traditional Boatyard at Standard Quay from 1992 (see attached history). For many years I have worked with others to lobby the Council to protect the Creek and there is much documentation on file over many years of my and others submissions requesting the Council to acknowledge the unique and successful dynamic working environment of Faversham Creek. With others I submitted the Standard Quay e petition ; wrote and managed the Standard Quay blogsite (standardquay.com) ; helped with administration and was for a short while a Director of Standard Quay (Faversham) Ltd which ran a traditional boatyard at Standard Quay from 1992 - 2011 (please see attached document - a work in progress entitled History of Standard Quay 1992-2011 and Beyond). I am also the ex-partner of Brian Pain, Founder Director of both Standard Quay Faversham Ltd and Rochester Independent College (a company which has made substantial investment into Faversham Creek particularly with regard to the Shipwrighting Apprenticeship scheme). I and others from the town worked individually and through the Friends of Faversham Creek to contribute to the formation of the 2008 Local Plan policies for the Creek, working for several years to help to form a policy which would protect the Maritime Heritage of Faversham Creek well into the future. Prior to the 2008 Plan and specifically AAP2, the relevant policy for Faversham Creek, the Council had had difficulty defending the creek against inappropriate development which was destroying the employment sites, increasing land values for speculators and leading to successful appeals. (contrary to assertions from the SG at meetings, since the 2008 Local Plan has been in force and since AAP2 has been the relevant policy, no appeals have been lost on Creekside sites that I can recall.) Despite this long association with the Creek I have been portrayed as a troublesome objector, have had my views completely ignored and have been I feel directly personally targeted at SG meetings as someone who should not be allowed to speak. <p><u>Some comments on the background to the NP:</u></p> <ul style="list-style-type: none"> At Standard Quay in particular the wording of the 2004 Character Appraisal clearly shows the vibrant atmosphere which was then so much appreciated by visiting vessels, tourists and artists at the time and AAP2 in the 2008 Local Plan acknowledged the exceptional environment and specifically pledged to support it. Since 2008 the Council has appointed two consultant groups both concerned primarily with Town Planning and neither with any background in maritime uses. The Streetscape Strategy was just that and had no regard to maritime industry and the so-called AAP more commonly known as the Fullwood Report, did not build on AAP2 but totally went against its ethos. It 	<p>flood designation change encouraged ‘hope value’ of land which, as functional floodplain, had previously been ideally suited to the maritime uses which were thriving at Standard Quay. Despite a mass of negative reaction, the Fullwood document has continued to form the backbone of the current Neighbourhood Plan.</p> <ul style="list-style-type: none"> When the Council won £20,000 for a Vanguard Neighbourhood Plan project, the Steering Group was appointed from the Town Council and from the Creek Consortium. There was no consultation or request for members to be nominated from the wider community. From the outset it appeared that the Steering Group consulted some landowners, but not the established landowners. It seems that it is landowners views only that have been fed into this finished version for this site. There has been no consultation at all on the formation of policies at Standard Quay. The inclusion of the wording about an assumption that the landowner will resubmit a planning application for a restaurant already dismissed at appeal is surely inappropriate Allowing restaurant use and then saying maritime use is to be encouraged is contradictory and counterproductive. Negotiating a restricted demarcated footpath at Standard Quay is a loss: there will be less public access than has been for many years; and it will completely block working use of the quayside for access to and from vessels for maintenance and repair. The importance of this site is for the maintenance, repair and restoration of vessels - to specify simply moorings is to completely misunderstand its significance. The policies are totally inadequate. The fragile connection of unique simple quayside properties should be preserved. It is unique and is uniquely economically viable in provision of maritime skilled facilities and tourism which supports, rather than competes with, town centre businesses and facilities. Don’t understand the specification for the Quay to be ‘vibrant night and day’. This seems to be aimed at encouraging restaurants and bars at Standard Quay, instead of maritime uses. This policy is completely unacceptable and is likely to destroy and not encourage the kind of environment AAP2 was specific should be preserved here. The Plan does not meet the Basic Conditions. It’s not in conformity with AAP2 - the relevant policy in the adopted Local Plan at the time. No consultation has been undertaken with Creek users and service providers. The Consultation Statement shows that there is no broad support, although there is some support for certain aspects (ie quite the reverse of what is stated). As reported in the online survey comments, 72% of respondents to the online survey said they did not support the Plan. It seems optimistic to report broad support especially if the results to this survey are compared to those from the simultaneous survey carried out by the Faversham Creek Trust. The survey questions were inconsistent and in some cases biased and included questions concerning aspects of the plan which would have been more appropriately addressed in early stages since their implications have been insufficiently addressed (a resume of questions is provided). Response to the flooding policy is inadequate. Insufficient to accept no comment from the Environment Agency. The site specific questions were very inconsistent. The question for Standard Quay was the most biased of all with people being asked to support or not support small businesses, rather than comment on a possible general use for the site. The response of the Council is relates to design and says nothing about the use of the site. In question 22, a random list of options is offered rather than the free choice of

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			<p>received a large number of objections (the one submitted by me on behalf of Standard Quay (Faversham) Ltd is on the standardquay.com blogsite on the home page).</p> <ul style="list-style-type: none"> • In order to enable development (rather than support existing uses) the Fullwood report included the redesignation of the area to 3a(i). I asked Mr Fullwood during the 2013 consultation why and by whom that had been done. He told me he had approached the Environment Agency at his own instigation. • However and why ever it was done, this flood designation change has further encouraged 'hope value' of land which, as functional floodplain, had previously been ideally suited to the maritime uses which were thriving on it at Standard Quay. We made an attempt to buy the SECOS site in 2013 but as the asking price was double the commercial value it was impossible to raise sufficient finance in time to meet the then owner's sale timetable and this site was sold to its current owner (the same owner of all the sites 6, 7 and 8 and who developed New Creek Road for housing) for twice its commercial value.). • Despite a mass of negative reaction, the Fullwood document has continued to form the backbone of the current Neighbourhood Plan. • During the formation of the 2008 Plan Swale Borough Council recognised that it had previously under-valued Faversham Creek and a group called the Faversham Creek Consortium was formed by the Council. It received secretarial support from the Council and some committee members were appointed by Swale. Other members were drawn from the town and Creekside users. Unfortunately, the Consortium was run very much as a Council committee and progress was frustratingly slow and bureaucratic. Local people dropped off it after a few years, few members of the public attended meetings and these meetings became few and far between. Announcements of progress were made at the meetings, but this was usually to report progress made by others or to repeat announcements of actions supposedly in hand that had already being reported at earlier meetings. • When the Council won £20,000 for a Vanguard Neighbourhood Plan project, the Steering Group was appointed from the Town Council and from the Creek Consortium. There was no consultation or request for members to be nominated from the wider community. • From the outset the Steering Group consulted landowners - notably those at Swan Quay and Standard Quay - who bought land at inflated speculative prices. They did not consult established landowners such as BMM Weston and there seems to be no input either from Shepherd Neame (whose sites are noticeably not covered by any policies in this plan despite their extensive creekside land ownership). Indeed the owner of Standard Quay published in 2003 plans for the development of the Standard Quay area which were successfully defeated and the businesses were able to continue there for 8 further years until their Lease had served its term. The landowner refused to renew the lease or release the land for sale. The Neighbourhood Plan policy for the Standard Quay area mirrors almost exactly this landowner's original 2003 plan for the Standard Quay area demonstrating that it is his views only that have been fed into this finished version for this site. • The Directors of Standard Quay (Faversham) Ltd have been treated badly throughout the consultation process with no notice being taken of their views. One of the Directors stopped attending Steering Group meetings as he found the process totally demoralising, the other was prevented from speaking as the Group rigidly followed standing orders which allowed public questions only from town residents. • My attached history of Standard Quay (which is incomplete at this stage) will indicate the area of expertise that those involved with Standard Quay could have offered the Neighbourhood Plan formation. • I have the following comments on specific aspects of the NP as currently drafted (while I 	<p>questions 19 and 20.</p> <ul style="list-style-type: none"> • In Q 23 and 24 where the Council is confident of support, the question is left unbiased. • The conclusion that 'the key message of the revised plan is that the neighbourhood plan does not consider residential uses to be incompatible with most industrial uses' does not make sense - how can the plan consider what the plan thinks? Throughout the document it is stated in response to local concerns that 'the Town Council believes...', But at no stage is any evidence presented to support these beliefs. • The neighbourhood plan process has been depressing, demoralising, frustrating. A massive opportunity to cement a vibrant future for Faversham Creek will be thrown away if it does not change and be more geared towards the unique environment of the Creek. • I am not against a Neighbourhood Plan, a good one based on AAP2 would be tremendous. Why have weak policies which are open to misinterpretation? Why offer options that are not wanted when it would be easy to specify the ones we do want? Why offer housing on the waterfront when there is a perfectly viable site preferred by a majority of respondents at the BMM Weston? Why not have strong and defensible aspirational policies based on firm economic potential and public support? • Hope that the Plan can be returned to an earlier stage for redrafting to provide a basis for a vibrant future for Faversham Creek. If this one is approved, it will potentially have destroyed everything that would allow the Creek to help form a unique and constructive part of a sustainable future.

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			<p>object to other policies also, my main interest is Standard Quay which is why this is first): <u>Site Specific Policies for Site 8 - Standard Quay</u></p> <ul style="list-style-type: none"> • This policy disregards completely the twenty year demonstration of this site’s viable use for Maritime related activities. There has been no consultation at all on the formation of policies which would specify this site for such purposes. The inclusion of the wording in the preamble that there is an assumption the landowner will resubmit a planning application for a restaurant already denied at appeal is surely inappropriate and is likely to encourage such application (indeed the landowner has reapplied and the Town Council have recommended the application for approval partly on the basis that it is in accord with this policy - this surely cannot be acceptable?). Allowing restaurant use and then saying maritime use is to be encouraged is contradictory and counterproductive. • Prior to the end of the lease of the boatyard company the wharf area was treated as such, with free movement across it from land and sea. The public were allowed free range over the entire quayside between the buildings and the quay edge. When work was in progress, people were more than willing to walk around it and indeed were usually fascinated to see what was going on. - Negotiating a restricted demarcated footpath is a loss, not a gain, in two ways: It is less public access than has been here for many many years and secondly it will completely block working use of the quayside for access to and from vessels for any practical work such as maintenance and repair. • The importance of this site is for the maintenance, repair and restoration of vessels - to specify simply moorings is to completely misunderstand its significance. • The policies are totally inadequate. To specify exterior signage cannot even be described as a gesture at preserving the essential character of these buildings which are listed as a unique simple quayside group in close association with each other, the Granary and the creek. This fragile connection should at all costs be preserved. It is unique but is also uniquely economically viable in provision of maritime skilled facilities and tourism which supports, rather than competes with, town centre businesses and facilities. • I do not understand at all the specification for the Quay to be ‘vibrant night and day’. Again this seems to be aimed at having the effect of encouraging the use of the Quay for such things as restaurants and bars not for maritime use. • Overall, this policy is, in my view, completely unacceptable and is likely to destroy and not encourage the kind of environment AAP2 was specific should be preserved here. • The Basic Conditions Statement states that the plan is in ‘general conformity with adopted and emerging local plans, has been developed ‘widespread consultation’ and has ‘broad local support from residents notwithstanding specific objections to certain aspects of the plan’ • The plan is not in conformity with AAP2 the relevant policy in the adopted Local Plan at the time. The wording in the statement misrepresents the thrust of AAP2 by ignoring the preamble which states that: <i>“house builders and home owners have found the creekside’s industrial sites an attractive prospect, but these change the character of the area and place pressures - both financial and environmental - on the remaining businesses and vacant sites to follow suit. Such changes to the character of the creekside lead to the loss of diversity of activity and a severance in the old links between the water and waterside uses. The Council considers that levels of new housing have reached the point where further proposals will damage the area and it will now resist them as both contrary to the strategy for the Local Plan and the policy for this AAP. Additionally the Council considers that frontage development not involving active use or management of the creek itself, or that which prevents use of the creek by vessels, should not be permitted.”</i> 	

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			<ul style="list-style-type: none"> • No consultation has been undertaken with Creek Users and Service Providers which would have provided information to the Council about the types of frontage development which would lead to loss of diversity of activity, a severance of links between the water and waterside uses. Indeed, when a business plan was independently compiled at their own expense by local residents who are highly thought of experts in the field the document was rubbish and ignored. Although it has been included in the documentation, no input from it is in the Plan. • The Consultation Statement shows that there is no broad support; although there is some support for certain aspects (i.e. quite the reverse of what is stated). • As reported in the online survey comments, 72% of respondents to the online survey said they did not support the Plan and it therefore seems optimistic to report broad support especially if the results to this survey are compared to those from the simultaneous and far more responded-to survey carried out by the Faversham Creek Trust, which indicated overwhelming support for alternative proposals. Those compiling this plan have from the very early stages refused to acknowledge alternative proposals. • The response Questionnaire for feedback to pre-submission consultation was unbalanced and inconsistent. • The survey questions were inconsistent and in some cases biased and included questions concerning aspects of the plan which would have been more appropriately addressed in early stages since their implications have been insufficiently addressed. <p><u>Biased questions and responses:</u></p> <ul style="list-style-type: none"> • “Do you consider it essential to have a continuous walkway around the creek as far as practicable connecting to the town and to the marshes.” No account is taken of the practical implications of this as regards the working use of the creek. A continuous walkway is not defined. The word ‘essential’ is misleading - essential for what? • The questions about policies being worded as ‘do you agree with ...’ And answers offered yes/no/unsure do not give the opportunity to have ‘partly agree and partly disagree’ which would have elicited more accurate responses to the policies as drafted. • The Council’s response to the Flooding policy is particularly inadequate given the seriousness of potential flooding issues it is insufficient to simply accept no comment from the Environment Agency as indicating the policy is adequate. When run by people who understand boats, tides and weather there is automatically a body of expertise which can form a protective warning system. A creek lined with houses and restaurants will have no body of people who understand such things and the businesses and houses will be exceptionally vulnerable. • The site specific questions were very inconsistent with different questions asked for each and a rather random selection of options offered for improvements around Swan Quay and combining housing workshops and retail into one category for this small site whereas the question for the Oil and Coach Depots (Qs 19 and 20) was more open. The only conclusion to draw from this is that this was because previous consultations had revealed these together being the least contentious site for possible housing or other mixed use. The question for Standard Quay was the most biased question of all with people being asked to support or not support small businesses rather than comment on a possible general use for the site. It is highly unlikely that respondents will fail to support small business and the Cambria Museum. It is an indication of the strength of opinion about this highly contentious site that the results were so mixed. The response of the Council is regarding only design and says nothing about the use of the site thereby assuming that development is likely rather than proper use of the site as it is. Again, in question 22, a 	

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			<p>random list of options is offered rather than the free choice of questions 19 and 20.</p> <ul style="list-style-type: none"> • Again, in Q 23 and 24 where the Council is confident of support, the question is left unbiased. • The conclusion that ‘the key message of the revised plan is that the neighbourhood plan does not consider residential uses to be incompatible with most industrial uses’ does not make sense - how can the plan consider what the plan thinks? Throughout the document it is stated in response to local concerns that ‘the Town Council believes...’, But at no stage is any evidence presented to support these beliefs. • Conclusion: I have found writing this exceptionally difficult. The NP process has been depressing, demoralising, frustrating. A massive opportunity to cement a vibrant future for Faversham Creek as the unique resource full of potential that it has been shown to be by the 20 successful years of Standard Quay (Faversham) Ltd and the subsequent work of the Faversham Creek Trust will be thrown away if this Plan does not change and be far more geared towards the unique environment of the Creek. I am not against a Neighbourhood Plan; a good one based on AAP2 would be tremendous. We are told not to worry about the wording of the individual policies, that any development will have to take account of the whole plan, but I have too much experience of voracious developers to have any faith in that. Why have weak policies which are open to misinterpretation? Why offer options that are not wanted when it would be easy to specify the ones we do want? Why offer housing on the waterfront when there is a perfectly viable site preferred by a majority of respondents at the BMM Weston site which would supply more housing options and not cripple the employment potential of the Creek? Why on earth not have strong and defensible aspirational policies based on firm economic potential and public support? I fervently hope that the Plan can be returned to an earlier stage for redrafting to provide a basis for a vibrant future for Faversham Creek. If this one is approved, we will potentially have destroyed everything that would allow the Creek to help form a unique and constructive part of a sustainable future. 	
FCNP30	Griselda Mussett	Object	<p><u>Response to Faversham Creek Neighbourhood Plan Submission</u></p> <ul style="list-style-type: none"> • I have lived in Faversham with my family since 1987. I was the first chairman of Faversham Creek Trust, and remain a director and trustee of the Trust, which has over 400 members. It was founded 3 years ago. I have campaigned for the creek since the late 1980s, on grounds of environment, setting of the medieval town, and history. • I fully support the response of Faversham Creek Trust in their response to the Neighbourhood Plan. However I would like to make the following observations. • The Town Council chose the creekside for its Neighbourhood Plan proposals, ignoring all other areas in the town for a plan of any kind. The full focus of their attention was on a few waterside sites which they wanted zoned for housing and no amount of argument or reason could dissuade them. The area chosen was arbitrary with anomalies such as the exclusion of one half of Abbey Street. • The so-called 'consultation process' was a complete failure from the point of view of the electorate and community, as detailed in the response of the Faversham Creek Trust and others. • It is worth noting that the town council was not unanimous in its decisions - as the arguments and problems emerged, a small but important group of councillors voted against their colleagues, having listened to our case. • Any plan for the creekside area would be challenging because it is the most complex part of town for various historic reasons: <ul style="list-style-type: none"> ○ management of the waterway itself including flood risk, 	<ul style="list-style-type: none"> • Support the response of Faversham Creek Trust. • The neighbourhood plan area has been chosen arbitrarily with anomalies such as the exclusion of one half of Abbey Street. • Consultation has been a complete failure from the point of view of the electorate and community. • The town council was not unanimous in its decisions. • Very complex location: management of the waterway, including flood risk; use and potential of the waterway, including local, regional and international maritime elements; road-traffic issues including access, congestion, emergencies and parking; heritage and conservation area status and views - challenges and opportunities; balance between residential and employment uses near the creek; the needs of the community for affordable housing; access for pedestrians from and to the rest of the town, signage; shortage of leisure and community facilities generally in the town centre; tourists and visitors who want to see the creek and get something tangible from their visit; impact of creekside plans on the rest of the town, especially traders and shopkeepers. • The Neighbourhood Plan fails to appeal to more than a few dozen local residents because it fails to acknowledge these issues. • No reference has been made to the Marine Planning Policy Framework. • The late Dr Arthur Percival (founder and director of the Faversham Society) repeatedly said the whole plan should be seen 'from the water', and not as a land-based strategy. • Query why the Environment Agency agreed to create a unique zoning exception for

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<ul style="list-style-type: none"> ○ use and potential of the waterway, including local, regional and international maritime elements ○ road-traffic issues including access, congestion, emergencies and parking, ○ heritage and conservation area status and views - challenges and opportunities ○ balance between residential and employment uses near the creek ○ the needs of the community for affordable housing ○ access for pedestrians from and to the rest of the town, signage, etc. ○ shortage of leisure and community facilities generally in the town centre ○ tourists and visitors who want to see the creek and get something tangible from their visit. ○ impact of creekside plans on the rest of the town, especially traders and shopkeepers • The Neighbourhood Plan as presented fails to appeal to more than a few dozen local residents because it fails to acknowledge - let alone address - these issues. <ul style="list-style-type: none"> ○ Management of the Waterway • As far as I can see, no reference has been made to the Marine Planning Policy Framework. The late Dr Arthur Percival (founder and director of the Faversham Society, died November '14) repeatedly said the whole plan should be seen 'from the water', and not as a land-based strategy. The town is only here because of the creek, and maritime requirements must be given priority. Everything else should flow from that principle. • Right up to his death he was explaining his vision for the creek and the town: www.youtube.com/watch?v=wYLCxad5qDc • Others have noted the recent tidal floods of 5/6 December 2013. Floods of similar severity happen about every 10-15 years to my knowledge (having lived here since 1987). • It is a blazing mystery to me why the Environment Agency should have been persuaded to create a unique zoning exception for Faversham - that development should be permitted in areas of tidal flooding [3a(i)]. This flies in the face of every known argument and statute. I would like to point out that all the ancient and surviving areas of housing/trade in the town (West Street, Court Street, Abbey Street) and which nearly all have cellars, were above the known and predictable flood zones (5m contour). • I also think Faversham Creek should be seen in the context of the Thames estuary as a whole - not only because of the barges which are characteristic of the Thames and east coast, and which traditionally operated to and from Faversham, but because of the fate of so many similar small maritime facilities in the estuary, which have disappeared because of land-based developments. Convoys in Deptford is a striking example of a site of national interest (Henry VIII's naval dockyard) about to disappear under a massive apartment-block scheme. Lady Dido Berkeley is a campaigner who has visited Faversham and urges that we should pay attention to this wider picture. <ul style="list-style-type: none"> ○ Use and potential of the waterway • Faversham Creek has a history of at least 2000 years due to its position within a day's sail from the continent, proximity to London, and controlling position (with the Isle of Harty) across the Swale, which was the historic route for most if not all shipping on the south side of the Thames estuary into the capital till the end of the 19thC. It is a Limb of Dover in the Cinque Ports, and offering trading facilities, ship-building, moorings, quays, wharves, warehousing, overwintering and of course maintenance services in the form of skilled shipwrights, riggers, sail-makers, chandlers, block-makers and the like. It is remarkable how much of this has survived - but this Neighbourhood Plan will eradicate all such opportunities and potential within the urban part of the creek. The traditional vessels for this coast 	<p>Faversham - that development should be permitted in areas of tidal flooding [3a(i)]. All ancient and surviving areas of housing/trade in the town (West Street, Court Street, Abbey Street) and which nearly all have cellars, were above the known and predictable flood zones (5m contour).</p> <ul style="list-style-type: none"> • Faversham Creek should be seen in the context of the Thames estuary as a whole because of the fate of so many similar small maritime facilities in the estuary, which have disappeared because of land-based developments. • Faversham Creek occupies an important position within a day's sail from the continent, proximity to London, and controlling position (with the Isle of Harty) across the Swale. It is a Limb of Dover in the Cinque Ports, and offering trading facilities, ship-building, moorings, quays, wharves, warehousing, overwintering and of course maintenance services in the form of skilled shipwrights, riggers, sail-makers, chandlers, block-makers and the like. The Neighbourhood Plan will eradicate all such opportunities and potential within the urban part of the creek. The traditional vessels for this coast having been decimated in number since the last World War - are now seeing a revival for conservationists and those interested in our maritime heritage. Thames Barges have been compared to Grade I listed buildings - there are now fewer than 30 of them afloat (compared with 2500+ in 1939). • This revival is an international area of interest, with Dutch, French and Scandinavian boats all visiting Faversham on a regular basis. The Faversham Nautical Festival has in three years already succeeded in attracting a wide range of interesting traditional craft to the bridge area of our creek, with crowds of people coming to see them. Faversham has in the past and could again be attracting these extraordinary boats to the centre of the town year round, with a wide range of benefits to a wide range of people, not least in retention of necessary skills (training, employment, tourism). But not if all the sites are converted to housing, and all wharf space used for parking. • If these maritime facilities and potential were properly recognized and managed, we could see the reinstatement of a Conservation Body to manage dredging, marine signage, buoyage, and facilities for visiting sailors, who at present have almost completely nothing to welcome them. Washing rooms, toilets, and information could and should be provided. We could have a Harbour Master, ceremonial bridge openings, and lots of activity to interest visitors and local people alike. None of that seems to have occurred to the Town Council, who were unwilling even to listen to ideas like this. • Faversham town centre is served by a single road which follows a very awkward and congested route (Ospringle Road, South Road, North Lane, Quay Lane, Court Street, Crescent Road, then either East Street, Whitstable Road, or Newton Road Station Road, Forbes Road and The Mall, both these giving onto main trunk roads. The Creekside area is notable for dead-ends - Belvedere Road (with its turn-offs towards the creek or into Goldings), Abbey Street - leading to a road block at the church, also dead-ends at Abbey Place, Standard Quay, New Creek Road, Upper Brents, Old Shipyard etc. Gridlock in the town is not unusual as huge lorries try to navigate the corners and narrow streets. • Parking is an increasing problem. It is plain that these streets are pretty well near to capacity a lot of the time and some sort of coherent plan is needed to manage traffic in future, not least during emergencies. The Neighbourhood Plan does not address this. There should be a link from the Western Link to the Old Shipyard Industrial Estate area. • Faversham was famously one of the first places in the UK to have announced conservation area status, and listed buildings, among its attractions. That vision has proved to be resilient and profitable in every possible way, enriching us all - until now.

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			<p>(barges, smacks, bawleys, etc) - having been decimated in number since the last World War - are now seeing a revival for conservationists and those interested in our maritime heritage. Thames Barges have been compared to Grade I listed buildings - there are now fewer than 30 of them afloat (cf 2500+ in 1939).</p> <ul style="list-style-type: none"> • This revival is an international area of interest, with Dutch, French and Scandinavian boats all visiting Faversham on a regular basis. The Faversham Nautical Festival has in 3 years already succeeded in attracting a wide range of interesting traditional craft to the bridge area of our creek, with crowds of people coming to see them. Faversham has in the past and could again be attracting these extraordinary boats to the centre of the town year round, with a wide range of benefits to a wide range of people, not least in retention of necessary skills (training, employment, tourism). But not if all the sites are converted to housing, and all wharf space used for parking. • Sails need space to be renewed - spread out on the ground for dressing... • I took this photo at Standard Quay in April 2007. The area is now a carpark. • If these maritime facilities and potential were properly recognized and managed, we could see the reinstatement of a Conservation Body to manage dredging, marine signage, buoyage, and facilities for visiting sailors, who at present have almost completely nothing to welcome them. Washing rooms, toilets, and information could and should be provided. We could have a Harbour Master, ceremonial bridge openings, and lots of activity to interest visitors and local people alike. None of that seems to have occurred to the Town Council, who were unwilling even to listen to ideas like this. • c Road-traffic issues including access, congestion, emergencies and parking • Faversham town centre is served by a single road which follows a very awkward and congested route (Osprunge Road, South Road, North Lane, Quay Lane, Court Street, Crescent Road, then either East Street, Whitstable Road, or Newton Road Station Road, Forbes Road and The Mall, both these giving onto main trunk roads. • The Creekside area is notable for dead-ends - Belvedere Road (with its turn-offs towards the creek or into Goldings), Abbey Street - leading to a road block at the church, also dead-ends at Abbey Place, Standard Quay, New Creek Road, Upper Brents, Old Shipyard etc. • Gridlock in the town is not unusual as huge lorries try to navigate the corners and narrow streets. • Parking is an increasing problem. It is plain that these streets are pretty well near to capacity a lot of the time and some sort of coherent plan is needed to manage traffic in future, not least during emergencies. • The present Neighbourhood Plan does not address this at all. • If 100 residential units are to be built on the creekside, where will all the parking be allocated? • Should we not also be considering a link from the Western Link to the Old Shipyard Industrial Estate area? <ul style="list-style-type: none"> ○ Heritage and Conservation Area status • Faversham was famously one of the first places in the UK to have announced conservation area status, and listed buildings, among its attractions, due partly to the work of Arthur Percival who along with other people had a clear and exciting 'vision' for the town's future based on its fascinating past. That vision has proved to be resilient and profitable in every possible way, enriching us all - until now. • I completely endorse the views of Ray Harrison in his submission re the Swan Quay area, and deplore the failure of the Town and Borough Councils to extend that careful evaluation to other parts of the creekside, notably Standard Quay (which I along with other historians 	<ul style="list-style-type: none"> • Endorse the views of Ray Harrison in his submission, and deplore the failure of the Town and Borough Councils to extend that careful evaluation to other parts of the creekside, notably Standard Quay. Concerned about the survival of the traditional oak stanchions on the various wharves - modern sheet piling was used along by Posilippo Restaurant. • The creekside is shockingly vulnerable to piece-meal development. The Neighbourhood Plan exacerbates this risk by its site-specific proposals. While individual buildings can be listed, it is their relationship to each other which is so valuable. The whole of the urban creek in Faversham should be considered as a whole for its remarkable survival. The view of peg-tiled roofs (skyline, house-backs) seen from the creek is fantastically attractive and unique. It is a survivor from the Tudor and even medieval periods. • If the Town Council was concerned about affordable housing, they would have insisted on - say - 35%, or perhaps 50% - of any new units being affordable. They are silent on this aspect. • The gunpowder history (Chart Mills, Stonebridge Pond, Ordnance Wharf and the bridge) is clearly of global historic interest, as the explosives were shipped out from here for use by the fleet against the Spanish Armada, for the Civil War, the battles of Blenheim, Trafalgar, Waterloo, the Crimean and Boer Wars. None of this has been noticed by the Town Council. It is a massive cultural asset which could be used for education and widespread interest, if properly conserved, managed, presented and promoted. This would help develop the town's uniqueness, which has always been important in the past and should be again. • I endorse the remarks of John Owen who has submitted his comments to this process. • In addition to imports/exports of timber and grain, the town has a manufacturing history based on ship-building, brick-making, brewing and explosives. They all relied on the creek for shipping. These four industries are all still in action (brick-making and explosives are now very much reduced). Beer is still made at Shepherd Neame on its creekside brewery - an extensive site which notably along with the Morrisons Supermarket and BMM Weston sites does not appear in the Neighbourhood Plan. Surely a plan like this should have some sort of policy governing such sites? If the brewery were to relocate, or the supermarket to leave, what would happen on these sites? • A new opening bridge should be provided. • Around the Basin, maritime uses should be given absolute priority: moorings, space for wharves and quays, storage, pedestrian and vehicular access, and so on; • All the land bordering the Basin should remain as employment zones, bearing in mind flood risk; • Any built development in the Basin area should be limited to two storeys, preferably single-storey on the actual waterfront, and be traditional in appearance; • Attention should be paid to the character of the Basin area, which is highly sensitive in natural, geographic and historic terms - being concave in the landscape, almost rural, with elusive and attractive views from the creekside paths, and with a view up to Davington Priory which has been unchanged since the 12thC. • Endorse the views of others have commented on Ordnance Wharf and how important it is that it should not be snatched up for residential use. • The basin should be a place of national pilgrimage because of the gunpowder industry, and as working space for (eg) sail-dressing, and other maritime uses. • There should be a community boat-yard based at Ordnance Wharf (bearing in mind

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			<p>believe should be grouped with Abbey Farm, which was recognised by the World Monument Fund some years back). Standard Quay with its attractive and fragile buildings and is part of that historic, ancient, royal and economically important part of the town.</p> <ul style="list-style-type: none"> • I am also particularly concerned about the survival of the traditional oak stanchions on the various wharves - modern sheet piling was used along by Posilippo Restaurant and horrible it looks. • The whole creekside is shockingly vulnerable to piece-meal development proposals, as we have seen in the last 20-30 years at Waterside, Faversham Reach, Belvedere Road, etc. The Neighbourhood Plan exacerbates this risk by its site-specific proposals, and not offering any overall vision for the creek as whole. While individual buildings can be listed, it is their relationship to each other which is so valuable. The whole of the urban creek in Faversham should be considered as a whole for its remarkable survival as an example of an east coast/Thames estuary working port, with typical small-scale wooden-framed black weather-boarded buildings, sometimes with footpaths leading to the wharves, the shallow roof pitches unbroken by dormers, most restricted to two stories with a very few examples (literally outstanding) of 19th C brick depots - Oyster Bay House, and the mill on Belvedere Road now occupied by Posilippo Restaurant. The view of peg-tiled roofs (skyline, house-backs) seen from the creek is fantastically attractive and unique. It is a survivor from the Tudor and even medieval periods. You would learn none of this from the Neighbourhood Plan, which squanders everything in favour of some exclusive housing developments. • If the Town Council was concerned about affordable housing, they would have insisted on - say - 35%, or perhaps 50% - of any new units being affordable. They are silent on this aspect. • The gunpowder history even if we only consider here only the Chart Mills, Stonebridge Pond, Ordnance Wharf and the bridge - is clearly of global historic interest, as the explosives were shipped out from here for use by the fleet against the Spanish Armada, for the Civil War, the battles of Blenheim, Trafalgar, Waterloo, the Crimean and Boer Wars.... None of this has been noticed by the Town Council, whereas I see this as a massive cultural asset which could be used for education and widespread interest, if properly conserved, managed, presented and promoted. This would help develop the town's uniqueness, which has always been important in the past and should be again. • I endorse the remarks of John Owen who has submitted his comments to this process. <ul style="list-style-type: none"> ○ The balance of residential and employment needs near the Creek • In addition to imports/exports of timber and grain etc., the town has a long practical manufacturing history based on ship-building, brick-making, brewing and explosives, known as The 4 Bs - Boats, Bricks, Beer and Bangs. They all relied on the creek for shipping, These four industries are all still in action (brick-making and explosives are now very much reduced). Beer is still made at Shepherd Neame on its creekside brewery - an extensive site which notably along with the Morrisons Supermarket and BMM Weston sites does not appear in the Neighbourhood Plan. Surely a plan like this should have some sort of policy governing such sites? If the brewery were to relocate, or the supermarket to leave, what would happen on these sites? (The previous supermarket, Co-op, lasted little more than 10 years). What view does the Town Council have, however airy or theoretical, for these sites? • We are all hoping that a new opening bridge will be agreed, and much rests on that decision which is financial rather than substantive, but whether or not that goes ahead, I have several areas of concern about the Basin area of the creek: • that around the Basin, the maritime uses of the area should be given absolute priority: moorings, space for wharves and quays, storage, pedestrian and vehicular access, and so 	<p>local deprivation).</p> <ul style="list-style-type: none"> • Welcome housing on the hill land at BMMWeston, with employment retained. • Affordable Housing threshold should be reduced from 14 to 4. • Evidence shows that a third of visitors ask for directions to the creek (survey is appended to representation). • In recent years, community facilities in the town centre have either vanished or become significantly more expensive. There should be room at various points on the creekside for community spaces. Ordnance Wharf and the proposed new quay space at BMM Weston offer great possibilities. • If the Basin was developed as a regional or national 'hub' for barges and other traditional boats it would attract visitors. • Signage is needed to guide visitors to creekside spots which are themselves connected by footpaths. • Concerned that too many retail or restaurant outlets on the water might detract from town-centre trade. • Recent voluntary activities show that Faversham has a resilient and enterprising spirit and is good at managing its own affairs. A huge amount of money has been spent on this 'Neighbourhood Plan' which has ignored and failed to convince local people. Money could have been spent in replacing/mending the swing bridge. • The creek is a unique, attractive, popular waterway with the remnants of a skilled workforce for the building and maintenance of traditional regional vessels, which are themselves an attraction for visitors. These vessels and the shipwrights need space, which can only be on or beside the water. Housing, shops and offices can go anywhere.

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			<p>on;</p> <ul style="list-style-type: none"> that all the land bordering the Basin should remain as employment zones, bearing in mind flood risk; that any built development in the Basin area should be limited to two storeys, preferably single-storey on the actual waterfront, and be traditional in appearance; that attention is paid to the character of the Basin area, which is highly sensitive in natural, geographic and historic terms - being concave in the landscape, almost rural, with elusive and attractive views from the creekside paths, and with a view up to Davington Priory which has been unchanged since the 12thC. Others have commented on Ordinance Wharf and how important it is that it should not be snatched up for residential use. I endorse those views. I envisage this as a place of national pilgrimage because of the gunpowder industry, and as working space for (eg) sail-dressing, and other maritime uses. The idea of a community boat-yard based on this wharf is very appealing, especially given the statistics from Amicus Horizon Housing Association for Davington Ward (see below), which were published during the consultation period, and the inspiring work already carried out by the Brents Community Association, in paying heed to the grave difficulties faced by residents of the Preston North Estate - long-term unemployment, children in poverty, etc. It is shameful to me that the Town Council did not think it worth mentioning any of these problems in their proposal. Even if the bridge for some reason fails to materialize, the Basin can still be used for boats - rowing, sailing dinghies, kayaks etc., as happens in Chichester Canal Basin. Statistics from Davington Priory Ward (Preston North Estate) <table border="1" data-bbox="617 1100 1662 1877"> <thead> <tr> <th data-bbox="617 1100 1228 1171">• Children's Lives</th> <th data-bbox="1228 1100 1430 1171">• DP Ward</th> <th data-bbox="1430 1100 1662 1171">• UK Average</th> </tr> </thead> <tbody> <tr> <td data-bbox="617 1171 1228 1247">• Children living in poverty</td> <td data-bbox="1228 1171 1430 1247">• 48%</td> <td data-bbox="1430 1171 1662 1247">• 22%</td> </tr> <tr> <td data-bbox="617 1247 1228 1323">• Children in lone parent households</td> <td data-bbox="1228 1247 1430 1323">• 49%</td> <td data-bbox="1430 1247 1662 1323">• 27%</td> </tr> <tr> <td data-bbox="617 1323 1228 1398">• Children in out-of-work households</td> <td data-bbox="1228 1323 1430 1398">• 46%</td> <td data-bbox="1430 1323 1662 1398">• 19%</td> </tr> <tr> <td data-bbox="617 1398 1228 1474">• Good development, early years</td> <td data-bbox="1228 1398 1430 1474">• 41%</td> <td data-bbox="1430 1398 1662 1474">• 64%</td> </tr> <tr> <td data-bbox="617 1474 1228 1549">• Pupil attainment, Key Stage 1</td> <td data-bbox="1228 1474 1430 1549">• 13.5%</td> <td data-bbox="1430 1474 1662 1549">• 15.5%</td> </tr> <tr> <td data-bbox="617 1549 1228 1625">• Pupil attainment, Key Stage 2</td> <td data-bbox="1228 1549 1430 1625">• 24%</td> <td data-bbox="1430 1549 1662 1625">• 28%</td> </tr> <tr> <th data-bbox="617 1625 1228 1734">• Working Lives</th> <th data-bbox="1228 1625 1430 1734">• DP Ward</th> <th data-bbox="1430 1625 1662 1734">• UK Average</th> </tr> <tr> <td data-bbox="617 1734 1228 1810">• Working age, no qualifications</td> <td data-bbox="1228 1734 1430 1810">• 41%</td> <td data-bbox="1430 1734 1662 1810">• 22%</td> </tr> <tr> <td data-bbox="617 1810 1228 1877">• Working age, DWP benefit claimants</td> <td data-bbox="1228 1810 1430 1877">• 31%</td> <td data-bbox="1430 1810 1662 1877">• 13%</td> </tr> </tbody> </table>	• Children's Lives	• DP Ward	• UK Average	• Children living in poverty	• 48%	• 22%	• Children in lone parent households	• 49%	• 27%	• Children in out-of-work households	• 46%	• 19%	• Good development, early years	• 41%	• 64%	• Pupil attainment, Key Stage 1	• 13.5%	• 15.5%	• Pupil attainment, Key Stage 2	• 24%	• 28%	• Working Lives	• DP Ward	• UK Average	• Working age, no qualifications	• 41%	• 22%	• Working age, DWP benefit claimants	• 31%	• 13%	
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			<ul style="list-style-type: none"> • Jobseekers' allowance 	<ul style="list-style-type: none"> • 6% 	<ul style="list-style-type: none"> • 3% 	
			<ul style="list-style-type: none"> • Jobseekers' allowance more than 12 months 	<ul style="list-style-type: none"> • 3% 	<ul style="list-style-type: none"> • 1% 	
			<ul style="list-style-type: none"> • Age 16-24 on out of work benefits 	<ul style="list-style-type: none"> • 16% 	<ul style="list-style-type: none"> • 7% 	
			<ul style="list-style-type: none"> • Health 	<ul style="list-style-type: none"> • DP Ward 	<ul style="list-style-type: none"> • UK Average 	
			<ul style="list-style-type: none"> • Incapacity benefits 	<ul style="list-style-type: none"> • 14.5% 	<ul style="list-style-type: none"> • 6% 	
			<ul style="list-style-type: none"> • Limiting long-term illness 	<ul style="list-style-type: none"> • 24% 	<ul style="list-style-type: none"> • 20% 	
			<ul style="list-style-type: none"> • Obesity 	<ul style="list-style-type: none"> • 27% 	<ul style="list-style-type: none"> • 24% 	
			<ul style="list-style-type: none"> • Money 	<ul style="list-style-type: none"> • DP Ward 	<ul style="list-style-type: none"> • UK Average 	
			<ul style="list-style-type: none"> • Income support 	<ul style="list-style-type: none"> • 7% 	<ul style="list-style-type: none"> • 2% 	
			<ul style="list-style-type: none"> • Housing benefit 	<ul style="list-style-type: none"> • 43% 	<ul style="list-style-type: none"> • 19% 	
			<ul style="list-style-type: none"> • Pension credit 	<ul style="list-style-type: none"> • 41% 	<ul style="list-style-type: none"> • 22% 	
			<ul style="list-style-type: none"> • Cars and transport 	<ul style="list-style-type: none"> • DP Ward 	<ul style="list-style-type: none"> • UK Average 	
			<ul style="list-style-type: none"> • No-car households 	<ul style="list-style-type: none"> • 38% 	<ul style="list-style-type: none"> • 26% 	
			<ul style="list-style-type: none"> • Nearest Jobcentre 	<ul style="list-style-type: none"> • 12.2 km 	<ul style="list-style-type: none"> • 4.6 km 	
			<ul style="list-style-type: none"> • Statistics from Amicus Horizon Housing, 2014. <ul style="list-style-type: none"> ○ The need for the community for affordable housing • I am particularly impressed by the idea of putting housing onto the land currently used by BMM Weston Ltd - the factory can continue in a much smaller part of the site, and housing can go further uphill away from the flood risk zone. Such housing would more than meet the Local Plan need for units in Faversham's centre, and I believe the present owner is agreeable to a high percentage of affordable homes, which would be within walking distance of the centre and local schools, etc. • During the exhibition and consultation which the Faversham Creek Trust, the Brents Community Association and Amicus Housing arranged in the summer of 2014, a visitor from Devon remarked that in his area, no housing developments over 4 units are permitted unless affordable housing is included. I believe Swale Borough Council has a much higher number (14?), and that nothing prevents a developer from splitting his land into smaller chunks which fall below this limit. The Town Council has made no recommendations about affordable housing, and we can expect none to be provided in this Neighbourhood Plan. • <i>Some neighbourhood.</i> <ul style="list-style-type: none"> ○ Access for pedestrians from and to the rest of the town, signage etc. 			

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			<ul style="list-style-type: none"> • Last year, a chance remark to me by a shopkeeper - that ONE THIRD of her customers asked her how to get to the Creek - led me to do a recorded survey of about 100 shopkeepers and market traders in the town centre. With help from some friends we found this figure of roughly one third to be consistent. We asked some other questions which are relevant to any consideration of the future of the creek. The survey itself is appended to this response. Here is a summary I sent to a Town Councillor at the time: <ul style="list-style-type: none"> ○ "A chance remark by a shopkeeper in Faversham - that one third of her customers ask her where the Creek is - led me to set up a simple survey of other traders in the town centre to explore that phenomenon. ○ Although this was my own idea, I asked the Faversham Creek Trust for volunteers and a team of helpers went into about 100 shops last week. 77 traders agreed to answer questions. ○ The responses confirm the original remark we can deduce that the Creek is by far the most important attraction as far as our visitor numbers are concerned. ○ Of 119 destinations which visitors enquired about, the Creek prompted 34 enquiries - or nearly a third. Next came 'shops, or shopping' with 13 enquiries, while the brewery, the tourist information centre/museum, and 'somewhere to eat' all had 10 enquiries. Other destinations such as Tesco, the Rec, toilets, the church, and parking were each mentioned just twice or once. ○ There is clearly a problem with signage - visitors do not have the information they need to get to the places they want to see: see the Comments recorded on the summary sheet below! ○ The shopkeepers and market traders who did not take part said they were too busy, the boss wasn't there, or they didn't want to. ○ I think this is a very powerful piece of research, even though it was carried out very quickly. Clearly the Town Council and other bodies could learn a huge amount more if they did further similar surveys - asking <i>the people who know</i> what's going on. Our shopkeepers and traders may be the only points of contact that visitors have. It also indicates that signage throughout the town should be reviewed, planned and upgraded as a matter of priority. People want to know how to get to the Creek! I personally think this is another reason why the Neighbourhood Plan, as currently described, is skewed the wrong way... the maritime interests should be the most important for creekside sites, access and consideration." • The Town Council ignored this bit of research. <ul style="list-style-type: none"> ○ Shortage of leisure and community facilities in the town centre • In recent years, community facilities in the town centre - especially for the young or poor, or those on the east side of town, or those without a car - have either vanished or become significantly more expensive: e.g. the Youth Centre in South Road, sold; the Family Action Centre in Central Car Park, closed; the Assembly Room (previously used by Army Cadets) now mostly used for adult functions, concerts, etc. and much more expensive to pay for refurbishments; rooms at the Alexander Centre under new management and much more expensive leaving dozens of groups such as the Fruit and Veg club without a venue. The TS Hazard (used by Sea Cadets) is under some sort of notice to be vacated. The Preston North Estate on the creekside (Davington Ward) is particularly poorly served, with no facilities. The Faversham Creek Trust who now manage the Purifier Building have been approached to allow events to be run there - it is not really suitable or large enough, but there should be room at various points on the creekside for community spaces - for training or education, for events, fund-raisers, etc. Ordnance Wharf and the proposed new quay space at BMM 	

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			<p>Weston offer great possibilities.</p> <ul style="list-style-type: none"> • i. Tourism and Visitors • If the Basin were to be developed as a regional or national 'hub' for barges and other traditional boats, this would provide a genuine reason for visitors to come to Faversham, either as day-trippers or for longer stays, especially if the community here could offer training, workshops, sailing experiences, etc. • We already know that one third of visitors to the town are interested in the Creek. This represents a substantial economic opportunity to the town, which is not being addressed at present either actively (through promotion) or passively (adequate sign-posting). Attention should be given to a consistent, attractive programme of signage which guide drivers and pedestrians to creekside spots which are themselves connected by footpaths, whether these are along the waterfront or not. • j. Impact on traders in the town centre. • Our survey started to explore this important area but more work needs to be done. There are concerns that too many retail or restaurant outlets on the water might detract from town-centre trade, but this process should be measured and managed. • The example of Maldon in Essex, which actively promotes its barge-quays, from a smaller residential base than Faversham, shows that they have a much larger footfall of visitors to the town as a result. • Use it or Lose it. • Recent voluntary activities by many groups (eg) Brents Community Association, Faversham Market - food, crafts, antiques; Taste of Faversham, Faversham Creek Trust, Westbrook Association, etc, show that we have a resilient and enterprising spirit and are good at managing our own affairs. We do not need expensive outside consultants to tell us how to do things. The Town Council (under the guidance of the Borough Council) have spent a HUGE amount of money and wasted years to produce this 'Neighbourhood Plan' which has ignored and utterly failed to convince the local people. That money could have been spent in replacing the swing bridge, or mending the sluice-gates, or repairing the abutments to the bridge. • We have a unique, attractive, popular waterway with the remnants of a skilled workforce for the building and maintenance of traditional regional vessels, which are themselves an attraction for visitors. These vessels and the shipwrights need space, which can only be on or beside the water. Housing, shops, offices, etc can go anywhere. <p>Appended - Survey of shopkeepers, June 2103</p> <ul style="list-style-type: none"> • The Faversham Creek Trust is working towards the restoration of the creek as a working waterway. We think this would be good for the whole town, but we'd like to know what you think. • We'd like to know how important the creek is, or could be, to businesses in the town. • Shop/stall Main business • Q1 • Roughly what proportion of your business would you say comes from local residents and how much from out-of-town visitors/tourists? • Q2 • If you get out-of-town visitors, where do they come from? • Local area / Other parts of UK / Overseas / Don't know • Q3 	

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			<ul style="list-style-type: none"> • Do people ever ask you for directions? • Often / sometimes / never? • What are the places they ask about most often? • Q4 • Do people ever ask you questions about the creek? • Often / sometimes / never? • What are the most common questions? • Q5 • What effect do you think the following would have on your business: • More visitor attractions on the creek, bringing more people into the town? • Good / Bad / No difference / Don't know • More houses and flats on the creekside, bringing more residents to the town? • (adding maybe an extra 100-150 people to a population of over 19,000) • Good / Bad / No difference / Don't know • More events on the creek (eg, festivals, open days, boat trips)? • Good / Bad / No difference / Don't know. • More shops and cafes and restaurants on the creek (eg, at Standard Quay)? • Good / Bad / No difference / Don't know • Q6 • Has the council asked you about any of this as part of the Neighbourhood Plan consultation? • Yes / No / Not sure • See Traders Survey Summary (pdf) attached. 	
FCNP31	John Wellard and Joan Mackarell	Object	<ul style="list-style-type: none"> • My partner and I, named above, both wish to support the objections that have been sent to you by Brent's Community Association but we also want to ask for a public hearing and we give our reasons below. • In the face of all the public disapproval, Faversham Town Council passed the Neighbourhood Plan without any meaningful modification. • At considerable expense to the public purse yet again, a new consultant, Mr Richard Eastham of Fera Urbanism was engaged to basically 'pretty up' the Neighbourhood Plan. He certainly succeeded in polishing up the grammar, punctuation and presentation. • The entire conduct of those responsible for what they are pleased to call the Neighbourhood Plan has been governed by blinkered intransigence. It has been a travesty of localism and any notion of democracy. • The NP has cost in excess of £200,000 funded by the general public. The NP is highly likely to be rejected when the time comes for local people to finally been given a chance to express their views in the referendum. • I have found it completely baffling that a committee appointed by an elected town council has been so heedless of both the volume and strength of public feeling. We are left to wonder how many hidden agendas have been concealed in this abomination of a Neighbourhood Plan. • I believe that the Neighbourhood plan was cooked up by a cadre of people who had already gained a reputation in Faversham of not having any regard for opinions other than their own. From the outset, it was very apparent that any public dissent would be treated with contempt. The steering group's only concession was to allow two community groups to sit in on 'their' meetings, but these groups were refused any voting rights. • The public response to the steering group's presentation was one of widespread dismay and 	<ul style="list-style-type: none"> • Support the objections of the Brent's Community Association. • Despite the strength and volume of local objection the Town Council endorsed the neighbourhood plan without any meaningful modification. • Neighbourhood plan process has been costly and governed by blinkered intransigence. It has been a travesty of localism and any notion of democracy - public dissent has been treated with contempt. It is highly likely to be rejected at the referendum. • An alternative plan has been drawn up by the Faversham Creek Trust. It has local support. • Object to the Neighbourhood Plan on the grounds that consultation has been virtually non-existent for ordinary residents. The Inspector should hold a public hearing. It is time our voices are allowed to be heard.

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			<p>criticism. The process of lodging objections was itself convoluted and the questionnaire was drawn up in a manner that the questions were skewed and often impenetrable. But then, when they realised they did not have public support, the Steering Group paid no heed of the public's view and continued along its dictatorial path.</p> <ul style="list-style-type: none"> • An alternative plan has painstakingly drawn up and presented by the Faversham Creek Trust which has widespread local support. The Faversham Creek Trust's own questionnaire drew far more people than that organised by the Steering Group, which was not surprising as it was more accessible and it accurately reflected local opinion. It has served to amply emphasise the point that the proposed Neighbourhood Plan is deeply unpopular. • I thus strongly object to the Neighbourhood Plan on the ground that the process of consultation, one of the basic conditions, has been virtually non-existent for ordinary residents. I thus ask that the Inspector requests a public hearing, it is time our voices are allowed to be heard. 	
FCNP32	Jacque Dabnor	Object	<ul style="list-style-type: none"> • I have followed all correspondence and discussion concerning this and support fully the document submitted jointly by the Faversham creek Trust and Brents Community Association. I ask that their proposals are incorporated into the Neighbourhood Plan, so that it truly supports local views, especially concerning the regeneration of Faversham Creek to develop local industry and tourism. 	<ul style="list-style-type: none"> • Supports the views of The Faversham Creek Trust and Brents Community Association as it truly supports local views.
FCNP33	Anna -Maria Bales	Object	<ul style="list-style-type: none"> • I wish to ask that the joint submission from the Faversham Creek Trust and the Brents Community Association also stand as a representation of my views. • I am a Trustee of the Faversham Society, and before retirement, I was a Biomedical Scientist and I also have a lifelong passion for the environment. I would like to say at the outset that I have been genuinely shaken and appalled by the manner in which we, ordinary members of the community, have been treated. We have been called bullies and fascists, we have been threatened with the police, we have been totally ignored, all our pleas for representation were contemptuously ignored and yet there has not been one single proven instance of any wrong doing or disturbance on our part. In desperation, several of us assisted a respected local filmmaker (who has just been nominated for an award for his latest community film on apprenticeships,) in making a film called Visions of a Creek. This was shown for free in the local cinema and community halls to popular acclaim. All we have ever wanted was for our views to be heard and for our alternative, highly professional plans to be considered. It seemed that the only voices the steering group and the Faversham Town Council wished to hear were those of the property speculators and everything possible has been done to drown out any voice that had the temerity to disagree with their lack of vision. • Faversham owes its very existence to the historic creek and we are very proud of its precious maritime history. There exists some 2000 years of history and we have unique and irreplaceable industrial and heritage assets. Despite all this, there has been no full heritage survey, there has been no strategic environmental survey (I was told some time ago it was being produced but it has never materialised), and no competent bodies have been invited to make their comments. It is a travesty of enormous proportions. A wetland site RAMSAR site of international recognition is situated further down the creek. We know that the old shipyard and wharf areas are contaminated yet it would appear that no-one has thought to question what might happen if contaminated soil is disturbed and gets carried down to the breeding grounds. I have asked about this many times but have been totally unsuccessful in eliciting any response other than curt dismissals. • I submit that the basic conditions have most certainly not been met but I also respectfully request that there is now a public hearing so that our voices may be heard and that the proposed vandalism of our heritage is halted pending advice from expert professional 	<ul style="list-style-type: none"> • Support the submission from the Faversham Creek Trust and the Brents Community Association. • I have been shaken and appalled by the manner in which members of the community have been treated. We have been called bullies and fascists, threatened with the police, ignored, our pleas for representation were ignored and yet there has not been a proven instance of any wrong doing or disturbance on our part. • All we have ever wanted was for our views to be heard and for our alternative, highly professional plans to be considered. • Only voices that the steering group and Faversham Town Council wished to hear were property speculators and other voices were drowned out. • Faversham owes its existence to the historic creek and we are proud of its maritime history. Despite this, there has been no full heritage survey, no strategic environmental survey and no competent bodies have been invited to make their comments. • The old shipyard and wharf areas are contaminated yet no-one has questioned what might happen if contaminated soil is disturbed and get carried down to the breeding grounds. • The basic conditions have not been met. • I request that there is now a public hearing so our voices may be heard and the proposed vandalism of our heritage is halted pending advice from expert professional bodies.

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			<p>bodies.</p> <ul style="list-style-type: none"> • Thank you for reading this. 	
FCNP34	Geoff and Pat Hall	Object	<ul style="list-style-type: none"> • We wholeheartedly agree with the response document produced by the Faversham Creek Trust and Brents Community Association. This clearly shows that there are excellent reasons for putting Faversham Creek at the heart of the Neighbourhood Plan. This very comprehensive document covers every aspect in great detail. We are genuinely concerned that the wishes of the people of Faversham have not been adequately listened to and, indeed, totally ignored in some important areas. • We implore you to take note of the content of the FCT/BCA response document when making important decisions which will affect the future of Faversham and its creek. In the 1960s Abbey Street was threatened with demolition but the inspired thinking of a few dedicated townspeople saved it and enabled it to be what it is today. Please don't miss the chance of doing the same for Faversham Creek and its maritime heritage. 	<ul style="list-style-type: none"> • Supports the views of The Faversham Creek Trust and Brents Community Association. • Are concerned that the wishes of the people of Faversham have not been adequately listened to and ignored.
FCNP35	Gillian Carpenter	Support	<ul style="list-style-type: none"> • I visit the Faversham area on a regular basis and wish to express my support for the proposals that Swan Quay LLP have outlined for their land and buildings which are currently being considered as part of the Faversham Creek Neighbourhood Plan. • I believe the proposals for sites 4 and 5 will help regenerate the creek side area. 	<ul style="list-style-type: none"> • Support the plans for Swan Quay as they will help to regenerate the creek area.
FCNP36	Kathryn Forsyth	Support	<ul style="list-style-type: none"> • As a resident of Faversham town centre we support the Swan Quay mixed use plan for site 4 and 5. I feel it will enhance the area considerably whilst at the same time respect the historic nature of the site. In addition the linkage between the town centre and the creek will bring wider benefit to the town and our visitors. 	<ul style="list-style-type: none"> • Support the Swan Quay mixed use plan as it will enhance the area, respect the historic nature of the site and create a linkage between the town centre and the creek.
FCNP37	Mr and Mrs Ely	Object	<ul style="list-style-type: none"> • We have many serious concerns with this Plan and list them below. • General Matters - The Plan fails to set out the historic development of the entire creek - On page 7 there is reference to the 'historic creek' (line 2/3) and the town is described as having 'a long and distinguished heritage' (line 9), yet the Plan fails to detail the importance of Faversham as a port that went back to Roman times or of the industry or trade that grew up within the town because of its proximity to a navigable waterway. This seems somewhat ambiguous when, on page 9 of the submission Plan, Objective 12 refers to 'the Creek's rich and outstanding maritime, industrial and landscape heritage' and similarly Objective 13 uses the phrase, 'rich and outstanding marine heritage'. • How can you have a meaningful vision for the future of the Creek if you don't acknowledge and tell the story of its past? • The Plan does not treat the defined area around the Creek as a whole, but looks at individual sites in a piecemeal fashion. • The entire area of the FCNP lies within the Conservation Area of Faversham but the Plan fails to take account of the impact that development on one site will have on another site. This is in contradiction to planning guidance contained in Policy CP7, Conserving and enhancing the historic environment, which includes: <ul style="list-style-type: none"> • <i>Respond to the integrity, form and character of settlements and historic landscapes (No 2)</i> • <i>Respond positively to the conservation area appraisals....(No 4)</i> • <i>Respect the integrity of the original design and setting of historic assets(No 5)</i> • This can be seen, for example, in the Plan's treatment of Swan Quay. It fails to take account of the historic T S Hazard Building on Town Quay, which is adjacent to Swan Quay. The type of development which the Plan favours on Swan Quay would be incompatible with the character and setting of TS Hazard. • Further, paragraph 132 of the National Planning Policy Framework states: • <i>'When considering the impact of a proposed development on the significance of a</i> 	<ul style="list-style-type: none"> • The Plan fails to set out the historic development of the creek and the importance of Faversham as a port leading to a meaningless vision. • The Plan treats the area as individual sites, not as a whole as a whole. • The area lies within a Conservation Area but the Plan fails to take account of the impact that development on one site will have on another site. This is in contradiction to guidance contained in Policy CP7 and paragraph 132 of the NPPF. • The historic importance of several sites is not sufficiently emphasised in the Plan (particularly Ordnance Wharf, Swan/Town Quays and Standard Quay.) These sites are the three most contentious sites. A Character Area Appraisal of Swan and Town Quays recently written by a local conservation expert was not considered by the Steering Group. This is contrary to paragraph 169 of NPPF. • Parking and traffic flow - The NP does not address problems of parking and an increase of traffic flow. Living off Belvedere Road we know that the area has reached full capacity. The Plan should make reference to parking and access on specific sites. • Flooding Issues - The area immediately along the creek regularly floods and climate change is likely to increase this. Flood Re does not cover homes that have been built on flood plains since 2009. It is not sensible or safe to build developments within the flood plain and do not understand how the Environment Agency could create a special zone to permit development around Faversham Creek. • Consultation Statement - there has never been a free exchange of ideas between residents and the SG at meetings and questions from the floor have been curtailed. It has never felt as if the "neighbourhood", i.e. the general public, has been allowed to contribute to any discussion. • The approach has always seemed to be 'back-to-front'. The Fulwood Report suggested houses on Ordnance Wharf as well as the other vacant sites around the creek and therefore speculators bought land around the Creek at industrial prices hoping to profit at a later date.

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			<p><i>designated heritage asset, great weight should be given to the asset's conservation....Significance can be harmed or lost through ... development within its setting.'</i></p> <ul style="list-style-type: none"> • The Plan therefore does not conform with the NPPF. • The Plan did not use all the available information to assess the heritage significance of sites - The historic importance of several sites is not sufficiently emphasised in the Plan (particularly Ordnance Wharf, Swan/Town Quays (which must be viewed together) and Standard Quay. This is significant because these three sites are undoubtedly the three most contentious sites within the Plan. In addition a Character Area Appraisal of Swan and Town Quays was recently written by Ray Harrison (a local conservation expert) It was therefore a tremendous loss for Faversham that Ray Harrison's informative document about the historic significance of Swan and Town Quay was not considered by the Steering Group. • Paragraph 169 of NPPF states: <i>'Local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment.'</i> • The Plan therefore does not conform with the NPPF. <p>Other Issues</p> <ul style="list-style-type: none"> • Parking and traffic flow • The NP does not address the problem of parking and accompanying increase of traffic flow that will inevitably occur should an additional 100 or so residential units be permitted in this area. We live just off Belvedere Road and, from first hand experience, we know that the area around us has reached its full capacity. • In the section, Infrastructure, on page 37 the Plan states that it is the intention for all new infrastructure 'to minimise traffic and parking problems' and places the onus on developers to explain how access, traffic and parking issues are to be addressed (INF4). The Plan makes no reference to parking and access on specific sites. It should. <ul style="list-style-type: none"> • Flooding Issues • The area that lies immediately along the creek regularly floods and climate change is likely to increase the incidence of such floods. Flood Re does not cover homes that have been built on flood plains since 2009 and the National Planning Policy says that new development should be directed away from areas of greatest flood risk. We therefore do not consider it sensible or safe to build new developments within the flood plain and do not understand how the Environment Agency was able to create a special zone to permit development around Faversham Creek (before the flooding that occurred here in December 2013). • Consultation Statement • We have attended meetings of the Faversham Creek Consortium since 2010, and then more recently the Steering Group meetings as well. There has never been a free exchange of ideas between residents and either of these groups at meetings, and usually questions from the floor have been curtailed by the Chairs. It has never felt as if the "neighbourhood", i.e. the general public, has been allowed to contribute to any discussion. We've been talked down to on all occasions. • Since we were first aware of the NP, the approach has always seemed to be 'back-to-front'. This Plan was derived from the Fulwood Report which, controversially, suggested building houses on Ordnance Wharf as well as the other vacant sites around the creek, in spite of the fact that this contradicted the planning policy of the existing Local Plan, AAP2. The consequence of this was that speculators bought land around the Creek at industrial prices in the hope that they could profit at a later date. • The public have repeatedly said that they don't want houses on Ordnance Wharf and other sites around the Creek. At the end of the first public consultation in 2013, Tony Fulwood 	<ul style="list-style-type: none"> • The public have repeatedly declined houses on Ordnance Wharf and other sites around the Creek and after the second consultation, when 70.20% of the public said that they did not approve of the Plan, it remained in the NP. Ordnance Wharf should be max 2 storeys of workshop and community centre with community boatyard. • Conditions Statement - The Faversham Creek Neighbourhood Plan does not conform with national and local planning policies that are listed on page 8 of the Conditions Statement. • The NP is weighted in favour of residential development which does not reflect Policy AAP2 in the current adopted Local Plan nor the policies of the NPPF. Development that fails to protect the historic environment is not sustainable development. • On page 19, some parts of the FCNP area are referred to but the important Ordnance Wharf, Town Quay and the Swan Quay area have not been mentioned. • The documents produced by Feria are overdesigned and get in the way of the messages in the text.

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			<p>resigned because of the lack of support for his plans. However, in spite of this, the Steering Group made few alterations to the format of the NP, including Ordnance Wharf and Swan Quay, and this continued even after the second consultation, when again the public resoundingly (70.20% of them) said that they did not approve of the Plan.</p> <ul style="list-style-type: none"> In 2013, 79.24% of responses preferred the maximum number of storeys for development on Ordnance Wharf to be one or two storeys; in 2014, 86.56% of responses were in favour of a 2- storey workshop and community centre with community boatyard. These responses indicate the strength of public feeling and suggest that were the NP, in its present form, to go to a referendum, the result would be an overwhelming NO. <p>Conditions Statement</p> <ul style="list-style-type: none"> The Faversham Creek Neighbourhood Plan does not conform with national and local planning policies that are listed on page 8 of the Conditions Statement. The Neighbourhood Plan is weighted in favour of residential development around Faversham Creek, which does not reflect the policies contained in Policy AAP2, Faversham Creekside, the current adopted Local Plan. AAP2 (Para. 5.14) states that <i>“The Council considers that levels of new housing have reached the point where further proposals will damage the area and it will now resist them as both contrary to the strategy for the Local Plan and the policy for this AAP. Additionally, the Council considers that frontage development not involving active use or management of the creek itself, or that which prevents use of the creek by vessels, should not be permitted.”</i> Neither does it reflect the policies contained in the National Planning Policy Framework. Page 2, para. 8 states: <i>‘to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system’</i>. Therefore it follows that development that fails to protect the historic environment is not sustainable development. On page 19, under the heading, ‘The Faversham Conservation Area Character Appraisal’, some parts of the FCNP area are referred to but why have the important Ordnance Wharf, Town Quay and the Swan Quay area (defined in the Character Area Appraisal as an important space) not been mentioned as well?! Again another example of the Plan not understanding the character of important sites round the creek and thereby compromising the future of such sites. One last point, from a professional graphic designer’s point of view, the three documents that have been produced by FERIA have been overdesigned and in places this gets in the way of the message contained in the text. 	
FCNP38	English Heritage	Object and comment	<ul style="list-style-type: none"> Please find attached our response to the Draft Faversham Neighbourhood Plan, from which you will see we raise a number of concerns about the approach to the historic environment that it currently sets out. We would appreciate being informed of any progress of the plan and, given the presence of several heritage assets of high importance and potential for impacts on these resulting from the plan policies, would welcome opportunities for dialogue towards addressing these concerns. To whom it may concern: Faversham Creek Publication Draft Neighbourhood Plan Consultation Thank you for consulting English Heritage on the Publication Draft Neighbourhood Plan. As the Government’s adviser on the historic environment English Heritage is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process and welcomes the opportunity to comment upon this key planning document. English Heritage has produced a number of guidance documents, which the Neighbourhood Forum might find helpful in identifying what it is about their area which makes it distinctive and how they might go about ensuring that the Neighbourhood 	<ul style="list-style-type: none"> We raise a number of concerns about the approach to the historic environment. Would appreciate being informed of any progress of the plan and welcome opportunities for dialogue towards addressing these concerns. English Heritage has produced a number of guidance documents, which the Neighbourhood Forum might find helpful. We have a number of observations and concerns as to whether it meets the basic requirements set out within the Localism Act with regard to heritage. Not all the issues are insurmountable. Would welcome dialogue to see how amendment of the plan could provide a planning approach that better aligns with national and local strategic planning policy, whilst delivering the aspirations of the local community. We have no record of having being previously consulted. In summary, we have concerns about: <ul style="list-style-type: none"> The lack of assessment of significance of sites, buildings and activities that contribute positively to the Conservation Area’s significance and promotion of their protection and enhancement as part of a designated heritage asset;

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			<p>Plan provides a positive strategy for the conservation and enjoyment of the area’s heritage assets. These can be found at :- http://www.english-heritage.org.uk/caring/get-involved/improve-your-neighbourhood/</p> <ul style="list-style-type: none"> • Having reviewed the Draft Neighbourhood Plan we have a number of observations and several concerns as to whether it meets the basic requirements set out within the Localism Act with regard to the areas of interest to English Heritage. This is not to say that all issues are insurmountable and we would welcome dialogue to see how amendment of the plan could accommodate these to provide an approach to planning for the neighbourhood that better aligns with national and local strategic planning policy, whilst delivering the aspirations of the local community. English Heritage welcomes early consultation and is prepared to provide guidance and partnership in areas of high sensitivity. While we have no record of having received an invitation for involvement in the development of the plan prior to the present consultation, we still feel there would be value in entering into a dialogue with the Council and the Neighbourhood Forum at this stage based on the following comments. • In summary, the areas where we have concern about the plan’s policies are: <ul style="list-style-type: none"> • The lack of assessment of significance of sites, buildings and activities that contribute positively to the Faversham Conservation Area’s significance and promotion of their protection and enhancement as part of a designated heritage asset; • The absence or low level of analysis of the positive components of the area’s character, including variation between character areas within the Neighbourhood Plan Area and the definition of an appropriate response to this within the policies relating to the allocated sites; • Consideration of the potential for presence of as yet unidentified assets of archaeological interest within the plan area and promotion of the need to develop understanding of their significance and their conservation in a manner appropriate to their significance within policies relating to the allocated sites; • The potential impact of the policy approach of providing public access to the creekside on the industrial working character of the creek as a distinct area of the Faversham Conservation Area and on Faversham’s maritime traditions; • The impact of the policy approach of providing a mix of uses including residential use on creekside land on the character of the Faversham Conservation Area and Faversham’s maritime traditions; • The lack of a positive strategy for the conservation and enjoyment of the non-designated heritage assets identified within the evidence base study; • Lack of consideration of the impact of development proposals on key views along the creek and across the marshes and provision of policy and guidance to maintain their contribution to the character and appearance of the conservation area. • We have also highlighted a number of concerns relating to individual site allocations; including the potential negative impacts to designated heritage assets, or potential non-designated heritage assets, that we feel are not given appropriate consideration in the plan or its evidence base, or where these would require justification or further guidance to avoid conflict with national or local policy. Sites that we have noted as raising particular concerns with regard to potential impacts on heritage assets that would require additional policy, guidance or revision of the existing text to remove potentially conflicting guidance include: <ul style="list-style-type: none"> • Site 2 Ordnance Wharf 	<ul style="list-style-type: none"> • The absence or low level of analysis of the positive components of the area’s character, including variation between character areas within the Neighbourhood Plan Area and the definition of an appropriate response to this within the policies relating to the allocated sites; • Consideration of the potential for presence of as yet unidentified assets of archaeological interest within the plan area and promotion of the need to develop understanding of their significance and their conservation in a manner appropriate to their significance within policies relating to the allocated sites; • The potential impact of providing public access to the creekside on the industrial working character of the creek as a distinct area of the Faversham Conservation Area and on Faversham’s maritime traditions; • The impact of providing a mix of uses including residential use on land on the character of the Faversham Conservation Area and Faversham’s maritime traditions; • The lack of a positive strategy for the conservation and enjoyment of the non-designated heritage assets identified within the evidence base study; • Lack of consideration of the impact of development proposals on key views along the creek and marshes and provision of policy and guidance to maintain their contribution to the character and appearance of the conservation area. • We have also highlighted concerns relating to individual site allocations, including potential negative impacts to designated heritage assets, or potential non-designated heritage assets. Sites raising particular concerns that would require additional policy, guidance or revision of existing text include: Site 2 Ordnance Wharf, Site 3 BMM Weston, Site 5 Swan Quay, Site 8 Standard Quay and Site 9 Standard House • National and Local Planning Policy Context - the NP will need to comply with the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act hereafter), the NPPF and National PPG. • The plan area lies within the Faversham Conservation Area and paragraph 58 (NPPF) states that NP’s should “... develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics”. • The NPPF requires LPAs to have up-to-date information about the historic environment to assess the significance of heritage assets and the contribution they make to the environment. They should use it to predict the likelihood that currently unidentified heritage assets will be discovered in the future. The NPPG states “... where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the local plan into action at a neighbourhood scale. In addition, and where relevant, neighbourhood plans need to include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions”. <p>General issues</p> <ul style="list-style-type: none"> • The Plan refers to the presence of non-designated heritage assets. As the the plan lies within the Faversham Conservation Area, all features that contribute positively to the special architectural or historic interest of the conservation area, or that form part of the character and appearance of the area that is desirable to preserve or enhance, should be treated as a part of a designated heritage asset and considered against NPPF paragraphs 132 - 134. • The desirability of conserving and enhancing their contribution to the character and

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			<ul style="list-style-type: none"> • Site 3 BMM Weston • Site 5 Swan Quay <ul style="list-style-type: none"> • Site 8 Standard Quay • Site 9 Standard House • National and Local Planning Policy Context • In taking account of the historic environment the Neighbourhood Plan will need to comply with key aspects of national legislation and policy including the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act hereafter), as well as the National Planning Policy Framework and National Planning Practice Guidance. The entirety of the plan area lies within the Faversham Conservation Area, for which the District Council have a statutory duty to “pay special attention to the desirability of preserving the character or appearance of that area”. At paragraph 58 the National Planning Policy Framework (NPPF) states that Local and Neighbourhood Plans should “... develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics”. • The NPPF also requires local planning authorities to have up-to-date information about the historic environment in their area and to use it to assess the significance of heritage assets and the contribution they make to the environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of archaeological interest, will be discovered in the future. Furthermore, the National Planning Practice Guidance states “... where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the local plan into action at a neighbourhood scale. ... In addition, and where relevant, neighbourhood plans need to include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions”. • General issues highlighted with the Neighbourhood Plan Publication Draft • The Neighbourhood Plan refers to the presence of numerous non-designated heritage assets (the term undesignated heritage asset is used) across the plan area. As the entirety of the plan area lies within the Faversham Conservation Area, which is a designated heritage asset, all features that contribute positively to the special architectural or historic interest of the conservation area, or that form part of the character and appearance of the area that is desirable to preserve or enhance, should be treated as a part of a designated heritage asset and considered according to the policies for designated heritage assets set out within the NPPF at paragraphs 132 - 134. The desirability of conserving and enhancing their contribution to the character and appearance of the area should also receive special attention as required by the LBCA Act. As such it is necessary to review the survey of Undesignated Heritage Assets and Values that forms part of the Neighbourhood Plan evidence base to determine whether any of the undesignated heritage assets identified are in fact a part of the designated heritage asset. This may have an influence on how appropriate the policies and allocations put forward are. • Despite the available draft conservation area appraisal and assessment of undesignated heritage assets, the archaeological potential of the creekside has not been explored with sufficient rigour within the evidence base to the plan to provide an appropriate guide for decision making for the allocated sites. Many of these sites have a degree of potential for the presence of remains associated with the development of the medieval and later waterfront, which could be affected by the proposed development. As such, their suitability as sites for the type of development proposed needs to be carefully appraised, including 	<p>appearance of the area should receive special attention as required by the LBCA Act. It is therefore necessary to review the survey of Undesignated Heritage Assets and Values to determine whether any of the assets identified are in fact a part of the designated heritage asset. This may have an influence on how appropriate the policies and allocations put forward are.</p> <ul style="list-style-type: none"> • The archaeological potential of the creekside has not been explored with sufficient rigour within the evidence base to provide an appropriate guide for decision making for the allocated sites. Many of these sites have a degree of potential for the presence of remains which could be affected by the proposed development. As such, their suitability as sites for the type of development proposed needs to be carefully appraised. Ideally this would be based on study of historic maps and records in order to provide an understanding of the extent and character of creekside activity and its development in the past. This would be a minimum requirement to consider that the policies had been developed from an appropriate level of understanding. The plan should set out a positive strategy to conserve and enhance these heritage assets and promote their enjoyment in conformity with the NPPF. • There is a high potential for the survival of archaeological remains which may be of national significance. As such, they would require the application of policy in the NPPF relating to designated heritage assets, which may require a very particular approach to future development or use of these sites. In the absence of such consideration, the allocation of these sites and the detailed description of a suggested redevelopment, design or land use at Swan Quay, would not be considered to represent a robust policy. In some instances, where previous investigation has demonstrated the nature and survival, or otherwise of archaeological remains, it may be possible within the Neighbourhood Plan to specify an appropriate means of avoiding or minimising harm to these remains, or even of better revealing their significance that would provide guidance for the design of new development. However, this would require substantial redrafting of the present policies. • Note the availability of the draft conservation area appraisal, although it is unfortunate that this has not yet been adopted by the Council. It would benefit from updating in the context of the preparation of the neighbourhood plan. This would be an appropriate precursor to further revision of the present plan. • Whilst the draft conservation area appraisal provided a detailed consideration of the character areas that form the conservation area, this assessment does not appear to have been transferred to the neighbourhood plan. The assessment of the area’s character presented in the plan appears to be focused more on areas adjacent to the neighbourhood than within it. The almost exclusive use of figure ground mapping as a means of analysing the variation in past and existing character of urban development within the neighbourhood, fails to provide understanding of the importance of the hierarchy of streets, different areas of creekside activity, the impact on character of historic landownership and plots, the traditional scale, mass and form of development, as well as the suite of materials that contribute to the area’s vernacular character. The contribution of the historic character appears to be particularly lacking in this analysis. Without a proper assessment of the potential impacts of development of the opportunity sites on the significance of the conservation area, including potential loss of the special historic or architectural interest of the area or impacts on its character and appearance, the policies cannot be shown to represent a positive strategy for the conservation and enjoyment of the historic environment. • The special interest and character of the conservation area may not reside solely in its

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			<p>assessment of the potential extent and significance of remains that could be affected and the potential nature of the impacts of development. Ideally this would be based on study of historic maps and records held within the County Historic Environment Record in order to provide an understanding of the extent and character of creekside activity and its development in the past. This would be a minimum requirement to consider that the policies had been developed from an appropriate level of understanding. The plan should set out a positive strategy to conserve and enhance these heritage assets and promote their enjoyment in conformity with the NPPF.</p> <ul style="list-style-type: none"> Given the survival of medieval buildings and scheduled Iron Age, Roman and Medieval archaeological remains in the immediate vicinity, there is a high potential for the survival of archaeological remains of similar date and these may be of national significance. As such, they would require the application of policy in the NPPF relating to designated heritage assets, which may require a very particular approach to future development or use of these sites. In the absence of such consideration, the allocation of these sites and in particular the detailed description of a suggested redevelopment, design or land use at Swan Quay, would not, in our opinion, be considered to represent a robust policy. In some instances, where previous investigation has demonstrated the nature and survival, or otherwise of archaeological remains, it may be possible within the Neighbourhood Plan to specify an appropriate means of avoiding or minimising harm to these remains, or even of better revealing their significance that would provide guidance for the design of new development. However, this would require substantial redrafting of the present policies. We note the availability of the draft conservation area appraisal, although it is unfortunate that this has not yet been adopted by the Council and would suggest it might benefit from the addition of mapping and illustration to clarify the analysis presented. It would also benefit from updating in the context of the preparation of the neighbourhood plan, as a guide to decision-making. This would be an appropriate precursor to further revision of the present plan, in order to provide a firm evidence base from which to develop the plan policies and to develop a positive strategy for the conservation and enjoyment of the conservation area as a designated heritage asset. Preparing a conservation area appraisal through collaboration with a range of community partner organisations can also help to establish consensus on the significance of the area, from which mutually acceptable proposals may be developed. Whilst the draft conservation area appraisal prepared by the Council in 2004 provided a detailed consideration of the character areas that form the conservation area, this assessment does not appear to have been transferred to the neighbourhood plan. Indeed the assessment of the area's character presented in the plan appears to be focused more on areas adjacent to the neighbourhood than within it. The almost exclusive use of figure ground mapping as a means of analysing the variation in past and existing character of urban development within the neighbourhood, fails to provide understanding of the importance of the hierarchy of streets, different areas of creekside activity, the impact on character of historic landownership and plots, the traditional scale, mass and form of development, as well as the suite of materials that contribute to the area's vernacular character. The contribution of the historic character, which might be distinguished from the character of more recent development of the creekside, appears to be particularly lacking in this analysis. Indeed, without a proper assessment of the potential impacts of development of the opportunity sites on the significance of the conservation area, including potential loss of the special historic or architectural interest of the area or impacts on its character and appearance, the policies cannot be shown to represent a positive strategy for the 	<p>buildings and spaces, but may also result from the activities that traditionally were and continue to be conducted within these. The loss of key employment sites that contribute to the viability of the area for a range of waterside industries, notably boat building, that contributes to the working character of the waterway and creekside, would represent a loss of the significance of the conservation area. The need to protect this character was referred to in the recent planning appeal decision relating to the Black Shed at Standard Quay. These uses may not be suitable within mixed-use development. The potential impact of any allocation on the viability of the creek for these activities should form a part of the analysis that underpins the plan in order for it to comply with both the national and local planning policies.</p> <ul style="list-style-type: none"> Notwithstanding the status of features that contribute positively to the conservation area, the plan identifies a number of non-designated heritage assets across the study area. However, it only rarely provides a strategy for their conservation within the development opportunity sites identified. In addition to the requirements of the NPPF to establish a positive strategy for the conservation and enjoyment of heritage assets, the strategic policies of the Borough's Local Plan should also be taken into consideration when considering the appropriate strategy for the conservation of heritage assets within planning policies. The strategic policies for the environment (SP2) and for the Faversham and the Rest of the Swale Planning Area (FAV1) are material to considering impacts on the area's historic environment and historic character and maritime traditions. Both would set a requirement for the plan to set out a more positive strategy for how these assets should be integrated with new development as features that add value to the area's environment. The Undesignated Heritage Assets document defines a number of key views and their values. This is a positive approach, but the allocation of sites on the interface between the town and the marshes requires particular attention to be given to views of Faversham across the marshes. This should include identifying the key positive character features that need to be protected within development proposals including consequences for scale of development and positioning in relation to the creek's edge, green spaces and both listed and other 'positive' historic buildings that contribute to the significance of the conservation area and the preservation of other areas of open space. <p>Issues relating to specific policies and allocation of sites:</p> <ul style="list-style-type: none"> Whilst national and local plan policies may still affect these sites, their allocation and the details of what might be considered as appropriate development would have a strong influence on how higher level policies could be applied. As such, any apparent conflict with these policies should be carefully considered and requires justification within the evidence base. Policy CLR1: Public access to the waterside may prevent employment uses supporting the working character of the creek. Revise policy to ensure protection of the character of the conservation area and maintaining the maritime character of the area. Policy INF4: Attention should be paid to their impact on the character or appearance of the conservation area, listed buildings and other non-designated heritage assets and their settings and the potential to avoid or minimise negative impacts on the significance of these heritage assets. Where the same benefits could be achieved through other means that are less harmful to the significance of the heritage assets, these should be pursued instead. This policy requires revision to comply with national planning policy and promote a positive strategy for conservation and enjoyment of the historic environment. Site 2 Ordnance Wharf: The historic significance of this site needs to be set out clearly, including its archaeological potential and significance; its role in views along the creek as a

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			<p>conservation and enjoyment of the historic environment.</p> <ul style="list-style-type: none"> Furthermore, the special interest and character of the conservation area may not reside solely in its buildings and spaces, but may also result from the activities that traditionally were and, in some cases, continue to be conducted within these. The loss of key employment sites that contribute to the viability of the area for a range of waterside industries, notably boat building, that contributes to the working character of the waterway and creekside, would represent a loss of the significance of the conservation area as an historic focus for such activities and ultimately, a reason for the town's existence. The need to protect this character was referred to in the recent planning appeal decision relating to the Black Shed at Standard Quay (Appeal Decisions APP/V2255/A/13/2202894, APP/V2255/E/13/2202924). As un-neighbourly industries these may not be suitable for continuance within mixed-use development. As such, the potential impact of any such allocation on the viability of the creek for these activities should form a part of the analysis that underpins the plan in order for it to comply with both the national and local planning policies. Notwithstanding the status of features that contribute positively to the conservation area, the plan identifies a number of non-designated heritage assets across the study area, including several within development opportunity sites. However, it only rarely provides a strategy for their conservation within the development opportunity sites identified. In addition to the requirements of the NPPF to establish a positive strategy for the conservation and enjoyment of heritage assets, the strategic policies of the District's Local Plan should also be taken into consideration when considering the appropriate strategy for the conservation of heritage assets within planning policies. The strategic policies for the environment (SP2) and for the Faversham and the Rest of the Swale Planning Area (FAV1) are material to considering impacts on the area's historic environment and historic character and maritime traditions. Both would set a requirement for the plan to set out a more positive strategy for how these assets should be integrated with new development as features that add value to the area's environment. The Undesignated Heritage Assets and Values document defines a number of key views and their values. Whilst this is a positive approach we feel that the allocation of sites on the interface between the town and the marshes requires particular attention to be given to views of Faversham across the marshes, including those that have greeted mariners approaching the town along the creek for many centuries. This should include identifying the key positive character features that need to be protected within development proposals including consequences for scale of development and positioning in relation to the creek's edge, green spaces and both listed and other 'positive' historic buildings that contribute to the significance of the conservation area and the preservation of other areas of open space. Issues identified relating to specific policies and allocation of sites: In reviewing the Publication Draft of the Neighbourhood Plan a number of issues were identified relating to individual development control and site allocation policies. Whilst national and local plan policies may still affect these sites, their allocation and the details of what might be considered as appropriate development would have a strong influence on how higher level policies could be applied. As such, any apparent conflict with these policies should be carefully considered and requires justification within the evidence base. Policy CLR1: Requiring public access to the waterside as a result of all forms of new development may prevent employment uses supporting the working character of the creek that require a degree of control of access, including boat building, repair and maintenance and associated work. In our view this policy requires revision to ensure the protection of the 	<p>part of the character and appearance of the conservation area; and its potential to contribute to the character of the conservation area as an area of maritime industrial activity. The potential impacts of different land use allocations and scales and forms of development for this site should be considered to identify its optimum viable use, as a part of the designated heritage asset. The plan does not contain an appropriate assessment to inform the allocation, policy and description of suitable development.</p> <ul style="list-style-type: none"> Site 3 BMM Weston: Needs to be informed by an assessment of the contribution of both the original Victorian house and gardens to the significance of the conservation area and of the archaeological potential of the site as a recorded 'Roman Urnfield'. The plan should include further information with regard to these known and potential heritage assets. This should include an assessment of their significance and measures that development proposals should take to avoid or minimise harm to their significance in order to set out a robust and comprehensive policy to inform decision-making. Site 5 Swan Quay: Have serious reservations about the appropriateness of the development proposed, including: its potential impact on the character and appearance of the conservation area; the impacts to archaeological remains that may be of national significance; and the impacts on listed buildings, including impacts to their settings and potential curtilage listed structures. More detailed evidence is needed on the significance of these heritage assets and the contribution of the site to them, as well as assessment of the potential impacts of the proposed land use, including the 'suitable development' identified. Without it the development may not conform to local or national planning policy. Consideration of the appropriateness of the allocation policy should include assessment of: the impact of the proposed development on the architectural character of the creekside as a distinct character area within the conservation area; the impact on the spatial character of the creek, including the grain of development, open spaces and relationship of buildings to spaces; the impact on the listed buildings both within the site and in its immediate vicinity, including assessment of potential curtilage listed buildings and the settings of buildings both within the site and in its vicinity; and, the impact of the key views looking along the creek. The early 20th century open sided shed is likely to be considered both a curtilage listed building associated with the listed 'blue building', as well as contributing positively to the significance of the conservation area. Its demolition would be regarded as substantial harm to the conservation area and would not be expected to receive permission. The plan may provide guidance that sets parameters within which development should be proposed, the supporting text reads as a description of a specific development that imposes a detailed form and style of development that is unsubstantiated as a requirement (see paragraph 60 of the NPPF.) The plan should not prejudice the decision-making process by describing a particular development proposal. Site 8 Standard Quay: The recent planning inspector's decision on the proposal to develop a restaurant in the 'Black Shed' at Standard Quay, and in particular the reasons given for refusal, are material to consideration of the allocation of this site. These should be given greater prominence in the plan. It is surprising that a restaurant and residential uses are described as an appropriate, where the planning inspector determined that these uses would conflict with national and local policy and the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990. The impact of conversion of the historic industrial character buildings would require clear and robust justification, including details of the public benefits that would outweigh the harm caused to the significance of the buildings and conservation area to support their inclusion within the plan, which is not set out in the present plan. The statement that it would be appropriate to reduce one of the

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			<p>character of the conservation area and promote a positive strategy for conservation and enjoyment of the historic environment, as well as maintaining the maritime character of the area.</p> <ul style="list-style-type: none"> • Policy INF4: In determining whether renewable energy proposals are appropriate, attention should be paid to their impact on the character or appearance of the conservation area, listed buildings and other non-designated heritage assets and their settings and the potential to avoid or minimise negative impacts on the significance of these heritage assets. Where the same or similar benefits could realistically be achieved through other means that are less harmful to the significance of the heritage assets, these should be pursued instead. In our view this policy requires revision to comply with national planning policy and promote a positive strategy for conservation and enjoyment of the historic environment. • Site 2 Ordnance Wharf: It is clear from the description of the site that it is an important part of the conservation area. The historic significance of this site needs to be set out clearly, including consideration of: its archaeological potential and significance; its role in views along the creek, from the Morrison's Car Park, Flood Lane, Brent Hill and the BMM Weston Site as a part of the character and appearance of the conservation area; and its potential to contribute to the character of the conservation area as an area of maritime industrial activity, as well as the wider character of Faversham, including its small-scale historic character and maritime traditions. The potential impacts of different land use allocations and scales and forms of development for this site should be considered to identify its optimum viable use, as a part of the designated heritage asset. At present the plan does not contain an appropriate assessment to inform the allocation, policy and description of suitable development. • Site 3 BMM Weston Site: This allocation policy needs to be informed by an assessment of the contribution of both the original Victorian house and gardens to the significance of the conservation area and of the archaeological potential of the site as a recorded 'Roman Urnfield'. The plan should include further information with regard to these known and potential heritage assets. This should include an assessment of their significance and measures that development proposals should take to avoid or minimise harm to their significance in order to set out a robust and comprehensive policy to inform decision-making. • Site 5 Swan Quay: We have serious reservations about the appropriateness of the development proposed, including: its potential impact on the character and appearance of the conservation area; the impacts to archaeological remains that may be of national significance; and the impacts on listed buildings, including impacts to their settings and potential curtilage listed structures. Without more detailed evidence being presented on the significance of these heritage assets and the contribution of the site to them, as well as assessment of the potential impacts of the proposed land use, including the 'suitable development' identified, there is a serious risk that the policy sets a presumption in favour of a development that would not conform with local or national planning policy. • Consideration of the appropriateness of the allocation policy should include assessment of: the impact of the proposed development on the architectural character of the creekside as a distinct character area within the conservation area; the impact on the spatial character of the creek, including the grain of development, open spaces and relationship of buildings to spaces; the impact on the listed buildings both within the site and in its immediate vicinity, including assessment of potential curtilage listed buildings and the settings of buildings both within the site and in its vicinity; and, the impact of the key views looking along the creek. Moreover the early 20th century open sided shed described is likely to be considered both a 	<p>'green sheds' in length needs to be better qualified as it is unclear whether this relates to one of the listed buildings within the site, and whether this judgement has been made based on an assessment of the impact on the significance of a listed building or the conservation area. The statement that this building would be suitable as a terrace of houses would require similar justification. The policy appears to conflict with the national and local planning policy requirements to sustain and enhance the significance of these heritage assets.</p> <ul style="list-style-type: none"> • Site 9 Standard House: To understand the positive characteristics of the area that should be preserved and enhanced the plan or its evidence base should set out the significance of the setting of the listed building and its contribution to the character and appearance of the conservation area. The statement that the land at the sides and to the rear of the building are appropriate for development appears to be unsubstantiated and does not provide a robust and comprehensive policy for the site. • Conclude that the draft NP requires a number of revisions to provide an appropriate guide to decision making with regard to the historic environment, and to fulfil the requirements of national policy and guidance and to conform with the Borough Council's strategic policies.

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			<p>curtilage listed building associated with the listed 'blue building', as well as contributing positively to the significance of the conservation area by representing the historic and architectural interest of the creekside as a distinct character area within the conservation area as a whole. As such, its demolition would be regarded as substantial harm to the conservation area and would not normally be expected to receive permission.</p> <ul style="list-style-type: none"> • Whilst the plan may provide guidance that sets parameters within which development should be proposed, the present supporting text reads as a description of a specific development that would be considered to impose a detailed form and style of development that is unsubstantiated as a requirement (see paragraph 60 of the NPPF, which sets out limitations on how specific planning policies should be on the style or form of development that can be required). The plan should not prejudice the decision-making process by describing a particular development proposal. • Site 8 Standard Quay: The recent planning inspector's decision with regard to the proposal to develop a restaurant in the 'Black Shed' at Standard Quay, and in particular the reasons given for refusal, are material to consideration of the allocation of this site (Appeal Decisions APP/V2255/A/13/2202894, APP/V2255/E/13/2202924). It is unfortunate these have not been given greater prominence in the neighbourhood plan. Given the decision and reasons set out, it is surprising that a restaurant and residential uses are described as an appropriate use within this site, where the planning inspector has previously determined that these uses would conflict with national and local policy and the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving and enhancing the character and appearance of the conservation area. The impact of conversion of the historic industrial character buildings to housing would appear to result in similar conflicts to those that informed the inspector's decision. As such they would require clear and robust justification, including details of the public benefits that would be expected to accrue from such development and that outweigh the harm caused to the significance of the buildings and conservation area to support their inclusion within the plan, which is not set out in the present draft of the plan. • The statement that it would be appropriate to reduce one of the 'green sheds' in length needs to be better qualified or justified as it is unclear whether this relates to one of the listed buildings within the site, and whether this judgement has been made based on an assessment of the impact on the significance of a listed building or the conservation area. Similarly the statement that this building would be suitable to convert to a terrace of houses would require similar justification, whilst it seems likely that a similar concern would arise as through the introduction of a restaurant use to the 'Black Shed'. As such, the policy as set out would in our view appear to conflict with the national and local planning policy requirements to sustain and enhance the significance of these heritage assets. • Site 9 Standard House: To provide understanding of the positive characteristics of the area that should be preserved and enhanced within development proposals the plan or its evidence base should set out the significance of the setting of the listed building and its contribution to the character and appearance of the conservation area. At present the statement that the land at the sides and to the rear of the building are appropriate for development appears to be unsubstantiated and, as such, does not provide a robust and comprehensive policy for the site. • Given the concerns raised above we must conclude that at present the draft neighbourhood plan requires a number of revisions to provide an appropriate guide to decision making with regard to the historic environment, and to fulfil the requirements of national policy and guidance and to conform with the District Council's strategic policies. 	

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			<ul style="list-style-type: none"> We hope that this advice will help you to move towards preparing a robust and sound neighbourhood plan. Should you wish to discuss any points within this letter, or if there are issues about the proposed Neighbourhood Plan where you require further assistance from English Heritage, please do not hesitate to contact me. 	
FCNP39	Deborah Lawther	Object	<ul style="list-style-type: none"> I support the submissions made to you by Faversham Creek Trust, Brents Community Association, Eldon Hinchliffe, James Rubinstein, and Griselda Mussett. Salient point for me is the inappropriateness of Faversham Creek for any more housing - I think it should be promoted as a centre for wooden boat enterprise, and the NP has missed the point in not so doing. 	<ul style="list-style-type: none"> Support the submissions made to you by Faversham Creek Trust, Brents Community Association, Eldon Hinchliffe, James Rubinstein, and Griselda Mussett. Should be promoted as a centre for wooden boat enterprise, not for housing.
FCNP40	Noel and Margy Perkins	Comment and object	<ul style="list-style-type: none"> We feel that the Creek is the whole reason for Faversham. The site has declined since the 60s and most of the development has failed to add anything. To have just one plan for such a crucial site is wrong. The plan seems to take in about 11 sites but does not include Morrison's or Shepherd Neame, yet these sites could change within 20 years so should they be in The plan? The process of consultation was seemingly undemocratic and impossible for the public to get their views into the plan. One time we tried to respond there were about 20 pages that tied us up in knots. We quite simply could not understand what we were being asked. For the majority of Faversham residents any input was put out of reach. 	<ul style="list-style-type: none"> The Creek is the whole reason for Faversham. Just one plan for such a crucial site is wrong and does not include Morrisons or Shepherd Neame. The process of consultation was seemingly undemocratic and impossible for the public to get their views into the plan.
FCNP41	Ken Whittaker	Object	<ul style="list-style-type: none"> I understand that the scope for the Examiner is to consider whether the Plan meets the Basic Conditions. Fundamentally the Plan does not take account of the sense of weight or importance that law and policy require when balancing even minor harm with the benefits of development, against the general priority afforded heritage conservation in comparison to other planning objectives or public benefits. This emphasis is explicit in NPPF para 132, which accords 'great weight' to the conservation of designated heritage assets, including conservation areas and listed buildings. On this point alone, this Plan fails to meet the full range of Basic Conditions and, as a consequences lead on to an inadequate consideration of a far wider range of policy matters. This issue was central to the representations I submitted during the Regulation 14 Consultation. These issues have not been adequately addressed in revised draft of the Basic Conditions Statement and are inadequately represented in the Town Council's Consultation Statement. I am therefore resubmitting the previous advice to bring to your attention the failure of the Town Council to have regard to pertinent heritage issues within a Conservation Area and its poor response to consultation on an aspect of local planning that is intended to afford meaningful public engagement, in a manner contrary to the advice set out in NPPF 183-185. I acknowledge a degree of confusion in the original submission, by referring to Development Orders. However, this does not alter the relevance of the heritage policies and legislative provisions cited, as these are equally pertinent to production of the Neighbourhood Plan. You do not have to delve too deeply into the plan, or the process by which it has been compiled, to identify the reasons for the inadequacies that run throughout the document. It is the failure to properly respond to NPPF paragraphs 158-177, which makes clear the central importance of an adequate evidence base to plan preparation. It includes specific advice on the historic environment: <i>169. Local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Local planning authorities should either maintain or have access to a historic environment record.</i> 	<ul style="list-style-type: none"> Insufficient weight is given to balancing harm and the benefits of development, against the general priority afforded heritage conservation. This emphasis is explicit in NPPF para 132, as such the Plan fails to meet the full range of Basic Conditions. The Town Council has failed to have regard to heritage issues. There has been a poor response to consultation, in a manner contrary to the advice set out in NPPF 183-185. There has been a failure to properly respond to NPPF paragraphs 158-177, which makes clear the central importance of an adequate evidence base to plan preparation, with specific advice on the historic environment. Insufficient regard has been given to predicting the likelihood of archaeological impacts (reference paragraphs 132, 133 and 135 of the NPPF). The Plan is in conflict with these policies because the Town Council has relied on an inadequate evidence base, refused to accept pertinent and reliable evidence provided during consultation; failed to engage with English Heritage and the KCC Heritage Conservation Team; and not undertaken a Strategic Environmental Assessment. Flaws in the Plan (heritage) reflect the Town Council's wish for housing at the Creek. Development opportunities have been made to conform with the Borough Council's Strategic Housing Land Availability Assessment, contrary to stance on heritage conservation set out in the Borough's Employment Land Review. The Plan does not have proper regard to national policies and advice, as detailed in NPPF <i>Conserving and enhancing the Historic Environment and Plan-making</i>. The neighbourhood plan is not in general conformity with the strategic policies of the development plan, especially in relation to retained policy AAP2. The neighbourhood plan does not contribute to the achievement of sustainable development, as it does not adequately balance the 'great weight' afforded heritage conservation set out in NPPF. The neighbourhood plan breaches EU obligations, as it does not include a Strategic Environmental Assessment.

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<ul style="list-style-type: none"> • The reference to the need to predict the likelihood of archaeological interests is especially pertinent at Faversham Creek, as English Heritage anticipate elements of the port, dating from the early medieval period, will be of national significance, ie equivalent to the status accorded scheduled ancient monument in NPPF. This degree of significance has particular implications when considered in the context of NPPF paragraph 135. Taking the general character of the conservation area and its anticipated archaeological interest into account the key policy test is NPPF paragraphs 132 and 133. Applications pursuant to the current drafting of the Neighbourhood Plan site specific policies may well affect historic, architectural and archaeological interests that should be protected, other than in wholly exceptional circumstances (NPPF 132). The Plan does not meet this requirement, either in the general policy or site specific policy provisions. • That the Neighbourhood Plan is in conflict with these policies is simply because the Town Council has explicitly and irresponsibly relied on an inadequate evidence base, and repeatedly refused to accept pertinent and reliable evidence provide during consultation; failed to engage the expertise of English Heritage and the Kent County Council Heritage Conservation Team during preparation of the Plan; not undertaken a Strategic Environmental Assessment that might have ensured policies would have been prepared with a proper understanding of heritage issues. • This wilful disregard of evidence even extends to a failure to consider the Historic Environment Record, which is the most basic of environmental information required to meet the requirements of NPPF para 128. Given the significance of Faversham Creek and the historic port, a far higher level of information is relevant and available. Flaws in the Plan reflect the Town Council's desire to promote housing within the Creek. It is clear that the Plan has been formulated to by-pass any issues perceived to inhibit development objectives, especially those related to heritage conservation. Specific development opportunities adopted in the Plan have been shoe-horned in by Swale Borough Council to conform with the results of its Strategic Housing Land Availability Assessment, on the false premise that this is essential to meet shortcomings in the 5 year housing supply. The fact that an alternative development approach consistent with heritage conservation is also presented by the Borough's Employment Land Review makes the wilful intent to damage the heritage significance of the Creek highly irresponsible and something that Swale Council should have advise the Town Council against, rather than colluded to achieve. • I would draw your attention to evidence submitted by Ray Harrison with regard to Swan Quay, as this provides a detailed analysis of the missed opportunities represented by the Plan. However, this failure is not restricted to individual sites, and applies equally across the conservation character areas that comprise the historic Creek, as is explained in the attached statement, especially the section 'Understanding Heritage Significance'. • In summary the Plan fails to meet the following Basic Conditions: <ul style="list-style-type: none"> • does not have proper regard to national policies and advice contained in guidance issued by the Secretary of State, as detailed in NPPF <i>Conserving and enhancing the Historic Environment and Plan-making</i>. • the making of the neighbourhood plan is not in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area), especially in relation to retained policy AAP2; • the making of the neighbourhood plan does not contribute to the achievement of sustainable development, as it does not adequately balance the 'great weight' afforded heritage conservation set out in NPPF; • the making of the neighbourhood plan breaches EU obligations, as it does not include a 	

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			<p>Strategic Environmental Assessment.</p> <ul style="list-style-type: none"> I hope this provides sufficient information, but would be happy to make further representations to the Examiner if requested. 	
FCNP42	Mrs Elisabeth Curry	Object	<ul style="list-style-type: none"> The Neighbourhood Plan largely ignores the opinions and comments previously made by members of the Faversham Creek Trust and the Brents Community Association. The Basic Conditions Statement accompanying the Plan claims that "The Plan has broad local support from the residents, notwithstanding specific objections to certain aspects". However, in the official consultation, fewer than 30% of respondents said they agreed with the Plan as it stands. Therefore, 70% did NOT agree with the Plan, and indeed there were strong views against many of the potential proposals. In general, the Plan proposes too much housing, in inappropriate locations and/or with awkward access, and with too much density and height, and without sufficient parking. This housing is unlikely to provide much, if any, affordable housing. There does not seem to have been consideration given to, among other issues: <ul style="list-style-type: none"> the need for employment (rather than housing) the already congested roads within the town flooding potential precarious sewerage and drainage systems further demands on overstretched public services such as GP surgeries, schools etc. Rather than address the proposals individually, I wish to strongly support the views given in the detailed document sent to Swale Council by the Faversham Creek Trust and the Brents Community Association. 	<ul style="list-style-type: none"> The Plan largely ignores the opinions and comments previously made by members of the Faversham Creek Trust and the Brents Community Association. The Basic Conditions Statement claims that "The Plan has broad local support from the residents, notwithstanding specific objections to certain aspects" but there were strong views against many of the potential proposals. The Plan proposes too much housing, inappropriately located, with awkward access, too much density and height, and without sufficient parking. Housing unlikely to provide much, if any, affordable housing. No consideration given to: <ul style="list-style-type: none"> the need for employment (rather than housing) already congested roads within the town flooding potential precarious sewerage and drainage systems further demands on overstretched public services such as GP surgeries, schools etc Strongly support the views I by the Faversham Creek Trust and the Brents Community Association.
FCNP43	Kevin Curry	Object	<ul style="list-style-type: none"> I objected to many of the proposals outlined in the Faversham Neighbourhood Plan and my views have not changed in the meantime. As a member of the Faversham Creek Trust, I wish to fully support the comments in the detailed response sent to Swale Council by the Faversham Creek Trust and the Brents Community Association. 	<ul style="list-style-type: none"> Support the submissions made to you by Faversham Creek Trust, Brents Community Association.
FCNP44	QUAYSIDE PROPERTIES (FAVERSHAM)	Support, Comment and object	<p>REPRESENTATIONS IN RESPECT OF FAVERSHAM CREEK NEIGHBOURHOOD PLAN - SUBMISSION VERSION - NOVEMBER 2014</p> <p>REPRESENTATIONS ON BEHALF OF QUAYSIDE PROPERTIES (FAVERSHAM) LIMITED IN RESPECT OF SITE 7 - FORMER COACH DEPOT</p> <p>Representations have been submitted on behalf of the landowners throughout the Faversham Creek Plan-making process - initially commenting on the 2010 Tony Fullwood Report, presenting proposals at the Faversham Creek Neighbourhood Plan Exhibition in May 2012 and submitting representations at the various consultation stages in the Draft Neighbourhood Plan, including in response to the June 2014 consultation in respect of the Pre-Submission Draft Plan.</p> <p>This representation comprises the landowners' formal representation in response to the following Faversham Creek Neighbourhood Plan Documents - November 2014:</p> <ul style="list-style-type: none"> Submission Version; Basic Condition Statement; and Consultation Statement. <p>COMMENTS ON FAVERSHAM CREEK NEIGHBOURHOOD PLAN SUBMISSION VERSION</p>	<ul style="list-style-type: none"> Representations have been submitted throughout the Plan-making process. The Vision and Objectives - welcome the revision that the development proposals outlined in the Plan may involve uses in addition to 'new businesses'. Therefore, support the text: "and enriched by new businesses and uses." Objective 9 - Welcome the revision which now reads: "by providing focal areas of activity." Objective 11 - Support the recognition that redevelopment is needed and that new housing is appropriate. Objectives 12 and 13 - Would reiterate our previous comments as follows: Landowners Comments: Although the Plan Area has a maritime link many of its current and former uses do not have a maritime link. The objective should be revised to acknowledge the more recent history of the Creek Area. The wording of the Objective in seeking to 'protect and enhance the Creek... for educational and economic purposes' is not in accordance with other Objectives such as Objective 11 nor a number of the site proposals which recognise that new housing can be provided within the Creek Area. Objective 14 - As before - The Objective should acknowledge that, through redevelopment, the townscape will change. Objective 15 - Note the objective to create a Creek edge pedestrian route; however it may not be practical to also be accessible to cyclists. Background to the Plan - support the recognition that the character of the Creek Area has

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			<p>1. The Vision and Objectives</p> <p>1.1 We welcome the revision to the Vision in response to our June 2014 representations that the development proposals outlined in the Plan may involve uses in addition to ‘new businesses’. We, therefore, support the text: <i>“and enriched by new businesses and uses.”</i></p> <p>1.2 Objective 9 - We welcome the revision from the June 2014 Draft Plan which now reads: <i>“by providing focal areas of activity.”</i></p> <p>1.3 Objective 11 - As before - we support the recognition that redevelopment is needed and that new housing is appropriate.</p> <p>1.4 Objective 12 and Objective 13 - We would reiterate our previous comments as follows: Landowners Comments: We would comment that, although the Faversham Creek Plan Area has a maritime link (the Plan Area encircling the Creek Waterway), many of its current and former uses do not have a maritime link. We would comment that the wording of this Objective should be revised to acknowledge the more recent history of the Creek Area. The Plan Area includes significant residential development and many buildings dating from the 20th Century, whereas the Plan, as drafted, would suggest that it is solely a historic/maritime area. We would also comment that the wording of the Objective in seeking to ‘<i>protect and enhance the Creek... for educational and economic purposes</i>’ is not in accordance with other Objectives such as Objective 11 nor a number of the site proposals which recognise that new housing can be provided within the Creek Area, as either wholly residential developments or as part of mixed use developments.</p> <p>1.5 Objective 14 - As before - We would comment that, within the overall plan area, there are a number of sites where new development/redevelopment will be proposed during the Plan period. The Objective should acknowledge that, through redevelopment, the townscape will change.</p> <p>1.6 Objective 15 - We note the objective to create a Creek edge pedestrian route. We would, however, comment that it may not be practical for this route to also be accessible to cyclists.</p> <p>2. Background to the Plan</p> <p>2.1 We support the recognition that the character of the Creek Area has changed significantly with the decline of industry and also the recognition of navigation difficulties as a result of silting and the Swing Bridge.</p> <p>2.2 Page 14 - Specific Sites under Consideration The text comments: <i>“A number of sites within the area most of which are currently designated for</i></p>	<p>changed with the decline of industry and the recognition of navigation difficulties.</p> <ul style="list-style-type: none"> • Page 14 - Specific Sites under Consideration - The text comments: “A number of sites within the area most of which are currently designated for employment use...” • Whilst Ordnance Wharf is designated for employment development under Adopted Swale Borough Local Plan the following sites do not have a specific employment policy allocation: the Former Frank & Whittome site on the town side of Belvedere Road; Swan Quay; Former Oil Depot; Former Coach Depot; and Standard Quay. • Urban Analysis - Development Opportunities - Welcome the acknowledgement that Site 7 is a development opportunity site. Note the comments concerning Sites 6 and 7 that these sites: “should form an appropriate transition between the more recent developments along Belvedere Road and the looser historical cluster at Standard Quay.” <p>Context of the Creek</p> <ul style="list-style-type: none"> • People/Life + Vitality - Welcome recognition that residential developments and businesses could enable the Creekside to make a greater contribution to the towns’ economy. • Easy to Get Around – Are concerned at the emphasis on access to Creekside sites as a potential constraint - both for construction work and the eventual occupiers. Subsequent access will be predominantly for residential use, which would be more appropriate than continuing commercial use. The various sites referred to at Ordnance Wharf, Standard Quay, Coach Depot and Oil Depot were all accessed by commercial vehicles during their last uses. • Car parking on redevelopment sites is a matter for the planning application process and not necessarily a constraint. Due to flood risk issues, the ground floor of new buildings will be available for car parking. • Homes for People - Welcome the acknowledgement that there is scope for residential development on some sites and the contribution that this will make to housing land supply and potentially provide revenues from developer contributions. Object to the sentence: “Some sites also have access limitations which could affect viability” without definition of which sites are considered to have such limitations. • Places - Enhancing the Historic Environment - Conservation Areas - Object to identification of ‘heritage issues’ as a constraint on new development. Text could be rephrased more positively. • We are concerned at the paragraph: “In addition to statutory constraints, any development which reduces access to, or attractiveness of heritage sites and activities on the Creekside, along with issues of diversity and environmental impact, may have a negative economic impact on heritage tourism, an important component of Faversham’s economy.” The meaning and purpose of this text is not clear. <p>Water</p> <ul style="list-style-type: none"> • Reducing Flood Risk - Object to the wording of: “To be viable, residential developments may need to be 3-4 storeys, but this conflicts with feedback from public consultations and on some sites, may conflict with Conservation Area considerations (e.g. obstruction of views, impact on roofscapes, proximity to Heritage Assets).” Text should acknowledge the need for site specific Flood Risk Assessments to demonstrate that flood risk is taken into account in developing proposals, whilst at the same time, taking into account site context including issues relating to Heritage Assets, e.g. “On sites at risk of flooding more vulnerable uses such as residential development are not located on the ground floor (garages would be acceptable).” • Creekwide Policies • Request inclusion of “new homes” within the second sentence to reflect the wording of the

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			<p><i>employment use..."</i></p> <p>Whilst the Ordnance Wharf site is specifically designated for employment development under Adopted Swale Borough Local Plan Policy B17, the following sites do not have a specific employment policy allocation, albeit that employment was the last use and the sites fall within the Local Plan Policy AAP2 Area:</p> <ul style="list-style-type: none"> · the Former Frank & Whittome site on the town side of Belvedere Road; · Swan Quay; · Former Oil Depot; · Former Coach Depot; · Standard Quay. <p>3. Urban Analysis - Development Opportunities</p> <p>3.1 We welcome the acknowledgement that Site 7 - The Coach Depot - is a development opportunity site. We note the comments concerning Sites 6 - the Former Oil Depot - and Site 7 - the Former Coach Depot - that these sites:</p> <p><i>"should form an appropriate transition between the more recent developments along Belvedere Road and the looser historical cluster at Standard Quay."</i></p> <p>4. Context of the Creek People/Life + Vitality</p> <p>4.1 We welcome the recognition that residential developments - as well as businesses - could enable the Creekside to make a greater contribution to the towns' economy.</p> <p>4.2 Easy to Get Around We are concerned at the emphasis on access to Creekside sites as a potential constraint - both for construction work and the eventual use of new developments. The various sites referred to at Ordnance Wharf, Standard Quay, Coach Depot and Oil Depot were all accessed by commercial vehicles during their last uses. Construction access is temporary in nature. Subsequent access will be predominantly for residential use, which would be more appropriate on the highway network than continuing commercial use and access by large, commercial vehicles. The potential for providing car parking on redevelopment sites is a matter for the planning application process and not necessarily a constraint. Due to flood risk issues, the ground floor of new buildings will be available for car parking as appropriate for each particular sites redevelopment.</p> <p>4.3 Homes for People We welcome the acknowledgement that there is scope for residential development on some sites within the Plan area, and the contribution that this will make to housing land supply and potentially provide revenues from developer contributions.</p> <p>We object to the sentence:</p>	<p>table - Creekwide Planning Policies.</p> <ul style="list-style-type: none"> • Policy HE1: The policy should recognise the scope for more contemporary design in appropriate situations, as recognised in the NPPF and Section 4.25 of the FCNP. • Policy HE2: Expand the wording of this policy to make reference to Paragraph 128 of the NPPF: "The level of detail should be proportionate to the Assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance." • Policy HE3: This is a disproportionate requirement for relatively modest developments. It is requested that this policy is deleted. • Design Quality - Policy Objectives - object to the final Objective as it is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals. • Policy DP1: In accordance with the Planning Act, the wording of the policy should be amended to read: "Any new development shall be required to preserve or enhance the character ..." Buildings in the Conservation Area are constructed of a wide range of materials and it is not appropriate to specify stock-brick and weatherboarding. Suggests 'appropriate to its setting.' • Object to a height limitation - height limitations should be specified within the site specific policies. • Policy DP2: Object to the wording of this policy and it should be deleted. The proposed HE policies set out the requirements for development proposals to have regard to their setting and Heritage Assets. • Policy DQ4 - Object to the requirement that new development proposals 'need to reflect the historic urban grain of the area'. The sites have had a variety of uses and built form over time, and it is, therefore, difficult to reflect a historic urban grain as it is not known which 'historic grain'. Suggest: "... of all new development should reflect the specific urban characteristics of each part...." • Policy DQ5 - Object to the requirement to demonstrate how the proposals relate to the wider Faversham context, etc. This is excessive and places an unreasonable burden on developers. • Community, Leisure + Recreation - Object Objective: "Reinforce the Creek's public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users." This would require any development proposal to include the specified facilities - this is not appropriate or reasonable. This Objective was also included as the third Objective in the Business, Tourism & Employment Section, but does not refer to: "within any development." • Policy CLR1: Object to the requirement of Policy CLR1 which would additionally require the provision of access for leisure and educational activities. The wording goes beyond a requirement for pedestrian access across Creekside sites. • Policy CLR2: Object to Policy CLR2 for any application to include an appraisal of options for the provision of public spaces and leisure amenities as such a requirement would be in conflict with the Site Specific Policies. • Policy CLR3 - Object to this policy as the requirement for public consultation should be in accordance with the NPPF and the requirements of the LPA. • Whilst it may be an overall objective to 'reinforce the Creek's public destination potential...' (third business, tourism and employment objective) as drafted, the text may be interpreted as requiring the specified facilities for each and every development - this is not appropriate or reasonable.

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			<p><i>"Some sites also have access limitations which could affect viability"</i></p> <p>- without definition of which sites are considered to have such limitations.</p> <p>4.4 Places - Enhancing the Historic Environment - Conservation Areas</p> <p>We object to identification of 'heritage issues' as a constraint on new development.</p> <p>Heritage Assets - the Conservation Area and Listed Buildings - set the context for the individual sites and development proposals are to be considered against planning policies and guidance.</p> <p>This text could be rephrased more positively referring to opportunities within the planning policy context.</p> <p>We are concerned at the paragraph:</p> <p><i>"In addition to statutory constraints, any development which reduces access to, or attractiveness of heritage sites and activities on the Creekside, along with issues of diversity and environmental impact, may have a negative economic impact on heritage tourism, an important component of Faversham's economy."</i></p> <p>The meaning and purpose of this text is not clear and should be redrafted.</p> <p>4.5 Water</p> <p>Reducing Flood Risk</p> <p>Whilst it is acknowledged that under the 2010 Document relating to Flood Zone 3A(i), ground floor residential use will not be permitted within areas at risk of flooding, we object to the wording of the following paragraph:</p> <p><i>"To be viable, residential developments may need to be 3-4 storeys, but this conflicts with feedback from public consultations and on some sites, may conflict with Conservation Area considerations (e.g. obstruction of views, impact on roofscapes, proximity to Heritage Assets)."</i></p> <p>Instead, the text should acknowledge the need for site specific Flood Risk Assessments to demonstrate that flood risk is taken into account in developing proposals, whilst at the same time, taking into account site context including issues relating to Heritage Assets, e.g. <i>"On sites at risk of flooding, more vulnerable uses such as residential development are not located on the ground floor (garages would be acceptable)."</i></p> <p>5. Creekwide Policies</p> <p>5.1 Request inclusion of <i>"new homes"</i> within the second sentence to reflect the wording of the table - Creekwide Planning Policies.</p> <p>5.2 Policy HE1:</p>	<ul style="list-style-type: none"> • Policy BTE1: If this policy is intended to be applied solely to business, tourism and employment proposals - if so, the policy should be reworded as follows: "Any new business, tourism or employment development will be required ...". The policy as drafted suggests that all developments would need to comply whereas not all site specific proposals include business, tourism or employment development. This policy appears to be a design policy - it does not refer to uses but 'design, scale and materials'. The policy should be in the design section. • BTE Projects: Development of workshop and studio space for businesses should be addressed through the Site Specific Policies rather than as general projects. Aims to support businesses which provide craft and skills training and apprenticeships is not within the remit of a Development Plan. The Creek as a tourism destination is more of an objective than a specific project. • New Homes - Support the recognition of need for new housing in Faversham and acknowledgement that residential development could be permitted above ground floor level to assist with the viability. • Policy HO1: Support the policy but draw attention to our comments on other Area-wide policies. • Policy HO2: This policy requires all housing developments to provide affordable and places a much greater burden on development of sites within the Creek Area than would be applied in the rest of Faversham or the Borough. The policy needs to be redrafted to reflect National requirements and recognise that, in some cases, site viability may preclude the provision of affordable housing. • Policy HO3 - Objects to the wording which is too prescriptive. • Associated Housing Policies • The text on page 60 - Delivery of Public Realm Improvement - suggests that funding could be raised through Section 106 contributions or Community Infrastructure Levy. There is no detail of the proposed mechanism and requiring Creek infrastructure contributions in addition to the 'standard' developer contributions would impose additional costs on development sites at Faversham Creek. • Infrastructure - Policy Objectives - for the third objective, we reiterate our comments from above. About specified facilities. • Policy INF3: The proposals of the Streetscape Strategy may not, in all cases, be wholly acceptable. • The Streetscape Strategy was subject to consultation but has not been subject to independent Examination and thus its proposals should not be specified as policy requirements in the Creek Plan. • The wording of this policy should be amended to: "and to have regard to the guidance in the Faversham Creek Streetscape Strategy." The references to the Streetscape Strategy elsewhere in the Plan have already been amended to this form of wording. • Site Specific Policies: Site 7 - Former Coach Depot • Plan - Design Principles for Site 7 - no objection to designing the of Site 7 to allow the walkway across the Creek frontage but object to the indicative notation 'positive public space' across quite a wide swathe of Site 7. Query whether the stars at Site 7 should be red stars and those at Standard House and Oyster Bay House - blue stars to be in accordance with the first bullet point under suggested redevelopments - a taller element to the corner of the building close to Standard Quay. • Policy CD1 - Use Classes: The mix of uses is in accordance with the landowners' current

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			<p><i>“Any new development or alteration to an existing structure will be required in its design, scale and materials to preserve or enhance the setting of Heritage Assets, whether designated or undesignated, and the historic character of the Creekside, and to have regard to the guidance in the Faversham Creek Streetscape Strategy.”</i></p> <p>The policy should recognise the scope for more contemporary design in appropriate situations, as recognised in the NPPF and Section 4.25 of the FCNP.</p> <p>5.3 Policy HE2:</p> <p><i>“Any application for new development or alteration to an existing structure must include an appraisal of the site in its surroundings, with detailed drawings accurately showing its relationship to Heritage Assets, whether designated or undesignated, including roofscapes and views, the application must clearly explain how the development proposals have taken account of findings of such an appraisal.”</i></p> <p>It is requested that the wording of this policy is expanded to make reference to Paragraph 128 of the NPPF:</p> <p><i>“The level of detail should be proportionate to the Assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”</i></p> <p>5.4 Policy HE3:</p> <p><i>“Any application for new development or alteration to an existing structure must include an appraisal of the impact of construction work and traffic on Heritage Assets whether designated or undesignated.”</i></p> <p>It is submitted that this is a disproportionate requirement - it would not be reasonable to require such an appraisal for relatively modest developments.</p> <p>The determining body for any planning application - Swale Borough Council - has the power to impose conditions on a planning permission requiring the submission for approval of a Construction Management Plan, where appropriate.</p> <p>It is requested that this policy is deleted.</p> <p>5.5 Design Quality - Policy Objectives</p> <p>We object to the final Objective requiring planning applications to demonstrate how the proposals relate to the wider Faversham context, etc.</p> <p>It is submitted that this is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals.</p>	<p>proposals but object to Use Class C1 as the landowner’s intentions would include self-catering units which are not in Use Class C1 - request deletion of reference to Class C1.</p> <ul style="list-style-type: none"> • BASIC CONDITIONS STATEMENT - reference should be made in the list of policy documents to: the National Planning Policy Guidance - 2014; the Swale Borough Council Strategic Flood Risk Assessment 2009; Swale Borough Council Strategic Flood Risk Assessment for Local Development Framework - Level 1 and 2 Assessments - Supplementary Document, October 2010. • Question the inclusion of the Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek as it was not prepared by any public body and has not been adopted by the Town Council in terms of its content or conclusions. • CONSULTATION STATEMENT - summarises comments in respect of Site 7 and Policies CD on page 48. The representations submitted in respect of the Pre-Submission Consultation, June 2014, also set out a number of general comments which are recorded against Representor 15 and on pages 35 – 40. • Would like to be advised of the next stages of the Plan-making process.

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			<p>5.6 Policy DP1:</p> <p><i>“Any new development shall be required to enhance the character of the area and to be appropriate in height, mass and materials. In most cases, this will mean buildings constructed or clad in materials typical for the area, (including stock-brick and weatherboarding), with any pitched roofs being of slate or tile (solar panels will be acceptable), and no more than three-storeys in height and preferably less.”</i></p> <p>In accordance with the Planning Act, the wording of the policy should be amended to read:</p> <p><i>“Any new development shall be required to preserve or enhance the character ...”</i></p> <p>We would also comment that the buildings in the Conservation Area are constructed of a wide range of materials and that it would not be appropriate to specify stock-brick and weatherboarding.</p> <p>A more broader form of wording should be used such as - <i>appropriate to its setting.</i></p> <p>We would also object to a height limitation in this general policy - if appropriate, height limitations should be specified within the site specific policies.</p> <p>5.7 Policy DP2:</p> <p><i>“New buildings shall not be permitted to interrupt views or roofscapes identified in the Faversham Conservation Area Character Appraisal or the undesignated Heritage Assets and Values.”</i></p> <p>We object to the wording of this policy as drafted.</p> <p>The proposed HE policies, which should be in accordance with the NPPF, set out the requirements for development proposals to have regard to their setting and Heritage Assets, which include consideration of views and roofscapes.</p> <p>It is submitted that this policy should be deleted.</p> <p>5.8 Policy DQ4</p> <p>Object to the requirement that new development proposals <i>‘need to reflect the historic urban grain of the area’.</i></p> <p>The various redevelopment sites have had a variety of uses and built form over time, and it is, therefore, difficult to require schemes to reflect a historic urban grain as it is not known which <i>‘historic grain’.</i></p> <p>We request rewording to:</p> <p><i>“... of all new development should reflect the specific urban characteristics of each part...”</i></p>	

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			<p>5.9 Policy DQ5</p> <p>We object to this policy requiring planning applications to demonstrate how the proposals relate to the wider Faversham context, etc.</p> <p>It is submitted that this is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals.</p> <p>5.10 Community, Leisure + Recreation</p> <p>Object to the Policy Objective:</p> <p><i>“Reinforce the Creek’s public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users.”</i></p> <p>As drafted, this would require any development proposal to include the specified facilities - this is not appropriate or reasonable.</p> <p>This Objective was also included as the third Objective in the Business, Tourism & Employment Section, but does not refer to:</p> <p><i>“within any development.”</i></p> <p>5.11 Policy CLR1:</p> <p><i>“Any new development on any waterfront site shall provide public right of access to the waterfront for leisure and educational activities.”</i></p> <p>Whilst we note the objective of the Plan to secure a continuous Creek walkway, to be achieved through the development of waterfront sites, we object to the requirement of Policy CLR1 which would additionally require the provision of access for leisure and educational activities.</p> <p>We would comment that this wording goes beyond a requirement for pedestrian access across Creekside sites.</p> <p>5.12 Policy CLR2:</p> <p><i>“Any application for new development on any waterfront site must include an appraisal of options for the provision of Public Spaces and leisure amenities, including slipways and moorings, and must explain clearly how the proposals have taken account of this appraisal.”</i></p> <p>We also object to Policy CLR2 for any application to include an appraisal of options for the provision of public spaces and leisure amenities.</p> <p>Such a requirement would be in conflict with the Site Specific Policies.</p>	

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			<p>In developing the Site Specific Policies, consideration has been given to the options for each site to provide public spaces and leisure amenities.</p> <p>5.13 Policy CLR3</p> <p><i>“Community involvement and consultation must be carried out as part of the planning application process.”</i></p> <p>We object to this policy.</p> <p>The requirement for public consultation should be in accordance with the NPPF and the requirements of the Local Planning Authority - in this case, Swale Borough Council.</p> <p>5.14 Whilst it may be an overall objective to ‘reinforce the Creek’s public destination potential...’ (third business, tourism and employment objective) as drafted, the text may be interpreted as requiring the specified facilities for each and every development - this is not appropriate or reasonable.</p> <p>5.15 Policy BTE1:</p> <p><i>“Any new development will be required in its design, scale and materials to enhance the Creekside Area as a visitor attraction, and as attractive location for new businesses.”</i></p> <p>It is questioned whether this policy is intended to be applied solely to business, tourism and employment proposals - if so, the policy should be reworded as follows:</p> <p><i>“Any new business, tourism or employment development will be required ...”</i></p> <p>The policy as drafted suggests that all developments would need to comply whereas not all site specific proposals include business, tourism or employment development. We would also comment that this policy appears to be a design policy - it does not refer to uses but <i>‘design, scale and materials’</i>.</p> <p>We would comment that the policy should, therefore, be in the design section and not as a business, tourism or employment policy which would principally be a land use policy.</p> <p>5.16 BTE Projects include:</p> <ul style="list-style-type: none"> · development of workshop and studio space for rent, particularly affordable units for smaller/start-up businesses; · development of maritime-related and heritage businesses; · development of businesses which provide craft and skills training and apprenticeships; · greater emphasis on the Creek and its historic environment, maritime, 	

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			<p>creative arts, retail/catering and natural environment offer, within the marketing of Faversham as a tourism destination.</p> <p>We would comment that development of workshop and studio space for businesses should be addressed through the Site Specific Policies rather than indicated as general projects within the Plan.</p> <p>Aims to support businesses which provide craft and skills training and apprenticeships is not within the remit of a Development Plan.</p> <p>The role of the Creek and its marketing as a tourism destination is more of an objective than a specific project.</p> <p>5.17 New Homes</p> <p>We support the recognition of need for new housing in Faversham and acknowledgement that residential development could be permitted above ground floor level to assist with the viability of mixed use schemes and to provide activity throughout the day and evening, and that new housing will contribute to Objective 11 - land supply in Faversham.</p> <p>5.18 Policy HO1:</p> <p><i>"New housing will be permitted as specified in individual site policies, subject to other area-wide policies."</i></p> <p>We support Policy HO1 but would draw attention to our comments on other Area-wide policies.</p> <p>5.19 Policy HO2:</p> <p><i>"In all new developments, 35% of these dwellings will be affordable."</i></p> <p>This policy as drafted requires all housing developments to provide affordable and, as no threshold is included, places a much greater burden on development of sites within the Creek Plan Area than would be applied in the rest of Faversham or the Borough.</p> <p>Nationally, affordable housing is now not required for schemes of 10 units or less.</p> <p>This policy needs to be redrafted to reflect National requirements and also to recognise that, in some cases, site viability may preclude the provision of affordable housing or other developer contributions.</p> <p>5.20 Policy HO3 - Object to the wording which is too prescriptive.</p> <p>The policy wording can be less specific, cross-referencing to the need for development proposals to take into account the heritage and design policies of the Neighbourhood Plan, site context, etc.</p> <p>5.21 Associated Housing Policies</p>	

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			<p>During the previous stages of the Plan-making process there have been references to the creation of a 'Creek Fund' to which development contributions would be sought from new developments which would together fund Creek infrastructure and improvements to the public domain.</p> <p>The text on page 60 - Delivery of Public Realm Improvement - suggests that funding could be raised through Section 106 contributions or Community Infrastructure Levy which would be sought by Swale Borough Council and potentially other sources.</p> <p>There is no detail of the proposed mechanism and we would comments that requiring Creek infrastructure contributions in addition to the 'standard' developer contributions that would be sought by Swale Borough Council, (including affordable housing) and Kent County Council, would impose additional costs on development sites at Faversham Creek which would make these sites more costly to develop than sites elsewhere in Faversham or in the rest of the Borough.</p> <p>Any Creek Infrastructure Fund policy must, therefore, be developed in conjunction with Swale Borough Council and Kent County Council, so that it does not impose additional burdens on sites at Faversham Creek.</p> <p>5.22 Infrastructure - Policy Objectives</p> <p>With respect to the third objective, we would reiterate our comments from above.</p> <p>Object to the Policy Objective:</p> <p><i>"Reinforce the Creek's public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users."</i></p> <p>As drafted, this would require any development proposal to include the specified facilities - this is not appropriate or reasonable.</p> <p>5.23 Policy INF3:</p> <p><i>"Any new road and footway surface treatments and street furniture including signage will be in accordance with the standard specified in the Faversham Creek Streetscape Strategy and shall be DDA compliant."</i></p> <p>This policy is principally aimed at existing and potential future Public Realm areas, many of which are outside the confines of development sites and the policy would, therefore, also be binding upon local authorities in implementation of hard landscaping schemes.</p> <p>The proposals of the Streetscape Strategy may not, in all cases, have been subject to detailed assessment by the respective public bodies and may not, therefore, be wholly acceptable.</p> <p>Whilst the Streetscape Strategy was subject to consultation prior to the publication of a Draft Neighbourhood Plan, it has not been subject to independent Examination and thus its proposals</p>	

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			<p>should not be specified as policy requirements in the Creek Plan.</p> <p>It is, therefore, submitted that the wording of this policy should be amended to read:</p> <p><i>“and to have regard to the guidance in the Faversham Creek Streetscape Strategy.”</i></p> <p>The references to the Streetscape Strategy elsewhere in the Plan have already been amended to this form of wording.</p> <p>6. SITE SPECIFIC POLICIES</p> <p><i>Site 7 - Former Coach Depot</i></p> <p>6.1 Plan - Design Principles for Site 7</p> <p>6.1.1 Whilst we have no objection to designing the redevelopment of Site 7 to allow the walkway across the Creek frontage, we are concerned at the indicative notation ‘positive public space’ across quite a wide swathe of Site 7.</p> <p>Neither the policy nor the accompanying text suggests the provision of public open space on the site and we object to such a notation on this plan.</p> <p>6.1.2 We note the 2 No. blue stars on Site 7 indicating <i>‘existing local landmark’</i>.</p> <p>The plan also shows 2 No. red stars at Standard House and Oyster Bay House as <i>‘potential sites for a new landmark’</i>.</p> <p>We would query whether the stars at Site 7 should be red stars and those at Standard House and Oyster Bay House - blue stars.</p> <p>This would be in accordance with the first bullet point under suggested redevelopments - a taller element to the corner of the building close to Standard Quay.</p> <p>6.2 Policy CD1 - Use Classes:</p> <p><i>“The ground floor shall include a mix of class B1 (offices and workshops), Class A1 (retail) and facilities for boat users. The upper floors to be in residential use (Class C3) and holiday lets (Class C1).”</i></p> <p>Landowners Comments: The mix of uses is in accordance with the landowners’ current proposals.</p> <p>We do, however, object to Use Class C1 - this is use as a hotel or boarding or guest house.</p> <p>The landowner’s intentions would include self-catering units which are not in Use Class C1 - request deletion of reference to Class C1.</p> <p>COMMENTS ON THE BASIC CONDITIONS STATEMENT</p>	

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			<p>We would suggest that reference is made in the list of policy documents to:</p> <ul style="list-style-type: none"> • the National Planning Policy Guidance - 2014; • the Swale Borough Council Strategic Flood Risk Assessment 2009; • Swale Borough Council Strategic Flood Risk Assessment for Local Development Framework - Level 1 and 2 Assessments - Supplementary Document, October 2010. <p>We would question the inclusion of the Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek within the list of policy and other documents.</p> <p>The report was not prepared by any public body or consultants appointed by a public body, but by local volunteers.</p> <p>It is understood that the report has not been adopted by the Town Council in terms of its content or conclusions.</p> <p>COMMENTS ON CONSULTATION STATEMENT</p> <p>The November 2014 Consultation Statement summarises the site specific comments in respect of Site 7 and Policies CD on page 48.</p> <p>We would, however, comment that the representations submitted in respect of the Pre-Submission Consultation, June 2014, also set out a number of general comments which are recorded against Representor 15 and on pages 35-40.</p>	
FCNP45	Hilary Whelan	Object	<ul style="list-style-type: none"> • I am a Creekside resident living within the Neighbourhood Plan area. I have taken an active interest in development plans for the Creek since the first Faversham Creek Consortium meeting in late 2005. I became seriously concerned about the conduct of the neighbourhood plan process towards the end of 2012. • Since steering group meetings were belatedly opened to the public in August 2013 I have attended regularly. On a few occasions I have sat on the steering group as substitute representative for the Brents Community Association (BCA). As an experienced copywriter, I volunteered to assist with the drafting group who were preparing the pre-submission draft and spent many hours of my time working on it. I say this merely to demonstrate my commitment to a successful Neighbourhood Plan for Faversham Creek. Regrettably, this is not it. • While working on the pre-submission draft I drew the attention of the steering group to many concerns about statutory requirements, lack of alternative options, and failure to reflect feedback from the community. These concerns were largely ignored. • I submit that the current draft of the Faversham Creek Neighbourhood Plan should not have been put out for Regulation 16 consultation, since it does not meet the basic conditions. • STRATEGIC ENVIRONMENTAL ASSESSMENT: On 18.01.14, while working with the pre-submission drafting group, I submitted recommendations to the steering group. These included: "The steering group to ask Swale Borough Council to carry out the screening process to determine whether we will need a Strategic Environmental Assessment (as per NPPG, beta, 2013), since if we do it may affect how some of the policies have to be drafted." The minutes of the subsequent steering group meeting on 04.02.14 say "NE [Nathalie Earl, Swale Borough Council planning officer] confirmed a Strategic Environmental 	<ul style="list-style-type: none"> • Have previously drawn attention of the steering group to concerns about statutory requirements, lack of alternative options, and failure to reflect feedback from the community. These concerns were largely ignored. • The Neighbourhood Plan should not have been put out for Regulation 16 consultation as it does not meet the basic conditions. • An SEA has not been carried out in parallel with, and to inform, the drafting of the plan. There should be comparative assessment of alternative options and consultation on the environmental report. There is no sustainability assessment. Arbitrary claims are made about viability and "vibrancy" with no supporting evidence. This is a high flood risk area, but there is no map showing flood zones and no topographical map showing contours. There are critical traffic constraints, but no traffic flow maps or data. The concept is supposed to be "mixed development", but there are no quantitative data for anything other than residential units, and even those data are incomplete. • Despite requests, no estimates have been given for the total area of commercial floorspace (at ground floor level). No satisfactory response has been given about the type of potential future uses in these mixed schemes. • There is no public record of any assurance from Kent Highways on the question of traffic and parking implications for residents, businesses and customers. Although it is noted that in January 2012 Kent Highways stated that all parking must be on site as there is no spare capacity within the vicinity, but there is nothing about this in the plan. • Concerned that there won't be demand for ground-floor employment space, given the amount of vacant commercial space in the town already and the potential problems (because of flood risk) of getting insurance and business loans for ground floor creekside

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			<p>Assessment (SEA) would be needed.”</p> <ul style="list-style-type: none"> • Planning Practice Guidance states that if an SEA is required it should be carried out in parallel with, and should be used to inform, the drafting of the plan. There should be comparative assessment of alternative options. There must be consultation on the environmental report. Not one of these things has happened. For a conservation area stuffed with heritage assets and a waterway with habitat and pollution issues, this makes the whole plan untenable. • SUSTAINABILITY: More generally, there is no sustainability assessment of any kind. Arbitrary claims are made about viability and “vibrancy” with no supporting evidence whatsoever. I have studied many neighbourhood plans and have never seen one with so little research or supporting information. This is a high flood risk area, but there is no map showing flood zones and no topographical map showing contours. There are critical traffic constraints, but no traffic flow maps or data. The concept is supposed to be “mixed development”, but there are no quantitative data for anything other than residential units, and even those data are incomplete. • I have frequently asked for more information to be provided. For example, at a steering group meeting on 10.12.13, I asked “In the current proposals, all the major sites have large residential blocks with commercial use on the ground floor. What are the estimates for the total area of commercial space this would create?” The answer (not given in public, but in a letter dated 31.01.14) was: “<i>This is unknown at this stage. The submission version of the NP will need to give the site areas of each site and an approximation of quantity of the different of uses proposed for each site.</i>” [sic] There is no such information in the submission plan. • I also queried the potential uses for this space, given the constraints of proximity to residential accommodation. The answer was: “<i>Residential amenity would be a key issue when assessing the merits of each scheme and the mix of uses proposed. However, no use can be ruled out due to its proximity to residential units.</i>” This makes no sense. • On the question of traffic and parking implications for residents, businesses and customers, I was told: “<i>The NP will allocate sites for uses. It is not until the planning application stage that parking is addressed. The last consultant met Kent Highways officers who were content with the level of traffic that the developments would be producing. Again, at the planning application stage Kent Highways will work with the applicant to design their scheme to minimise traffic congestion and maintain safety. These are standard working procedures in the planning process.</i>” • There is no public record of the last consultant [Tony Fullwood] having received any such assurance from Kent Highways. Whatever Kent Highways may have said cannot in any case have been based on the NP since no draft existed at the time. There is a record [Jan 2012] of Kent Highways having said that all parking must be on site as there is no spare capacity within the vicinity, but there is nothing about this in the plan. In June 2014, James Freeman [head of planning, Swale Borough Council] said that Tony Fullwood had done work with KCC “but Local Plan work is going to be too high level to assist, so need not to lose sight of that and get something (re)confirmed with KCC.” This has not been done. • I asked about the likely level of demand for ground-floor employment space, given the amount of vacant commercial space in the town already and the potential problems (because of flood risk) of getting insurance and business loans for ground floor creekside property. I was told “<i>Swale’s Employment Land Review covered the creek area and looked at demand for employment generating uses and the suitability of sites for employment uses.</i>” I have read Swale’s Employment Land Review (dated 2010, so not exactly up to the minute) 	<p>property.</p> <ul style="list-style-type: none"> • There hasn’t been a viability assessment of the neighbourhood plan proposals before the completion of the submission draft. • This plan is not founded on a solid evidence base. • Conduct of consultations has not been as professional as it should have been. The impression is that the process has been designed to “rubber stamp” a predetermined decision. Analysis of feedback has been incomplete. • Most of the feedback has been negative. This has been ignored, rather than engaging with it. The claim in the Basic Conditions Statement that “the plan has broad support from the residents” is simply staggering, given that over 70% of respondents to the Regulation 14 consultation did not support it. • In the 2013 consultation concerns were expressed that the creek would be surrounded by housing and that this would harm the unique character of the area. Provision of shops and cafes would make the area like any other tourist town and the creek would lose its distinctiveness. Despite these views being made, this is precisely the kind of development that the plan is promoting. • The steering group’s attention has been drawn to the Gunning/Sedley principles of public consultation, and to the similar EU Aarhus Convention. The consultation process may not have been lawful, in that the public were offered only one set of options (which cannot realistically be described as “options” since no alternatives were ever seriously considered). The absence of a range of options under consideration also precludes the proper conduct of an SEA. • This is not a neighbourhood plan. It is a continuation of a Development Plan Document commissioned by Swale Borough Council. Its priority seems to be the enabling of development proposals put forward by landowners. They have been accorded “key stakeholder” status, while those of us who live within the area have not. The plan is silent on some significant sites (eg, the Shepherd Neame sites on the town side of the creek), because the landowner wishes it to be so. The community has been held at arms’ length and, apart from a few minor concessions, its needs and preferences have been ignored. • During the pre-submission drafting, we were repeatedly told by Planning Aid that the plan would have to be examined against the adopted local plan policy (AAP2) and not the emerging local plan. This was confirmed by examiners’ comments on other neighbourhood plans. The steering group chose not to hear the advice it was given. • AAP2 is a saved policy. It was deemed by Swale Borough Council to be compatible with the NPPF and to carry weight. This plan has been drawn up in the knowledge that it does not conform to AAP2. • The plan also fails to conform to Chapter 12 of the NPPF. The proposed developments will have a massive impact on the conservation area and the settings of important heritage assets, especially on Ordnance Wharf, Swan Quay and the Standard Quay area. The Consultation Statement says that heritage is “referenced” in the plan, but that is not enough. There is no SEA, no independent assessment, no evaluation of alternative development options that may be more heritage-friendly. • Object to tall buildings near the waterfront. The plan ignores this, specifying up to three storeys in the Creekwide policies. This is exceeded in site-specific policies (three-and-a-half on Swan Quay and four on the Coach Depot). The height requirement is solely to enable residential development in Flood Zone 3. An alternative solution – non-residential development – has not been considered. • Building heights will have an impact on the surrounding natural and built environment,

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			<p>and I can find no quantitative data relevant to my question.</p> <ul style="list-style-type: none"> • In answer to another question, it was said that viability assessments would be carried out after the pre-submission consultation, before the completion of the submission draft. This did not happen either. • These are just a few examples to illustrate that this plan is not founded on a solid evidence base. • CONSULTATION: My experience of consultations relating to creekside development has been entirely negative. I have responded to everything, including the Urban Initiatives and Fullwood reports. Frankly, I might as well not have bothered. The impression I have received is that the process has been designed to “rubber stamp” a predetermined decision. The conduct of consultations has not been as professional as it should have been (eg, the drafting of questionnaires). In most cases the analysis of feedback has been incomplete. • Most of the feedback has been negative, but those directing the plan have sought excuses to ignore it, rather than engaging with it. The claim in the Basic Conditions Statement that “the plan has broad support from the residents” is simply staggering, given that over 70% of respondents to the Regulation 14 consultation did not support it. • In the 2013 consultation “The most common responses to a <i>worst fear</i> for the creek were that the creek area would be surrounded by housing and that there would be overdevelopment. This would result in harm to the unique character of the area. Provision of shops and cafes would make the area like any other tourist town. The creek would just become like everywhere else and lose its distinctiveness” – yet this is <i>precisely</i> the kind of development that the plan is promoting. • I am on record as having drawn the attention of the steering group to the Gunning/Sedley principles of public consultation, and to the similar EU Aarhus Convention. I believe that the consultation process may not have been lawful, in that the public were offered only one set of options (which cannot realistically be described as “options” since no alternatives were ever seriously considered). The absence of a range of options under consideration also precludes the proper conduct of an SEA. • In fact, this is not a neighbourhood plan at all. It is a continuation of a Development Plan Document commissioned by Swale Borough Council, and its priority would seem to be the enabling of development proposals put forward by certain landowners who purchased industrial sites without residential use and have lobbied to get this changed. They have been accorded “key stakeholder” status, while those of us who live within the area have not. The plan is silent on some significant sites (eg, the Shepherd Neame sites on the town side of the creek), apparently because the landowner wishes it to be so. The community has been held at arms’ length and, apart from a few minor concessions, its needs and preferences have been ignored. • PLANNING POLICIES: During the pre-submission drafting process, we were repeatedly told by Planning Aid advisor Brian Whiteley that the plan would have to be examined against the adopted local plan policy (AAP2) and not the emerging local plan. This was confirmed by examiners’ comments on other neighbourhood plans. The steering group chose not to hear the advice it was given. • AAP2 is a saved policy. It was deemed by Swale Borough Council to be compatible with the NPPF and to carry considerable weight. This plan has been drawn up from the start in full knowledge that it does not conform to AAP2. It is diametrically opposed to it. Various ways of getting round this have been discussed, but the option of drawing up a plan that would conform to the adopted policy does not seem to have occurred to anyone. • The plan also fails to conform to Chapter 12 of the NPPF. The proposed developments will 	<p>including heritage assets. It is noted that all new developments would be much taller than a typical three-storey building because of the need to raise ground levels. Height should be specified in metres.</p> <ul style="list-style-type: none"> • Endorse that comments made by Ray Harrison, and the Brents Community Association and the Faversham Creek Trust. • The plan is inadequate, incomplete, un-evidenced, and does not meet the basic conditions. I urge Swale Borough Council to refer it back to Faversham Town Council for further revision.

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			<p>have a massive impact on the conservation area and the settings of important heritage assets, especially on Ordnance Wharf, Swan Quay and the Standard Quay area. The Consultation Statement says that heritage is “referenced” in the plan, but that is not enough. There is no SEA, no independent assessment (eg, from English Heritage), no evaluation of alternative development options that may be more heritage-friendly.</p> <ul style="list-style-type: none"> • BUILDING HEIGHTS: One of the most common and consistent themes in the responses to all consultations has been opposition to tall buildings near the waterfront, with a preference for one or two storeys at most. The plan ignores this, specifying up to three storeys in the Creekwide policies. Inconsistently, this is exceeded in site-specific policies (three-and-a-half on Swan Quay and four on the Coach Depot). The height requirement is solely to enable residential development in Flood Zone 3. An alternative solution – non-residential development – has not been considered. • Building height is of concern because of its impact on the surrounding natural and built environment, including heritage assets (it is ironic that the attractive view featured on the plan’s own website would be completely ruined by the tall buildings proposed for Swan Quay). • For this reason, specifying a number of storeys is of no value. For example, an existing development, Waterside Close, is technically three storeys. But the whole development is raised on stilts, and the properties have raised ground floors and tall pitched roofs. The net effect is four/five storeys. The plan, as it stands, allows an equivalent wall of tall buildings on the opposite bank, creating a canyon effect at one of the narrowest points of the creek. All new developments would be much taller than a typical three-storey building because of the need to raise ground levels. • I have suggested several times that height should be specified in metres, and/or, on individual sites, in relation to existing buildings. The consultant who drew up the submission draft agreed that this made sense. This, however, requires a proper evaluation of the environmental and heritage impact, which has not been done. • OVERALL: There are many more detailed comments in a submission from Mr Ray Harrison, and in a joint submission from the Brents Community Association and the Faversham Creek Trust, both of which I fully endorse. • I do not think this plan should have been allowed to go forward for consultation, and it should not now be put forward for examination. It is inadequate, incomplete, un-evidenced, and does not meet the basic conditions. I urge Swale Borough Council to refer it back to Faversham Town Council for further revision. 	
FCNP46	Pauline Lambell	Support	<ul style="list-style-type: none"> • I wish to send an email of support for the plans that Swan Quay LLP have proposed for their land and buildings adjacent to Faversham creek. (Sites 4 and 5 in the Faversham Creek Neighbourhood Plan) • I am a regular visitor to the Faversham area and note that Swan Quay LLP have already helped regenerate the area with their support for the artist studios, gallery etc at Creek Creative. I believe their proposals will further help regenerate the area around the creek. 	<ul style="list-style-type: none"> • Support the plans for Swan Quay LLP (Sites 4 and 5). • I believe their proposals will further help regenerate the area around the creek.
FCNP47	Sian Phelps	Object	<ul style="list-style-type: none"> • I would like to register my concerns with the Neighbourhood Plan as it currently appears, in particular regarding the flawed consultation process, the apparent emphasis on landowner/developer input in preference to the interests of local people and groups, the fact that it seems inappropriate/unnecessary housing development is being prioritised over the needs of the local community, local employment opportunities, and the care & development of Faversham's unique maritime and industrial heritage, and the environmental aspects of the area. • Faversham Creek has unique qualities which could be developed to attract interest & 	<ul style="list-style-type: none"> • Concerned with: <ul style="list-style-type: none"> ○ the flawed consultation process, ○ the apparent emphasis on landowner/developer input. ○ inappropriate/unnecessary housing development being prioritised over all other needs and considerations. ○ Faversham Creek could become a centre of excellence for traditional maritime trades. • Endorse the response by Faversham Creek Trust and the Brent Community Association.

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			<p>visitors, and could become a true centre of excellence for traditional maritime trades.</p> <ul style="list-style-type: none"> • In addition, the local community would benefit far more by employment, tourism and community activities. • Building yet more waterside apartments risks turning the area into a dormitory with no community benefit. • I heartily endorse the joint response sent by Faversham Creek Trust and the Brent Community Association. • I hope you will reconsider a plan which the majority of residents do not want AND REVIEW THE CONSULTATION PROCESS - as it seems to me the landowners have been allowed to put forward what they want, and anyone else with an opinion has been fobbed off. 	
FCNP48	E Francis	Comment and object	<ul style="list-style-type: none"> • My comment relates specifically to the developments which are only accessible via Abbey Street i.e. Standard Quay, Fentiman's Yard, the old coach depot. • I note that the Neighbourhood Plan indicates that all planning developments need to take account of traffic access and flow, but I am concerned that consideration given in individual planning applications will not be realistic and that the scale of developments proposed for this area will create vehicle access problems down Abbey Street. • At present this area is only accessible via Abbey Street, which is an important historic area for the town. Most of the length of Abbey Street is single lane only and access can be difficult at particular times of the day and week when this area becomes a pinch point for traffic. • The development proposals recommended for leisure, business and residential developments at the end of Abbey Street will significantly increase traffic pressures and are likely to create access difficulties down this road to the existing homes, Q E School, and businesses, particularly at specific times of the day and week. • Thank you for the opportunity to comment. 	<ul style="list-style-type: none"> • Comments relate to the developments which are only accessible via Abbey Street i.e. Standard Quay, Fentiman's Yard, the old coach depot. • Is concerned that the scale of developments proposed for this area will create vehicle access problems down historic Abbey Street, which is mostly single lane.
FCNP49	Brian Pain	Object	<ul style="list-style-type: none"> • I live in the Oyster Bay House which stands adjacent to Standard Quay within the plan area. I was also until 2011 a director of Standard Quay Limited which ran the quayside and occupied the black wooden industrial building at Standard Quay. We ran the company restoring and repairing traditional (mainly wooden) sailing craft. At the time we had to vacate the premises (as our lease was not renewed) we had around 20 skilled craftsmen working there and were also running a successful apprenticeship scheme in wooden boat building. We recorded over 5000 visitors to the site each year from all over the world. • There are many flaws in the whole process of production of the submitted draft plan and I fully support the response of the Faversham Creek Trust and the Brents Community Association to the proposals. • I would also like to make the following objections: • Our activities at Standard Quay satisfied all the objectives of the stated vision but are precluded from future implementation because there is nowhere within the specified sites where sufficient space and access to the creek frontage is made available. The lamentable mixed use at Standard Quay is not compatible with a commercial boatyard and does nothing to sustain the very qualities that makes Faversham and in particular the Creekside areas such a special place. • The steering group who produced this draft plan were impervious to submissions made for uses other than predominantly housing, the results to consultations were largely ignored if they disagreed with their initial proposals and rigorous restrictions to public participation in meetings of the group left most people who care about the creek deeply frustrated. • Alternative proposals for commercial or community usage of some of the sites were merely dismissed as financially unviable by members of the steering group. There was no basis for 	<ul style="list-style-type: none"> • Was a director of Standard Quay, until 2011, and ran the quayside and the black wooden building. We restored and repaired traditional sailing craft. • Had around 20 skilled craftsmen and ran an apprenticeship scheme. Had over 5000 visitors to the site each year. • There were flaws in the process of production of the plan. • Supports the response of the Faversham Creek Trust and the Brents Community Association. • Our activities satisfied all the objectives and vision but are precluded from future implementation because there is nowhere within the specified sites where sufficient space and access to the creek frontage is made available. • Mixed use at Standard Quay is not compatible with a commercial boatyard. • Submissions made for uses other than housing were ignored. • Results to consultations were largely ignored if they disagreed with their initial proposals. • There were rigorous restrictions to public participation in meetings of the group. • Alternative proposals for commercial/community uses were dismissed as financially unviable. • An independent professional study on financial viability showed that marine usage could be both profitable and sustainable, but was ignored. • The current plan is unimaginative, undemocratic and would destroy Faversham's special heritage. • The claim that only housing is sustainable and financially viable is not fair or true.

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			<p>such dismissal provided.</p> <ul style="list-style-type: none"> An independent professional study undertaken into financial viability, which showed that continued and reintroduced marine usage could be both profitable and sustainable was not even acknowledged by the group. The current plan is unimaginative, undemocratic and if implemented, would destroy a vital part of Faversham's special heritage. The claim made by the group chairman that only housing based proposals are sustainable and financially viable -and that therefore these draft proposals were the only ones that could be submitted- are not fair nor true. 	
FCNP50	Mr Telford	Object	<ul style="list-style-type: none"> I would like the following comments to be considered in response to the SBC Consultation of the Faversham Creek Neighbourhood Plan. I write this as an individual and not as a Trustee of the Faversham Creek Trust. I keep a boat on the creek and have been involved as a client with a very successful and award winning boatyard there. I became aware of the developments further up creek and the assets given over to exclusive developments, of dubious architectural or social merit. Then came the loss of Standard Quay as a working boatyard, to more potential development, and then the Vanguard Neighbourhood Plan announced in 2011.. It was immediately obvious that as it is not a Neighbourhood at all, it is being exploited as a device to promote the last 5 disconnected sites available for residential development, and in 3 cases already acquired by developers for that purpose, thinly disguised by including some other sites, but exposed by the SBC 2011 SHLAA. There is no contiguity and no attempt to look at the Creek holistically. The recent consultant queried why Morrisons and Shepherd Neame were excluded. I would query a lot more to make it a genuine Creek Neighbourhood. The assumption was made by the Steering Group that the public consultation had taken place 3 years earlier in 2008 as part of an exercise by Urban Initiatives. The first NP 2012 PUBLIC consultation was an exhibition of Developers proposals, supported by the professional planner appointed by SBC to lead the NP, using his previous report which supported residential development of all the sites, as the model for the NP. The second 2013 PUBLIC consultation was another exhibition of an artist's impression of those proposals, resulting in the resignation of the said Planner when he realised the public had rejected the [his] plans wholesale and the realisation by the Steering Group that their idea of consultation was totally inadequate. This eventually resulted in the inclusion of several local representative bodies on the SG, but not before the SG had agreed to disregard public responses on the basis that the public did not understand the issues, and therefore were not viable. The third 2014 PUBLIC consultation, of the Draft Plan, was the attendance of the Mayor and SG at various venues, and an Alternative Draft Plan exhibition in the Purifier Building. The overwhelming public attendance at the Purifier, and endorsement of its proposals, by a consortium that included a local Landowner [not developer] was subsequently disregarded by the SG/TC This Alternative Plan was the inevitable outcome of the trick played on those members of the SG who had spent almost 6 months developing alternative uses of the sites. This work was all rejected just before the start of the Draft Plan Consultation citing Town Council Standing Orders. This was clearly a planned trap, or inconceivable incompetence by the TC and reversed the Draft back to the 2013 version. Subsequently, those members of the SG were expelled, albeit begrudgingly reinstated even though the SG/ TC action was unethical, if not illegal. 	<ul style="list-style-type: none"> Standard Quay has been lost as a working boatyard. This is not a Neighbourhood. It is being exploited as a device to promote the last five disconnected sites available for residential development, and in three cases already acquired by developers for that purpose and exposed by the 2011 SHLAA. There is no contiguity and no attempt to look at the Creek holistically. The recent consultant queried why Morrison's and Shepherd Neame were excluded. I would query a lot more to make it a genuine Creek Neighbourhood. Public consultation has comprised events in 2008 (Urban Initiatives), 2012 (exhibition of developers' proposals) and 2013 (artist's impression). In 2014 consultation was undertaken on the draft plan and an alternative draft plan exhibition was held in the Purifier Building. The overwhelming public attendance at the Purifier, and endorsement of its proposals, by a consortium that included a local Landowner [not developer] was subsequently disregarded by the steering group/town council. The steering group does not appropriately reflect interests in the creek and the town. Nothing has really changed since 2012. I object to this plan because it is fatally flawed by a corrupted process. It would be very bad for localism and democracy and for the many local people who desperately want the Creek rejuvenated and protected by a proper plan.

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			<ul style="list-style-type: none"> Curiously, the TC refused to recognise that the largest Landowner, with a successful manufacturing business, who was a partner of the Alternative Plan consortium, had put in a proposal for 80 houses compared to the 30 in the SHLAA, and which would have gone a long way towards taking the pressure off the individual small sites, to meet the housing target total [106] effectively set by the SHLAA for the Creek area. The SG continued to use the original figures from the SHLAA, to punish him. Nothing has really changed since 2012; a few extra words have been woven around the crude Draft to make it resemble a more considered planning strategy, but nothing can disguise the fact that it is a fix for a small number of sites where the hoped for values are now starting to near what speculating developers overpaid for them! So reluctantly, I object to this Plan as it stands because it is fatally flawed by a corrupted process. It would be very bad for localism and democracy, and for the many local people who desperately want the Creek rejuvenated and protected by a proper Plan, a good Plan; but this is not it. I would not want to predict the outcome at referendum. 	
FCNP51	ORDNANCE WHARF LIMITED	Support, object and comment	<ul style="list-style-type: none"> REPRESENTATIONS ON BEHALF OF ORDNANCE WHARF LIMITED IN RESPECT OF SITE 2 - ORDNANCE WHARF Representations have been submitted on behalf of the landowners throughout the Faversham Creek Plan-making process - initially commenting on the 2010 Tony Fullwood Report, presenting proposals at the Faversham Creek Neighbourhood Plan Exhibition in May 2012 and submitting representations at the various consultation stages in the Draft Neighbourhood Plan, including in response to the June 2014 consultation in respect of the Pre-Submission Draft Plan. This representation comprises the landowners' formal representation in response to the following Faversham Creek Neighbourhood Plan Documents - November 2014: Submission Version; Basic Conditions Statement; and Consultation Statement. <p>COMMENTS ON FAVERSHAM CREEK NEIGHBOURHOOD PLAN SUBMISSION VERSION</p> <ul style="list-style-type: none"> The Vision and Objectives <ul style="list-style-type: none"> We welcome the revision to the Vision in response to our June 2014 representations that the development proposals outlined in the Plan may involve uses in addition to 'new businesses'. We, therefore, support the text: <ul style="list-style-type: none"> <i>"and enriched by new businesses and uses."</i> Objective 9 - We welcome the revision from the June 2014 Draft Plan which now reads: <ul style="list-style-type: none"> <i>"by providing focal areas of activity."</i> Objective 11 - As before - we support the recognition that redevelopment is needed and that new housing is appropriate. Objective 12 and Objective 13 - We would reiterate our previous comments as follows: <ul style="list-style-type: none"> ? Landowners Comments: We would comment that, although the Faversham Creek Plan Area has a maritime link (the Plan Area encircling the Creek Waterway), many of its current and former uses do not have a maritime link. We would comment that the wording of this Objective should be revised to acknowledge the more recent history of the Creek Area. The Plan Area includes significant residential development and many buildings dating 	<ul style="list-style-type: none"> Representations have been submitted throughout the Plan-making process. The Vision and Objectives - welcome the revision that the development proposals outlined in the Plan may involve uses in addition to 'new businesses'. Therefore, support the text: "and enriched by new businesses and uses." Objective 9 - Welcome the revision which now reads: "by providing focal areas of activity." Objective 11 - Support the recognition that redevelopment is needed and that new housing is appropriate. Objectives 12 and 13 - Would reiterate our previous comments as follows: Landowners Comments: Although the Plan Area has a maritime link many of its current and former uses do not have a maritime link. The objective should be revised to acknowledge the more recent history of the Creek Area. The wording of the Objective in seeking to 'protect and enhance the Creek... for educational and economic purposes' is not in accordance with other Objectives such as Objective 11 nor a number of the site proposals which recognise that new housing can be provided within the Creek Area. Objective 14 - As before - The Objective should acknowledge that, through redevelopment, the townscape will change. Objective 15 - Note the objective to create a Creek edge pedestrian route; however it may not be practical to also be accessible to cyclists. Background to the Plan - support the recognition that the character of the Creek Area has changed with the decline of industry and the recognition of navigation difficulties. Page 14 - Specific Sites under Consideration - The text comments: "A number of sites within the area most of which are currently designated for employment use..." Whilst Ordnance Wharf is designated for employment development under Adopted Swale Borough Local Plan the following sites do not have a specific employment policy allocation: the Former Frank & Whittome site on the town side of Belvedere Road; Swan Quay; Former Oil Depot; Former Coach Depot; and Standard Quay. Urban Analysis - Development Opportunities - Welcome the acknowledgement that Site 2 - Ordnance Wharf - is: "able to embrace a high density form, with more intense development footprints, reflecting more closely the town centre context." Context of the Creek People/Life + Vitality - Welcome recognition that residential developments and businesses could enable the Creekside to make a greater contribution to the towns' economy. Easy to Get Around - Are concerned at the emphasis on access to Creekside sites as a

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			<p>from the 20th Century, whereas the Plan, as drafted, would suggest that it is solely a historic/maritime area.</p> <ul style="list-style-type: none"> ▪ We would also comment that the wording of the Objective in seeking to ‘<i>protect and enhance the Creek... for educational and economic purposes</i>’ is not in accordance with other Objectives such as Objective 11 nor a number of the site proposals which recognise that new housing can be provided within the Creek Area, as either wholly residential developments or as part of mixed use developments. • Objective 14 - As before - We would comment that, within the overall plan area, there are a number of sites where new development/redevelopment will be proposed during the Plan period. The Objective should acknowledge that, through redevelopment, the townscape will change. • Objective 15 - We note the objective to create a Creek edge pedestrian route. • We would, however, comment that it may not be practical for this route to also be accessible to cyclists. • Background to the Plan <ul style="list-style-type: none"> • We support the recognition that the character of the Creek Area has changed significantly with the decline of industry and also the recognition of navigation difficulties as a result of silting and the Swing Bridge. • Page 14 - Specific Sites under Consideration • The text comments: <ul style="list-style-type: none"> ▪ “A number of sites within the area most of which are currently designated for employment use...” • Whilst the Ordnance Wharf site is specifically designated for employment development under Adopted Swale Borough Local Plan Policy B17, the following sites do not have a specific employment policy allocation, albeit that employment was the last use and the sites fall within the Local Plan Policy AAP2 Area: <ul style="list-style-type: none"> • the Former Frank & Whittome site on the town side of Belvedere Road; • Swan Quay; • Former Oil Depot; • Former Coach Depot; • Standard Quay. • Urban Analysis - Development Opportunities • We welcome the acknowledgement that Site 2 - Ordnance Wharf - is: <ul style="list-style-type: none"> ▪ “able to embrace a high density form, with more intense development footprints, reflecting more closely the town centre context.” • Context of the Creek <ul style="list-style-type: none"> • People/Life + Vitality <ul style="list-style-type: none"> • We welcome the recognition that residential developments - as well as businesses - could enable the Creekside to make a greater contribution to the towns’ economy. • Easy to Get Around • We are concerned at the emphasis on access to Creekside sites as a potential constraint - both for construction work and the eventual use of new developments. • The various sites referred to at Ordnance Wharf, Standard Quay, Coach Depot and Oil Depot were all accessed by commercial vehicles during their last uses. • Construction access is temporary in nature. 	<p>potential constraint - both for construction work and the eventual occupiers. Subsequent access will be predominantly for residential use, which would be more appropriate than continuing commercial use.</p> <ul style="list-style-type: none"> • Car parking on redevelopment sites is a matter for the planning application process and not necessarily a constraint. Due to flood risk issues, the ground floor of new buildings will be available for car parking. • Homes for People - Welcome the acknowledgement that there is scope for residential development on some sites and the contribution that this will make to housing land supply and potentially provide revenues from developer contributions. Object to the sentence: “Some sites also have access limitations which could affect viability” without definition of which sites are considered to have such limitations. • Places - Enhancing the Historic Environment - Conservation Areas - Object to identification of ‘heritage issues’ as a constraint on new development. Text could be rephrased more positively. • We are concerned at the paragraph: “In addition to statutory constraints, any development which reduces access to, or attractiveness of heritage sites and activities on the Creekside, along with issues of diversity and environmental impact, may have a negative economic impact on heritage tourism, an important component of Faversham’s economy.” The meaning and purpose of this text is not clear. • Water: Reducing Flood Risk - Object to the wording of: “To be viable, residential developments may need to be 3-4 storeys, but this conflicts with feedback from public consultations and on some sites, may conflict with Conservation Area considerations (e.g. obstruction of views, impact on roofscapes, proximity to Heritage Assets).” Text should acknowledge the need for site specific Flood Risk Assessments to demonstrate that flood risk is taken into account in developing proposals, whilst at the same time, taking into account site context including issues relating to Heritage Assets, e.g. “On sites at risk of flooding more vulnerable uses such as residential development are not located on the ground floor (garages would be acceptable).” • Creekwide Policies - Request inclusion of “new homes” within the second sentence to reflect the wording of the table - Creekwide Planning Policies. • Policy HE1: The policy should recognise the scope for more contemporary design in appropriate situations, as recognised in the NPPF and Section 4.25 of the FCNP. • Policy HE2: Expand the wording of this policy to make reference to Paragraph 128 of the NPPF: “The level of detail should be proportionate to the Assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.” • Policy HE3: This is a disproportionate requirement for relatively modest developments. It is requested that this policy is deleted. • Design Quality - Policy Objectives - object to the final Objective as it is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals. • Policy DP1: In accordance with the Planning Act, the wording of the policy should be amended to read: “Any new development shall be required to preserve or enhance the character ...” Buildings in the Conservation Area are constructed of a wide range of materials and it is not appropriate to specify stock-brick and weatherboarding. Suggests ‘appropriate to its setting.’ • Object to a height limitation - height limitations should be specified within the site specific policies. • Policy DP2: Object to the wording of this policy and it should be deleted. The proposed HE

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			<ul style="list-style-type: none"> • Subsequent access will be predominantly for residential use, which would be more appropriate on the highway network than continuing commercial use and access by large, commercial vehicles. • The potential for providing car parking on redevelopment sites is a matter for the planning application process and not necessarily a constraint. • Due to flood risk issues, the ground floor of new buildings will be available for car parking as appropriate for each particular sites redevelopment. <ul style="list-style-type: none"> • Homes for People • We welcome the acknowledgement that there is scope for residential development on some sites within the Plan area, and the contribution that this will make to housing land supply and potentially provide revenues from developer contributions. • We object to the sentence: <ul style="list-style-type: none"> ▪ <i>“Some sites also have access limitations which could affect viability”</i> <ul style="list-style-type: none"> - without definition of which sites are considered to have such limitations. • Places - Enhancing the Historic Environment - Conservation Areas • We object to identification of ‘heritage issues’ as a constraint on new development. • Heritage Assets - the Conservation Area and Listed Buildings - set the context for the individual sites and development proposals are to be considered against planning policies and guidance. • This text could be rephrased more positively referring to opportunities within the planning policy context. • We are concerned at the paragraph: <ul style="list-style-type: none"> ▪ <i>“In addition to statutory constraints, any development which reduces access to, or attractiveness of heritage sites and activities on the Creekside, along with issues of diversity and environmental impact, may have a negative economic impact on heritage tourism, an important component of Faversham’s economy.”</i> • The meaning and purpose of this text is not clear and should be redrafted. <ul style="list-style-type: none"> • Water • Reducing Flood Risk • Whilst it is acknowledged that under the 2010 Document relating to Flood Zone 3A(i), ground floor residential use will not be permitted within areas at risk of flooding, we object to the wording of the following paragraph: <ul style="list-style-type: none"> ▪ <i>“To be viable, residential developments may need to be 3-4 storeys, but this conflicts with feedback from public consultations and on some sites, may conflict with Conservation Area considerations (e.g. obstruction of views, impact on roofscapes, proximity to Heritage Assets).”</i> • Instead, the text should acknowledge the need for site specific Flood Risk Assessments to demonstrate that flood risk is taken into account in developing proposals, whilst at the same time, taking into account site context including issues relating to Heritage Assets, e.g. “On sites at risk of flooding, more vulnerable uses such as residential development are not located on the ground floor (garages would be acceptable).” • Creekwide Policies <ul style="list-style-type: none"> • Request inclusion of <i>“new homes”</i> within the second sentence to reflect the wording of the table - Creekwide Planning Policies. • Policy HE1: 	<p>policies set out the requirements for development proposals to have regard to their setting and Heritage Assets.</p> <ul style="list-style-type: none"> • Policy DQ4 - Object to the requirement that new development proposals ‘need to reflect the historic urban grain of the area’. The sites have had a variety of uses and built form over time, and it is, therefore, difficult to reflect a historic urban grain as it is not known which ‘historic grain’. Suggest: “... of all new development should reflect the specific urban characteristics of each part....” • Policy DQ5 - Object to the requirement to demonstrate how the proposals relate to the wider Faversham context, etc. This is excessive and places an unreasonable burden on developers. • Community, Leisure + Recreation - Object Objective: “Reinforce the Creek’s public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users.” This would require any development proposal to include the specified facilities - this is not appropriate or reasonable. This Objective was also included as the third Objective in the Business, Tourism & Employment Section, but does not refer to: “within any development.” • Policy CLR1: Object to the requirement of Policy CLR1 which would additionally require the provision of access for leisure and educational activities. The wording goes beyond a requirement for pedestrian access across Creekside sites. • Policy CLR2: Object to Policy CLR2 for any application to include an appraisal of options for the provision of public spaces and leisure amenities as such a requirement would be in conflict with the Site Specific Policies. • Policy CLR3 - Object to this policy as the requirement for public consultation should be in accordance with the NPPF and the requirements of the LPA. • Policy BTE1: If this policy is intended to be applied solely to business, tourism and employment proposals - if so, the policy should be reworded as follows: “Any new business, tourism or employment development will be required ...” The policy as drafted suggests that all developments would need to comply whereas not all site specific proposals include business, tourism or employment development. This policy appears to be a design policy - it does not refer to uses but ‘design, scale and materials’. The policy should be in the design section. • BTE Projects: Development of workshop and studio space for businesses should be addressed through the Site Specific Policies rather than as general projects. Aims to support businesses which provide craft and skills training and apprenticeships is not within the remit of a Development Plan. The Creek as a tourism destination is more of an objective than a specific project. • New Homes - Support the recognition of need for new housing in Faversham and acknowledgement that residential development could be permitted above ground floor level to assist with the viability. • Policy HO1: Support the policy but draw attention to our comments on other Area-wide policies. • Policy HO2: This policy requires all housing developments to provide affordable and places a much greater burden on development of sites within the Creek Area than would be applied in the rest of Faversham or the Borough. The policy needs to be redrafted to reflect National requirements and recognise that, in some cases, site viability may preclude the provision of affordable housing. • Policy HO3 - Objects to the wording which is too prescriptive.

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<ul style="list-style-type: none"> ▪ <i>“Any new development or alteration to an existing structure will be required in its design, scale and materials to preserve or enhance the setting of Heritage Assets, whether designated or undesignated, and the historic character of the Creekside, and to have regard to the guidance in the Faversham Creek Streetscape Strategy.”</i> • The policy should recognise the scope for more contemporary design in appropriate situations, as recognised in the NPPF and Section 4.25 of the FCNP. <ul style="list-style-type: none"> • Policy HE2: <ul style="list-style-type: none"> ▪ <i>“Any application for new development or alteration to an existing structure must include an appraisal of the site in its surroundings, with detailed drawings accurately showing its relationship to Heritage Assets, whether designated or undesignated, including roofscapes and views, the application must clearly explain how the development proposals have taken account of findings of such an appraisal.”</i> • It is requested that the wording of this policy is expanded to make reference to Paragraph 128 of the NPPF: <ul style="list-style-type: none"> ▪ <i>“The level of detail should be proportionate to the Assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”</i> • Policy HE3: <ul style="list-style-type: none"> ▪ <i>“Any application for new development or alteration to an existing structure must include an appraisal of the impact of construction work and traffic on Heritage Assets whether designated or undesignated.”</i> • It is submitted that this is a disproportionate requirement - it would not be reasonable to require such an appraisal for relatively modest developments. • The determining body for any planning application - Swale Borough Council - has the power to impose conditions on a planning permission requiring the submission for approval of a Construction Management Plan, where appropriate. • It is requested that this policy is deleted. <ul style="list-style-type: none"> • Design Quality - Policy Objectives • We object to the final Objective requiring planning applications to demonstrate how the proposals relate to the wider Faversham context, etc. • It is submitted that this is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals. <ul style="list-style-type: none"> • Policy DP1: <ul style="list-style-type: none"> ▪ <i>“Any new development shall be required to enhance the character of the area and to be appropriate in height, mass and materials. In most cases, this will mean buildings constructed or clad in materials typical for the area, (including stock-brick and weatherboarding), with any pitched roofs being of slate or tile (solar panels will be acceptable), and no more than three-storeys in height and preferably less.”</i> • In accordance with the Planning Act, the wording of the policy should be amended to read: <ul style="list-style-type: none"> ▪ <i>“Any new development shall be required to preserve or enhance the character ...”</i> 	<ul style="list-style-type: none"> • Associated Housing Policies: The text on page 60 - Delivery of Public Realm Improvement - suggests that funding could be raised through Section 106 contributions or Community Infrastructure Levy. There is no detail of the proposed mechanism and requiring Creek infrastructure contributions in addition to the ‘standard’ developer contributions would impose additional costs on development sites at Faversham Creek. • Infrastructure - Policy Objectives - for the third objective, we reiterate our comments from above. About specified facilities. • Policy INF3: The proposals of the Streetscape Strategy may not, in all cases, be wholly acceptable. • The Streetscape Strategy was subject to consultation but has not been subject to independent Examination and thus its proposals should not be specified as policy requirements in the Creek Plan. • The wording of this policy should be amended to: “and to have regard to the guidance in the Faversham Creek Streetscape Strategy.” The references to the Streetscape Strategy elsewhere in the Plan have already been amended to this form of wording. • Site Specific Policies • Site 2 - Ordnance Wharf: Plan - Design Principles for Sites 1, 2 and 3 - Support the recognition that Ordnance Wharf is ‘potential site for a new landmark’. • Policy OW1 - Although Policies OW1 and OW7 include office and/or workshops (Class B1) as a potential use, this is not included within the list of ground floor uses - second bullet point on page 42. Supports the proposed mix of uses including residential. • Policy OW2 - <i>No new buildings shall be more than three-storeys in height.</i> The indicative drawings presented through the previous consultation propose two-storeys of residential above ground floor parking and workshop. Additional residential accommodation would be provided within the roofspace. • Policy OW4 - The landowner’s proposals include moorings, but these should be publically available. • Policy OW6 - support. • Policy OW7 - the ground floor mix proposed is supported. • Believe the principles of the Faversham Creek Neighbourhood Plan accord with the principles of Policy NP1 of the Publication version of the New Swale Borough Local Plan 2014. • Ordnance Wharf Site Specific Project is noted but is considered too specific a project which is beyond the requirements of any planning application. Revise text to indicate that this is a ‘Public Realm’ improvement and not part of a site redevelopment. • BASIC CONDITIONS STATEMENT - reference should be made in the list of policy documents to: the National Planning Policy Guidance - 2014; the Swale Borough Council Strategic Flood Risk Assessment 2009; Swale Borough Council Strategic Flood Risk Assessment for Local Development Framework - Level 1 and 2 Assessments - Supplementary Document, October 2010. • Question the inclusion of the Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek as it was not prepared by any public body and has not been adopted by the Town Council in terms of its content or conclusions. • CONSULTATION STATEMENT - summarises comments on page 48. Representations submitted to the Pre-Submission Consultation, June 2014, also set out a number of general comments which are recorded against Representor 15 and on pages 35 – 40. • Would like to be advised of the next stages of the Plan-making process.

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<ul style="list-style-type: none"> • We would also comment that the buildings in the Conservation Area are constructed of a wide range of materials and that it would not be appropriate to specify stock-brick and weatherboarding. • A broader form of wording should be used such as - <i>appropriate to its setting</i>. • We would also object to a height limitation in this general policy - if appropriate, height limitations should be specified within the site specific policies. <ul style="list-style-type: none"> • Policy DP2: <ul style="list-style-type: none"> ▪ <i>"New buildings shall not be permitted to interrupt views or roofscapes identified in the Faversham Conservation Area Character Appraisal or the undesignated Heritage Assets and Values."</i> • We object to the wording of this policy as drafted. • The proposed HE policies, which should be in accordance with the NPPF, set out the requirements for development proposals to have regard to their setting and Heritage Assets, which include consideration of views and roofscapes. • It is submitted that this policy should be deleted. <ul style="list-style-type: none"> • Policy DQ4 • Object to the requirement that new development proposals <i>'need to reflect the historic urban grain of the area'</i>. • The various redevelopment sites have had a variety of uses and built form over time, and it is, therefore, difficult to require schemes to reflect a historic urban grain as it is not known which 'historic grain'. • We request rewording to: <ul style="list-style-type: none"> ▪ <i>"... of all new development should reflect the specific urban characteristics of each part..."</i> • Policy DQ5 • We object to this policy requiring planning applications to demonstrate how the proposals relate to the wider Faversham context, etc. • It is submitted that this is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals. <ul style="list-style-type: none"> • Community, Leisure + Recreation • Object to the Policy Objective: <ul style="list-style-type: none"> ▪ <i>"Reinforce the Creek's public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users."</i> • As drafted, this would require any development proposal to include the specified facilities - this is not appropriate or reasonable. • This Objective was also included as the third Objective in the Business, Tourism & Employment Section, but does not refer to: <ul style="list-style-type: none"> ▪ <i>"within any development."</i> • Policy CLR1: <ul style="list-style-type: none"> ▪ <i>"Any new development on any waterfront site shall provide public right of access to the waterfront for leisure and educational activities."</i> • Whilst we note the objective of the Plan to secure a continuous Creek walkway, to be achieved through the development of waterfront sites, we object to the requirement of Policy CLR1 which would additionally require the provision of access for leisure and 	

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			<p>educational activities.</p> <ul style="list-style-type: none"> • We would comment that this wording goes beyond a requirement for pedestrian access across Creekside sites. <ul style="list-style-type: none"> · Policy CLR2: <ul style="list-style-type: none"> ▪ <i>“Any application for new development on any waterfront site must include an appraisal of options for the provision of Public Spaces and leisure amenities, including slipways and moorings, and must explain clearly how the proposals have taken account of this appraisal.”</i> ▪ We also object to Policy CLR2 for any application to include an appraisal of options for the provision of public spaces and leisure amenities. ▪ Such a requirement would be in conflict with the Site Specific Policies. ▪ In developing the Site Specific Policies, consideration has been given to the options for each site to provide public spaces and leisure amenities. · Policy CLR3 <ul style="list-style-type: none"> ▪ <i>“Community involvement and consultation must be carried out as part of the planning application process.”</i> • We object to this policy. • The requirement for public consultation should be in accordance with the NPPF and the requirements of the Local Planning Authority - in this case, Swale Borough Council. <ul style="list-style-type: none"> · Whilst it may be an overall objective to ‘reinforce the Creek’s public destination potential...’ (Third business, tourism and employment objective) as drafted, the text may be interpreted as requiring the specified facilities for each and every development - this is not appropriate or reasonable. · Policy BTE1: <ul style="list-style-type: none"> ▪ <i>“Any new development will be required in its design, scale and materials to enhance the Creekside Area as a visitor attraction, and as attractive location for new businesses.”</i> • It is questioned whether this policy is intended to be applied solely to business, tourism and employment proposals - if so, the policy should be reworded as follows: <ul style="list-style-type: none"> ▪ <i>“Any new business, tourism or employment development will be required ...”</i> • The policy as drafted suggests that all developments would need to comply whereas not all site specific proposals include business, tourism or employment development. • We would also comment that this policy appears to be a design policy - it does not refer to uses but <i>‘design, scale and materials’</i>. • We would comment that the policy should, therefore, be in the design section and not as a business, tourism or employment policy which would principally be a land use policy. <ul style="list-style-type: none"> · BTE Projects include: <ul style="list-style-type: none"> · development of workshop and studio space for rent, particularly affordable units for smaller/start-up businesses; · development of maritime-related and heritage businesses; · development of businesses which provide craft and skills training and apprenticeships; · greater emphasis on the Creek and its historic environment, maritime, creative arts, retail/catering and natural environment offer, within the marketing of Faversham as a tourism destination. • We would comment that development of workshop and studio space for businesses should 	

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			<p>be addressed through the Site Specific Policies rather than indicated as general projects within the Plan.</p> <ul style="list-style-type: none"> • Aims to support businesses which provide craft and skills training and apprenticeships is not within the remit of a Development Plan. • The role of the Creek and its marketing as a tourism destination is more of an objective than a specific project. <ul style="list-style-type: none"> · New Homes • We support the recognition of need for new housing in Faversham and acknowledgement that residential development could be permitted above ground floor level to assist with the viability of mixed use schemes and to provide activity throughout the day and evening, and that new housing will contribute to Objective 11 - land supply in Faversham. <ul style="list-style-type: none"> · Policy HO1: <ul style="list-style-type: none"> ▪ <i>"New housing will be permitted as specified in individual site policies, subject to other area-wide policies."</i> • We support Policy HO1 but would draw attention to our comments on other Area-wide policies. <ul style="list-style-type: none"> · Policy HO2: <ul style="list-style-type: none"> ▪ <i>"In all new developments, 35% of these dwellings will be affordable."</i> • This policy as drafted requires all housing developments to provide affordable and, as no threshold is included, places a much greater burden on development of sites within the Creek Plan Area than would be applied in the rest of Faversham or the Borough. • Nationally, affordable housing is now not required for schemes of 10 units or less. • This policy needs to be redrafted to reflect National requirements and also to recognise that, in some cases, site viability may preclude the provision of affordable housing or other developer contributions. <ul style="list-style-type: none"> · Policy HO3 - Object to the wording which is too prescriptive. • The policy wording can be less specific, cross-referencing to the need for development proposals to take into account the heritage and design policies of the Neighbourhood Plan, site context, etc. <ul style="list-style-type: none"> · Associated Housing Policies • During the previous stages of the Plan-making process there have been references to the creation of a 'Creek Fund' to which development contributions would be sought from new developments which would together fund Creek infrastructure and improvements to the public domain. • The text on page 60 - Delivery of Public Realm Improvement - suggests that funding could be raised through Section 106 contributions or Community Infrastructure Levy which would be sought by Swale Borough Council and potentially other sources. • There is no detail of the proposed mechanism and we would comments that requiring Creek infrastructure contributions in addition to the 'standard' developer contributions that would be sought by Swale Borough Council, (including affordable housing) and Kent County Council, would impose additional costs on development sites at Faversham Creek which would make these sites more costly to develop than sites elsewhere in Faversham or in the rest of the Borough. • Any Creek Infrastructure Fund policy must, therefore, be developed in conjunction with Swale Borough Council and Kent County Council, so that it does not impose additional burdens on sites at Faversham Creek. <ul style="list-style-type: none"> · Infrastructure - Policy Objectives • With respect to the third objective, we would reiterate our comments from above. 	

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<ul style="list-style-type: none"> • Object to the Policy Objective: <ul style="list-style-type: none"> ▪ <i>“Reinforce the Creek’s public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users.”</i> • As drafted, this would require any development proposal to include the specified facilities - this is not appropriate or reasonable. <ul style="list-style-type: none"> • Policy INF3: <ul style="list-style-type: none"> ▪ <i>“Any new road and footway surface treatments and street furniture including signage will be in accordance with the standard specified in the Faversham Creek Streetscape Strategy and shall be DDA compliant.”</i> • This policy is principally aimed at existing and potential future Public Realm areas, many of which are outside the confines of development sites and the policy would, therefore, also be binding upon local authorities in implementation of hard landscaping schemes. • The proposals of the Streetscape Strategy may not, in all cases, have been subject to detailed assessment by the respective public bodies and may not, therefore, be wholly acceptable. • Whilst the Streetscape Strategy was subject to consultation prior to the publication of a Draft Neighbourhood Plan, it has not been subject to independent Examination and thus its proposals should not be specified as policy requirements in the Creek Plan. • It is, therefore, submitted that the wording of this policy should be amended to read: <ul style="list-style-type: none"> ▪ <i>“and to have regard to the guidance in the Faversham Creek Streetscape Strategy.”</i> • The references to the Streetscape Strategy elsewhere in the Plan have already been amended to this form of wording. • Site Specific Policies • Site 2 - Ordnance Wharf <ul style="list-style-type: none"> • Plan - Design Principles for Sites 1, 2 and 3 • Support the recognition that Ordnance Wharf is ‘potential site for a new landmark’. <ul style="list-style-type: none"> • Policy OW1 • Although Policies OW1 and OW7 includes office and/or workshops (Class B1) as a potential use, this is not included within the list of ground floor uses - second bullet point on page 42. <ul style="list-style-type: none"> ▪ The landowner supports the proposed mix of uses including residential. • Policy OW2 - No new buildings shall be more than three-storeys in height. • The indicative drawings presented through the previous consultation propose two-storeys of residential above ground floor parking and workshop. • Additional residential accommodation would be provided within the roofspace. <ul style="list-style-type: none"> • Policy OW4 - The landowner’s current proposals include moorings, but it is not considered that these should be available to the public. • Policy OW6 is supported by the landowner. • Policy OW7 - the ground floor mix proposed is supported by the landowner. • We believe that the principles of the Faversham Creek Neighbourhood Plan accord with the principles of Policy NP1 of the Publication version of the New Swale Borough Local Plan 2014. • Ordnance Wharf Site Specific Projects • The Ordnance Wharf Site Specific Project is noted, i.e. the restoration of the bridge between Ordnance Wharf and Brent Word in accordance with the Faversham Creek Streetscape 	

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<p>Strategy is noted.</p> <ul style="list-style-type: none"> • However, it is considered that this is a specific project beyond the requirements of any planning application for the redevelopment of the site. • The text should be revised to indicate that this is a 'Public Realm' improvement and not part of a site redevelopment project. • COMMENTS ON BASIC CONDITIONS STATEMENT • We would suggest that reference is made in the list of policy documents to: <ul style="list-style-type: none"> • the National Planning Policy Guidance - 2014; • the Swale Borough Council Strategic Flood Risk Assessment 2009; • Swale Borough Council Strategic Flood Risk Assessment for Local Development Framework - Level 1 and 2 Assessments - Supplementary Document, October 2010. • We would question the inclusion of the Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek within the list of policy and other documents. • The report was not prepared by any public body or consultants appointed by a public body, but by local volunteers. • It is understood that the report has not been adopted by the Town Council in terms of its content or conclusions. • COMMENTS ON CONSULTATION STATEMENT • The representations submitted in June 2014 on behalf of the landowner were not reported in the Consultation Statement presented to the Town Council in October 2014. • The site specific representations are recorded in the November 2014 Consultation Statement on page 48 - Representor No. 24. • However, the representations submitted on other parts of the Plan are not recorded or commented upon, although these general comments are recorded against Representor 15 and on pages 35-40. • We would ask to be kept advised of the next stages of the Plan-making process. 	
FCNP52	Timothy Stevens	Object	<ul style="list-style-type: none"> • I am writing to urge the Swale Borough Council not to approve this seriously flawed plan which neither meets the wishes of the inhabitants nor will deliver what it proposes. • <i>Public Opinion:</i> May I start with the central question of the weight given to public opinion. To its great credit the Swale Borough Council successfully applied for the Faversham Creek Area Action Plan to become a Neighbourhood Plan under the Localism Bill. There have been extensive consultations but the Creek Steering Group has resolutely refused to adjust the plan significantly to reflect the clear wishes of the inhabitants. • When asked the question 'Do you support the Faversham Creek Neighbourhood plan as drafted' 70.20 % of those responding to the on line survey said 'No'. The reasons taken from Online Survey Comments Received (p 51) for this negativity are: <ul style="list-style-type: none"> ○ 'A desire to reduce the size, density and spread of housing development ○ Support for maintaining and extending trade / industrial activities in the Creek Neighbourhood ○ Concern over lack of public space / amenity and opportunities to develop tourism.' • These views seem to me to be utterly reasonable and deliverable. Characteristic of Faversham Town Council's arrogant indifference to public opinion and their 'we know best' attitude is their refusal to take on board the public's unequivocal hostility to residential development on the historic Ordnance Wharf, whence Faversham-made gunpowder left for use in the great battles of the Napoleonic wars. The Council's current position is certainly well outside the ethos of 'localism' and as to whether it is legal I have not sought an opinion. The plan should be sent back to them for amendment as it does not give sufficient weight to the clearly expressed democratic wishes of the town which pertinently are very 	<ul style="list-style-type: none"> • Neighbourhood plan should not be approved. • Despite extensive public consultation the Steering Group has refused to adjust the plan to reflect the clear wishes of residents. • The plan is not supported 70.2% of participants of the Creek Trust consultation on the grounds that: the size, density and spread of housing development should be reduced; trade/industrial activities should be maintained and extended; concern over lack of public space/amenity and opportunities to develop tourism. • There has been a refusal to take these comments on board, particularly in respect of housing at Ordnance Wharf. 'Localism' has been overlooked. Insufficient weight has been given to the wishes of the town. • No reason has been given as to why the steering group believe their novel mixed approach will work. No evidence has been put forward to suggest that the proposals have been tested. Ordnance Wharf is a small, constrained site, set amongst heritage assets. It is not a blank canvas. • Don't believe that mixed use will work. Existing modern residential development has restricted public access to the creek. Query how 'affordable homes' will be delivered. Houses are easy to deliver, employment will take longer. • Analysis of the needs of the area are misguided. Site does not need 'regeneration', but tender loving care to preserve its character and re-grow its maritime activity. There has been a refusal to consider what impact the plan will have on the rest of Faversham - visually, economically and socially.

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<p>close to the current Swale Borough Council's current stance on the creek.</p> <ul style="list-style-type: none"> • <i>Viability of the Plan:</i> Leaving aside public opinion, the plan has two fundamental flaws and will not have the outcomes that its authors suggest. • <u>The Town Council's approach to the creek</u> • The Town Council's approach to the consultation is neatly summed up by their response to adverse comment (Online Survey Comments Received (p 51) : • <i>'The Town Council believes that the neighbourhood plan must encourage a balanced range of uses, that includes residential, employment, leisure, community uses, cultural uses and other complementary uses. The Town Council believes that this mix is vital to ensure a vibrant, active and safe mixed-use waterfront into the future. The neighbourhood plan will therefore continue to support new residential uses as part of a broader mix of uses, subject to the proposals being of the right scale and high quality design.</i> • <i>The Town Council acknowledges concerns that the introduction of new residential uses could prevent the development of employment or manufacturing uses on nearby or adjacent sites. However the Town Council believes that the neighbourhood plan will allow for a successful blending of uses so that no one activity prevents other activities from successfully taking place within the neighbourhood plan area.'</i> • The Council gives no reasons why they believe their novel mixed approach will work, nor is any evidence put forward to suggest that the proposals have been tested. Before any plan of this untried nature can be approved it must be rigorously tested. The site is comparatively small and tightly constrained by the creek; access to and from the area is also tightly constrained. The widespread distribution across the site of listed buildings and non-designated Heritage assets means there are no large areas ~ it is in no way a blank canvas. • Can this mixed approach really work and is the balance that the council believes can be struck really achievable? I am deeply sceptical and would be interested to be given details of towns of comparable size and character where it had worked. Usually residents heartily dislike industrial activity alongside their homes particularly if it is noisy and, in the medium to long term; it is likely that residential use will prevail. Even the Town Council 'acknowledges concerns that the introduction of new residential uses could prevent the development of employment or manufacturing uses on nearby or adjacent sites' but does not consider what will happen if this is the case, giving no reasons for its optimism. The extensive modern residential development that has already taken place has tended to restrict public access to the creek. Much is made of the promise of 'affordable homes' but, given that the land earmarked for residential development is in small pockets and in different ownership, how is this to be delivered? As far as I am aware a mix of activity as put forward has never worked on such a tiny site as the practical difficulties arising from conflicting interests are impossible to reconcile. While houses are easy to deliver, employment will take far longer to grow. • 2) <u>Regeneration versus rejuvenation</u> • The Town Council's analysis of the needs of the area and the town are fundamentally misguided. It sees the site as needing 'regeneration', a word much overused in the narrative, and has come up with a plan that might be appropriate for the North Docks in Liverpool which do require regeneration. It is remarkably insensitive to the spirit of the place. This tiny area needs tender loving care to preserve its character and re-grow its maritime activity. Rejuvenation, not regeneration, is what is needed. With remarkable rigidity the council refuses to consider what, if implemented, the impact of this plan will be on the rest of Faversham, not only visually but economically and socially. For instance how will Abbey Street cope with the 180 additional cars that are likely to be generated by the 	<ul style="list-style-type: none"> • Unless more jobs are created Faversham will increasingly become a dormitory town with a large elderly population. Housing only creates jobs briefly, so the current industrial designation of this area should be retained. The creek is the unique selling point of the town. It gives the town its distinct flavour. Encouraging the maritime and industrial character is vital as that is what will draw the visitors. There is no independent assessment of the impact of the plans on tourism. The appeal of the creek is that its atmosphere is based on real life, yet the proposed plan sweeps this away. • Note that English Heritage makes reference to the importance of assessing 'visual effects of a development on the surrounding area, visitor and resident populations and landscape.' No assessment is made on the impact of the settings Davington Church tower, or that of Faversham Parish Church. • No serious attempt is made in the plan to test rigorously its impact on the conservation area. Other than saying that the buildings will be well designed and not too high, the plan does not though tackle the conundrum that if the new housing is to escape flooding, then development will need to be three stories at least. This will have a deleterious effect on the townscape. • There has been an inadequate assessment of the impact of the neighbourhood plan proposals on existing buildings. • 90 new homes will not make a huge contribution to meeting housing demand. A new neighbourhood should be built south of the A2 instead. • 'Concern over lack of public space' features high in the public response to the plan. No attempt has been made to address this. Faversham is not rich in public open space. In spite of the growth of the town there has been no significant addition since the George V playing fields on the A2 were opened. The creek is within walking distance of virtually every resident and has the unique advantage that, as it blends into open countryside with established public footpaths, users can either enjoy the area near the town or walk on along the inspired Saxon Shore path. Any plan for the creek must yield significant additional public open space. • Earlier drafts have stressed the importance of income from planning gains in order to finance work such as new pavements and road repairs. The plan should do what is best for the town and then if funds are needed the Town Council should if necessary seek funding from the Heritage Lottery Fund and other charities. • Imposing 'regeneration' on a community will result in failure – no account will have been taken of the reasonable views of the inhabitants. There is no reason why the town's views should not prevail. If their ambitions prove non-deliverable then the site is still available for housing and whatever. • Could you please keep me informed of developments.

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<p>proposed new housing and how will the growth of retail at Standard Quay affect the town centre?</p> <ul style="list-style-type: none"> • <i>Tourism and Employment:</i> All agree that Faversham needs jobs and that the development of the town as a tourist destination is the best chance it has of creating jobs quickly and bringing money in. Unless more jobs are created it will increasingly become a dormitory town with a large elderly population. Housing only creates jobs briefly so there is a strong argument for retaining the current industrial designation of this area. The creek is the unique selling point of the town. It gives the town its distinct flavour. Encouraging the maritime and industrial character is vital as that is what will draw the visitors, although it will take time to nurture. There is no independent assessment of the impact of the plans on tourism. Curiously the Town Council seems to believe that tourists will like walking through new housing developments. The appeal of the creek is that its atmosphere is based on real life, yet the proposed plan sweeps this away. • <i>The settings of the listed buildings:</i> As is often the case 'setting' has been downgraded to a consideration of views rather than the actual definition of setting which is 'the surroundings in which [a building] is experienced' (English Heritage The Setting of Heritage Assets 2011). The definition implies a far more wide-ranging consideration of impact than whether or not, or to what degree, the proposed development might be viewed from one particular viewpoint. Setting demands a consideration of the character, land use and visual qualities of the location in its widest sense, including how new development might alter the balance and character of the existing surroundings. The English Heritage document also makes reference to the importance of assessing 'visual effects of a development on the surrounding area, visitor and resident populations and landscape.' (The Setting of Heritage Assets 2011 page 28). No assessment is made in the report of the impact on the settings for instance of Davington Church tower as it rises powerfully above the creek or that of Faversham Parish Church. • <i>Conservation area status:</i> The area under consideration is part of a much larger conservation area. Under current planning legislation, development within a conservation area must enhance the existing character of the area. No serious attempt is made in the plan to test rigorously its impact on the area. It has to be said that in response to the public's lack of enthusiasm for tall new buildings that would destroy the rich roofscape which can be enjoyed from the creek, some attempt has been made to reassure Faversham that the buildings will be well designed and not too high. The plan does not though tackle the conundrum that if the new housing is to escape flooding, then residential occupation will by necessity have to be above ground level so the houses will need to be three stories at least. This will have a deleterious effect on the townscape. • Ray Harrison's meticulous assessment of the timber store formerly used by T A Whittle, which should be adopted, highlights how inadequate the assessment of the existing buildings in this plan are. • <i>Housing:</i> Given a growing population more housing will be needed and obviously wherever possible brown field sites must be used. Around 90 new homes will not make a huge contribution to meeting the demand and it is likely that the houses built will not be ideal for young families as accommodation is on the first floor and above, nor will it probably be affordable by them. Faversham Council has stuck rigidly to the mantra of no housing across the A2 and while this been viable to date it is now time to change tack. In effect, with the development of a shopping mall at Macknade this has already happened. There is much to be said in favour of constructing a new neighbourhood with a proper mix of house sizes and gardens across the A2. Certainly this would be the Italian approach where development has 	

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			<p>take place outside its historic towns allowing the character of the old towns to be preserved and exploited for tourism.</p> <ul style="list-style-type: none"> • <i>Open Space:</i> 'Concern over lack of public space' features high in the public response to the plan. No attempt has been made in the revised plan to address this. Faversham is not rich in public open space. In spite of the growth of the town there has been no significant addition since the George V playing fields on the A2 were opened. The creek is within walking distance of virtually every resident and has the unique advantage that, as it blends into open countryside with established public footpaths, users can either enjoy the area near the town or walk on along the inspired Saxon Shore path. Any plan for the creek must yield significant additional public open space. Not to do so would be criminal and irreversible. • <i>Finance:</i> Earlier drafts have stressed the importance of income from planning gains in order to finance work such as new pavements and road repairs. This seems to me misguided as it is putting the cart before the horse. The plan should do what is best for the town and then if funds are needed the Town Council should if necessary seek funding from the Heritage Lottery Fund and other charities. The rescue of the Dockyard church in Sheerness is an excellent example of how funds can be found if the plan is right. • <i>Ability of the town to be right:</i> Throughout my working life, especially as a Chief Officer with Liverpool City Council and Merseyside County Council, I have had experience of 'regeneration' plans being imposed on a community. Most of them were complete failures, primarily because the Council refused to take into account the reasonable views of the inhabitants who were always far more savvy about what would work than the officers and consultants. It is worth recalling that it was not Faversham Town Council that saved Arden's House, and it was not the Council that fought for the Western Link but the town's residents, who also built a successful swimming pool. I can see no reason why the town's views should not prevail. If their ambitions prove non-deliverable then the site is still available for housing and whatever. Being a native I am confident that the community has it right. • Could you please keep me informed of developments? 	
FCNP53	NOVA UK LIMITED	Support, object and comment	<ul style="list-style-type: none"> • REPRESENTATIONS IN RESPECT OF FAVERSHAM CREEK NEIGHBOURHOOD PLAN - SUBMISSION VERSION - NOVEMBER 2014 • REPRESENTATIONS ON BEHALF OF NOVA UK LIMITED IN RESPECT OF SITE 6 - FORMER OIL DEPOT • Representations have been submitted on behalf of the landowners throughout the Faversham Creek Plan-making process - initially commenting on the 2010 Tony Fullwood Report, presenting proposals at the Faversham Creek Neighbourhood Plan Exhibition in May 2012 and submitting representations at the various consultation stages in the Draft Neighbourhood Plan, including in response to the June 2014 consultation in respect of the Pre-Submission Draft Plan. • This representation comprises the landowners' formal representation in response to the following Faversham Creek Neighbourhood Plan Documents - November 2014: <ul style="list-style-type: none"> • Submission Version; • Basic Condition Statement; and • Consultation Statement. • COMMENTS ON FAVERSHAM CREEK NEIGHBOURHOOD PLAN SUBMISSION VERSION • The Vision and Objectives <ul style="list-style-type: none"> • We welcome the revision to the Vision in response to our June 2014 representations that the development proposals outlined in the Plan may involve uses in addition to 'new businesses'. 	<ul style="list-style-type: none"> • Representations have been submitted throughout the Plan-making process. • The Vision and Objectives - welcome the revision that the development proposals outlined in the Plan may involve uses in addition to 'new businesses'. Therefore, support the text: "and enriched by new businesses and uses." • Objective 9 - Welcome the revision which now reads: "by providing focal areas of activity." • Objective 11 - Support the recognition that redevelopment is needed and that new housing is appropriate. • Objectives 12 and 13 - Would reiterate our previous comments as follows: • Landowners Comments: Although the Plan Area has a maritime link many of its current and former uses do not have a maritime link. The objective should be revised to acknowledge the more recent history of the Creek Area. The wording of the Objective in seeking to 'protect and enhance the Creek... for educational and economic purposes' is not in accordance with other Objectives such as Objective 11 nor a number of the site proposals which recognise that new housing can be provided within the Creek Area. • Objective 14 - As before - The Objective should acknowledge that, through redevelopment, the townscape will change. • Objective 15 - Note the objective to create a Creek edge pedestrian route; however it may not be practical to also be accessible to cyclists. • Background to the Plan - support the recognition that the character of the Creek Area has changed with the decline of industry and the recognition of navigation difficulties.

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<ul style="list-style-type: none"> • We, therefore, support the text: <ul style="list-style-type: none"> ▪ <i>“and enriched by new businesses and uses.”</i> • Objective 9 - We welcome the revision from the June 2014 Draft Plan which now reads: <ul style="list-style-type: none"> ▪ <i>“by providing focal areas of activity.”</i> • Objective 11 - As before - we support the recognition that redevelopment is needed and that new housing is appropriate. • Objective 12 and Objective 13 - We would reiterate our previous comments as follows: <ul style="list-style-type: none"> ▪ Landowners Comments: We would comment that, although the Faversham Creek Plan Area has a maritime link (the Plan Area encircling the Creek Waterway), many of its current and former uses do not have a maritime link. ▪ We would comment that the wording of this Objective should be revised to acknowledge the more recent history of the Creek Area. The Plan Area includes significant residential development and many buildings dating from the 20th Century, whereas the Plan, as drafted, would suggest that it is solely a historic/maritime area. ▪ We would also comment that the wording of the Objective in seeking to <i>‘protect and enhance the Creek... for educational and economic purposes’</i> is not in accordance with other Objectives such as Objective 11 nor a number of the site proposals which recognise that new housing can be provided within the Creek Area, as either wholly residential developments or as part of mixed use developments. • Objective 14 - As before - We would comment that, within the overall plan area, there are a number of sites where new development/redevelopment will be proposed during the Plan period. The Objective should acknowledge that, through redevelopment, the townscape will change. • Objective 15 - We note the objective to create a Creek edge pedestrian route. • We would, however, comment that it may not be practical for this route to also be accessible to cyclists. • Background to the Plan <ul style="list-style-type: none"> • We support the recognition that the character of the Creek Area has changed significantly with the decline of industry and also the recognition of navigation difficulties as a result of silting and the Swing Bridge. • Page 14 - Specific Sites under Consideration • The text comments: <ul style="list-style-type: none"> ▪ <i>“A number of sites within the area most of which are currently designated for employment use...”</i> • Whilst the Ordnance Wharf site is specifically designated for employment development under Adopted Swale Borough Local Plan Policy B17, the following sites do not have a specific employment policy allocation, albeit that employment was the last use and the sites fall within the Local Plan Policy AAP2 Area: <ul style="list-style-type: none"> • the Former Frank & Whittome site on the town side of Belvedere Road; • Swan Quay; • Former Oil Depot; • Former Coach Depot; • Standard Quay. 	<ul style="list-style-type: none"> • Page 14 - Specific Sites under Consideration - The text comments: <i>“A number of sites within the area most of which are currently designated for employment use...”</i> • Whilst Ordnance Wharf is designated for employment development under Adopted Swale Borough Local Plan the following sites do not have a specific employment policy allocation: the Former Frank & Whittome site on the town side of Belvedere Road; Swan Quay; Former Oil Depot; Former Coach Depot; and Standard Quay. • Urban Analysis - Development Opportunities • Note the comments concerning Sites 6 and 7. • Context of the Creek • People/Life + Vitality - Welcome recognition that residential developments and businesses could enable the Creekside to make a greater contribution to the towns’ economy. • Easy to Get Around – Are concerned at the emphasis on access to Creekside sites as a potential constraint - both for construction work and the eventual occupiers. Subsequent access will be predominantly for residential use, which would be more appropriate than continuing commercial use. • Car parking on redevelopment sites is a matter for the planning application process and not necessarily a constraint. Due to flood risk issues, the ground floor of new buildings will be available for car parking. • Homes for People - Welcome the acknowledgement that there is scope for residential development on some sites and the contribution that this will make to housing land supply and potentially provide revenues from developer contributions. Object to the sentence: <i>“Some sites also have access limitations which could affect viability”</i> without definition of which sites are considered to have such limitations. • Places - Enhancing the Historic Environment - Conservation Areas - Object to identification of ‘heritage issues’ as a constraint on new development. Text could be rephrased more positively. • We are concerned at the paragraph: <i>“In addition to statutory constraints, any development which reduces access to, or attractiveness of heritage sites and activities on the Creekside, along with issues of diversity and environmental impact, may have a negative economic impact on heritage tourism, an important component of Faversham’s economy.”</i> The meaning and purpose of this text is not clear. • Water • Reducing Flood Risk - Object to the wording of: <i>“To be viable, residential developments may need to be 3-4 storeys, but this conflicts with feedback from public consultations and on some sites, may conflict with Conservation Area considerations (e.g. obstruction of views, impact on roofscapes, proximity to Heritage Assets).”</i> Text should acknowledge the need for site specific Flood Risk Assessments to demonstrate that flood risk is taken into account in developing proposals, whilst at the same time, taking into account site context including issues relating to Heritage Assets, e.g. “On sites at risk of flooding more vulnerable uses such as residential development are not located on the ground floor (garages would be acceptable).” • Creekwide Policies • Request inclusion of <i>“new homes”</i> within the second sentence to reflect the wording of the table - Creekwide Planning Policies. • Policy HE1: The policy should recognise the scope for more contemporary design in appropriate situations, as recognised in the NPPF and Section 4.25 of the FCNP. • Policy HE2: Expand the wording of this policy to make reference to Paragraph 128 of the NPPF: <i>“The level of detail should be proportionate to the Assets’ importance and no more</i>

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			<ul style="list-style-type: none"> • Urban Analysis - Development Opportunities • We note the comments concerning Sites 6 - the Former Oil Depot - and Site 7 - the Former Coach Depot - that these sites: <ul style="list-style-type: none"> ▪ <i>“should form an appropriate transition between the more recent developments along Belvedere Road and the looser historical cluster at Standard Quay.”</i> • Context of the Creek <ul style="list-style-type: none"> · People/Life + Vitality <ul style="list-style-type: none"> · We welcome the recognition that residential developments - as well as businesses - could enable the Creekside to make a greater contribution to the towns’ economy. · Easy to Get Around • We are concerned at the emphasis on access to Creekside sites as a potential constraint - both for construction work and the eventual use of new developments. • The various sites referred to at Ordnance Wharf, Standard Quay, Coach Depot and Oil Depot were all accessed by commercial vehicles during their last uses. • Construction access is temporary in nature. • Subsequent access will be predominantly for residential use, which would be more appropriate on the highway network than continuing commercial use and access by large, commercial vehicles. • The potential for providing car parking on redevelopment sites is a matter for the planning application process and not necessarily a constraint. • Due to flood risk issues, the ground floor of new buildings will be available for car parking as appropriate for each particular sites redevelopment. <ul style="list-style-type: none"> · Homes for People • We welcome the acknowledgement that there is scope for residential development on some sites within the Plan area, and the contribution that this will make to housing land supply and potentially provide revenues from developer contributions. • We object to the sentence: <ul style="list-style-type: none"> ▪ <i>“Some sites also have access limitations which could affect viability”</i> <ul style="list-style-type: none"> - without definition of which sites are considered to have such limitations. · Places - Enhancing the Historic Environment - Conservation Areas • We object to identification of ‘heritage issues’ as a constraint on new development. • Heritage Assets - the Conservation Area and Listed Buildings - set the context for the individual sites and development proposals are to be considered against planning policies and guidance. • This text could be rephrased more positively referring to opportunities within the planning policy context. • We are concerned at the paragraph: <ul style="list-style-type: none"> ▪ <i>“In addition to statutory constraints, any development which reduces access to, or attractiveness of heritage sites and activities on the Creekside, along with issues of diversity and environmental impact, may have a negative economic impact on heritage tourism, an important component of Faversham’s economy.”</i> • The meaning and purpose of this text is not clear and should be redrafted. <ul style="list-style-type: none"> · Water • Reducing Flood Risk 	<p>than is sufficient to understand the potential impact of the proposal on their significance.”</p> <ul style="list-style-type: none"> • Policy HE3: This is a disproportionate requirement for relatively modest developments. It is requested that this policy is deleted. • Design Quality - Policy Objectives - object to the final Objective as it is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals. • Policy DP1: In accordance with the Planning Act, the wording of the policy should be amended to read: “Any new development shall be required to preserve or enhance the character ...” Buildings in the Conservation Area are constructed of a wide range of materials and it is not appropriate to specify stock-brick and weatherboarding. Suggests ‘appropriate to its setting.’ • Object to a height limitation - height limitations should be specified within the site specific policies. • Policy DP2: Object to the wording of this policy and it should be deleted. The proposed HE policies set out the requirements for development proposals to have regard to their setting and Heritage Assets. • Policy DQ4 - Object to the requirement that new development proposals ‘need to reflect the historic urban grain of the area’. The sites have had a variety of uses and built form over time, and it is, therefore, difficult to reflect a historic urban grain as it is not known which ‘historic grain’. Suggest: “... of all new development should reflect the specific urban characteristics of each part...” • Policy DQ5 - Object to the requirement to demonstrate how the proposals relate to the wider Faversham context, etc. This is excessive and places an unreasonable burden on developers. • Community, Leisure + Recreation - Object Objective: “Reinforce the Creek’s public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users.” This would require any development proposal to include the specified facilities - this is not appropriate or reasonable. This Objective was also included as the third Objective in the Business, Tourism & Employment Section, but does not refer to: “within any development.” • Policy CLR1: Object to the requirement of Policy CLR1 which would additionally require the provision of access for leisure and educational activities. The wording goes beyond a requirement for pedestrian access across Creekside sites. • Policy CLR2: Object to Policy CLR2 for any application to include an appraisal of options for the provision of public spaces and leisure amenities as such a requirement would be in conflict with the Site Specific Policies. • Policy CLR3 - Object to this policy as the requirement for public consultation should be in accordance with the NPPF and the requirements of the LPA. • Whilst it may be an overall objective to ‘reinforce the Creek’s public destination potential...’ (third business, tourism and employment objective) as drafted, the text may be interpreted as requiring the specified facilities for each and every development - this is not appropriate or reasonable. • Policy BTE1: If this policy is intended to be applied solely to business, tourism and employment proposals - if so, the policy should be reworded as follows: “Any new business, tourism or employment development will be required ...” The policy as drafted suggests that all developments would need to comply whereas not all site specific proposals include business, tourism or employment development. This policy appears to be a design policy - it

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			<ul style="list-style-type: none"> • Whilst it is acknowledged that under the 2010 Document relating to Flood Zone 3A(i), ground floor residential use will not be permitted within areas at risk of flooding, we object to the wording of the following paragraph: <ul style="list-style-type: none"> ▪ <i>“To be viable, residential developments may need to be 3-4 storeys, but this conflicts with feedback from public consultations and on some sites, may conflict with Conservation Area considerations (e.g. obstruction of views, impact on roofscapes, proximity to Heritage Assets).”</i> • Instead, the text should acknowledge the need for site specific Flood Risk Assessments to demonstrate that flood risk is taken into account in developing proposals, whilst at the same time, taking into account site context including issues relating to Heritage Assets, e.g. “On sites at risk of flooding, more vulnerable uses such as residential development are not located on the ground floor (garages would be acceptable).” • Creekwide Policies <ul style="list-style-type: none"> · Request inclusion of <i>“new homes”</i> within the second sentence to reflect the wording of the table - Creekwide Planning Policies. · Policy HE1: <ul style="list-style-type: none"> ▪ <i>“Any new development or alteration to an existing structure will be required in its design, scale and materials to preserve or enhance the setting of Heritage Assets, whether designated or undesignated, and the historic character of the Creekside, and to have regard to the guidance in the Faversham Creek Streetscape Strategy.”</i> • The policy should recognise the scope for more contemporary design in appropriate situations, as recognised in the NPPF and Section 4.25 of the FCNP. <ul style="list-style-type: none"> · Policy HE2: <ul style="list-style-type: none"> ▪ <i>“Any application for new development or alteration to an existing structure must include an appraisal of the site in its surroundings, with detailed drawings accurately showing its relationship to Heritage Assets, whether designated or undesignated, including roofscapes and views, the application must clearly explain how the development proposals have taken account of findings of such an appraisal.”</i> • It is requested that the wording of this policy is expanded to make reference to Paragraph 128 of the NPPF: <ul style="list-style-type: none"> ▪ <i>“The level of detail should be proportionate to the Assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”</i> · Policy HE3: <ul style="list-style-type: none"> ▪ <i>“Any application for new development or alteration to an existing structure must include an appraisal of the impact of construction work and traffic on Heritage Assets whether designated or undesignated.”</i> • It is submitted that this is a disproportionate requirement - it would not be reasonable to require such an appraisal for relatively modest developments. • The determining body for any planning application - Swale Borough Council - has the power to impose conditions on a planning permission requiring the submission for approval of a Construction Management Plan, where appropriate. • It is requested that this policy is deleted. 	<p>does not refer to uses but ‘design, scale and materials’. The policy should be in the design section.</p> <ul style="list-style-type: none"> • BTE Projects: Development of workshop and studio space for businesses should be addressed through the Site Specific Policies rather than as general projects. Aims to support businesses which provide craft and skills training and apprenticeships is not within the remit of a Development Plan. The Creek as a tourism destination is more of an objective than a specific project. • New Homes - Support the recognition of need for new housing in Faversham and acknowledgement that residential development could be permitted above ground floor level to assist with the viability. • Policy HO1: Support the policy but draw attention to our comments on other Area-wide policies. • Policy HO2: This policy requires all housing developments to provide affordable and places a much greater burden on development of sites within the Creek Area than would be applied in the rest of Faversham or the Borough. The policy needs to be redrafted to reflect National requirements and recognise that, in some cases, site viability may preclude the provision of affordable housing. • Policy HO3 - Objects to the wording which is too prescriptive. • Associated Housing Policies • The text on page 60 - Delivery of Public Realm Improvement - suggests that funding could be raised through Section 106 contributions or Community Infrastructure Levy. There is no detail of the proposed mechanism and requiring Creek infrastructure contributions in addition to the ‘standard’ developer contributions would impose additional costs on development sites at Faversham Creek. • Infrastructure - Policy Objectives - for the third objective, we reiterate our comments from above. About specified facilities. • Policy INF3: The proposals of the Streetscape Strategy may not, in all cases, be wholly acceptable. • The Streetscape Strategy was subject to consultation but has not been subject to independent Examination and thus its proposals should not be specified as policy requirements in the Creek Plan. • The wording of this policy should be amended to: “and to have regard to the guidance in the Faversham Creek Streetscape Strategy.” The references to the Streetscape Strategy elsewhere in the Plan have already been amended to this form of wording. • Site Specific Policies <ul style="list-style-type: none"> ○ Site 6 - Former Oil Depot - No objection to designing Site 6 to allow the creek frontage but we object to the indicative notation ‘positive public space’ across quite a wide swathe of Site 6. • Policy OD1: Use Classes - This policy is supported. • Policy OD2: It is requested that this policy is redrafted to read: “A walkway shall be provided along the Creek frontage, with access through the site and with regard to the Faversham Creek Streetscape Strategy.” • It is not reasonable for the landowner to ensure access to the adjoining sites by negotiation with those landowners as part of a planning application. This requirement goes beyond the planning process. It is also noted that there is extraneous text within the policy which should be removed. • Policy OD3: Moorings can be provided along the site frontage and we would ask that the reference to ‘inlet suitable’ be deleted.

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			<p>Design Quality - Policy Objectives</p> <ul style="list-style-type: none"> We object to the final Objective requiring planning applications to demonstrate how the proposals relate to the wider Faversham context, etc. It is submitted that this is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals. <ul style="list-style-type: none"> Policy DP1: <ul style="list-style-type: none"> <i>“Any new development shall be required to enhance the character of the area and to be appropriate in height, mass and materials. In most cases, this will mean buildings constructed or clad in materials typical for the area, (including stock-brick and weatherboarding), with any pitched roofs being of slate or tile (solar panels will be acceptable), and no more than three-storeys in height and preferably less.”</i> In accordance with the Planning Act, the wording of the policy should be amended to read: <ul style="list-style-type: none"> <i>“Any new development shall be required to preserve or enhance the character ...”</i> We would also comment that the buildings in the Conservation Area are constructed of a wide range of materials and that it would not be appropriate to specify stock-brick and weatherboarding. A more broader form of wording should be used such as - <i>appropriate to its setting.</i> We would also object to a height limitation in this general policy - if appropriate, height limitations should be specified within the site specific policies. <ul style="list-style-type: none"> Policy DP2: <ul style="list-style-type: none"> <i>“New buildings shall not be permitted to interrupt views or roofscapes identified in the Faversham Conservation Area Character Appraisal or the undesignated Heritage Assets and Values.”</i> We object to the wording of this policy as drafted. The proposed HE policies, which should be in accordance with the NPPF, set out the requirements for development proposals to have regard to their setting and Heritage Assets, which include consideration of views and roofscapes. It is submitted that this policy should be deleted. <ul style="list-style-type: none"> Policy DQ4 Object to the requirement that new development proposals <i>‘need to reflect the historic urban grain of the area’</i>. The various redevelopment sites have had a variety of uses and built form over time, and it is, therefore, difficult to require schemes to reflect a historic urban grain as it is not known which ‘historic grain’. We request rewording to: <ul style="list-style-type: none"> <i>“... of all new development should reflect the specific urban characteristics of each part....”</i> Policy DQ5 We object to this policy requiring planning applications to demonstrate how the proposals relate to the wider Faversham context, etc. It is submitted that this is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals.	<ul style="list-style-type: none"> The principles of the Faversham Creek Neighbourhood Plan accord with the principles of Policy NP1 of the Publication version of the New Swale Borough Local Plan 2014. BASIC CONDITIONS STATEMENT - reference should be made in the list of policy documents to: the National Planning Policy Guidance - 2014; the Swale Borough Council Strategic Flood Risk Assessment 2009; Swale Borough Council Strategic Flood Risk Assessment for Local Development Framework - Level 1 and 2 Assessments - Supplementary Document, October 2010. Question the inclusion of the Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek as it was not prepared by any public body and has not been adopted by the Town Council in terms of its content or conclusions. CONSULTATION STATEMENT - summarises comments in respect of Site 6 and Policies OD on page 48. The representations submitted in respect of the Pre-Submission Consultation, June 2014, also set out a number of general comments which are recorded against Representor 15 and on pages 35 – 40. Would like to be advised of the next stages of the Plan-making process.

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			<ul style="list-style-type: none"> · Community, Leisure + Recreation • Object to the Policy Objective: <ul style="list-style-type: none"> ▪ <i>“Reinforce the Creek’s public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users.”</i> • As drafted, this would require any development proposal to include the specified facilities - this is not appropriate or reasonable. • This Objective was also included as the third Objective in the Business, Tourism & Employment Section, but does not refer to: <ul style="list-style-type: none"> ▪ <i>“within any development.”</i> · Policy CLR1: <ul style="list-style-type: none"> ▪ <i>“Any new development on any waterfront site shall provide public right of access to the waterfront for leisure and educational activities.”</i> • Whilst we note the objective of the Plan to secure a continuous Creek walkway, to be achieved through the development of waterfront sites, we object to the requirement of Policy CLR1 which would additionally require the provision of access for leisure and educational activities. • We would comment that this wording goes beyond a requirement for pedestrian access across Creekside sites. <ul style="list-style-type: none"> · Policy CLR2: <ul style="list-style-type: none"> ▪ <i>“Any application for new development on any waterfront site must include an appraisal of options for the provision of Public Spaces and leisure amenities, including slipways and moorings, and must explain clearly how the proposals have taken account of this appraisal.”</i> ▪ We also object to Policy CLR2 for any application to include an appraisal of options for the provision of public spaces and leisure amenities. ▪ Such a requirement would be in conflict with the Site Specific Policies. ▪ In developing the Site Specific Policies, consideration has been given to the options for each site to provide public spaces and leisure amenities. · Policy CLR3 <ul style="list-style-type: none"> ▪ <i>“Community involvement and consultation must be carried out as part of the planning application process.”</i> • We object to this policy. • The requirement for public consultation should be in accordance with the NPPF and the requirements of the Local Planning Authority - in this case, Swale Borough Council. <ul style="list-style-type: none"> · Whilst it may be an overall objective to ‘reinforce the Creek’s public destination potential...’ (third business, tourism and employment objective) as drafted, the text may be interpreted as requiring the specified facilities for each and every development - this is not appropriate or reasonable. · Policy BTE1: <ul style="list-style-type: none"> ▪ <i>“Any new development will be required in its design, scale and materials to enhance the Creekside Area as a visitor attraction, and as attractive location for new businesses.”</i> • It is questioned whether this policy is intended to be applied solely to business, tourism and employment proposals - if so, the policy should be reworded as follows: <ul style="list-style-type: none"> ▪ <i>“Any new business, tourism or employment development will be</i> 	

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			<p style="text-align: center;"><i>required ..."</i></p> <ul style="list-style-type: none"> • The policy as drafted suggests that all developments would need to comply whereas not all site specific proposals include business, tourism or employment development. • We would also comment that this policy appears to be a design policy - it does not refer to uses but '<i>design, scale and materials</i>'. • We would comment that the policy should, therefore, be in the design section and not as a business, tourism or employment policy which would principally be a land use policy. <ul style="list-style-type: none"> · BTE Projects include: <ul style="list-style-type: none"> · development of workshop and studio space for rent, particularly affordable units for smaller/start-up businesses; · development of maritime-related and heritage businesses; · development of businesses which provide craft and skills training and apprenticeships; · greater emphasis on the Creek and its historic environment, maritime, creative arts, retail/catering and natural environment offer, within the marketing of Faversham as a tourism destination. • We would comment that development of workshop and studio space for businesses should be addressed through the Site Specific Policies rather than indicated as general projects within the Plan. • Aims to support businesses which provide craft and skills training and apprenticeships is not within the remit of a Development Plan. • The role of the Creek and its marketing as a tourism destination is more of an objective than a specific project. <ul style="list-style-type: none"> · New Homes • We support the recognition of need for new housing in Faversham and acknowledgement that residential development could be permitted above ground floor level to assist with the viability of mixed use schemes and to provide activity throughout the day and evening, and that new housing will contribute to Objective 11 - land supply in Faversham. <ul style="list-style-type: none"> · Policy HO1: <ul style="list-style-type: none"> ▪ <i>"New housing will be permitted as specified in individual site policies, subject to other area-wide policies."</i> • We support Policy HO1 but would draw attention to our comments on other Area-wide policies. <ul style="list-style-type: none"> · Policy HO2: <ul style="list-style-type: none"> ▪ <i>"In all new developments, 35% of these dwellings will be affordable."</i> • This policy as drafted requires all housing developments to provide affordable and, as no threshold is included, places a much greater burden on development of sites within the Creek Plan Area than would be applied in the rest of Faversham or the Borough. • Nationally, affordable housing is now not required for schemes of 10 units or less. • This policy needs to be redrafted to reflect National requirements and also to recognise that, in some cases, site viability may preclude the provision of affordable housing or other developer contributions. <ul style="list-style-type: none"> · Policy HO3 - Object to the wording which is too prescriptive. • The policy wording can be less specific, cross-referencing to the need for development proposals to take into account the heritage and design policies of the Neighbourhood Plan, site context, etc. <ul style="list-style-type: none"> · Associated Housing Policies • During the previous stages of the Plan-making process there have been references to the 	

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			<p>creation of a 'Creek Fund' to which development contributions would be sought from new developments which would together fund Creek infrastructure and improvements to the public domain.</p> <ul style="list-style-type: none"> • The text on page 60 - Delivery of Public Realm Improvement - suggests that funding could be raised through Section 106 contributions or Community Infrastructure Levy which would be sought by Swale Borough Council and potentially other sources. • There is no detail of the proposed mechanism and we would comments that requiring Creek infrastructure contributions in addition to the 'standard' developer contributions that would be sought by Swale Borough Council, (including affordable housing) and Kent County Council, would impose additional costs on development sites at Faversham Creek which would make these sites more costly to develop than sites elsewhere in Faversham or in the rest of the Borough. • Any Creek Infrastructure Fund policy must, therefore, be developed in conjunction with Swale Borough Council and Kent County Council, so that it does not impose additional burdens on sites at Faversham Creek. <ul style="list-style-type: none"> • Infrastructure - Policy Objectives • With respect to the third objective, we would reiterate our comments from above. • Object to the Policy Objective: <ul style="list-style-type: none"> ▪ <i>"Reinforce the Creek's public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users."</i> • As drafted, this would require any development proposal to include the specified facilities - this is not appropriate or reasonable. <ul style="list-style-type: none"> • Policy INF3: <ul style="list-style-type: none"> ▪ <i>"Any new road and footway surface treatments and street furniture including signage will be in accordance with the standard specified in the Faversham Creek Streetscape Strategy and shall be DDA compliant."</i> • This policy is principally aimed at existing and potential future Public Realm areas, many of which are outside the confines of development sites and the policy would, therefore, also be binding upon local authorities in implementation of hard landscaping schemes. • The proposals of the Streetscape Strategy may not, in all cases, have been subject to detailed assessment by the respective public bodies and may not, therefore, be wholly acceptable. • Whilst the Streetscape Strategy was subject to consultation prior to the publication of a Draft Neighbourhood Plan, it has not been subject to independent Examination and thus its proposals should not be specified as policy requirements in the Creek Plan. • It is, therefore, submitted that the wording of this policy should be amended to read: <ul style="list-style-type: none"> ▪ <i>"and to have regard to the guidance in the Faversham Creek Streetscape Strategy."</i> • The references to the Streetscape Strategy elsewhere in the Plan have already been amended to this form of wording. • Site Specific Policies <ul style="list-style-type: none"> • Site 6 - Former Oil Depot <ul style="list-style-type: none"> • Whilst we have no objection to designing the redevelopment of Site 6 to allow the walkway across the Creek frontage, we are concerned at the indicative notation 'positive public space' across quite a wide swathe of Site 6. 	

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			<ul style="list-style-type: none"> • Neither the policy nor the accompanying text suggests the provision of public open space on the site and we object to such a notation on this plan. <ul style="list-style-type: none"> • Policy OD1: Use Classes: <ul style="list-style-type: none"> ▪ <i>"The site shall be developed for residential purposes (Class C3)."</i> • Landowners Comments: This policy is supported. <ul style="list-style-type: none"> • Policy OD2: <ul style="list-style-type: none"> ▪ <i>"A walkway shall be provided along the frontage, with access through the site [and to sites] with regard to the Faversham Creek Streetscape Strategy. For access onto Provender Walk, this would require negotiation with the management company."</i> • Landowners Comments: It is requested that this policy is redrafted to read: <ul style="list-style-type: none"> ▪ <i>"A walkway shall be provided along the Creek frontage, with access through the site and with regard to the Faversham Creek Streetscape Strategy."</i> • The landowners' proposals include the provision of a walkway along the Creek frontage. However, it is submitted that it is not reasonable for the landowner to ensure access to the adjoining sites by negotiation with those landowners as part of a planning application. This requirement goes beyond the planning process. • It is also noted that there is extraneous text within the policy which should be removed - see [brackets], above. <ul style="list-style-type: none"> • Policy OD3: <ul style="list-style-type: none"> ▪ <i>"Moorings shall be provided to the Creek frontage and inlet suitable for a variety of vessels of different sizes."</i> • Landowners Comments: Moorings can be provided along the site frontage and we would ask that the reference to 'inlet suitable' be deleted. <ul style="list-style-type: none"> • We believe that the principles of the Faversham Creek Neighbourhood Plan accord with the principles of Policy NP1 of the Publication version of the New Swale Borough Local Plan 2014. • COMMENTS ON BASIC CONDITIONS STATEMENT • We would suggest that reference is made in the list of policy documents to: <ul style="list-style-type: none"> • the National Planning Policy Guidance - 2014; • the Swale Borough Council Strategic Flood Risk Assessment 2009; • Swale Borough Council Strategic Flood Risk Assessment for Local Development Framework - Level 1 and 2 Assessments - Supplementary Document, October 2010. • We would question the inclusion of the Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek within the list of policy and other documents. • The report was not prepared by any public body or consultants appointed by a public body, but by local volunteers. • It is understood that the report has not been adopted by the Town Council in terms of its content or conclusions. • COMMENTS ON CONSULTATION STATEMENT • The November 2014 Consultation Statement summarises the site specific comments in respect of Site 6 and Policies OD on page 48. • We would, however, comment that the representations submitted in respect of the Pre-Submission Consultation, June 2014, also set out a number of general comments which are recorded against Representor 15 and on pages 35-40. • We would ask to be advised of the next stages of the Plan-making process. 	
FCNP54	Mrs D Dosa	Support	<ul style="list-style-type: none"> • I am emailing to register my support for Swan Quay LLP's mixed use proposals for sites 4 	<ul style="list-style-type: none"> • Support Swan Quay's mixed use proposals for sites 4 and 5.

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			and 5 of the Faversham Creek Neighbourhood Plan as I believe they will help regenerate the area next to the creek.	
FCNP55	SWAN QUAY LLP	Support, object and comment	<p>REPRESENTATIONS IN RESPECT OF FAVERSHAM CREEK NEIGHBOURHOOD PLAN - SUBMISSION VERSION - NOVEMBER 2014 REPRESENTATIONS ON BEHALF OF SWAN QUAY LLP IN RESPECT OF SITE 5 - SWAN QUAY, BELVEDERE ROAD, FAVERSHAM</p> <p>Representations have been submitted on behalf of the landowners throughout the Faversham Creek Plan-making process - initially commenting on the 2010 Tony Fullwood Report, presenting proposals at the Faversham Creek Neighbourhood Plan Exhibition in May 2012 and submitting representations at the various consultation stages in the Draft Neighbourhood Plan, including in response to the June 2014 consultation in respect of the Pre-Submission Draft Plan.</p> <p>This representation comprises the landowners' formal representation in response to the following Faversham Creek Neighbourhood Plan Documents - November 2014:</p> <ul style="list-style-type: none"> • Submission Version; • Basic Condition Statement; and • Consultation Statement. <p>COMMENTS ON FAVERSHAM CREEK NEIGHBOURHOOD PLAN SUBMISSION VERSION</p> <p>1. The Vision and Objectives</p> <p>1.1 We welcome the revision to the Vision in response to our June 2014 representations that the development proposals outlined in the Plan may involve uses in addition to 'new businesses'.</p> <p>We, therefore, support the text:</p> <p>"and enriched by new businesses and uses."</p> <p>1.2 Objective 9 - We welcome the revision from the June 2014 Draft Plan which now reads:</p> <p>"by providing focal areas of activity."</p> <p>1.3 Objective 11 - As before - we support the recognition that redevelopment is needed and that new housing is appropriate.</p> <p>1.4 Objective 12 and Objective 13 - We would reiterate our previous comments as follows:</p> <p>Landowners Comments: We would comment that, although the Faversham Creek Plan Area has a maritime link (the Plan Area encircling the Creek Waterway), many of its current and former uses do not have a maritime link. We would comment that the wording of this Objective should be revised to acknowledge the more recent history of the Creek Area. The Plan Area includes significant residential development and many buildings dating from the 20th Century, whereas the Plan, as drafted, would suggest that it is solely a historic/maritime area.</p>	<ul style="list-style-type: none"> • Representations have been submitted throughout the Plan-making process. • The Vision and Objectives - welcome the revision that the development proposals outlined in the Plan may involve uses in addition to 'new businesses'. Therefore, support the text: "and enriched by new businesses and uses." • Objective 9 - Welcome the revision which now reads: "by providing focal areas of activity." • Objective 11 - Support the recognition that redevelopment is needed and that new housing is appropriate. • Objectives 12 and 13 - Would reiterate our previous comments as follows: • Landowners Comments: Although the Plan Area has a maritime link many of its current and former uses do not have a maritime link. The objective should be revised to acknowledge the more recent history of the Creek Area. The wording of the Objective in seeking to 'protect and enhance the Creek... for educational and economic purposes' is not in accordance with other Objectives such as Objective 11 nor a number of the site proposals which recognise that new housing can be provided within the Creek Area. • Objective 14 - As before - The Objective should acknowledge that, through redevelopment, the townscape will change. • Objective 15 - Note the objective to create a Creek edge pedestrian route; however it may not be practical to also be accessible to cyclists. • Background to the Plan - support the recognition that the character of the Creek Area has changed with the decline of industry and the recognition of navigation difficulties. • Page 14 - Specific Sites under Consideration - The text comments: "A number of sites within the area most of which are currently designated for employment use..." • Whilst Ordnance Wharf is designated for employment development under Adopted Swale Borough Local Plan the following sites do not have a specific employment policy allocation: the Former Frank & Whittome site on the town side of Belvedere Road; Swan Quay; Former Oil Depot; Former Coach Depot; and Standard Quay. Urban Analysis - Development Opportunities • Welcome the acknowledgement on page 19 that Sites 4 and 5 "are within a fine grained area of tightly knitted development and new proposals should respond to this in an appropriate manner." • However, the final sentence should be deleted as it's a detailed matter for a planning application. Context of the Creek • People/Life + Vitality - Welcome recognition that residential developments and businesses could enable the Creekside to make a greater contribution to the towns' economy. • Easy to Get Around - Are concerned at the emphasis on access to Creekside sites as a potential constraint - both for construction work and the eventual occupiers. Subsequent access will be predominantly for residential use, which would be more appropriate than continuing commercial use. The junction of Quay Lane and Belvedere Road provided access to the former industrial uses along Belvedere Road. • Car parking on redevelopment sites is a matter for the planning application process and not necessarily a constraint. Due to flood risk issues, the ground floor of new buildings will be available for car parking. • Homes for People - Welcome the acknowledgement that there is scope for residential development on some sites and the contribution that this will make to housing land supply and potentially provide revenues from developer contributions. Object to the sentence:

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			<p>We would also comment that the wording of the Objective in seeking to ‘protect and enhance the Creek... for educational and economic purposes’ is not in accordance with other Objectives such as Objective 11 nor a number of the site proposals which recognise that new housing can be provided within the Creek Area, as either wholly residential developments or as part of mixed use developments.</p> <p>1.5 Objective 14 - As before - We would comment that, within the overall plan area, there are a number of sites where new development/redevelopment will be proposed during the Plan period. The Objective should acknowledge that, through redevelopment, the townscape will change.</p> <p>1.6 Objective 15 - We note the objective to create a Creek edge pedestrian route.</p> <p>We would, however, comment that it may not be practical for this route to also be accessible to cyclists.</p> <p>2. Background to the Plan</p> <p>2.1 We support the recognition that the character of the Creek Area has changed significantly with the decline of industry and also the recognition of navigation difficulties as a result of silting and the Swing Bridge.</p> <p>2.2 Page 14 - Specific Sites under Consideration</p> <p>The text comments:</p> <p>“A number of sites within the area most of which are currently designated for employment use...”</p> <p>Whilst the Ordnance Wharf site is specifically designated for employment development under Adopted Swale Borough Local Plan Policy B17, the following sites do not have a specific employment policy allocation, albeit that employment was the last use and the sites fall within the Local Plan Policy AAP2 Area:</p> <ul style="list-style-type: none"> • the Former Frank & Whittome site on the town side of Belvedere Road; • Swan Quay; • Former Oil Depot; • Former Coach Depot; • Standard Quay. <p>3. Urban Analysis - Development Opportunities</p> <p>3.1 We welcome the acknowledgement on page 19 that Site 4 - Frank & Whittome - and Site 5 - Swan Quay:</p> <p>“are within a fine grained area of tightly knitted development and new proposals should respond to this in an appropriate manner.”</p> <p>We do, however, suggest that the final sentence should be deleted - this is a detailed matter to</p>	<p>“Some sites also have access limitations which could affect viability” without definition of which sites are considered to have such limitations.</p> <ul style="list-style-type: none"> • Places - Enhancing the Historic Environment - Conservation Areas - Object to identification of ‘heritage issues’ as a constraint on new development. Text could be rephrased more positively. • We are concerned at the paragraph: “In addition to statutory constraints, any development which reduces access to, or attractiveness of heritage sites and activities on the Creekside, along with issues of diversity and environmental impact, may have a negative economic impact on heritage tourism, an important component of Faversham’s economy.” The meaning and purpose of this text is not clear. <p>Water</p> <ul style="list-style-type: none"> • Reducing Flood Risk - Object to the wording of: “To be viable, residential developments may need to be 3-4 storeys, but this conflicts with feedback from public consultations and on some sites, may conflict with Conservation Area considerations (e.g. obstruction of views, impact on roofscapes, proximity to Heritage Assets).” Text should acknowledge the need for site specific Flood Risk Assessments to demonstrate that flood risk is taken into account in developing proposals, whilst at the same time, taking into account site context including issues relating to Heritage Assets, e.g. “On sites at risk of flooding more vulnerable uses such as residential development are not located on the ground floor (garages would be acceptable).” <p>Creekwide Policies</p> <ul style="list-style-type: none"> • Request inclusion of “new homes” within the second sentence to reflect the wording of the table - Creekwide Planning Policies. • Policy HE1: The policy should recognise the scope for more contemporary design in appropriate situations, as recognised in the NPPF and Section 4.25 of the FCNP. • Policy HE2: Expand the wording of this policy to make reference to Paragraph 128 of the NPPF: “The level of detail should be proportionate to the Assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.” • Policy HE3: This is a disproportionate requirement for relatively modest developments. It is requested that this policy is deleted. • Design Quality - Policy Objectives - object to the final Objective as it is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals. • Policy DP1: In accordance with the Planning Act, the wording of the policy should be amended to read: “Any new development shall be required to preserve or enhance the character ...” Buildings in the Conservation Area are constructed of a wide range of materials and it is not appropriate to specify stock-brick and weatherboarding. Suggests ‘appropriate to its setting.’ • Object to a height limitation - height limitations should be specified within the site specific policies. • Policy DP2: Object to the wording of this policy and it should be deleted. The proposed HE policies set out the requirements for development proposals to have regard to their setting and Heritage Assets. • Policy DQ4 - Object to the requirement that new development proposals ‘need to reflect the historic urban grain of the area’. The sites have had a variety of uses and built form over time, and it is, therefore, difficult to reflect a historic urban grain as it is not known which ‘historic grain’. Suggest: “... of all new development should reflect the specific urban characteristics of each part....”

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			<p>be considered in a planning application:</p> <p>“It must also have regard for the impact such development will have on the opposite bank of the Creek, in particular, the view from the Front Brents.”</p> <p>4. Context of the Creek People/Life + Vitality</p> <p>4.1 We welcome the recognition that residential developments - as well as businesses - could enable the Creekside to make a greater contribution to the towns’ economy.</p> <p>4.2 Easy to Get Around We are concerned at the emphasis on access to Creekside sites as a potential constraint - both for construction work and the eventual use of new developments.</p> <p>The various sites referred to at Ordnance Wharf, Standard Quay, Coach Depot and Oil Depot were all accessed by commercial vehicles during their last uses.</p> <p>Construction access is temporary in nature.</p> <p>Subsequent access will be predominantly for residential use, which would be more appropriate on the highway network than continuing commercial use and access by large, commercial vehicles.</p> <p>Similarly, the junction of Quay Lane and Belvedere Road provided access to the former industrial uses which lined Belvedere Road.</p> <p>The potential for providing car parking on redevelopment sites is a matter for the planning application process and not necessarily a constraint.</p> <p>Due to flood risk issues, the ground floor of new buildings will be available for car parking as appropriate for each particular sites redevelopment.</p> <p>4.3 Homes for People We welcome the acknowledgement that there is scope for residential development on some sites within the Plan area, and the contribution that this will make to housing land supply and potentially provide revenues from developer contributions.</p> <p>We object to the sentence:</p> <p>“Some sites also have access limitations which could affect viability”</p> <p>- without definition of which sites are considered to have such limitations.</p> <p>4.4 Places - Enhancing the Historic Environment - Conservation Areas</p> <p>We object to identification of ‘heritage issues’ as a constraint on new development.</p> <p>Heritage Assets - the Conservation Area and Listed Buildings - set the context for the individual</p>	<ul style="list-style-type: none"> • Policy DQ5 - Object to the requirement to demonstrate how the proposals relate to the wider Faversham context, etc. This is excessive and places an unreasonable burden on developers. • Community, Leisure + Recreation - Object Objective: “Reinforce the Creek’s public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users.” This would require any development proposal to include the specified facilities - this is not appropriate or reasonable. This Objective was also included as the third Objective in the Business, Tourism & Employment Section, but does not refer to: “within any development.” • Policy CLR1: Object to the requirement of Policy CLR1 which would additionally require the provision of access for leisure and educational activities. The wording goes beyond a requirement for pedestrian access across Creekside sites. • Policy CLR2: Object to Policy CLR2 for any application to include an appraisal of options for the provision of public spaces and leisure amenities as such a requirement would be in conflict with the Site Specific Policies. • Policy CLR3 - Object to this policy as the requirement for public consultation should be in accordance with the NPPF and the requirements of the LPA. • Whilst it may be an overall objective to ‘reinforce the Creek’s public destination potential...’ (third business, tourism and employment objective) as drafted, the text may be interpreted as requiring the specified facilities for each and every development - this is not appropriate or reasonable. • Policy BTE1: If this policy is intended to be applied solely to business, tourism and employment proposals - if so, the policy should be reworded as follows: “Any new business, tourism or employment development will be required ...” The policy as drafted suggests that all developments would need to comply whereas not all site specific proposals include business, tourism or employment development. This policy appears to be a design policy - it does not refer to uses but ‘design, scale and materials’. The policy should be in the design section. • BTE Projects: Development of workshop and studio space for businesses should be addressed through the Site Specific Policies rather than as general projects. Aims to support businesses which provide craft and skills training and apprenticeships is not within the remit of a Development Plan. The Creek as a tourism destination is more of an objective than a specific project. • New Homes - Support the recognition of need for new housing in Faversham and acknowledgement that residential development could be permitted above ground floor level to assist with the viability. • Policy HO1: Support the policy but draw attention to our comments on other Area-wide policies. • Policy HO2: This policy requires all housing developments to provide affordable and places a much greater burden on development of sites within the Creek Area than would be applied in the rest of Faversham or the Borough. The policy needs to be redrafted to reflect National requirements and recognise that, in some cases, site viability may preclude the provision of affordable housing. • Policy HO3 - Objects to the wording which is too prescriptive. <p>Associated Housing Policies</p> <ul style="list-style-type: none"> • The text on page 60 - Delivery of Public Realm Improvement - suggests that funding could be raised through Section 106 contributions or Community Infrastructure Levy. There is no

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<p>sites and development proposals are to be considered against planning policies and guidance.</p> <p>This text could be rephrased more positively referring to opportunities within the planning policy context.</p> <p>We are concerned at the paragraph: “In addition to statutory constraints, any development which reduces access to, or attractiveness of heritage sites and activities on the Creekside, along with issues of diversity and environmental impact, may have a negative economic impact on heritage tourism, an important component of Faversham’s economy.”</p> <p>The meaning and purpose of this text is not clear and should be redrafted.</p> <p>4.5 Water</p> <p>Reducing Flood Risk</p> <p>Whilst it is acknowledged that under the 2010 Document relating to Flood Zone 3A(i), ground floor residential use will not be permitted within areas at risk of flooding, we object to the wording of the following paragraph:</p> <p>“To be viable, residential developments may need to be 3-4 storeys, but this conflicts with feedback from public consultations and on some sites, may conflict with Conservation Area considerations (e.g. obstruction of views, impact on roofscapes, proximity to Heritage Assets).”</p> <p>Instead, the text should acknowledge the need for site specific Flood Risk Assessments to demonstrate that flood risk is taken into account in developing proposals, whilst at the same time, taking into account site context including issues relating to Heritage Assets, e.g. “On sites at risk of flooding more vulnerable uses such as residential development are not located on the ground floor (garages would be acceptable).”</p> <p>5. Creekwide Policies</p> <p>5.1 Request inclusion of “new homes” within the second sentence to reflect the wording of the table - Creekwide Planning Policies.</p> <p>5.2 Policy HE1:</p> <p>“Any new development or alteration to an existing structure will be required in its design, scale and materials to preserve or enhance the setting of Heritage Assets, whether designated or undesignated, and the historic character of the Creekside, and to have regard to the guidance in the Faversham Creek Streetscape Strategy.”</p> <p>The policy should recognise the scope for more contemporary design in appropriate situations, as recognised in the NPPF and Section 4.25 of the FCNP.</p> <p>5.3 Policy HE2:</p>	<p>detail of the proposed mechanism and requiring Creek infrastructure contributions in addition to the ‘standard’ developer contributions would impose additional costs on development sites at Faversham Creek.</p> <ul style="list-style-type: none"> • Infrastructure - Policy Objectives - for the third objective, we reiterate our comments from above. About specified facilities. • Policy INF3: The proposals of the Streetscape Strategy may not, in all cases, be wholly acceptable. • The Streetscape Strategy was subject to consultation but has not been subject to independent Examination and thus its proposals should not be specified as policy requirements in the Creek Plan. • The wording of this policy should be amended to: “and to have regard to the guidance in the Faversham Creek Streetscape Strategy.” The references to the Streetscape Strategy elsewhere in the Plan have already been amended to this form of wording. <p>Site Specific Policies</p> <ul style="list-style-type: none"> • Page 39 - Creek Central - Support the mixed use redevelopment of Sites 4 and 5, appropriate uses may not necessarily only fall within ‘creative industries’. The previous Draft Plan and Policy SQ1 in this Draft Plan propose a wider mix of uses than just ‘creative industries’. • Site 5 - Swan Quay - Suggest changes to the text as clarification - additional text in bold. “Suggested redevelopments, designs and land uses: “On the side of the site adjacent to Town Quay, a range of buildings running at right angles to the Creek, up to 3.5 storeys, with residential on the upper floors, could replace the existing structures. This would create a wider gap between the new buildings on Site 5/Swan Quay and existing buildings (the Boxing Club and the Pumping Station) to allow for open views of the water down Quay Lane: we support the mix of land uses specified at the first bullet point; A second, shorter building, also using traditional materials and 3.5 storeys in height, could be set parallel to this, with a ground floor office/gallery or workshop and parking with the upper floors residential; a single-storey extension to the retained workshop at the corner of the site adjacent to Belvedere Quay constructed in suitable materials (e.g. brick and weatherboard) could provide a retail, restaurant or workshop use. Part of the retained workshop could be used by the Sailmaker.” • Then revise next bullet point to read: <ul style="list-style-type: none"> • that part of the workshop between the blue building and Belvedere Road could be demolished and this land and the car park developed with additional three-storey buildings constructed using traditional materials and used for ground floor parking with residential above. • This bullet point then continues: “This could provide approximately 15-20 residential units.” Suggest this capacity figure relates to Site 5, as a whole - not just that part next to the blue building. • The indicative scheme prepared by the landowners proposed f 20-25 units within the height capacity indicated in the text. • The Creekside Walkway may not be possible for ownership or technical/construction reasons to connect a Creekside Walkway across Swan Quay to Belvedere Quays. We would ask for the deletion of ‘must’ and instead ‘seek to connect, if possible’. • The indicative drawings were shown to Abbey Street neighbours and local businesses. These comments were all submitted as part of the June 2014 Consultation but are not referred to in the Consultation Statement. We would ask that these comments also be noted as responses to the Neighbourhood Plan consultation.

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<p>“Any application for new development or alteration to an existing structure must include an appraisal of the site in its surroundings, with detailed drawings accurately showing its relationship to Heritage Assets, whether designated or undesignated, including roofscapes and views, the application must clearly explain how the development proposals have taken account of the findings of such an appraisal.”</p> <p>It is requested that the wording of this policy is expanded to make reference to Paragraph 128 of the NPPF:</p> <p>“The level of detail should be proportionate to the Assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”</p> <p>5.4 Policy HE3:</p> <p>“Any application for new development or alteration to an existing structure must include an appraisal of the impact of construction work and traffic on Heritage Assets whether designated or undesignated.”</p> <p>It is submitted that this is a disproportionate requirement - it would not be reasonable to require such an appraisal for relatively modest developments.</p> <p>The determining body for any planning application - Swale Borough Council - has the power to impose conditions on a planning permission requiring the submission for approval of a Construction Management Plan, where appropriate.</p> <p>It is requested that this policy is deleted.</p> <p>5.5 Design Quality - Policy Objectives</p> <p>We object to the final Objective requiring planning applications to demonstrate how the proposals relate to the wider Faversham context, etc.</p> <p>It is submitted that this is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals.</p> <p>5.6 Policy DP1:</p> <p>“Any new development shall be required to enhance the character of the area and to be appropriate in height, mass and materials. In most cases, this will mean buildings constructed or clad in materials typical for the area, (including stock-brick and weatherboarding), with any pitched roofs being of slate or tile (solar panels will be acceptable), and no more than three-storeys in height and preferably less.”</p> <p>In accordance with the Planning Act, the wording of the policy should be amended to read:</p> <p>“Any new development shall be required to preserve or enhance the character ...”</p> <p>We would also comment that the buildings in the Conservation Area are constructed of a wide</p>	<ul style="list-style-type: none"> • Buildings in the Conservation Area are constructed of a wide range of materials and it is not appropriate to specify yellow stock-brick and weatherboarding or traditional materials only. It should use- “appropriate to its setting. “ • Moorings are already provided along the Creekside edge of Site 5 - these are private moorings not public moorings. • The final bullet point describes a project at the junction of Quay Lane and Conduit Street and would ask that references to this land and the project is removed from the Site 5 text. The land proposed for re-landscaping in the Streetscape Strategy is not within the Swan Quay ownership and should be discussed elsewhere within the Plan. • Policy SWQ1 – Support the policy and mix of uses, but seek revision as follows: “Use Classes: The site shall be used for a mix of retail (A1), restaurant (A3), office and workshops (B1) and a gallery (D1) with residential (C3) on some upper floors.” • Policy SWQ3 - As above, moorings are already provided along the Creekside edge of Site 5. The moorings are private, not public moorings. • Believe that the principles of the Faversham Creek Neighbourhood Plan accord with the principles of Policy NP1 of the Publication version of the New Swale Borough Local Plan 2014. • Swan Quay Site Specific Projects – Remove this project as the land proposed for re-landscaping is not within the Swan Quay ownership. The works could not be achieved through planning application proposals. Object to the final sentence and seek deletion of the words ‘and effective access into the adjacent Site 4 (Frank & Whittome)’. • Design Principles for Sites 4 and 5 - we have no objection to allow the walkway across the Creek frontage but we object to the indicative notation ‘positive public space’ across quite a wide swathe of Site 5. Are also concerned about the primary and secondary frontages lines, as they may become a design constraint for a future planning application. • BASIC CONDITIONS STATEMENT - reference should be made in the list of policy documents to: the National Planning Policy Guidance - 2014; the Swale Borough Council Strategic Flood Risk Assessment 2009; Swale Borough Council Strategic Flood Risk Assessment for Local Development Framework - Level 1 and 2 Assessments - Supplementary Document, October 2010. • Question the inclusion of the Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek as it was not prepared by any public body and has not been adopted by the Town Council in terms of its content or conclusions. • CONSULTATION STATEMENT - summarises comments in respect of Site 5 and Policies SWQ on page 49. The representations submitted in respect of the Pre-Submission Consultation, June 2014, also set out a number of general comments which are recorded against Representor 05 and on pages 21 and 22. • Would like to be advised of the next stages of the Plan-making process. • Attached a series of emails to tenants of these sites discussing the proposals.

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<p>range of materials and that it would not be appropriate to specify stock-brick and weatherboarding.</p> <p>A more broader form of wording should be used such as - appropriate to its setting.</p> <p>We would also object to a height limitation in this general policy - if appropriate, height limitations should be specified within the site specific policies.</p> <p>5.7 Policy DP2:</p> <p>“New buildings shall not be permitted to interrupt views or roofscapes identified in the Faversham Conservation Area Character Appraisal or the undesignated Heritage Assets and Values.”</p> <p>We object to the wording of this policy as drafted.</p> <p>The proposed HE policies, which should be in accordance with the NPPF, set out the requirements for development proposals to have regard to their setting and Heritage Assets, which include consideration of views and roofscapes.</p> <p>It is submitted that this policy should be deleted.</p> <p>5.8 Policy DQ4</p> <p>Object to the requirement that new development proposals ‘need to reflect the historic urban grain of the area’.</p> <p>The various redevelopment sites have had a variety of uses and built form over time, and it is, therefore, difficult to require schemes to reflect a historic urban grain as it is not known which ‘historic grain’.</p> <p>We request rewording to:</p> <p>“... of all new development should reflect the specific urban characteristics of each part....”</p> <p>5.9 Policy DQ5</p> <p>We object to this policy requiring planning applications to demonstrate how the proposals relate to the wider Faversham context, etc.</p> <p>It is submitted that this is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals.</p> <p>5.10 Community, Leisure + Recreation</p> <p>Object to the Policy Objective:</p>	

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			<p>“Reinforce the Creek’s public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users.”</p> <p>As drafted, this would require any development proposal to include the specified facilities - this is not appropriate or reasonable.</p> <p>This Objective was also included as the third Objective in the Business, Tourism & Employment Section, but does not refer to:</p> <p>“within any development.”</p> <p>5.11 Policy CLR1:</p> <p>“Any new development on any waterfront site shall provide public right of access to the waterfront for leisure and educational activities.”</p> <p>Whilst we note the objective of the Plan to secure a continuous Creek walkway, to be achieved through the development of waterfront sites, we object to the requirement of Policy CLR1 which would additionally require the provision of access for leisure and educational activities.</p> <p>We would comment that this wording goes beyond a requirement for pedestrian access across Creekside sites.</p> <p>5.12 Policy CLR2:</p> <p>“Any application for new development on any waterfront site must include an appraisal of options for the provision of Public Spaces and leisure amenities, including slipways and moorings, and must explain clearly how the proposals have taken account of this appraisal.”</p> <p>We also object to Policy CLR2 for any application to include an appraisal of options for the provision of public spaces and leisure amenities.</p> <p>Such a requirement would be in conflict with the Site Specific Policies.</p> <p>In developing the Site Specific Policies, consideration has been given to the options for each site to provide public spaces and leisure amenities.</p> <p>5.13 Policy CLR3</p> <p>“Community involvement and consultation must be carried out as part of the planning application process.”</p> <p>We object to this policy.</p> <p>The requirement for public consultation should be in accordance with the NPPF and the requirements of the Local Planning Authority - in this case, Swale Borough Council.</p> <p>5.14 Whilst it may be an overall objective to ‘reinforce the Creek’s public destination</p>	

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			<p>potential..." (third business, tourism and employment objective) as drafted, the text may be interpreted as requiring the specified facilities for each and every development - this is not appropriate or reasonable.</p> <p>5.15 Policy BTE1: "Any new development will be required in its design, scale and materials to enhance the Creekside Area as a visitor attraction, and as attractive location for new businesses."</p> <p>It is questioned whether this policy is intended to be applied solely to business, tourism and employment proposals - if so, the policy should be reworded as follows:</p> <p>"Any new business, tourism or employment development will be required ..."</p> <p>The policy as drafted suggests that all developments would need to comply whereas not all site specific proposals include business, tourism or employment development.</p> <p>We would also comment that this policy appears to be a design policy - it does not refer to uses but 'design, scale and materials'.</p> <p>We would comment that the policy should, therefore, be in the design section and not as a business, tourism or employment policy which would principally be a land use policy.</p> <p>5.16 BTE Projects include:</p> <ul style="list-style-type: none"> • development of workshop and studio space for rent, particularly affordable units for smaller/start-up businesses; • development of maritime-related and heritage businesses; • development of businesses which provide craft and skills training and apprenticeships; • greater emphasis on the Creek and its historic environment, maritime, creative arts, retail/catering and natural environment offer, within the marketing of Faversham as a tourism destination. <p>We would comment that development of workshop and studio space for businesses should be addressed through the Site Specific Policies rather than indicated as general projects within the Plan.</p> <p>Aims to support businesses which provide craft and skills training and apprenticeships is not within the remit of a Development Plan.</p> <p>The role of the Creek and its marketing as a tourism destination is more of an objective than a specific project.</p> <p>5.17 New Homes</p> <p>We support the recognition of need for new housing in Faversham and acknowledgement that residential development could be permitted above ground floor level to assist with the viability</p>	

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			<p>of mixed use schemes and to provide activity throughout the day and evening, and that new housing will contribute to Objective 11 - land supply in Faversham.</p> <p>5.18 Policy HO1:</p> <p>“New housing will be permitted as specified in individual site policies, subject to other area-wide policies.”</p> <p>We support Policy HO1 but would draw attention to our comments on other Area-wide policies.</p> <p>5.19 Policy HO2:</p> <p>“In all new developments, 35% of these dwellings will be affordable.”</p> <p>This policy as drafted requires all housing developments to provide affordable and, as no threshold is included, places a much greater burden on development of sites within the Creek Plan Area than would be applied in the rest of Faversham or the Borough.</p> <p>Nationally, affordable housing is now not required for schemes of 10 units or less.</p> <p>This policy needs to be redrafted to reflect National requirements and also to recognise that, in some cases, site viability may preclude the provision of affordable housing or other developer contributions.</p> <p>5.20 Policy HO3 - Object to the wording which is too prescriptive.</p> <p>The policy wording can be less specific, cross-referencing to the need for development proposals to take into account the heritage and design policies of the Neighbourhood Plan, site context, etc.</p> <p>5.21 Associated Housing Policies</p> <p>During the previous stages of the Plan-making process there have been references to the creation of a ‘Creek Fund’ to which development contributions would be sought from new developments which would together fund Creek infrastructure and improvements to the public domain.</p> <p>The text on page 60 - Delivery of Public Realm Improvement - suggests that funding could be raised through Section 106 contributions or Community Infrastructure Levy which would be sought by Swale Borough Council and potentially other sources.</p> <p>There is no detail of the proposed mechanism and we would comment that requiring Creek infrastructure contributions in addition to the ‘standard’ developer contributions that would be sought by Swale Borough Council, (including affordable housing) and Kent County Council, would impose additional costs on development sites at Faversham Creek which would make these sites more costly to develop than sites elsewhere in Faversham or in the rest of the Borough.</p> <p>Any Creek Infrastructure Fund policy must, therefore, be developed in conjunction with Swale</p>	

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			<p>Borough Council and Kent County Council, so that it does not impose additional burdens on sites at Faversham Creek.</p> <p>5.22 Infrastructure - Policy Objectives</p> <p>With respect to the third objective, we would reiterate our comments from above.</p> <p>“Reinforce the Creek’s public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users.”</p> <p>As drafted, this would require any development proposal to include the specified facilities - this is not appropriate or reasonable.</p> <p>5.23 Policy INF3:</p> <p>“Any new road and footway surface treatments and street furniture including signage will be in accordance with the standard specified in the Faversham Creek Streetscape Strategy and shall be DDA compliant.”</p> <p>This policy is principally aimed at existing and potential future Public Realm areas, many of which are outside the confines of development sites and the policy would, therefore, also be binding upon local authorities in implementation of hard landscaping schemes.</p> <p>The proposals of the Streetscape Strategy may not, in all cases, have been subject to detailed assessment by the respective public bodies and may not, therefore, be wholly acceptable.</p> <p>Whilst the Streetscape Strategy was subject to consultation prior to the publication of a Draft Neighbourhood Plan, it has not been subject to independent Examination and thus its proposals should not be specified as policy requirements in the Creek Plan.</p> <p>It is, therefore, submitted that the wording of this policy should be amended to read:</p> <p>“and to have regard to the guidance in the Faversham Creek Streetscape Strategy.”</p> <p>The references to the Streetscape Strategy elsewhere in the Plan have already been amended to this form of wording.</p> <p>6. Site Specific Policies</p> <p>6.1 Page 39 - Creek Central</p> <p>Although we support the mixed use redevelopment of Sites 4 and 5, appropriate uses may not necessarily only fall within ‘creative industries’.</p> <p>The previous Draft Plan and Policy SQ1 in this Draft Plan propose a wider mix of uses than just ‘creative industries’.</p> <p>6.2 Site 5 - Swan Quay</p>	

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<p>6.2.1 We would suggest changes to the text as clarification - additional text in bold.</p> <p>Suggested redevelopments, designs and land uses:</p> <p>“On the side of the site adjacent to Town Quay, a range of buildings running at right angles to the Creek, up to 3.5 storeys, with residential on the upper floors, could replace the existing structures. This would create a wider gap between the new buildings on Site 5/Swan Quay and existing buildings (the Boxing Club and the Pumping Station) to allow for open views of the water down Quay Lane:</p> <ul style="list-style-type: none"> • we support the mix of land uses specified at the first bullet point; • A second, shorter building, also using traditional materials and 3.5 storeys in height, could be set parallel to this, with a ground floor office/gallery or workshop and parking with the upper floors residential; • a single-storey extension to the retained workshop at the corner of the site adjacent to Belvedere Quay constructed in suitable materials (e.g. brick and weatherboard) could provide a retail, restaurant or workshop use. Part of the retained workshop could be used by the Sailmaker.” <p>Then revise next bullet point to read:</p> <ul style="list-style-type: none"> • that part of the workshop between the blue building and Belvedere Road could be demolished and this land and the car park developed with additional three-storey buildings constructed using traditional materials and used for ground floor parking with residential above. <p>This bullet point then continues:</p> <p>“This could provide approximately 15-20 residential units.”</p> <p>We would suggest that this capacity figure relates to Site 5, as a whole - not just that part next to the blue building.</p> <p>The indicative scheme prepared on behalf of the landowners and submitted in response to the earlier consultation in June 2014, proposed development of 20-25 units within the height capacity indicated in the text.</p> <p>With respect to the Creekside Walkway, we would comment that it may not be possible for ownership or technical/construction reasons to connect a Creekside Walkway across Swan Quay to Belvedere Quays. We would ask for the deletion of ‘must’ and instead ‘seek to connect, if possible’.</p> <p>6.2.2 The indicative drawings have been presented to the close Abbey Street neighbours and local businesses during the Plan consultation.</p> <p>The owners’ summary of the discussion at the ‘mini’ exhibition and the neighbour and business</p>	

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<p>comments are attached as an appendix , as follows:</p> <ul style="list-style-type: none"> • David Selves of the Faversham Creek Hotel; • Mike Harmsworth of M Harmsworth Construction; • Jonathan Neame of Shepherd Neame; • Anne MacLaren of Creek Creative; • Duncan and Jill Fielder of 26 Court Street; • The owners’ summary of the mini exhibition for the Abbey Street residents; • the response from Julian and Amanda Mannering of 13 Abbey Street. <p>These comments were all submitted as part of the June 2014 Consultation but are not referred to in the Consultation Statement.</p> <p>We would ask that these comments also be noted as responses to the Neighbourhood Plan consultation.</p> <p>6.2.3 We would also comment that buildings in the Conservation Area are constructed of a wide range of materials and that it would not be appropriate to specify yellow stock-brick and weatherboarding or traditional materials only.</p> <p>A more broader form of wording should be used such as - appropriate to its setting.</p> <p>6.2.4 We would also comment that moorings are already provided along the Creekside edge of Site 5 - these are private moorings not public moorings.</p> <p>6.2.5 The final bullet point describes a project at the junction of Quay Lane and Conduit Street.</p> <p>We would ask that references to this land and the project is removed from the Site 5 text.</p> <p>The land proposed for re-landscaping in the Streetscape Strategy is not within the Swan Quay ownership and should be discussed elsewhere within the Plan.</p> <p>6.2.7 Policy SWQ1</p> <p>Whilst we support Proposed Policy SWQ1 and the mix of uses, we seek revision of the proposed policy as follows:</p> <p>“Use Classes: The site shall be used for a mix of retail (A1), restaurant (A3), office and workshops (B1) and a gallery (D1) with residential (C3) on some upper floors.”</p> <p>The policy in the earlier Draft Plan, June 2014 and the text accompanying the policy does not refer to ‘some’ residential.</p> <p>6.2.7 Policy SWQ3 - As above, moorings are already provided along the Creekside edge of Site 5. The moorings are private moorings and not public moorings.</p> <p>6.2.8 We believe that the principles of the Faversham Creek Neighbourhood Plan accord with the principles of Policy NP1 of the Publication version of the New Swale Borough Local Plan</p>	

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			<p>2014.</p> <p>6.2.9 Swan Quay Site Specific Projects</p> <p>As above, we ask that this project is removed from the Swan Quay Site Specific Projects as the land proposed for re-landscaping in the Streetscape Strategy is not within the Swan Quay ownership and should be discussed elsewhere within the Plan.</p> <p>Retaining the text as a Swan Quay Site Specific Project suggests that the works should be achieved through planning application proposals for the redevelopment of the Swan Quay site, whereas these are completely separate issues.</p> <p>6.2.10 We object to the final sentence and seek deletion of the words ‘and effective access into the adjacent Site 4 (Frank & Whittome)’.</p> <p>The text should be revised.</p> <p>6.2.11 Plan - Design Principles for Sites 4 and 5</p> <p>Whilst we have no objection to designing the redevelopment of Site 5 to allow the walkway across the Creek frontage, we are concerned at the indicative notation ‘positive public space’ across quite a wide swathe of Site 5.</p> <p>Neither the policy nor the accompanying text suggests the provision of public open space on the site and we object to such a notation on this plan.</p> <p>6.2.11 We are also concerned at the lines shown within the site as primary and secondary frontages, as these features shown on the Design Principles Plan may become a design constraint for a future planning application.</p> <p>COMMENTS ON THE BASIC CONDITIONS STATEMENT</p> <p>We would suggest that reference is made in the list of policy documents to:</p> <ul style="list-style-type: none"> • the National Planning Policy Guidance - 2014; • the Swale Borough Council Strategic Flood Risk Assessment 2009; • Swale Borough Council Strategic Flood Risk Assessment for Local Development Framework - Level 1 and 2 Assessments - Supplementary Document, October 2010. <p>We would question the inclusion of the Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek within the list of policy and other documents.</p> <p>The report was not prepared by any public body or consultants appointed by a public body, but by local volunteers.</p> <p>It is understood that the report has not been adopted by the Town Council in terms of its content or conclusions.</p>	

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			<p>COMMENTS ON CONSULTATION STATEMENT</p> <p>The November 2014 Consultation Statement summarises the site specific comments in respect of Site 5 and Policies SWQ on page 49.</p> <p>We would, however, comment that the representations submitted in respect of the Pre-Submission Consultation, June 2014, also set out a number of general comments which are recorded against Representor 05 and on pages 21 and 22.</p> <p>We would ask to be advised of the next stages of the Plan-making process, etc. Attached a series of emails to tenants of these sites discussing the proposals.</p>	
FCNP56	SWAN QUAY LLP & HILARY RIVA	Support, object and comment	<p>REPRESENTATIONS IN RESPECT OF FAVERSHAM CREEK NEIGHBOURHOOD PLAN - SUBMISSION VERSION - NOVEMBER 2014 REPRESENTATIONS ON BEHALF OF SWAN QUAY LLP & HILARY RIVA IN RESPECT OF SITE 4 - FRANK & WHITTOME</p> <p>Representations have been submitted on behalf of the landowners throughout the Faversham Creek Plan-making process - initially commenting on the 2010 Tony Fullwood Report, presenting proposals at the Faversham Creek Neighbourhood Plan Exhibition in May 2012 and submitting representations at the various consultation stages in the Draft Neighbourhood Plan, including in response to the June 2014 consultation in respect of the Pre-Submission Draft Plan.</p> <p>This representation comprises the landowners' formal representation in response to the following Faversham Creek Neighbourhood Plan Documents - November 2014:</p> <ul style="list-style-type: none"> • Submission Version; and • Basic Condition Statement. <p>COMMENTS ON FAVERSHAM CREEK NEIGHBOURHOOD PLAN SUBMISSION VERSION</p> <p>1. The Vision and Objectives</p> <p>1.1 We welcome the revision to the Vision in response to our June 2014 representations that the development proposals outlined in the Plan may involve uses in addition to 'new businesses'.</p> <p>We, therefore, support the text:</p> <p>"and enriched by new businesses and uses."</p> <p>1.2 Objective 9 - We welcome the revision from the June 2014 Draft Plan which now reads:</p> <p>"by providing focal areas of activity."</p> <p>1.3 Objective 11 - As before - we support the recognition that redevelopment is needed and that new housing is appropriate.</p> <p>1.4 Objective 12 and Objective 13 - We would reiterate our previous comments as follows:</p>	<ul style="list-style-type: none"> • Representations have been submitted on behalf of the landowners throughout the Faversham Creek Plan-making process. • Welcome the revision to the Vision in response to our June 2014 representations and therefore support the text: "<i>and enriched by new businesses and uses.</i>" • Welcome the revision to objective 9 from the June 2014 Draft Plan which now reads: "<i>by providing focal areas of activity.</i>" • Objective 11 - support the recognition that redevelopment is needed and that new housing is appropriate. • Objective 12 and Objective 13 -Reiterate our previous comments: although the Faversham Creek Plan Area has a maritime link, many of its current and former uses do not have a maritime link. The wording of this Objective should be revised to acknowledge the more recent history of the Creek Area; significant residential development and many buildings dating from the 20th Century, whereas the Plan would suggest that it is solely a historic/maritime area. • The wording of the Objective in seeking to '<i>protect and enhance the Creek... for educational and economic purposes</i>' is not in accordance with other Objectives such as Objective 11 nor a number of the site proposals which recognise that new housing can be provided within the Creek Area, as either wholly residential developments or as part of mixed use developments. • Objective 14 - As before - We would comment that the Objective should acknowledge that, through redevelopment, the townscape will change. • <i>Objective 15</i> - We would comment that it may not be practical for the creek edge pedestrian route to also be accessible to cyclists. • Background to the Plan - support the recognition that the character of the Creek Area has changed significantly with the decline of industry and also the recognition of navigation difficulties as a result of silting and the Swing Bridge. <p><u>Page 14 - Specific Sites under Consideration</u></p> <ul style="list-style-type: none"> • The text comments: "<i>A number of sites within the area most of which are currently designated for employment use...</i>" • Whilst Ordnance Wharf is specifically designated for employment development under Adopted Swale Borough Local Plan Policy B17, the following sites do not have a specific employment policy allocation, albeit that employment was the last use and the sites fall within the Local Plan Policy AAP2 Area: <ul style="list-style-type: none"> • the Former Frank & Whittome site on the town side of Belvedere Road; • Swan Quay; • Former Oil Depot;

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			<p>Landowners Comments: We would comment that, although the Faversham Creek Plan Area has a maritime link (the Plan Area encircling the Creek Waterway), many of its current and former uses do not have a maritime link.</p> <p>We would comment that the wording of this Objective should be revised to acknowledge the more recent history of the Creek Area. The Plan Area includes significant residential development and many buildings dating from the 20th Century, whereas the Plan, as drafted, would suggest that it is solely a historic/maritime area.</p> <p>We would also comment that the wording of the Objective in seeking to 'protect and enhance the Creek... for educational and economic purposes' is not in accordance with other Objectives such as Objective 11 nor a number of the site proposals which recognise that new housing can be provided within the Creek Area, as either wholly residential developments or as part of mixed use developments.</p> <p>1.5 Objective 14 - As before - We would comment that, within the overall plan area, there are a number of sites where new development/redevelopment will be proposed during the Plan period. The Objective should acknowledge that, through redevelopment, the townscape will change.</p> <p>1.6 Objective 15 - We note the objective to create a Creek edge pedestrian route.</p> <p>We would, however, comment that it may not be practical for this route to also be accessible to cyclists.</p> <p>2. Background to the Plan</p> <p>2.1 We support the recognition that the character of the Creek Area has changed significantly with the decline of industry and also the recognition of navigation difficulties as a result of silting and the Swing Bridge.</p> <p>2.2 Page 14 - Specific Sites under Consideration</p> <p>The text comments:</p> <p>"A number of sites within the area most of which are currently designated for employment use..."</p> <p>Whilst the Ordnance Wharf site is specifically designated for employment development under Adopted Swale Borough Local Plan Policy B17, the following sites do not have a specific employment policy allocation, albeit that employment was the last use and the sites fall within the Local Plan Policy AAP2 Area:</p> <ul style="list-style-type: none"> • the Former Frank & Whittome site on the town side of Belvedere Road; • Swan Quay; • Former Oil Depot; • Former Coach Depot; • Standard Quay. 	<ul style="list-style-type: none"> • Former Coach Depot; • Standard Quay. • <u>Urban Analysis - Development Opportunities</u> - Welcome the acknowledgement on page 19 that Site 4 - Frank & Whittome - and Site 5 - Swan Quay: <i>"are within a fine grained area of tightly knitted development and new proposals should respond to this in an appropriate manner."</i> • However, suggest that the final sentence be deleted. This is a detailed matter to be considered in a planning application: <i>"It must also have regard for the impact such development will have on the opposite bank of the Creek, in particular, the view from the Front Brents."</i> • <u>Context of the Creek - People/Life + Vitality</u>: Welcome the recognition that residential developments - as well as businesses - could enable the Creekside to make a greater contribution to the towns' economy. • <u>Easy to Get Around</u> - Are concerned at the emphasis on access to Creekside sites as a potential constraint - both for construction work and the eventual use of new developments. Ordnance Wharf, Standard Quay, Coach Depot and Oil Depot were all accessed by commercial vehicles during their last uses. Construction access is temporary in nature. Subsequent access will be predominantly for residential use, which would be more appropriate on the highway network. • Potential for providing car parking on sites is for the planning application process and not necessarily a constraint. Due to flood risk issues, the ground floor of new buildings will be available for car parking as appropriate. • <u>Homes for People</u> - Welcome the acknowledgement that there is scope for residential development on some sites within the Plan area and the contribution that this will make to housing land supply and potentially provide revenues from developer contributions. Object to the sentence: <i>"Some sites also have access limitations which could affect viability"</i> - without definition of which sites are considered to have such limitations. • <u>Places - Enhancing the Historic Environment - Conservation Areas</u>: Object to identification of 'heritage issues' as a constraint on new development. • Heritage Assets - the Conservation Area and Listed Buildings - set the context for the individual sites and development proposals are to be considered against planning policies and guidance. This text could be rephrased more positively referring to opportunities within the planning policy context. Are concerned at the paragraph: • <i>"In addition to statutory constraints, any development which reduces access to, or attractiveness of heritage sites and activities on the Creekside, along with issues of diversity and environmental impact, may have a negative economic impact on heritage tourism, an important component of Faversham's economy."</i> • The meaning and purpose of this text is not clear and should be redrafted. • Water: Reducing Flood Risk: It is acknowledged that under the 2010 Document relating to Flood Zone 3A(i), ground floor residential use will not be permitted within areas at risk of flooding, but object to the wording of the following paragraph: <i>"To be viable, residential developments may need to be 3-4 storeys, but this conflicts with feedback from public consultations and on some sites, may conflict with Conservation Area considerations (e.g. obstruction of views, impact on roofscapes, proximity to Heritage Assets)."</i> • The text should acknowledge the need for site specific Flood Risk Assessments to demonstrate that flood risk is taken into account in developing proposals, whilst at the same time, taking into account site context including issues relating to Heritage Assets, e.g. <i>"On sites at risk of flooding more vulnerable uses such as residential development are not</i>

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			<p>3. Urban Analysis - Development Opportunities</p> <p>3.1 We welcome the acknowledgement on page 19 that Site 4 - Frank & Whittome - and Site 5 - Swan Quay:</p> <p>“are within a fine grained area of tightly knitted development and new proposals should respond to this in an appropriate manner.”</p> <p>We do, however, suggest that the final sentence should be deleted. This is a detailed matter to be considered in a planning application:</p> <p>“It must also have regard for the impact such development will have on the opposite bank of the Creek, in particular, the view from the Front Brents.”</p> <p>4. Context of the Creek</p> <p>People/Life + Vitality</p> <p>4.1 We welcome the recognition that residential developments - as well as businesses - could enable the Creekside to make a greater contribution to the towns’ economy.</p> <p>4.2 Easy to Get Around</p> <p>We are concerned at the emphasis on access to Creekside sites as a potential constraint - both for construction work and the eventual use of new developments.</p> <p>The various sites referred to at Ordnance Wharf, Standard Quay, Coach Depot and Oil Depot were all accessed by commercial vehicles during their last uses.</p> <p>Construction access is temporary in nature.</p> <p>Subsequent access will be predominantly for residential use, which would be more appropriate on the highway network than continuing commercial use and access by large, commercial vehicles.</p> <p>Similarly, the junction of Quay Lane and Belvedere Road provided access to the former industrial uses which lined Belvedere Road.</p> <p>The potential for providing car parking on redevelopment sites is a matter for the planning application process and not necessarily a constraint.</p> <p>Due to flood risk issues, the ground floor of new buildings will be available for car parking as appropriate for each particular sites redevelopment.</p> <p>4.3 Homes for People</p> <p>We welcome the acknowledgement that there is scope for residential development on some sites within the Plan area, and the contribution that this will make to housing land supply and</p>	<p>located on the ground floor (garages would be acceptable).”</p> <ul style="list-style-type: none"> • Creekwide Policies: Request inclusion of “new homes” within the second sentence to reflect the wording of the table - Creekwide Planning Policies. • Policy HE1: Should recognise the scope for more contemporary design in appropriate situations, as recognised in the NPPF and Section 4.25 of the FCNP. • Policy HE2: The wording should make reference to Paragraph 128 of the NPPF: “The level of detail should be proportionate to the Assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.” • Policy HE3: This is a disproportionate requirement for relatively modest developments. - Swale Borough Council has the power to impose conditions on a planning permission requiring the submission for approval of a Construction Management Plan, where appropriate. This policy should be deleted. • Design Quality - Policy Objectives: Object to the final Objective requiring planning applications to demonstrate how the proposals relate to the wider Faversham context. This is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals. • Policy DP1: In accordance with the Planning Act, the wording of the policy should be amended to read: “Any new development shall be required to preserve or enhance the character ...” • The buildings in the Conservation Area are constructed of a wide range of materials and it is not appropriate to specify stock-brick and weatherboarding. Should use - <i>appropriate to its setting</i>. • Object to a height limitation in this general policy - if appropriate, it should be specified within the site specific policies. • Policy DP2: Object to the wording of this policy as drafted, it should be deleted. The proposed HE policies, which should be in accordance with the NPPF, set out the requirements for development proposals to have regard to their setting and Heritage Assets, which include consideration of views and roofscapes. • Policy DQ4: Object to the requirement that new development proposals ‘need to reflect the historic urban grain of the area’. The sites have had a variety of uses and built form, and it is difficult to require schemes to reflect a historic urban grain as it is not known which ‘historic grain’. Request rewording to: “... of all new development should reflect the specific urban characteristics of each part....” • Policy DQ5: object to policy requiring planning applications to demonstrate how the proposals relate to the wider Faversham context. This is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals. • Community, Leisure + Recreation: Object to the Policy Objective as it would require any development proposal to include the specified facilities - this is not appropriate or reasonable. This Objective was also included as the third Objective in the Business, Tourism & Employment Section, but does not refer to: “within any development.” • Policy CLR1: Object to the requirement which would additionally require the provision of access for leisure and educational activities. This wording goes beyond a requirement for pedestrian access across Creekside sites. • Policy CLR2: Object to applications including an appraisal of options for the provision of public spaces and leisure amenities. Such a requirement would be in conflict with the Site Specific Policies as in developing the Site Specific Policies, consideration has been given to

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			<p>potentially provide revenues from developer contributions.</p> <p>We object to the sentence:</p> <p>“Some sites also have access limitations which could affect viability”</p> <ul style="list-style-type: none"> - without definition of which sites are considered to have such limitations. <p>4.4 Places - Enhancing the Historic Environment - Conservation Areas</p> <p>We object to identification of ‘heritage issues’ as a constraint on new development.</p> <p>Heritage Assets - the Conservation Area and Listed Buildings - set the context for the individual sites and development proposals are to be considered against planning policies and guidance.</p> <p>This text could be rephrased more positively referring to opportunities within the planning policy context.</p> <p>We are concerned at the paragraph:</p> <p>“In addition to statutory constraints, any development which reduces access to, or attractiveness of heritage sites and activities on the Creekside, along with issues of diversity and environmental impact, may have a negative economic impact on heritage tourism, an important component of Faversham’s economy.”</p> <p>The meaning and purpose of this text is not clear and should be redrafted.</p> <p>4.5 Water</p> <p>Reducing Flood Risk</p> <p>Whilst it is acknowledged that under the 2010 Document relating to Flood Zone 3A(i), ground floor residential use will not be permitted within areas at risk of flooding, we object to the wording of the following paragraph:</p> <p>“To be viable, residential developments may need to be 3-4 storeys, but this conflicts with feedback from public consultations and on some sites, may conflict with Conservation Area considerations (e.g. obstruction of views, impact on roofscapes, proximity to Heritage Assets).”</p> <p>Instead, the text should acknowledge the need for site specific Flood Risk Assessments to demonstrate that flood risk is taken into account in developing proposals, whilst at the same time, taking into account site context including issues relating to Heritage Assets, e.g. “On sites at risk of flooding more vulnerable uses such as residential development are not located on the ground floor (garages would be acceptable).”</p> <p>5. Creekwide Policies</p> <p>5.1 Request inclusion of “new homes” within the second sentence to reflect the wording of</p>	<p>the options for each site to provide public spaces and leisure amenities.</p> <ul style="list-style-type: none"> • Policy CLR3: Object to this policy as the requirement for public consultation should be in accordance with the NPPF and the requirements of Swale Borough Council. • It may be an overall objective to ‘reinforce the Creek’s public destination potential...’ (third business, tourism and employment objective) but the text may be interpreted as requiring the specified facilities for each and every development - this is not appropriate or reasonable. • Policy BTE1: If this policy is intended to be applied solely to business, tourism and employment proposals - if so, the policy should be reworded as follows: “<i>Any new business, tourism or employment development will be required ...</i>” • This policy appears to be a design policy - it does not refer to uses but ‘<i>design, scale and materials</i>’. The policy should, therefore, be in the design section and not as a business, tourism or employment policy which would be a land use policy. • BTE Projects: Development of workshop and studio space for businesses should be addressed through the Site Specific Policies rather than indicated as general projects within the Plan. Aims to support businesses which provide craft and skills training and apprenticeships is not within the remit of a Development Plan. The role of the Creek and its marketing as a tourism destination is more of an objective than a specific project. • New Homes: Support the recognition of need for new housing in Faversham and acknowledgement that residential development could be permitted above ground floor level to assist with the viability of mixed use schemes and to provide activity throughout the day and evening and that new housing will contribute land supply in Faversham. • Policy HO1: Support Policy HO1 but would draw attention to our comments on other Area-wide policies. • Policy HO2: This policy requires all housing developments to provide affordable and, as no threshold is included, places a much greater burden on development of sites within the Creek Plan Area than would be applied in the rest of Faversham or the Borough. Policy needs to reflect National requirements and recognise that, in some cases, site viability may preclude the provision of affordable housing or other developer contributions. • Policy HO3 - Object to the wording which is too prescriptive. • Associated Housing Policies: There have been references to the creation of a ‘Creek Fund’ to which development contributions would be sought from new developments. The text on page 60 suggests that funding could be raised through Section 106 or CIL which would be sought by Swale Borough Council and potentially other sources. There is no detail of the proposed mechanism and requiring Creek infrastructure contributions in addition to the ‘standard’ developer contributions would impose additional costs on development sites at Faversham Creek. Any Creek Infrastructure Fund policy must be developed in conjunction with Swale Borough Council and Kent County Council, so that it does not impose additional burdens. • Infrastructure - Policy Objectives - Third objective: reiterate comments from above. As drafted, this would require any development proposal to include the specified facilities - this is not appropriate or reasonable. • Policy INF3: This policy is also be binding upon local authorities in implementation of hard landscaping schemes. The proposals of the Streetscape Strategy may not have been subject to detailed assessment by the respective public bodies and may not be wholly acceptable. • The Streetscape Strategy was subject to consultation prior to the publication of a Draft Neighbourhood Plan, but has not been subject to independent Examination and thus its

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			<p>the table - Creekwide Planning Policies.</p> <p>5.2 Policy HE1:</p> <p>“Any new development or alteration to an existing structure will be required in its design, scale and materials to preserve or enhance the setting of Heritage Assets, whether designated or undesignated, and the historic character of the Creekside, and to have regard to the guidance in the Faversham Creek Streetscape Strategy.”</p> <p>The policy should recognise the scope for more contemporary design in appropriate situations, as recognised in the NPPF and Section 4.25 of the FCNP.</p> <p>5.3 Policy HE2:</p> <p>“Any application for new development or alteration to an existing structure must include an appraisal of the site in its surroundings, with detailed drawings accurately showing its relationship to Heritage Assets, whether designated or undesignated, including roofscapes and views, the application must clearly explain how the development proposals have taken account of the findings of such an appraisal.”</p> <p>It is requested that the wording of this policy is expanded to make reference to Paragraph 128 of the NPPF:</p> <p>“The level of detail should be proportionate to the Assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”</p> <p>5.4 Policy HE3:</p> <p>“Any application for new development or alteration to an existing structure must include an appraisal of the impact of construction work and traffic on Heritage Assets whether designated or undesignated.”</p> <p>It is submitted that this is a disproportionate requirement - it would not be reasonable to require such an appraisal for relatively modest developments.</p> <p>The determining body for any planning application - Swale Borough Council - has the power to impose conditions on a planning permission requiring the submission for approval of a Construction Management Plan, where appropriate.</p> <p>It is requested that this policy is deleted.</p> <p>5.5 Design Quality - Policy Objectives</p> <p>We object to the final Objective requiring planning applications to demonstrate how the proposals relate to the wider Faversham context, etc.</p> <p>It is submitted that this is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals.</p>	<p>proposals should not be specified as policy requirements in the Creek Plan. The wording of this policy should be amended to read: “<i>and to have regard to the guidance in the Faversham Creek Streetscape Strategy.</i>” The references to the Streetscape Strategy elsewhere in the Plan have already been amended to this form of wording.</p> <ul style="list-style-type: none"> • Page 39 - Creek Central: Support the mixed use redevelopment of Sites 4 and 5, but appropriate uses may not necessarily only fall within ‘creative industries’. The previous Draft Plan and Policy FW1 in this Draft Plan proposes a wider mix of uses than just ‘creative industries’. • Plan - Design Principles - for Sites 4 and 5: The Plan indicates the buildings currently in use by Creek Creative as a ‘potential site for a new landmark’. Our proposals for part of the site include a new rear entrance to the Creek Creative from Belvedere Road, replacing the existing single-storey extension with a new building with residential accommodation above. This is shown by the red star applied to the Plan, attached. • Site Context: the Draft Plan refers to ‘undesignated’ Heritage Assets although the reference in the NPPF is to ‘non-designated’ Heritage Assets. • The Suggested Redevelopments, Designs and Land Uses: We have commented in previous representations in respect of the references to continued use of part of the site by Creek Creative. The plan needs to be flexible to take account of changes that may occur during this time and to ensure that buildings are in a viable use. Suggests that text be removed as per the following suggested amendment: “<i>Parts of the buildings running between Abbey Street and Belvedere Road are used by Creek Creative and the organisation should continue to use these parts of the complex. If Creek Creative ceases....</i>” • The following paragraph states that the remainder of the building is be used as a mixture of Class B1 offices and/or workshops and residential. We support this mix of uses. The final sentence of this paragraph requires additional wording at the end “<i>with residential above</i>”. • Object to the requirement that any applications need to provide: “<i>effective access into the adjacent Site 5 (Swan Quay).</i>” Text should be deleted. • The draft planning application drawings were presented to the close Abbey Street neighbours and local businesses during the Plan consultation. The owner’s summaries of neighbour and business comments are attached as an appendix. These comments were submitted to the June 2014 Consultation but are not referred to in the Consultation Statement. Ask that these comments be noted as responses to the Neighbourhood Plan consultation. • Support Policy FW1 although we previously suggested the following Policy for Site 4: “<i>Planning permission will be granted for alternative uses for the existing buildings on the site, including, if appropriate, alterations, extensions and redevelopment to secure viable new uses which would contribute the regeneration of the area.</i>” • <i>Alternative uses would include residential and business uses within Use Class B1. Proposals will need to take account of:</i> <ul style="list-style-type: none"> · <i>flood risk;</i> · <i>the sites location in a Conservation Area and its relationship to nearby Listed Buildings;</i> · <i>the relationship with existing residential properties.”</i> • Believe that the principles of the Faversham Creek Neighbourhood Plan accord with the principles of Policy NP1 of the Publication version of the New Swale Borough Local Plan 2014. • Frank & Whittome Site Specific Projects : <i>retaining and repairing the existing blue scoria</i>

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			<p>5.6 Policy DP1:</p> <p>“Any new development shall be required to enhance the character of the area and to be appropriate in height, mass and materials. In most cases, this will mean buildings constructed or clad in materials typical for the area, (including stock-brick and weatherboarding), with any pitched roofs being of slate or tile (solar panels will be acceptable), and no more than three-storeys in height and preferably less.”</p> <p>In accordance with the Planning Act, the wording of the policy should be amended to read: “Any new development shall be required to preserve or enhance the character ...”</p> <p>We would also comment that the buildings in the Conservation Area are constructed of a wide range of materials and that it would not be appropriate to specify stock-brick and weatherboarding.</p> <p>A more broader form of wording should be used such as - appropriate to its setting.</p> <p>We would also object to a height limitation in this general policy - if appropriate, height limitations should be specified within the site specific policies.</p> <p>5.7 Policy DP2:</p> <p>“New buildings shall not be permitted to interrupt views or roofscapes identified in the Faversham Conservation Area Character Appraisal or the undesignated Heritage Assets and Values.”</p> <p>We object to the wording of this policy as drafted.</p> <p>The proposed HE policies, which should be in accordance with the NPPF, set out the requirements for development proposals to have regard to their setting and Heritage Assets, which include consideration of views and roofscapes.</p> <p>It is submitted that this policy should be deleted.</p> <p>5.8 Policy DQ4</p> <p>Object to the requirement that new development proposals ‘need to reflect the historic urban grain of the area’.</p> <p>The various redevelopment sites have had a variety of uses and built form over time, and it is, therefore, difficult to require schemes to reflect a historic urban grain as it is not known which ‘historic grain’.</p> <p>We request rewording to:</p> <p>“... of all new development should reflect the specific urban characteristics of each part...”</p>	<p><i>paviours at the junction of Belvedere Road and Quay Lane as necessary.”</i> _Would comment that the treatment of external spaces will be considered in detail in planning applications, with due regard paid the overall Streetscape Strategy, as appropriate. Due regard would need to be paid to the issues of landownership and Public Realm.</p> <ul style="list-style-type: none"> • THE BASIC CONDITIONS STATEMENT: suggest that reference is made in the list of policy documents to: <ul style="list-style-type: none"> ○ the National Planning Policy Guidance - 2014; ○ the Swale Borough Council Strategic Flood Risk Assessment 2009; ○ Swale Borough Council Strategic Flood Risk Assessment for Local Development Framework - Level 1 and 2 Assessments - Supplementary Document, October 2010. • Would question the inclusion of the Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek within the list of policy and other documents as it was not prepared by any public body but by local volunteers and the report has not been adopted by the Town Council in terms of its content or conclusions. • Ask to be kept advised of the further stages of the Plan-making process. • Attached a series of emails to tenants of these sites discussing the proposals and a map of their site.

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			<p>5.9 Policy DQ5</p> <p>We object to this policy requiring planning applications to demonstrate how the proposals relate to the wider Faversham context, etc.</p> <p>It is submitted that this is an excessive requirement placing an unreasonable burden on developers requiring proposals to be tested in a way that would not be required for other development proposals.</p> <p>5.10 Community, Leisure + Recreation Object to the Policy Objective: “Reinforce the Creek’s public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users.”</p> <p>As drafted, this would require any development proposal to include the specified facilities - this is not appropriate or reasonable.</p> <p>This Objective was also included as the third Objective in the Business, Tourism & Employment Section, but does not refer to: “within any development.”</p> <p>5.11 Policy CLR1: “Any new development on any waterfront site shall provide public right of access to the waterfront for leisure and educational activities.”</p> <p>Whilst we note the objective of the Plan to secure a continuous Creek walkway, to be achieved through the development of waterfront sites, we object to the requirement of Policy CLR1 which would additionally require the provision of access for leisure and educational activities.</p> <p>We would comment that this wording goes beyond a requirement for pedestrian access across Creekside sites.</p> <p>5.12 Policy CLR2: “Any application for new development on any waterfront site must include an appraisal of options for the provision of Public Spaces and leisure amenities, including slipways and moorings, and must explain clearly how the proposals have taken account of this appraisal.”</p> <p>We also object to Policy CLR2 for any application to include an appraisal of options for the provision of public spaces and leisure amenities.</p> <p>Such a requirement would be in conflict with the Site Specific Policies.</p> <p>In developing the Site Specific Policies, consideration has been given to the options for each site to provide public spaces and leisure amenities.</p>	

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			<p>5.13 Policy CLR3</p> <p>“Community involvement and consultation must be carried out as part of the planning application process.”</p> <p>We object to this policy.</p> <p>The requirement for public consultation should be in accordance with the NPPF and the requirements of the Local Planning Authority - in this case, Swale Borough Council.</p> <p>5.14 Whilst it may be an overall objective to ‘reinforce the Creek’s public destination potential...’ (third business, tourism and employment objective) as drafted, the text may be interpreted as requiring the specified facilities for each and every development - this is not appropriate or reasonable.</p> <p>5.15 Policy BTE1:</p> <p>“Any new development will be required in its design, scale and materials to enhance the Creekside Area as a visitor attraction, and as attractive location for new businesses.”</p> <p>It is questioned whether this policy is intended to be applied solely to business, tourism and employment proposals - if so, the policy should be reworded as follows:</p> <p>“Any new business, tourism or employment development will be required ...”</p> <p>The policy as drafted suggests that all developments would need to comply whereas not all site specific proposals include business, tourism or employment development.</p> <p>We would also comment that this policy appears to be a design policy - it does not refer to uses but ‘design, scale and materials’.</p> <p>We would comment that the policy should, therefore, be in the design section and not as a business, tourism or employment policy which would principally be a land use policy.</p> <p>5.16 BTE Projects include:</p> <ul style="list-style-type: none"> • development of workshop and studio space for rent, particularly affordable units for smaller/start-up businesses; • development of maritime-related and heritage businesses; • development of businesses which provide craft and skills training and apprenticeships; • greater emphasis on the Creek and its historic environment, maritime, creative arts, retail/catering and natural environment offer, within the marketing of Faversham as a tourism destination. 	

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			<p>We would comment that development of workshop and studio space for businesses should be addressed through the Site Specific Policies rather than indicated as general projects within the Plan.</p> <p>Aims to support businesses which provide craft and skills training and apprenticeships is not within the remit of a Development Plan.</p> <p>The role of the Creek and its marketing as a tourism destination is more of an objective than a specific project.</p> <p>5.17 New Homes</p> <p>We support the recognition of need for new housing in Faversham and acknowledgement that residential development could be permitted above ground floor level to assist with the viability of mixed use schemes and to provide activity throughout the day and evening, and that new housing will contribute to Objective 11 - land supply in Faversham.</p> <p>5.18 Policy HO1:</p> <p>“New housing will be permitted as specified in individual site policies, subject to other area-wide policies.”</p> <p>We support Policy HO1 but would draw attention to our comments on other Area-wide policies.</p> <p>5.19 Policy HO2:</p> <p>“In all new developments, 35% of these dwellings will be affordable.”</p> <p>This policy as drafted requires all housing developments to provide affordable and, as no threshold is included, places a much greater burden on development of sites within the Creek Plan Area than would be applied in the rest of Faversham or the Borough.</p> <p>Nationally, affordable housing is now not required for schemes of 10 units or less.</p> <p>This policy needs to be redrafted to reflect National requirements and also to recognise that, in some cases, site viability may preclude the provision of affordable housing or other developer contributions.</p> <p>5.20 Policy HO3 - Object to the wording which is too prescriptive.</p> <p>The policy wording can be less specific, cross-referencing to the need for development proposals to take into account the heritage and design policies of the Neighbourhood Plan, site context, etc.</p> <p>5.21 Associated Housing Policies</p> <p>During the previous stages of the Plan-making process there have been references to the creation of a ‘Creek Fund’ to which development contributions would be sought from new</p>	

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			<p>developments which would together fund Creek infrastructure and improvements to the public domain.</p> <p>The text on page 60 - Delivery of Public Realm Improvement - suggests that funding could be raised through Section 106 contributions or Community Infrastructure Levy which would be sought by Swale Borough Council and potentially other sources.</p> <p>There is no detail of the proposed mechanism and we would comment that requiring Creek infrastructure contributions in addition to the 'standard' developer contributions that would be sought by Swale Borough Council, (including affordable housing) and Kent County Council, would impose additional costs on development sites at Faversham Creek which would make these sites more costly to develop than sites elsewhere in Faversham or in the rest of the Borough.</p> <p>Any Creek Infrastructure Fund policy must, therefore, be developed in conjunction with Swale Borough Council and Kent County Council, so that it does not impose additional burdens on sites at Faversham Creek.</p> <p>5.22 Infrastructure - Policy Objectives</p> <p>With respect to the third objective, we would reiterate our comments from above.</p> <p>"Reinforce the Creek's public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways and public toilet and changing facilities for water users."</p> <p>As drafted, this would require any development proposal to include the specified facilities - this is not appropriate or reasonable.</p> <p>5.23 Policy INF3:</p> <p>"Any new road and footway surface treatments and street furniture including signage will be in accordance with the standard specified in the Faversham Creek Streetscape Strategy and shall be DDA compliant."</p> <p>This policy is principally aimed at existing and potential future Public Realm areas, many of which are outside the confines of development sites and the policy would, therefore, also be binding upon local authorities in implementation of hard landscaping schemes.</p> <p>The proposals of the Streetscape Strategy may not, in all cases, have been subject to detailed assessment by the respective public bodies and may not, therefore, be wholly acceptable.</p> <p>Whilst the Streetscape Strategy was subject to consultation prior to the publication of a Draft Neighbourhood Plan, it has not been subject to independent Examination and thus its proposals should not be specified as policy requirements in the Creek Plan.</p> <p>It is, therefore, submitted that the wording of this policy should be amended to read:</p> <p>"and to have regard to the guidance in the Faversham Creek Streetscape Strategy."</p>	

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			<p>The references to the Streetscape Strategy elsewhere in the Plan have already been amended to this form of wording.</p> <p>6. Site Specific Policies</p> <p>6.1 Page 39 - Creek Central</p> <p>Although we support the mixed use redevelopment of Sites 4 and 5, appropriate uses may not necessarily only fall within 'creative industries'.</p> <p>The previous Draft Plan and Policy FW1 in this Draft Plan proposes a wider mix of uses than just 'creative industries'.</p> <p>6.2 Plan - Design Principles - for Sites 4 and 5</p> <p>6.2.1 The Plan indicates the buildings currently in use by Creek Creative as a 'potential site for a new landmark'.</p> <p>Our proposals for the development of part of the site include a new rear entrance to the Creek Creative building on the Belvedere Road frontage, replacing the existing single-storey extension with a new building with residential accommodation above. This is in the position shown by the red star applied to the Plan, attached.</p> <p>6.3 Site Context</p> <p>In many places, the Draft Plan refers to 'undesignated' Heritage Assets although the reference in the NPPF is to 'non-designated' Heritage Assets.</p> <p>6.4 The Suggested Redevelopments, Designs and Land Uses</p> <p>6.4.1 We have commented in previous representations in respect of the references to continued use of part of the site by Creek Creative.</p> <p>Creek Creative operate parts of the building on a lease and the Neighbourhood Plan covers a lengthy timeframe. In our view, the plan needs to be sufficiently flexible to take account of changes that may occur during this time and to ensure that buildings are in a viable use.</p> <p>We would ask, therefore, that text be removed as per the following suggested amendment:</p> <p>"Parts of the buildings running between Abbey Street and Belvedere Road are used by Creek Creative and the organisation should continue to use these parts of the complex. If Creek Creative ceases...."</p> <p>6.4.2 The following paragraph states that the remainder of the building is be used as a mixture of Class B1 offices and/or workshops and residential. We support this mix of uses.</p> <p>With respect to the final sentence of this paragraph, we would ask that additional wording is added at the end "with residential above".</p>	

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			<p>6.4.3 We object to the requirement that any applications need to provide: “effective access into the adjacent Site 5 (Swan Quay).”</p> <p>This text should be deleted.</p> <p>6.4.4 The draft planning application drawings have been presented to the close Abbey Street neighbours and local businesses during the Plan consultation.</p> <p>The owners’ summary of the discussion at the mini exhibition and the neighbour and business comments are attached as an appendix, as follows:</p> <ul style="list-style-type: none"> • David Selves of the Faversham Creek Hotel; • Mike Harmsworth of M Harmsworth Construction; • Jonathan Neame of Shepherd Neame; • Anne MacLaren of Creek Creative; • Duncan and Jill Fielder of 26 Court Street; • The owners’ summary of the mini exhibition for the Abbey Street residents; • the response from Julian and Amanda Mannering of 13 Abbey Street. <p>These comments were all submitted as part of the June 2014 Consultation but are not referred to in the Consultation Statement.</p> <p>We would ask that these comments be noted as responses to the Neighbourhood Plan consultation.</p> <p>6.4.5 We support Policy FW1 although in March 2014 and our June 2014 representations, we suggested the following Policy for Site 4:</p> <p>“Planning permission will be granted for alternative uses for the existing buildings on the site, including, if appropriate, alterations, extensions and redevelopment to secure viable new uses which would contribute the regeneration of the area.</p> <p>Alternative uses would include residential and business uses within Use Class B1.</p> <p>Proposals will need to take account of:</p> <ul style="list-style-type: none"> • flood risk; • the sites location in a Conservation Area and its relationship to nearby Listed Buildings; • the relationship with existing residential properties.” <p>6.4.6 We believe that the principles of the Faversham Creek Neighbourhood Plan accord with the principles of Policy NP1 of the Publication version of the New Swale Borough Local Plan 2014.</p> <p>6.4.7 Frank & Whittome Site Specific Projects</p> <ul style="list-style-type: none"> • retaining and repairing the existing blue scoria pavements at the junction of Belvedere Road 	

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			<p>and Quay Lane as necessary.”</p> <p>We would comment that the treatment of external spaces will be considered in detail in planning applications, with due regard paid the overall Streetscape Strategy, as appropriate.</p> <p>Due regard would need to be paid to the issues of landownership and Public Realm.</p> <p>COMMENTS ON THE BASIC CONDITIONS STATEMENT</p> <p>We would suggest that reference is made in the list of policy documents to:</p> <ul style="list-style-type: none"> the National Planning Policy Guidance - 2014; the Swale Borough Council Strategic Flood Risk Assessment 2009; Swale Borough Council Strategic Flood Risk Assessment for Local Development Framework - Level 1 and 2 Assessments - Supplementary Document, October 2010. <p>We would question the inclusion of the Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek within the list of policy and other documents.</p> <p>The report was not prepared by any public body or consultants appointed by a public body, but by local volunteers.</p> <p>It is understood that the report has not been adopted by the Town Council in terms of its content or conclusions.</p> <p>We would ask to be kept advised of the further stages of the Plan-making process, etc. Attached a series of emails to tenants of these sites discussing the proposals and a map of their site.</p>	
FCNP57	Frances Crampton	Object and comment	<ul style="list-style-type: none"> I used to live in Faversham and hope to return there so I am interested in what happens in this town. I am very worried that the proposed Plan for Faversham Creek does not take on board the new reality of what is happening in coastal towns. The wise ones are making space for maritime activities which are one of our few growth areas in the south-east. The proposed Faversham Creek Plan wishes to cram more housing into the few remaining sites along the creek, barely mentioning the plans for housing on part of the current BMM Weston site which offers higher ground with less risk of flooding. Development of this site would allow other activities, with economic benefits, to take place on the waterfront. I – and many others - have made this point on a number of questionnaires during the process but more housing directly on the waterfront is still being proposed. Indeed, the proposals seek to change current industrial zoning of Ordnance Wharf to allow residential development. 70% of online responses were against the proposals (Consultation Statement p51). This is surely not a good way to construct a Local Plan. 	<ul style="list-style-type: none"> Am worried the Plan does not take on board the new reality of what is happening in coastal towns; the wise ones are making space for maritime activities. The Plan wishes to cram more housing into the few remaining sites along the creek. Development of BMM Weston would allow other activities, with economic benefits, to take place on the waterfront. The proposals seek to change the current industrial nature of Ordnance Wharf to allow residential development even though it is not supported by 70% of respondents.
FCNP58	Sue Akhurst	Object	<ul style="list-style-type: none"> I am writing with my comments on the Faversham Creek Neighbourhood Plan (FCNP). I fully support the joint submission made by Faversham Creek Trust (FCT) and the Brents Community Association (BCA). I would like to add my additional remarks regarding the way in which the process of producing the Neighbourhood Plan has been run, and the content of the plan itself. <p>The Faversham Creek Consortium (FCC)</p> <ul style="list-style-type: none"> This group has had a major influence on the preparation of the FCNP. Four of its members 	<ul style="list-style-type: none"> Support the submission by Faversham Creek Trust (FCT) and the Brents Community Association (BCA). The Faversham Creek Consortium (FCC) had a major influence on the preparation of the FCNP and was set up by Swale Borough Council (SBC) in late 2005. The consortium could not be said to be truly representative of the people of Faversham. I asked the Chair if the Consortium could organise the compulsory purchase of Standard Quay but was told that this was impossible.

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			<p>were also appointed as members of the Faversham Creek Neighbourhood Plan Steering Group (SG) from the outset. The Consortium was set up by Swale Borough Council (SBC) in late 2005 with the following stated objectives:</p> <ul style="list-style-type: none"> ○ Identify and promote a strategy for Faversham Creek ○ Maintain a consulting and co-ordinating facility for all matters relating to Faversham Creek ○ Assist the conservation, regeneration and development of Faversham Creek ○ Encourage participation by the community in matters affecting regeneration, planning and development of Faversham Creek. <ul style="list-style-type: none"> • Although it may appear from the records that FCC is largely elected, this is not the way it appears to the general public. The first meeting was attended by, I estimate, about two hundred people. Most of the initial members were effectively co-opted on to the group to represent particular interests, for example Swale Borough Council, The Faversham Society (FS), Faversham Municipal Charities (FMC), the residents of Belvedere Walk. This pattern continued throughout the nine years (to date) of the group's life, as there was never an actual election for any member at any of the AGMs. The consortium could not be said to be truly representative of the people of Faversham, as members regularly resigned due to lack of any real progress being made by the group, and the difficulty they had in getting any action taken as a result of the views they expressed at the meetings. When members resigned, co-opted members often replaced them, some nominated by the organisations they represent, some self-nominated. • The Group met regularly, but it was difficult if not impossible to discover what they actually achieved in line with the above objectives. On several occasions I asked the Chair if the Consortium could organise the compulsory purchase of Standard Quay, which had recently changed hands with the new owner making it next to impossible for a number of the businesses operating there to continue to work effectively, including but not only Standard Quay (Faversham) Ltd. I was told that this was impossible, although I pointed out that SBC need not permanently pay for the purchase itself, but could sell the land and buildings on to a Community Interest Company or Trust, which would manage its continued use in line with the stated objectives of the then emerging plan for the Creek AAP2, SBC's <i>Character Appraisal of the Conservation Area (2004)</i> (CACA), and the wishes of the public as expressed, for example in an e-petition with 1,172 signatures (available online here: http://www.swale.gov.uk/epetitions/petitiondetail.aspx?petitionid=110) • It later emerged that, while the FCC was meeting and apparently trying to negotiate with Medway Ports Authority / Peel Ports for the dredging of the Creek and the reinstatement of the opening bridge, and negotiating for a use of the Creekside land which would conform with AAP2, CACA and the clearly expressed views of the public, some of its members and others from SBC were also meeting with developers to encourage them to buy the land neighbouring the Creek for inflated prices, with the indication that planning permission for housing would be forthcoming. In other words, from the early days of the FCC there was a conflict of interest. The prices paid for Creekside land clearly indicate that there was hope value involved. • At successive AGMs of FCC (the only public meeting each year, in spite of their articles requiring two public meetings a year), the 'membership' became increasingly frustrated at the lack of progress that was being made on any of their objectives, and attendance dwindled, with perhaps 30 people attending the 2014 AGM. It was only after the formation of Faversham Creek Trust (FCT), and FCT's meetings and discussions with Peel Ports about dredging the Creek and repairing and maintaining the bridge, that action started to be taken 	<ul style="list-style-type: none"> • After the formation of Faversham Creek Trust (FCT) and discussions with Peel Ports about dredging the Creek and repairing and maintaining the bridge, action started to be taken by Peel Ports, and FCC began to be more pro-active in their discussions with Peel Ports. • A Bridge Steering Group was established with Kent County Council (KCC), SBC, Faversham Town Council (FTC), FCT and others with considerable progress made. • Faversham Creek Neighbourhood Plan Steering Group (SG) was established in 2011 and met in private until August 2013 when the website was set up and the minutes published. The minutes were not detailed. • In September 2013 membership was extended to include representatives of community organisations and was designated as a sub-committee of FTC and therefore subject to its standing orders. These included not voting on the same proposal twice within six months, and that only the Councillors had a vote; other members' votes were only advisory. The FCT representative, who was the Chair of FCT, was excluded from discussions about the Purifier Building and the Basin as he was considered to have a non-pecuniary interest. This nullified a major reason for his presence on the SG. • Public questions at meetings were restricted to 15 minutes at the start of each meeting and little or no action or response was taken to the questions. • There was a lack of consideration for flood risk which was demonstrated by the tidal surge flood in December 2013, when some of the sites were under several feet of water. The future risk of flood is even greater. There are potential problems for residential or businesses obtaining insurance for flood risk on these sites as shown by Flood Re. The SG ignored these warnings. • By now it was clear that all the decisions had been made long before any representatives from community organisations were invited on the group. • FTC welcomed and accepted a professional business consultant to develop a Business Case for developing the Creek for maritime purposes. BCA presented a plan for the use of Ordnance Wharf as a Community Boat Yard and Community Centre, with support from FCT, and with evidence of the potential for investment, including purchasing the site, provided that residential use was excluded, since that would inflate the market value of the site. The SG ignored these reports claiming they were "not viable" while providing no evidence whatsoever that the uses they had chosen were viable. • The proposed alternative uses for Creekside sites are viable, if no residential uses are allowed. The SG and SBC stated view of the meaning of the NPPF is wrong. The SG Chair insisted that the word "sustainable" in the NPPF was "code for housing". • The plan will achieve nothing for future generations, whereas the plan that is desired by a large number of people in Faversham – a reviving and building on maritime history with skilled jobs in boat building, repair and restoration, tourist attractions, a vibrant Creekside. • If developers have paid residential value for property with an industrial classification, it is not the role of the plan to enable them to recoup their investment and make a profit. However, it seems that some indications may have been made in the past, by SBC, which have encouraged developers to make these investments. • The Undesignated Heritage Assets paper excludes some buildings at Swan Quay and the SG did not read Ray Harrison's paper on Swan Quay. The plan allows more development of this small plot than is reasonable, given the proximity of listed buildings, the flood risk, important views. • As a member of the SG's Communications and Engagement Group and the Drafting Group,

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			<p>by Peel Ports, and FCC began to be more pro-active in their discussions with Peel Ports. It was after this, and largely at the instigation of FCT, that the Bridge Steering Group was established with membership including Kent County Council (KCC), SBC, Faversham Town Council (FTC), FCT and others, and considerable progress on the bridge has been made since then. The only remaining objective for FCC, as stated at the March 2014 AGM, is to achieve an opening bridge.</p> <p>Faversham Creek Neighbourhood Plan Steering Group (SG)</p> <ul style="list-style-type: none"> This group was established in 2011, with an appointed membership with representatives from SBC, FTC and FCC, and appointed consultants. It met <i>in camera</i> until August 2013, and it was difficult if not impossible to find the minutes of the monthly meetings. It was only after August 2013 that the website was set up and the minutes published on it. As the minutes were not detailed, even when read they gave very little indication of what had happened at each meeting. It was not until September 2013 that membership was extended to include representatives of community organisations (http://www.favershamcreekneighbourhoodplan.org.uk/content/12%20September%202013%20-%20minutes.pdf) and at this point the SG was designated as a sub-committee of FTC and therefore subject to its standing orders. These included not voting on the same proposal twice within six months, and that only the Councillors had a vote; other members' votes were only advisory. Even more important, it meant that community representatives could be precluded from voting on the issues of greatest interest to them if they were deemed to have an interest. For example, the FCT representative, who was the Chair of FCT, was excluded from discussions about the Purifier Building and the Basin as he was considered to have a non-pecuniary interest. This nullified a major reason for his presence on the SG. I started to attend the meetings as soon as they were opened to the public in August 2013, and asked questions at several of the meetings. While questions from the public were invited, the time for them was restricted to 15 minutes at the start of each meeting, the questions were not accurately recorded in the minutes, and little or no action or response was taken to the questions. These questions may be read in the minutes of the SG meetings, which I hope will be considered by SBC and the Independent Examiner in due course. Questions asked include that the viability of the proposed uses was not proven and that no attempt had been made to assess the viability of alternative uses; the fact that the proposed land uses did not reflect the wishes expressed by the public in the various consultations. At the 10 December 2013 meeting I personally raised the issues of the lack of consideration for the very serious flood risk to which much of the area of the plan is subject. The severe flood risk is considered to be one in twenty years, but normally high spring tides breach the existing wharfs on several sites. This risk was alarmingly demonstrated by the major tidal surge flood which occurred on successive tides on 6 and 7 December 2013, when some of the sites were under several feet of water. The tidal water reached across Conduit Street and North Lane and into the Shepherd Neame buildings on the other side of the street, as well as flooding across Belvedere Road as far as Goldings Wharf, and well up and across Standard Quay. The future risk of flood is even greater, as shown by the government projections for mean sea level rise (see the Met Office's UK Climate Projections). The NPPF requirement is for future sea and flood levels to be taken into account when building on land that is at risk of 	<p>we tried to ensure alternative site uses were available for the most important sites. The SG was not willing to listen to any alternatives.</p> <ul style="list-style-type: none"> Consultation - The Draft Plan went out to consultation in mid May 2014. They had 200 responses to their unmanageable, unscientific, unanalysable survey. Their consultation report fails to include the majority of responses in it. Many of the responses analysed were from interested parties including land-owners and the only responses which have led to changes in the plan came from landowners and statutory consultees. Even though only 30% of the respondents supported the plan as drafted no changes have been made to the plan to reflect the views of the other 70%. FCT/BCA, in partnership with BMM Weston, produced an alternative consultation. We received 462 responses and submitted our results to the SG and FTC, these were ignored. The Consultants and The Consultation - Several private companies have been involved in the FCNP. Ferial Urbanism made some changes to the plan which could be considered to be "substantive", even after the version which was approved by FTC, and which could therefore require returning to consultation. One of these is the hybrid approach to Ordnance Wharf. There should be no housing here this is the clear view of the public. There was no purpose in having any consultation at all, other than to satisfy the Independent Examiner that it had happened. The SG and FTC had no intention of doing anything other than what the landowners wanted. Footpaths - the SG and FTC have consistently pushed for is a continuous footpath around the Creek which was identified in the Streetscape Strategy. Faversham Reach - no requirement for a footpath was included as an amendment and a Planning Enquiry ruled that the old ZF5 towpath cannot be extinguished. The S106 agreement for a Creekside pathway at Waterside has never been implemented. On the town side, there are several places where a Creekside walk is blocked, which are unlikely to be opened up. SBC nor FTC have shown any eagerness to maintain the footpaths that already exist. Our potential for a maritime future as well as a maritime past is being sacrificed for footpaths, for the sake of some CIL or S106 money. Housing - there are better places in Faversham to meet the 5 year supply, especially if the sequential test for flooding is applied. BMM Weston site could support up to 80 houses. Creekside sites will provide little affordable housing.

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			<p>flooding. In addition there are potential problems for any residential or business owner obtaining insurance cover for flood risk on these sites, as shown by the (then almost complete) negotiation of Flood Re between the Government and the insurance companies. This agreement clearly states that the agreement does not cover commercial property including small businesses, or any property built after 1st January 2009, "to avoid incentivising unwise building in flood risk areas." (information available at http://tinyurl.com/l47ze8c and http://tinyurl.com/ogek5fz). The response of the SG was to ignore these warnings – not to find out whether flood insurance would be available, not to reconsider whether residential and ‘commercial on the ground floor’ would be viable, but to remain impervious.</p> <ul style="list-style-type: none"> • By now it was clear that all the decisions had been made long before any representatives from community organisations were invited on the group. At the Extraordinary Meeting of FTC on 28 October 2013, the then Mayor, Cllr David Simmons, made it plain to the two hundred or more people in the audience that there were still opportunities to change the site uses that were being voted on at that meeting. This somewhat mollified the audience, most of whom whole-heartedly disagreed with most of the site uses being voted on. However, the minutes do not accurately reflect the exact words which were said – they say that <i>“There is no reason why the Town Council cannot suggest alternative use classes for any of the sites”</i> whereas the actual words were that alternative use classes could be suggested by anyone. This same formula had been used at the earlier SG meeting, which was also well attended by members of the public. • At the meeting on 28 October 2013 FTC also welcomed and accepted the offer by David Iron and his professional business consultant colleagues to develop a Business Case for developing the Creek for maritime purposes. This agreement was not minuted, and neither were most of the questions asked at the meeting accurately recorded. The minutes themselves represent a strange combination of the minutes of the SG on 15 October 2013 and the FTC meeting of 28 October 2013. FTC now seems not to acknowledge that the need for a business case for maritime use had been stated in the SG minutes since August 2013, including in the public questions attached to the 28 October minutes, but the SG and SBC had taken no action. • In response to the invitations made by FTC for proposals for alternative site uses, at the 10 December 2013 SG meeting the BCA presented a plan for the use of Ordnance Wharf as a Community Boat Yard and Community Centre, with support from FCT, and with evidence of the potential for investment, including purchasing the site, provided that residential use was excluded, since that would inflate the market value of the site. A well-researched and well-evidenced report was presented in January 2014 to FTC and later the SG, which proved that the market for restoration and repair of traditional craft was sufficiently great to make a viable business along the Creek, provided that at least some of the sites kept their industrial classification. • The SG, and later FTC, belittled and ignored both these reports, claiming – against the evidence – that they were “not viable” while providing no evidence whatsoever that the uses they had chosen – the uses required by the developers – were viable in this flood-prone, river-silt area. • I was asked to take the place of Professor Chris Wright as the FCT representative on the SG from January 2014. I have consistently argued for and provided evidence to counter the claims of the SG and representatives of SBC, for example: • The proposed alternative uses for Creekside sites, especially Ordnance Wharf and Standard Quay, are viable, if no residential uses are allowed, but the introduction of any residential 	

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			<p>uses will scotch any hope of maritime activity along the Creekside</p> <ul style="list-style-type: none"> • The SG and SBC stated view of the meaning of the NPPF is wrong. The SG Chair, now Mayor, Cllr Nigel Kay, has repeatedly and vehemently insisted that the word “sustainable” in the NPPF was “code for housing” (words that were also published in the local newspapers). I contend that the NPPF emphatically states that the priorities are economic, social and environmental, which includes the historic environment. Great weight is attached to all three, and they are seen as being mutually dependent, not just housing at the expense of everything else. The Ministerial Foreword to the NPPF states: <i>“The purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. ... So sustainable development is about positive growth – making economic, environmental and social progress for this and future generations.”</i> <p>The plan as drafted will achieve nothing for future generations, whereas the plan that is desired by a large number of people in Faversham – that of reviving and building on our maritime history to create skilled jobs in boat building, repair and restoration, tourist attractions, a vibrant Creekside active with all kinds of craft, a real VISION for the Creek – would create a wonderful future for Faversham, its residents and its visitors.</p> • I and others have repeatedly argued the alternative meanings of the words “viable” and “sustainable”, and also that it is not the role of the plan to ensure that developers earn a profit on their investment. If they have paid residential value for property with an industrial classification, it is not the role of the plan to enable them to recoup their investment and make a profit. However, it seems that some indications may have been made in the past, by representatives of SBC, which have encouraged developers to make these investments. The most recent of these was earlier in 2014, when another potential purchaser tried very hard to buy the Oil Depot site, but could not because the land was being sold at residential value, even though it is a contaminated industrial site. It is unlikely that the actual purchaser, who already owns a great deal of the land which is the subject of this plan, did not already have almost an assurance that housing will be permitted on the site. • I and others tried to argue for the inclusion of other Undesignated Heritage Assets, for example other buildings on Swan Quay, and the beautiful oak wharves on Swan Quay, but with no success. Members of the SG did not even read Ray Harrison’s carefully researched paper on Swan Quay, as was clear from the February 2014 SG meeting. One interpretation is that recognising these structures as UHAs would have reduced the potential for development of Swan Quay. As it stands, the plan allows far more development of this small plot than is reasonable, given the proximity of listed buildings, Grade II* and Grade II, the flood risk, the importance given to views from different locations, including the opposite bank, and the requirements set out in the FTC minutes of 28 October 2013: <i>“The Town Council acknowledges the challenges presented by this site. Whilst not all the buildings are listed, most do have a certain merit. Any development should be of a scale and design to match existing. We believe that this site is an important pedestrian gateway to the North Eastern part of the Creek and as such care must be taken in drafting the Plan to make sure the site is not overdeveloped. In light of these concerns the Town Council accepts the use classes proposed but we ask the Steering Group to investigate ways in which our reservations can be addressed.”</i> • I was a member of the SG’s Communications and Engagement Group and the Drafting Group, and as such, with others, made an effort to ensure that alternative site uses were available for the most important sites along the Creek. We prepared, under great pressure 	

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			<p>as FTC and the SG were suddenly requiring the consultation to happen in Spring 2014, a draft plan for the public consultation. We were partially successful in enabling alternative proposals to be included for several sites, in order to comply with the Gunning / Sedley principles for public consultation. Most of these were voted for and approved at the 25 March 2014 meeting, but the meeting ran out of time. and an extra meeting had to be scheduled for 1 April 2014 to complete the discussion of the draft plan. At this meeting, to my absolute shock, a single proposal was swiftly put forward to overturn all the decisions made at the previous meeting for alternatives to be included. I succeeded in changing the single proposal so that votes could be taken on individual sites, and this resulted in the Option A – residential and Option B – non-residential alternatives which were included in the plan which went to consultation. My complaints that the SG had contravened its own standing orders by voting twice for the same proposal within six months were discounted.</p> <ul style="list-style-type: none"> • Yet again, this illustrates that the SG was not willing to listen to any alternatives, was unwilling to abide by the Gunning / Sedley principles for consultation, and in the event, was unwilling to listen to or respond to the outcome of that consultation. • The Consultation - The Draft Plan went out to consultation in mid May 2014. My colleagues from the BCA and I had resigned from the Drafting Group and the Communications and Engagement Group after the debacle of 1 April 2014. Our organisations, in partnership with BMM Weston, produced an alternative consultation which showed what could be done with the area covered by the FCNP. We used a professional consultant to advise us on how to conduct this consultation, how to write a good survey and how to analyse it to a professional standard. We had over 840 visitors to our consultation events (we counted them) and we received 462 responses through printed forms and our Surveymonkey website. We submitted our results to the SG and FTC, fully analysed and with complete comments. These results were ignored by them in their analysis of responses. The FCT/BCA submission includes our full report. • In contrast, the FTC consultation received far fewer visitors – even though we had given every one of our visitors a printed sheet with their consultation events and how to respond on it. They did not count their visitors, but one event was attended by one person, and others by very few. They had little over 200 responses to their unmanageable, unscientific, unanalysable survey which ran to 18 pages. Their consultation report fails to include the majority of responses in it – I hope that the Independent Examiner will be given the full detail of all responses, including all the comments. Many of the responses analysed were from interested parties including land-owners, and with few and only minor exceptions, the only responses which have led to changes in the plan as it stands now have come from landowners and statutory consultees. Even though only 30% of the respondents supported the plan as drafted (59 people), no changes have been made to the plan to reflect the views of the other 70%, or of most of the 462 respondents to our consultation. • The Consultants and The Consultation - There have been several private companies who have been involved in the stages of the FCNP. Two main ones are “Urban Initiatives” and “Feria Urbanism”. The clue is in the name this is an urban plan, not one that has been informed by the Creek as a waterway with huge maritime potential, as described by the late and much lamented Arthur Percival in his various submissions to the SG and SBC. • There was also a long period without a consultant, from when Tony Fullwood resigned because of the unbridgeable gap between the wishes of the town and the wishes of the SG as then constituted (i.e. before it was opened up to the community, for what that was worth). SBC were supposed to have appointed a consultant immediately to take his place, but failed to do so. When Planning Aid offered help, they rejected the help of Stella 	

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			<p>Scrivener, and did not make much use of the help offered by Brian Whiteley. No proper outside help was engaged until FERIA Urbanism in August 2014, after the statutory consultation, and they were only asked to put the plan into a shape which could go forward to the next stage.</p> <ul style="list-style-type: none"> • They have made some changes to the plan which could be considered to be “substantive”, even after the version which was approved by FTC, and which could therefore require returning to consultation – if that were likely to do any good. One of these is the so-called hybrid approach to Ordnance Wharf, where they claim it is a mix of Option A and Option B, whereas what is needed is an undiluted Option B – no housing. This is the clear view of the public from the May-June 2014 and previous consultations, and from over a hundred people who attended the meeting on 13 October 2014 of FTC to approve the plan to the next stage of consultation. Most of the audience held up placards saying “No Housing on Ordnance Wharf”, and were yet again ignored. • In summary, there was no purpose in having any consultation at all, other than to satisfy the Independent Examiner that it had happened. The SG and FTC had no intention of doing anything other than what the landowners wanted • Footpaths - The one thing that the SG and FTC have consistently pushed for is a continuous footpath around the Creek, which was identified in the Streetscape Strategy (which they claim was consulted on and therefore must be adhered to – a strange attitude given how few people were able to see the document, know of its existence, and therefore respond to it). • The FTC questionnaire qualified the idea of a Creekside footpath with ‘where possible’. This is part of the problem. There are parts of the Creekside where it would be difficult to create a footpath, and parts where it would be impossible. For example, FTC and SBC both approved planning permission for Faversham Reach, where the buildings on the plans clearly blocked the old towpath. No requirement for a footpath was included as an amendment to those plans. While a Planning Enquiry has ruled that the old ZF5 towpath cannot be extinguished, that is a very different thing from ruling that it can be recreated. There is a very large concrete wall and a house in the way, as well as ground levels differing by at least a metre. • Similarly there is supposed to be a S106 agreement for a Creekside pathway at Waterside, but this S106 has never been signed and the current owners of it, after three developers went out of business, is a bank. There are no guaranteed accesses on either side of this stretch of Creekside as there is no existing public right of way into it from the Brents Shipyard (a private estate), and there is no access from the Ham Farm side. On that side there is a significant difference in ground levels – more than a metre – and the path in front of the houses on Waterside crosses the high water mark. In addition, cows regularly congregate beside that wall. • On the town side, there are several places where a Creekside walk is blocked, which are unlikely to be opened up. For example, on either side of the bridge the land and buildings are owned by Shepherd Neame, whose land, strangely enough, does not form part of this plan. • Also there are significant differences in ground levels, for example between Swan Quay and Belvedere Walk. • Besides all this, neither SBC nor FTC have shown any great eagerness to maintain the footpaths that already exist. They are almost impassable in wintertime in several places, due to flooding, for example the path that runs from Standard Quay past Oyster Bay House and the path along Crab Island. No investment has been made in these footpaths since Kate 	

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			<p>Lee was Mayor in 1997.</p> <ul style="list-style-type: none"> In other words, our potential for a maritime future as well as a maritime past is being sacrificed on the altar of footpaths, for the sake of some CIL or S106 money, which could not begin to pay for the actual cost of them – the Streetscape Strategy calculated over £800,000 as the cost, and that did not cover everything needful. Housing - If this area is intended to fill a gap in the 5 year housing supply for Swale, for which it has been allocated 103 units, then there are better places to do it. Firstly, within the plan area, the BMM Weston site could support up to 80 houses alone, provided that an alternative access which is not via Brent Hill could be built. The Creekside sites will do little to supply affordable housing. While the SBC <i>Bearing Fruits 2013-2031</i> draft plan required 35% affordable housing, it is unlikely that these small and costly sites will provide much of that. There are better sites in other parts of the town, especially if the sequential test for flooding described in the NPPF is applied. In Conclusion - On behalf of myself, the Faversham Creek Trust, the 840 people who attended our exhibition and the 462 who responded, the many people who responded to all the previous consultations, I would like to ask SBC and the Independent Examiner to look carefully at this plan and consider whether it does meet the basic conditions for consultation, whether it does provide the plan that is needed for this unique and irreplaceable area of Faversham. Do you think that this plan, as it stands, will pass a referendum? Please think again. 	
FCNP59	Cllr Mike Cosgrove	Support	<ul style="list-style-type: none"> I am Cllr Mike Cosgrove and I have been a member of the NP working party since its inception. I am a ward Member for St Anne's in Faversham and have also chaired the Faversham Creek Consortium since 2006. My comments are these- For many years people in Faversham have wanted the Creek and its footprint to be regenerated. The 13 sites within The NP were primarily industrial and many have been derelict for over 30 years. Indeed no planning application for any maritime use along the creek has been granted in over 30 years. Residents would like to see more life along the Creek, better footpaths and walkways, improved public realm, a new swing bridge and more vessels because since 1988 there have been no small coasters that help with the bridge lock gates, to dredge the creek. Restoration was the remit of The Creek consortium, but until the NP there was no adequate planning process to deal with The Creek area in its entirety. The completed NP shows well the relationship between historical maritime tradition, viable proposals for housing and mixed development with good scale and design, much improved public footpaths and moorings together with improvement in public realm. Apart from one site B M Weston, most are of small scale with the exception of The Brents Industrial site in active use, and Iron Wharf that is a small vessel gem. The iconic Standard Quay is a hub for small scale employment with good mooring facilities on a previous cargo wharf where rail track can still be seen. Ordinance Wharf was an oil and previously coke depot. In 1988 Faversham Town Council proposed that the derelict Purifier Building should be a maritime museum. These are simply a few examples of diverse use Throughout the drafting of The NP, the working party has been scrupulous in hearing from all wishing to comment, including public, interest groups and landowners. Given the complexity of sites and interests it has been a process not without challenge. But both the working Party and the Town Council have tried to seek a balance that would achieve not only community gain but also stand the test of viability. The three statutory authorities are currently working to ensure that funding for the swing 	<ul style="list-style-type: none"> Faversham people want the Creek and its footprint to be regenerated. The 13 sites were primarily industrial and many have been derelict for over 30 years. No planning application for maritime use along the creek has been granted in over 30 years. Until the NP there was no adequate planning process to deal with The Creek in its entirety. The NP shows the relationship between historical maritime tradition, viable proposals for housing and mixed development with good scale and design, much improved public footpaths and moorings together with improvement in public realm. Most of the sites are small scale. Standard Quay is currently a hub for small scale employment with good mooring facilities. The working party has been scrupulous in hearing from the public, interest groups and landowners. The Town Council tried to seek a balance to achieve community gain and viability. The three statutory authorities are currently finding funding for the swing bridge. Work on public footpath ZF5 is ongoing. There are 51 operational sailing barges in England, 6 use Faversham as their mooring place. Thus, the future for the creek is dependent upon leisure craft and tourism. Supports the strong design features in the NP. The NP is of critical importance to the development of the town, its culture and tradition. Commends this plan as a realistic sensible approach that can achieve viability and sustainability. Is a very strong wish across all of Faversham to see this come to fruition.

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			<p>bridge can be assured. Work on public footpaths particularly since the Inspector's decision on footpath ZF5 is ongoing. Consultation with landowners has achieved recognition that public realm including footpaths and moorings are a sine qua non.</p> <ul style="list-style-type: none"> • There are only 51 operational sailing barges in England, 6 of this use Faversham as their regular mooring place including the restored Cambria, constructed with some financial support from Swale Borough Council and many others. Thus the future for the creek is much dependent upon leisure craft and tourism. • Design features strongly in The NP, and the Town Council has been very clear on the requirement of high quality and standards for any new build that would fit with the key medieval features of the historic buildings such as TS Hazard and The Granary at Standard Quay. • The importance of The NP to the future of Faversham because it will open up the Creel footprint is of critical importance to the development of the town, its culture and tradition. • Thus I commend this plan as a realistic sensible approach that can achieve viability and sustainability. There is a very strong wish across all of Faversham to see this come to fruition and achieve what the vast majority of residents wish. 	
FCNP60	Kirsty Stellan	Support	<ul style="list-style-type: none"> • As a regular visitor to the Faversham area I would like to take this opportunity to add my support to the proposals that Swan Quay LLP have drawn up for site numbers 4 and 5. • Swan Quay LLP have already helped regenerate the area with their support for the Creek Creative art gallery and I believe their proposals for the rest of their land and buildings will further add to the regeneration process. 	<ul style="list-style-type: none"> • Supports the proposals at Swan Quay, sites 4 and 5. • Swan Quay LLP have already helped regenerate the area with their support for the Creek Creative and their proposals will further add to the regeneration process.
FCNP61	Caroline Stevens	Object and comment	<ul style="list-style-type: none"> • I have lived near Faversham for seven years. Being brought up close to North Norfolk's muddy tidal creeks, the greatest charm of the town for me is its Creek. • I have noticed with great interest movements to get the swing bridge and sluice to work and to have some dredging done to make the head of the creek navigable again. My favourite spot to wait for family is at the bottom of Morrison's car park and I think what fun it would be to see the sea cadets and other Faversham children finding their sea-legs here, in a full basin. Boating activity does provide employment, foster skills, is picturesque and fun and, if treated sensitively, the creek offers the town a wonderful opportunity to develop this leisure pursuit. I have gradually absorbed the layout of the amazing Chart Mill Creek sequence of waterways but am puzzled as to how on earth you could be considering building anything above shed height on Ordnance Quay. • Last year I went out on Greta and saw how remarkable the town looked from the water. You are so fortunate to have the simplicity of the low-level meadows and modest Standard Quay cluster as an open vista on approach appreciated by boats from across the North Sea too. The scale of the proposed building in this area strikes me as further "pinching" of this initial spacious aspect of the creek in a mean fashion. The modern housing that's up is up, but perhaps we can learn from it. In my view enough is more than enough. Only a few (non-affordable) houses at such a cost to the town's chief amenity! And what another heavy price for the town to pay with the inevitable increase in already saturated car movements! • Could you not boldly consider raising money, perhaps via the Heritage Lottery Fund, to buy Swan Quay and the oil depot and bus site and make them open spaces in perpetuity for Faversham people (and visitors) to walk to in order to enjoy the creek from? It surprises me that, on the East bank, citizens can only get two glimpses of the creek till Standard Quay. (As a volunteer in the Visitor Information Centre I find it a recurring embarrassment directing pedestrian visitors either down dangerous Quay Lane or to the long trek along ~ the 	<ul style="list-style-type: none"> • The greatest charm of Faversham is its Creek. • I have noticed movements to get the swing bridge and sluice to work and to have some dredging done to make the head of the creek navigable again. • What fun it would be to see the sea cadets and other Faversham children finding their sea-legs here, in a full basin. • Boating activity provides employment, skills, is picturesque and fun. • If treated sensitively, the creek offers an opportunity to develop this leisure pursuit. • I am puzzled as to how you could be considering building anything above shed height on Ordnance Quay. • Last year I went out on Greta and saw how remarkable the town looked from the water. You are so fortunate to have the simplicity of the low-level meadows and modest Standard Quay cluster as an open vista on approach ~ appreciated by boats from across the North Sea too. • The scale of the proposed buildings at Standard Quay is a further "pinching" of this spacious aspect of the creek in a mean fashion. • No more housing as it would be at the cost of the town's chief amenity and would increase the already saturated car movements. • Could you consider raising money to buy Swan Quay, the oil depot and bus site and make them open spaces in perpetuity for people to walk to in order to enjoy the creek from? On the East bank, walkers only get two glimpses of the creek until Standard Quay. • I sense the town's views over the protection (no more housing), rather than development of the creek have moved on faster than the rigid approach in the NP. • I feel very uneasy and dismayed that I might be witnessing the killing of Faversham's golden goose.

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			<p>admittedly delightful Abbey Street.)</p> <ul style="list-style-type: none"> I sense that since I've been here, probably since all that 'development' went up (perhaps because of it?) the town's views over the protection (no more housing!), rather than development of the creek have moved on faster than the rigid approach I pick up from the Steering Group's Recommendations. Could what was accepted then be out-of-date now? I am aware that, as I live outside the town, my opinion may be considered irrelevant, but I am fond of the place, shop there, volunteer there and wish it well. I just feel very uneasy and dismayed that I might be witnessing the killing of Faversham's golden goose. 	
FCNP62	Swale Friends of the Earth	Support, object and comment	<ul style="list-style-type: none"> At their most recent meeting the group discussed the Neighbourhood Plan at length. The Plan has several times been a topic for meetings; on two occasions invited speakers have addressed the branch: we have also organised and funded a public meeting on planning issues, earlier this year. It is fair to say, then, that members are reasonably well informed on many aspects of the plan. There is some divergence of opinion but the following observations on the latest draft of the Neighbourhood Plan were agreed. The Plan should create an imaginative, dynamic vision for the Creek, which could serve as the engine of local regeneration. There should be no development preventing use of the Creek for navigation. A functioning opening bridge should be reinstated. There should be a footpath long both sides all the way. Any development should contain a minimum of 35% affordable homes and be sustainable, that is, at least level 4 on the Bream scale, with solar panels for every new building. The need to designate Ordnance Wharf for housing is questioned, given that its potential in this regard is small and such a designation may render maritime use uneconomic or impossible: development of this site might compromise the viability of the project underway at the Purifier site. The Plan should seek to improve ecology and biodiversity of the Creek within the town. 	<ul style="list-style-type: none"> The Plan should create an imaginative, dynamic vision for the Creek, which could serve as the engine of local regeneration. Should be no development preventing use of the Creek for navigation. Needs a functioning opening bridge. Should be a footpath along both sides. Development should contain a minimum of 35% affordable homes and be sustainable (at least level 4 on the Bream scale plus solar panels.) Housing on Ordnance Wharf may render maritime use uneconomic or impossible; especially at the Purifier site. It should improve ecology and biodiversity of the Creek.
FCNP63	Henry Dagg	Object	<ul style="list-style-type: none"> I have lived in Faversham for the past 20 years during which time I have witnessed at first hand the flourishing working environment at Standard Quay where the restoration of Thames Barges was still in operation under Standard Quay Faversham Ltd. It was quite clearly the natural hub of these activities as its buildings and quay were all essential to the various stages of work, such as block-making, sail-storage in the lofts during winter, and sail-dressing which would cover much of the area of the quay itself. It brought a vibrant and ever-changing spectacle which attracted tourists and provided an invaluable service as one of the few remaining facilities in the whole country for the maintenance of these vessels. It was also generating increasing employment with its Shipwrights' apprentice scheme, while ensuring the preservation of valuable traditional skills, most notably demonstrated during the restoration of the S.B. CAMBRIA. Just at this point, as has been well documented in other submissions, the whole enterprise was effectively evicted by the owner of Quayside Properties by refusal to renew their lease or sell the freehold. Since then, the contrast could not be more stark; where there was a thriving and picturesque industrial activity, there is now a ghost village with a few transient down-market retail outlets which use the Quay as a car-park, and applications to adapt the existing workshop buildings for use as restaurant, wine-bar and other leisure uses demonstrate a priority which values personal profit over the preservation of a unique historic asset, and the interests of the local community. The execution of the Creek Neighbourhood Plan by the steering group and its Town Council allies has consistently demonstrated a deficit of democracy; 'Consultation' has consisted of a housing -led agenda presented as a series of similar options with tick-boxes, with no marine-based alternatives presented for consideration. As a result, most of the truth of the 	<ul style="list-style-type: none"> Standard Quay has been natural hub for the restoration of Thames barges. Its buildings and quay were essential to the various stages of work. It brought a vibrant and ever-changing spectacle which attracted tourists and provided a service as one of the few remaining facilities in the whole country for the maintenance of these vessels. It was also generating increasing employment with its Shipwrights' apprentice scheme, while ensuring the preservation of valuable traditional skills. Since the refusal of the landowner to renew leases, the contrast could not be starker; there is now a ghost village with a few transient retail outlets which use the Quay as a car-park, and applications to adapt the existing workshop buildings for other uses. The Neighbourhood Plan has demonstrated a deficit of democracy. 'Consultation' has consisted of a housing -led agenda presented as a series of similar options with tick-boxes, with no marine-based alternatives presented for consideration. The Creek Basin must be developed as an integrated waterway, rather than piecemeal as an urban estate. The Town Council response to the many comments calling for the retention of maritime industrial use is invariably an implication that a 'mixed' use will satisfy the demand of all interested parties. The restoration of these large vessels is an uncompromising business; it requires considerable space in the water, on the adjoining land, and within buildings specifically equipped to service its needs. It can sometimes be noisy and hazardous, and would not be tolerated by residents in the immediate vicinity. The disingenuous suggestion that it can co-exist with a housing development in the same piece of land is patent nonsense.

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			<p>responses lies not in the compiled results, but in the unacknowledged comments beside the boxes. Even without these, it is clear that the final plan submission has chosen to ignore the wishes of some 70% of the people consulted.</p> <ul style="list-style-type: none"> It has long been an accepted reality that the Creek Basin must be developed as an integrated waterway, rather than piecemeal as an urban estate, and yet each waterfront site has been put forward with some inclusion of housing element as the only option. The Town Council response to the many comments calling for the retention of maritime industrial use is invariably an implication that a 'mixed' use will satisfy the demand of all interested parties. This is the most major falsehood in the entire plan; the restoration of these large vessels is an uncompromising business; it requires considerable space in the water, on the adjoining land, and within buildings specifically equipped to service its needs. It can sometimes be noisy and hazardous, and would not be tolerated by residents in the immediate vicinity. The disingenuous suggestion that it can co-exist with a housing development in the same piece of land is patent nonsense, as has been demonstrated by the many boatyards which have already been driven out of existence by just this kind of residential encroachment. 	
FCNP64	Michael Palmer	Support, object and comment	<ul style="list-style-type: none"> I would like to register my endorsement of the comments made in their submission by the Faversham Creek Trust and the Brents Community Association. I wish to make representations to the Independent Examiner by the Council please. The draft Plan has many strengths and I welcome the Swale BC initiative to undertake a plan for Faversham Creek, which will be so important for the future of the town; the creek makes Faversham unique. But I am writing to tell you that I believe the Plan is fatally flawed. There are two prime areas of concern which need to be resolved if all the work by many individuals is not to be squandered: <ol style="list-style-type: none"> Errors in the process used to develop the Plan which have blocked local opinion and consultation as follows: <ol style="list-style-type: none"> Failure to include effective local contributions by granting power only to Faversham Town Councillors on the Steering Group. This was achieved through use of Faversham Town Council Standing Orders which barred any other local representatives, although bona fide members of the Steering Group, from voting. The Steering Group has disregarded the feedback from the formal FTC public consultations – particularly at the Ordnance Wharf and Swan Quay sites. No explanations have been given why the opinion of 72% of those consulted have been over-ruled. Lack of defined numbers for new housing units – despite the assertion (page 31 fourth paragraph last sentence) that numbers are indicated on Site Specific policies, these are not stated which leave contentious sites completely unprotected. Disproportionate emphasis on the desires of landowner stakeholders. Flawed Site Specific Policies. I support the 'Creekwide Policies' enumerated on pages 26 – 37 of the Plan; these make a positive contribution to the future development of the Creek. But I am very concerned with the policies for the following sites, which have been shown to be not acceptable to the people of Faversham (judged from the consultation feedback at each stage) in their current form. These sites are of paramount importance for the future of the Creek: <ol style="list-style-type: none"> Ordnance Wharf: residential use will make it very difficult to enable Community projects. 	<ul style="list-style-type: none"> Endorsement of the submission by the Faversham Creek Trust and the Brents Community Association. The draft Plan has many strengths. However, the Plan is fatally flawed. Errors in the process used to develop the Plan which have blocked local opinion and consultation; failure to include effective local contributions by granting power only to Faversham Town Councillors on the Steering Group. Feedback has disregarded from the formal FTC public consultations – particularly at the Ordnance Wharf and Swan Quay sites. Lack of defined numbers for new housing units leave contentious sites completely unprotected. Disproportionate emphasis on the desires of landowner stakeholders. Support the 'Creekwide Policies' on pages 26 – 37 as these make a positive contribution to the future development of the Creek. Is very concerned with the policies for the following sites, which have been shown to be not acceptable to the people: <ul style="list-style-type: none"> Ordnance Wharf: residential use will make it very difficult to enable Community projects. Swan Quay: inappropriate residential development which causes heritage assets to be ignored. I hope that channels can be opened up following the Statutory Consultation – to negotiate limited changes to the Plan. I support a viable and sustainable plan to meet the needs of the people of Faversham. Request to be notified of Swale Borough Council's decision under Regulation 19 of the Neighbourhood Planning Regulation 2012, whether to accept the Examiners' recommendations and future progress with the plan.

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			<p>2.2 Swan Quay: inappropriate residential development which causes heritage assets to be ignored.</p> <ul style="list-style-type: none"> In view of these concerns I hope that channels can be opened up following the six week Statutory Consultation – to negotiate limited changes to the Plan so that it can flow smoothly to adoption in 2015. I support a viable and sustainable plan to meet the needs of the people of Faversham, but not a flawed one! I also request to be notified of Swale Borough Council’s decision under Regulation 19 of the Neighbourhood Planning Regulation 2012, whether to accept the Examiners’ recommendations and future progress with the plan. 	
FCNP65	Martin Collins	Object	<ul style="list-style-type: none"> Having attended several meetings of the Town Council and contributed to various consultation exercises over the past several years, I should like to make some comments about the way the process has been conducted: the formulation of the Plan has been amateurish, shambolic and opaque; consultation appears to have been conducted as a requirement, not as a genuine attempt to engage local energy, enthusiasm or expertise - of which there is much in the town - rendering the exercise meaningless. Responses to drafts have been explicitly ignored, on grounds which seem so insubstantial as to leave the impression that other influences must be at work: that the interests of 'primary stakeholders' - 'landowner interests' - have been allowed to trump all others. The plan is timid, unimaginative and sterile - it’s only hope of success at the ballot box is the fear that something worse may otherwise prevail. It does not inspire. It is an opportunity squandered - a deeply disappointing exercise which has dismissed and wasted the efforts of many who care about Faversham's future. 	<ul style="list-style-type: none"> The formulation of the Plan has been amateurish, shambolic and opaque. Consultation appears to have been done as a requirement, not as a genuine attempt to engage local energy, enthusiasm or expertise – of which there is a lot. Consultation responses have been explicitly ignored, on grounds which seem so insubstantial as to leave the impression that other influences must be at work: the interests of landowners have been allowed to trump all others. The plan is timid, unimaginative and sterile - its only hope of success at the ballot box is the fear that something worse may otherwise prevail. It does not inspire and is an opportunity squandered – it has dismissed and wasted the efforts of many who care about Faversham's future.
FCNP66	Brian Turner	Support	<ul style="list-style-type: none"> I support the plan as now drafted as it is anchored in legal, planning and economic realities, as it seeks to preserve heritage by adapting historic buildings and sites to meet current and future needs, as it is certain to increase the local housing stock on sites long derelict and an embarrassing eyesore, this being in accordance with the government's pressure to utilise such brownfield sites, and as in my opinion it will generate many more jobs than any alternative on offer, and as these jobs are likely to be in growth areas of the economy. There has been much that has proved contentious with the Faversham Creek Trust orchestrating sustained opposition but in my judgement it is not a matter of who shouts loudest but who speaks in the voice of reason that should be heard. I believe that there is a silent majority that has no objection to the Plan which so skilfully has charted a credible course through these turbulent waters. 	<ul style="list-style-type: none"> Support the plan as now drafted as it is anchored in legal, planning and economic realities, it seeks to preserve heritage and sites meet current and future needs. It will generate many more jobs than any alternative. Believes that there is silent majority of people who have no objection to the Plan and that reason, rather than high profile campaigning, should determine the outcome of the process.
FCNP67	Michael Harmsworth	Support	<ul style="list-style-type: none"> I am emailing to support Swan Quay LLP's mixed use proposals for sites 4 and 5 of the Faversham Creek Neighbourhood plan. 	<ul style="list-style-type: none"> Support Swan Quay's mixed use proposals for sites 4 and 5.
FCNP68	Anonymous	Support	<ul style="list-style-type: none"> Without going into detail on specific sites, I am supportive of the general thrust of the plan. I would support a mixed development approach which is sympathetic with the surrounding area. I would support some housing development as this will provide the necessary funding to improve the public realm. Additional housing will also increase the footfall into the town and help to sustain the shopping areas. I am not convinced about the counter arguments in favour of a return to heritage industries such as boat building. Whilst the efforts at the Purifier building have been impressive and laudable, I am not sure it will provide a significant increase in long term job opportunities. Faversham has a good leisure offer and this could be further developed. If this is a way forward the Town is in desperate need of an increase in bedspaces [a Travel Lodge on the edge of Town would be helpful in this respect]. 	<ul style="list-style-type: none"> Is supportive of the general thrust of the plan and the mixed development approach which is sympathetic with the surrounding area. Supports some housing to provide the necessary funding to improve the public realm. It would also increase the footfall into the town, helping to sustain the shopping areas. Is not convinced about the counter arguments in favour of heritage industries such as boat building. Efforts at the Purifier are impressive but am not sure it will provide a significant increase in long term jobs. Faversham has a good leisure offer which could be further developed, especially the need of an increase in bedspaces. I wonder whether the Town would have benefitted from a wider review of its economy rather than focusing solely on the Creek area. If this letter is reproduced in the public domain, please treat it as anonymous.

Ref	Name/ Organisation	Support Object Comment	Full Representation	Summary of Representation
			<ul style="list-style-type: none"> Without wishing to complicate matters, I do wonder whether the Town would have benefitted from a wider review of its economy rather than focusing solely on the Creek area. If this letter is reproduced in the public domain, please treat it as anonymous. 	
FCNP69	CPRE Kent – Robert Baxter, Chairman	Support, object and comment	<p>We have examined the Plan, and offer the following comments:</p> <p>Objective 3, page 9. Is supported, as it reinforces the importance of creekside areas for maritime activities.</p> <p>The Policies and commentary concerning heritage assets on p27. We agree with these, but suggest that a third bullet point be included under Associated Historic Environment and Heritage Assets Projects.</p> <ul style="list-style-type: none"> Support any Borough Council initiative to identify and assess Heritage Assets currently not listed on the national register, and promote the local listing of such structures. <p>An authorised Local List will provide protection for these buildings from demolition and inappropriate development. Our suggested policy would be in line with the Borough Council’s obligation ‘to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk’ (paragraph 126, NPPF), and central government’s encouragement for local authorities to produce and maintain Local Lists of currently undesignated heritage assets.</p> <p>Policy CTR1, page 32. We support the right of public access to the waterfront.</p> <p>Policies STQ1 and 2. We are on record as being opposed to the establishment of a restaurant at building 1, Standard Quay, on the grounds that such a development would damage the heritage value of this and associated buildings, and would render impossible a reversion to the boat repair and related maritime activities skills that are so appropriate for this building. There should be a strong emphasis, in the proposed policies, on the need to strike a balance between maintaining maritime skills and traditions on one hand and tourism development on the other. We trust that these comments will be helpful.</p> <p>Would you please notify us of the Borough Council’s decision?</p>	<ul style="list-style-type: none"> Support Objective 3, page 9, as it reinforces the importance of creekside areas for maritime activities. Agree with the Policies and commentary concerning heritage assets on p27. Suggest a third bullet point under Associated Historic Environment and Heritage Assets Projects. <ul style="list-style-type: none"> Support any Borough Council initiative to identify and assess Heritage Assets currently not listed on the national register, and promote the local listing of such structures. Support Policy CTR1, page 32 and the right of public access to the waterfront. Policies STQ1 and 2. Are on record as being opposed to a restaurant at building 1, Standard Quay, on the grounds that such a development would damage the heritage value of this and associated buildings, and would render impossible a reversion to the boat repair and related maritime activities skills that are so appropriate for this building. There should be a strong emphasis, in the proposed policies, on the need to strike a balance between maintaining maritime skills and traditions on one hand and tourism development on the other. Please notify us of the Borough Council’s decision.
FCNP70	SF Jones	Support and object	<p>Site 02 – Ordnance Wharf Workshops and amenities here – very good and appropriate – <u>BUT</u> association with tidal water means it is vital for all ground floors to have an upper area for storage/retreat when spring tides/storm surge threaten.</p> <p>Any housing above that is totally incompatible anyway because the basin is surrounded by industrial/commercial business with intermittent 24hour activity and <u>noise</u>. (e.g. overnight deliveries to/from supermarket and brewery (HGVs).</p> <p><u>What is the point</u> of causing friction and frustration by introducing a <u>tiny</u> amount of residential property right in the middle and on a flood prone site? Residency there would be a very uncomfortable and restricting mix for all concerned.</p> <p>Site 03 – BMM Weston Housing in Upper Area – acceptable but <u>NOT</u> if overcrowding, due to tight position of the access. (Currently serves only one office.) Brent Hill is a narrow pavement less roadway with blind corners and already a busy and dangerous mixture of cars, lorries, cycle route, pedestrians, schoolchildren, etc.</p> <p>One entrance could <u>NOT</u> cope with volume of out-pouring that the new housing will produce. i.e. it is <u>essential</u> a second separate entrance/exit at a different point is incorporated in the Plan.</p> <p>Site 05 – Swan Quay The smart black sailmakers building on the historic revetment quayside <u>is a working gem</u>. It</p>	<ul style="list-style-type: none"> Site 02 – Ordnance Wharf: Workshops and amenities are very good and appropriate – but all ground floors to have an upper area for storage/retreat when spring tides/storm surge threaten. Housing above that is totally incompatible because the basin is surrounded by industrial/commercial business with intermittent 24hour activity and noise. Why cause friction and frustration by introducing a tiny amount of residential property and on a flood prone site? Site 03 – BMM Weston: Housing in Upper Area – acceptable but not if overcrowding, due to tight and narrow access. It is essential a second separate entrance/exit at a different point is incorporated in the Plan. Site 05 – Swan Quay: The black sailmakers building is a working gem and should not be destroyed or moved. Everyone appreciates the existing environmental harmony there.

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			should <u>NOT</u> be destroyed or moved. Take a look, day or night, from opposite bank of the Creek where the residents, visitors, walkers alike <u>DO</u> appreciate and <u>do NOT</u> want to lose, the existing environmental harmony there.	
FCNP71	Ann Hopkins	Support	I understand Swale Council is undertaking public consultation on the Creek Neighbourhood Plan. I am writing to say I support the proposals that have been drawn up by Swan Quay LLP for the old Frank and Whittome buildings (site numbers 4 and 5.)	<ul style="list-style-type: none"> • Support the proposals for the old Frank and Whittome buildings (site numbers 4 and 5.)
FCNP72	Heather Chaplin	Object	<p>I am writing to request your reconsideration of the plans for Swan Quay site, in designating this site to allow residential development.</p> <p>This site has had a successful history in commercial use, particularly as a boatyard, Quay Lane Wharf in the 1980s. I enclose notes of its uses during this period and of possible marine related development for which there is considerable demand.</p> <p>I thank you in anticipation for your consideration of this matter.</p> <p>The enclose notes of its uses during this period and of possible marine related development for which there is considerable demand state that:</p> <p>Swan Quay</p> <p><u>History of former Boat Yard:</u></p> <p>Quay purchased by Quay Lane Wharfage Ltd 1983. Officially named Quay Lane Wharf. Family-run business on site. Closed as boat yard 1988. Sold to Frank and Whittome, who wanted to buy it, 1989. Closed due to family circumstances, not because it failed.</p> <p><u>Activities of former Boat Yard:</u></p> <ol style="list-style-type: none"> 1) Lifting boats out to go off site. 2) Lifting boats out to stay on site for individual owners to work on them under cover of open shed. 3) Stored yachts in shed attached to chandlery. 3 phase power exists here. See also 7 below. 4) Constructed slipway in place of shallow timber yard dock. Put in winch at head of slipway. 5) Set up and ran Faversham Chandlery for sale of second hand items and ordering-up items, from chandlery building. (There is one for new gear now on Iron Wharf). People came here from all over the south east. 6) Operated small coaster from this building- 'Quay Lane Wharfage Ltd' -from near continent to east and south coast of U.K. on behalf of 'Trans Euro Navigation Ltd.. 7) Shed attached to chandlery- safe store for mixed goods coming in small cargo barges from Tilbury docks (goods otherwise vulnerable to pilfering by dockers). Operated fork lift with small lorries taking the goods out. 8) Calor gas suppliers - boats and land use. Registered Calor Gas site. Compound on modern single storey office site. Many customers from outside Faversham. 9) Agency for importing Dutch steel hulled motor cruisers -new type then, featured in trade magazine. All customers from outside Faversham- they carne from all over the U.K. 10) Agriganos' boats moored here waiting for access through the bridge. Visiting overnight boats moored here, prior to Town Jetty. Having realised the need, Quay lane Wharfage Ltd initiated the building of the Town Jetty across the creek. 11) Thames sailing barge Decima moored at wharf- Beefy Wildish, living on board, was associated with many of the wharf activities described. Watchman and informal foreman. 12) Relation to other operators. Hired mobile crane from Young's boatyard on Oare Creek for 	<ul style="list-style-type: none"> • Asks for reconsideration of the plans for Swan Quay site, in designating this site for residential development. • Site has had a successful history in commercial use, particularly as a boatyard in the 1980s. Encloses notes of its uses during this period and of possible marine related development for which there is considerable demand. • Swan Quay purchased in 1983 and closed as a boat yard in 1988 due to family circumstances, not because it failed. • Lists the activities that the boat yard carried out, including lifting boats in and out of the water; yacht storage; constructed a slipway; set up and ran Faversham Chandlery; visiting overnight boats moored here before the Town Jetty; and an information and networking point for marine facilities. • Lists the current possibilities of the site, including site as an information and networking point; moorings for visitors; facilities for visiting boaters; WCs and shower; maintain slipway for use for dinghies, kayaks etc; Maintain space for lifting craft or small cargo transhipments; Sailmakers; Light industry- marine related- forge, leather working, wood working (to complement shipwrights, arid others). • Research and investigation are needed as to demand and viability for the above uses.

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			<p>lifting out.</p> <p>13) Site was an information and networking point for marine facilities- this worked because they were close in to the center of Faversham and Quay Lane is easy to find.</p> <p>Current possibilities.</p> <ul style="list-style-type: none"> • Site as an information and networking point as 13 above. • Quay Lane is an 'easily directed to' place in the middle of Faversham. Moorings for visitors. • Facilities for visiting boaters e.g. cruising club from Rochester. WCs, shower and large sink for washing clothes (all can be coin-operated- no need for manager). • Maintain slipway for use for dinghies, kayaks etc. • Maintain space for lifting craft or small cargo transhipments. There is not room enough at former slipway end any more so this would need now to be in space at north end of sail loft and west end of Chandlery. The small paint store building here would need to be removed to facilitate this. • Sailmakers. Currently serving customers throughout the home counties and sometimes beyond. One of similar size in Ramsgate. Another in Essex (connected?). Nothing else till the Solent. Very important for the area served and should remain. In addition to sails the company makes boat covers, awnings and other sundry items. • Light industry- marine related- forge, leather working, wood working (to complement shipwrights, and others). These involve some noise at some times. All can be in sheds/workshops which lock up so no problem with 'walk through' of the area. • Marine and other workshops in the area which need to expand or upgrade premises. Chandlery- second hand gear sales or other niche markets identified, see below – • Niche markets - look to attract specialist trades associated with marine activities (e.g. existing sailmakers) Research. • Research and investigation are needed as to demand, viability and other factors arising from the suggestions above, considering the physical assets and limitations of the whole site as well as wider issues of demand etc. 	
FCNP73	Ray Harrison	Object and Comment	<p><u>Faversham Creek Neighbourhood Plan -response to Public Consultation</u></p> <p>I submit under cover of this letter my grounds of objection to the Faversham Creek Neighbourhood Plan as currently out for Consultation before it is given independent examination. This letter is bound into the front of:</p> <ul style="list-style-type: none"> • A paper setting out my grounds of objection to the Plan. In addition I enclose two further relevant papers; • A paper entitled the Faversham Town Quay Character Area Appraisal; and • A paper entitled Faversham: The town centre quays- a Conservation Plan. <ul style="list-style-type: none"> • It is very important that these two documents do not become detached from the first, the grounds of objection, or separated from each other. They contain material referred to in the grounds of objection document. If one or other does go astray, however, I can supply replacements. I can be reached for this purpose on 01795 534107. • My name is John Raymond Harrison, I hold a Diploma in Architecture from the Architectural Association School of Architecture, I am a Registered Architect, I hold a Diploma in Conservation Studies from the I.A.A.S, York University and I am a Member of the Institute of Historic Building and Conservation. • Grounds of objection to the Faversham Creek Neighbourhood Plan are set out here, below. Apart from the Neighbourhood Plan itself, the main documents referred to in this submission are: 	<ul style="list-style-type: none"> • Also included with the letter is: <ul style="list-style-type: none"> ○ A paper setting out the grounds of objection to the Plan. ○ A paper entitled the Faversham Town Quay Character Area Appraisal. ○ A paper entitled Faversham: The town centre quays- a Conservation Plan. • It is very important that these two documents do not become detached from the first. • Holds a Diploma in Architecture, am a Registered Architect, holds a Diploma in Conservation Studies and am a Member of the Institute of Historic Building and Conservation. • The main documents referred to in this submission are: <ul style="list-style-type: none"> ○ Planning (Listed Buildings and Conservation Areas) Act 1990. ○ The National Planning Policy Framework ○ The Locality Neighbourhood Plans Roadmap Guide ○ Swale Local Plan 2008 ○ The Faversham Conservation Area Character Appraisal 2004 • The NP area considered is restricted to adjoining Swan and Town Quays; however these stand as an exemplar for similar problems with the rest of the NP redevelopment sites. • The FCNP Steering Group failed in its statutory duty to develop a proper understanding of the significance of heritage assets at Swan Quay. This has encouraged new development proposals which cause substantial harm to the historic/architectural character of the Quays, the setting of the Creek and to the character of the wider Faversham Conservation Area.

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			<ul style="list-style-type: none"> • Planning (Listed Buildings and Conservation Areas) Act 1990. • The National Planning Policy Framework • The Locality Neighbourhood Plans Roadmap Guide • Swale Local Plan 2008 • The Faversham Conservation Area Character Appraisal 2004 <ul style="list-style-type: none"> • Included with this paper are copies of two documents which I have prepared. These are: <ul style="list-style-type: none"> • Faversham Town Quay Character Area Appraisal. • Faversham: The town centre quays - a Conservation Plan <p><u>CONTENTS</u> Introduction/executive summary. PART I Comments on the Neighbourhood Plan. clause by relevant clause. PART 2 Discussion of the main issues raised in part I Endnotes Appendices A. Copy of a letter from Keith Falconer OBE, B. Copy of a Faversham Creek Neighbourhood Plan Steering group leaflet June 2013. C Paper trail of communications with Town Clerk/Plan Steering Group. D Jan 2014 submission letter to FCNP steering group. NB Italicised text indicates quotations. Section numbering always relates to the text of this paper, not to quoted text. <u>Introduction/executive summary</u></p> <ul style="list-style-type: none"> • This paper identifies and examines what I believe are particular flaws in the processes leading to the Submission Version of the Faversham Creek Neighbourhood Plan currently put out for consultation by Swale Borough Council. The NP area considered is restricted to adjoining Swan and Town Quays; however these stand as an exemplar for similar problems with the rest of the NP redevelopment sites. • The paper is in two parts with endnotes and appendices at the end of Part 2. • The Faversham Creek Neighbourhood Plan may also be referred to as the FCNP or NP. Part 1 • Relevant Planning legislation is discussed first and its significance for aspects of the • FCNP is highlighted. Successive relevant FCNP Clauses are then set out, followed where appropriate by comment. Part 1 ends (section 23) by examining the tension inherent in the way the Steering Group worked. This tension was between the Steering Group's aim to prepare detailed housing schemes for every site in the Plan area, and statutory Planning legislation relating to the understanding of conservation area character, new development in conservation areas and the matter of listed buildings and their settings. <p><u>Part2</u></p> <ul style="list-style-type: none"> • This examines the issues and comments on them in more detail, under a series of main discussion heads drawn from matters raised in Part 1. It brings in some more of the background to this specific Neighbourhood Plan. It supplies more information about my - failed - attempts to persuade the Steering Group to take my written contributions to the debate seriously. <p><u>The argument.</u></p> <ul style="list-style-type: none"> • The FCNP Steering Group failed in its statutory duty to develop a proper understanding of the significance of heritage assets at Swan Quay. This failure has encouraged new development proposals which cause substantial harm to the historic/architectural character of the Quays, the setting of the Creek and to the character of the wider Faversham Conservation Area. 	<ul style="list-style-type: none"> • The Steering Group failed to examine the effect of its detailed site-specific proposals for Swan Quay, on the character of the Faversham Conservation Area and on the settings of listed buildings on, and adjacent to, Swan Quay. The plan fails to show how its detailed redevelopment proposals preserve or enhance Conservation Area character. • These failures result in a flawed consultation document that supports the loss of heritage assets, and with detailed site redevelopment proposals that lack the necessary underpinning of listed building setting and conservation area analysis. The Plan thus fails to meet its full statutory planning responsibilities in respect of the Faversham Conservation Area, of the historic environments of Swan and Town Quays, and of the listed buildings within and adjoining the two Quays. <p>PART 1 Relevant legislation. Comments on the Plan clause by clause. The Neighbourhood Plan Condition Statement.</p> <ul style="list-style-type: none"> • States "Neighbourhood Planning (General) Regulations 2012 state that Neighbourhood Plans must meet certain Basic Conditions before they can come into force, and it continues: Faversham Town Council considers that the Faversham Creek Neighbourhood Plan meets the basic conditions as (among other things) it: Reflects best practice in terms of urban design and sustainable planning principles. p 7." • The Neighbourhood Plan does not pay appropriate and sufficient attention to the Conservation Area and to conservation issues, and therefore fails to meet Basic Conditions. This failure is in relation to best building conservation and conservation area practice, in the matters of urban design and sustainable planning. Relevant legislation: The Primary Act, the Planning Act 1990 • Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 refers to the need for local authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Believes that special attention is not paid in the Plan to preserving or enhancing the character of the part of the Conservation area within which the FCNP area lies. That this was understood as a fundamental requirement of the Plan by those writing it is evident from the number of times protecting, preserving and enhancing are mentioned in its text- this is as far as it goes. • Sustainable development and the FCNP -The NPPF sets out a presumption in favour of sustainable development. Believes the Neighbourhood Plan is not sustainable because it fails to establish the full historic/architectural nature and significance of at least one part of the Faversham Conservation Area contained within it and therefore fails to provide a properly informed and appropriate base from which to develop proposals, and it fails, in the detailed siting of proposed new development, to take account the effect of this on the settings of listed buildings and on the character of the conservation area. • One of the NPPF 12 core planning principles includes the requirement to: Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. With specific reference to Swan Quay the Plan fails to identify the significance of this Quay's existing spaces and buildings, thereby fails to preserve and conserve these heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations. • Pursuant to the delivery of sustainable development the NPPF has a number of paragraphs relevant to conservation. The parts of these applying here are as follows: <ul style="list-style-type: none"> • Para 126. Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses

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			<ul style="list-style-type: none"> The FCNP Steering Group failed in its statutory duty to examine the effect of its detailed site-specific proposals for Swan Quay, on the character of the Faversham Conservation Area and on the settings of listed buildings on, and adjacent to, Swan Quay. The plan fails to show how its detailed redevelopment proposals preserve or enhance Conservation Area character. These failures result in a flawed consultation document that supports the loss of heritage assets, and with detailed site redevelopment proposals that lack the necessary under-pinning of listed building setting and conservation area analysis. The Plan thus fails to meet its full statutory planning responsibilities in respect of the Faversham Conservation Area, of the historic environments of Swan and Town Quays, and of the listed buildings within and adjoining the two Quays. <p><u>PART 1 Relevant legislation. Comments on the Plan clause by clause. The Neighbourhood Plan Condition Statement.</u></p> <p>1. The Condition Statement of the Submission Version of the Plan</p> <p>This notes that the:</p> <ul style="list-style-type: none"> <i>Neighbourhood Planning (General) Regulations 2012 state that Neighbourhood Plans must meet certain Basic Conditions before they can come into force, and it continues:</i> <i>Faversham Town Council considers that the Faversham Creek Neighbourhood Plan meets the basic conditions as (among other things) it:</i> <i>Reflects best practice in terms of urban design and sustainable planning principles. (p 7)</i> <p>2. <u>Response to the Plan Condition Statement.</u></p> <ul style="list-style-type: none"> The Creek Neighbourhood Plan area is within the Faversham Conservation Area. It is my contention that the Neighbourhood Plan does not pay appropriate and sufficient attention to the Conservation Area and to conservation issues, and therefore as tabled it fails to meet Basic Conditions. This failure is in relation to best building conservation and conservation area practice, in the matters of urban design and sustainable planning. <p>Relevant legislation and comment where appropriate. The Primary Act, the Planning Act 1990</p> <p>3. <u>The Faversham Conservation Area and the Planning Act (1990)</u></p> <ul style="list-style-type: none"> The Primary Planning Legislation relating to conservation and conservation areas is found in the <i>Planning (Listed Buildings and Conservation Areas) Act 1990.</i> <i>Section 72(1) of the Act refers to the need for local authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.</i> COMMENT. I believe that special attention is not paid in the Plan to preserving or enhancing the character of the part of the Faversham Conservation area within which the FCNP area lies. That this was understood as a fundamental requirement of the Plan by those writing it is evident from the number of times <i>protecting, preserving and enhancing</i> are mentioned in its text- sadly this is in large part as far as it goes. 	<p>consistent with their conservation.</p> <ul style="list-style-type: none"> Para 128. In determining applications local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Para 129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking into account the available evidence and any necessary expertise... <ul style="list-style-type: none"> On matter of the delivery of sustainable development, the NPPF also states that: Good design is a key aspect of sustainable development. It should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing appropriate innovation. The various policies and advice set out above are referred to later in the discussion of the Plan. The NPPF and the need for up to date evidence about the historic environment - Under 'Plan Making, Historic Environment', para 169, the NPPF advises that: Local Planning Authorities should have up-to date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. Offered the Steering Group up to date new, documented, evidence about the historic/architectural environment of Swan and Town Quays - Faversham Town Quay Character Area Appraisal - a number of times; these offers were ignored and then rejected by the Steering Group. Subsequently drew the Steering Group's attention to the contents of a letter from Keith Falconer OBE concerning the historic, un-listed, open sided timber store shed on Swan Quay. This he confirmed as of special architectural/historic interest. Received no response to this new information about the significance of this heritage asset, which the NP's Undesignated Heritage Asset survey had failed to identify. (Copy of letter in Appendix A). The Neighbourhood Plans Roadmap Guide states, under 'Policy Themes', - 'Historic environments': The special statutory duties that apply to decisions involving listed buildings and conservation areas will need to be taken into account. Policies need to guide planning applications and conservation area consent. At the heart of the Governments approach is developing understanding of the significance of heritage assets as a basis for considering change. (page 43). This requirement is crucial to the argument that the way the Steering Group developed its proposals does not meet statutory requirements in respect of listed buildings and conservation areas. The FCNP and its 16 objectives <ul style="list-style-type: none"> The Plan fails at Objective 12, through its failure to adequately assess the character of the conservation area with specific reference to Swan (site 5) and Town Quays. It thus fails to protect and enhance the Creek's rich and outstanding maritime (and) industrial heritage. The Plan fails at Objective 14 to maintain and enhance the surrounding townscape, through the effect of its detailed proposals at Swan Quay on the setting of the Creek and on that of Town Quay and of the Grade II* listed warehouse on Town Quay. The Plan fails under Objective 19 because the scope of development opportunities

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			<p>The National Planning Policy Framework and the FCNP.</p> <p>4. <u>Sustainable development and the FCNP.</u></p> <ul style="list-style-type: none"> The NPPF sets out a presumption in favour of sustainable development. The three dimensions to sustainable development, economic, social and environmental, should not be taken in isolation because they are mutually dependent. Development that fails to give due weight to protecting the historic environment, is not sustainable development. COMMENT: I believe that the Creek Neighbourhood Plan is not sustainable because : It fails to establish the full historic/architectural nature and significance of at least one part of the Faversham Conservation Area contained within it and therefore fails to provide a properly informed and appropriate base from which to develop proposals, and It fails, in the detailed siting of proposed new development, to take account the effect of this on the settings of listed buildings and on the character of the conservation area. <p>5 <u>The NPPF core principles.</u></p> <ul style="list-style-type: none"> The NPPF sets out 12 core planning principles. These include the requirement to: Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. COMMENT. With specific reference to Swan Quay, I believe that the Plan, because it fails to identify the significance of this Quay's existing spaces and buildings, thereby fails to preserve and conserve these heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations. <p>6 <u>Delivery of sustainable development</u> - the heritage element of the NPPF Pursuant to the delivery of sustainable development the NPPF has a number of paragraphs relevant to conservation. The parts of these applying here are as follows:</p> <ul style="list-style-type: none"> Para 126. Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation. Para 128. In determining applications local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Para 129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking into account the available evidence and any necessary expertise... On the same matter of the delivery of sustainable development, the NPPF also states that: Good design is a key aspect of sustainable development. It should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing appropriate innovation. The various policies and advice set out above under this head are referred to as necessary, later in the discussion of the Plan. 7. The NPPF and the need for up to date evidence about the historic environment. Under 'Plan Making, Historic Environment', para 169, the NPPF advises that: Local Planning Authorities should have up-to date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. COMMENT. I offered the Plan Steering Group up to date new, documented, evidence about the historic/architectural environment of Swan and Town Quays -my Faversham Town Quay Character Area Appraisal - a number of times during the Plan making process. These offers were ignored and then finally rejected by the Steering Group (1). 	<p>at Swan Quay has been incorrectly assessed, this leading to proposals damaging to the historic visually low key, low rise and fine grained conservation area character already long established at Swan Quay and Town Quay.</p> <p><u>'Meeting the basic conditions'</u> (p.8).</p> <ul style="list-style-type: none"> Under this section the FCNP sets out: ... the national and local planning policies that the Faversham Creek Neighbourhood Plan conforms with. It also lists other background reports and studies that are of relevance to the drafting of the neighbourhood plan. It states that: This comprehensive list of documents shows that the Faversham Creek Neighbourhood Plan meets the Basic Conditions,... The Plan does not meet basic conditions here because the Steering Group set aside my Faversham Town Quay Character Area Appraisal which has been judged by professionals to be useful and to contain important new information about Swan and Town Quays <p><u>Swale Local Plan 2008</u></p> <ul style="list-style-type: none"> Various Local Plan policies (Swale Local Plan 2008) are recorded in the Submitted version of the FCNP; Policy FAV I, Policy AAP2 and Policy CP7. The relevant 2008 Local Plan policies are clear and unambiguous. The FCN Plan sets other matters above this -as is evident from the Plan's detailed, site-specific building clearance and site redevelopment policies at Swan Quay. <p><u>Policy NPI 'The Faversham Creek Neighbourhood Plan'</u> (Page 18).</p> <ul style="list-style-type: none"> The FCNP notes that the Swale Local Plan refers to the FCNP and that it makes the following statement: Specific site allocations and proposals, including finalising the levels of new employment and housing will be made through the Faversham Creek Neighbourhood Plan process. Faversham Creek Streetscape Strategy is discussed in the FCNP and includes a quotation (p.18) from 'Bearing Fruits '2013: A number of development opportunity sites front onto the creek which may be brought forward during the period covered by this strategy. Swan Quay is one of the development opportunity sites referred to. From the beginning all the Creekside sites in the Plan area have been seen as opportunities for new development, notwithstanding the fact that the Plan contains no detailed conservation area analysis of any of them. The Faversham Conservation Area Appraisal (2004) is mentioned in the Plan, including a very brief summary of its content in respect of certain selected parts of the conservation area. There is no reference to the Appraisal's judgment of existing fabric and character at Swan Quay. (The Plan proposals sweep much of this away.) The historic buildings on Swan Quay all have connections with the Creek and the character of the remaining part of the Quay is as expressed in the 2004 Appraisal. Swan Quay's significance is set out in detail in my 'Faversham Town Quay Character Appraisal'. This section of the Plan dealing with Undesignated Heritage Assets and Values mentions the Conservation Area and its Listed Buildings. The Plan authors say it " ...addresses undesignated buildings and other assets...It also updates the CACA to take into account developments and changes that have taken place since 2004." There is no identification of any undesignated heritage asset at Swan Quay nor is there any assessment of the existing character of that place for its contribution to the character of the conservation area. Places, Enhancing the historic environment.(p.22) Conservation Area. This section of the Plan notes that "...the NP is entirely within the Fav Con Area.....In this context, the requirement to preserve and enhance heritage assets, their significance and their settings, as laid out in the NPP Framework, together with local policies on heritage and conservation, may be a constraint on new development, since it may restrict both design

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			<ul style="list-style-type: none"> • I subsequently drew the Steering Group's attention to the contents of a letter to me from Keith Falconer OBE concerning the historic, un-listed, open sided timber store shed on Swan Quay. This he confirmed as of special architectural/historic interest, recommending that it be accorded (effectively) undesignated heritage asset status. I received no response from the Steering Group to this new information about the significance of this heritage asset, which the NP's Undesignated Heritage Asset survey had failed to identify. (Copy of letter at Appendix A) • 8. <u>The Neighbourhood Plans Roadmap Guide</u>. • The Locality Neighbourhood Plans Roadmap Guide states, under 'Policy Themes',- • 'Historic environments': The special statutory duties that apply to decisions involving listed buildings and conservation areas will need to be taken into account. Policies need to guide planning applications and conservation area consent. At the heart of the Government's approach is developing understanding of the significance of heritage assets as a basis for considering change. (page 43). • COMMENT. This requirement is crucial to my argument that the way the Steering Group developed its proposals does not meet statutory requirements in respect of listed buildings and conservation areas. • <u>The FCNP and its 16 objectives</u>. • 9 Relevant objectives named under the Plan • Objective 12) Protect and enhance the creek's rich and outstanding maritime, industrial and landscape heritage for educational and economic purposes • Objective 14) maintain and enhance the surrounding townscape and setting of the creek, its roofscape and higher ground ... • Objective 19) Development opportunities in the central part of the Creek (sites 4 and 5) are within a fine grained area of tightly knitted development and new proposals should respond to this in an appropriate manner. • COMMENT: I argue later below, that: • The Plan fails at Objective 12 above, through its failure to adequately assess the character of the conservation area with specific reference to Swan (site 5) and Town Quays. It thus fails to protect and enhance the Creek's rich and outstanding maritime (and) industrial heritage. • The Plan fails at Objective 14 above to maintain and enhance the surrounding townscape, through the effect of its detailed proposals at Swan Quay on the setting of the Creek and on that of Town Quay and of the Grade II* listed warehouse on Town Quay. • The Plan fails under Objective 19 above because the scope of development opportunities at Swan Quay has been incorrectly assessed, this leading to proposals damaging to the historic visually low key, low rise and fine grained conservation area character already long established at Swan Quay and Town Quay. • The FCNP, its references to other documents and comments on these. • 10 Section of the Plan headed 'Meeting the basic conditions '(p.8). • Under this section the FCNP sets out: ... the national and local planning policies that the Faversham Creek Neighbourhood Plan conforms with. It also lists other background reports and studies that are of relevance to the drafting of the neighbourhood plan. • It states that: This comprehensive list of documents shows that the Faversham Creek Neighbourhood Plan meets the Basic Conditions,... • COMMENT. The Plan does not meet basic conditions here because the Steering Group set aside and refused to study my Faversham Town Quay Character Area Appraisal which has been judged by professionals to be useful and to contain important new information about 	<p>and layout of developments....alternatively it may be an opportunity to agree with developers a more interesting and sympathetic design." Considering the first part of this proposition, I note that detailed, site specific redevelopment proposals recommending siting, height and size of new buildings are given in the Plan for every site considered. Once the Plan in this form is approved, it is hard to see how the Council will be able to 'row back' on any of these proposals, in the event of concerns at Planning Application stage as to whether these do actually preserve or enhance conservation area character. Regarding the second half of the proposition, the key matters are again the Plan's already recommended siting, height and size of the new buildings. In these circumstances the opportunity to agree with developers a more interesting and sympathetic design is more realistically put as the 'opportunity to dress the same building up in different ways'.</p> <ul style="list-style-type: none"> • Historic environment + heritage Policies (HE1 and HE2) are standard clauses that have to be included in any document dealing with Planning Permission when it involves development in conservation areas and works affecting listed buildings. The Neighbourhood Plan puts the responsibility for meeting these imperatives onto the developers. Given the degree of detail in the Plan's proposals for all its redevelopment sites, these are matters that it should have attended to itself- and did not. • Associated historic environment and heritage asset projects - The Plan does not accept that there are heritage assets within its development sites other than the listed ones at Standard Quay and at Swan Quay. Thus the reference here applies only to the reuse and/or restoration of the Plan sites' stock of listed maritime buildings. The first clause mentions the principle of reuse in relation to these listed buildings. For clarity a qualifying reference here should have been to the NPPF's Planning Practice Guidance Notes (03.2014) and the sub-heading What is a viable use for a heritage asset? The second of the two Plan clauses seems almost quixotic in its optimism. The Plan offers nothing finite, definite, that can be seen as genuinely responding to the Creek's industrial maritime heritage. • Design Quality (p 28) Clause DQJ notes that new buildings throughout should be.... of no more than three storeys. • New Homes (p 31) - flooding from high tides in the Creek is at last raised. • In this summary of policies apparently related to the Local Plan new residential development is presented as secondary- as intended to assist with the viability of mixed use schemes. It is clear that the residential element drives the rest at Swan Quay, and also at all the Plan's other creekside 'opportunity' sites. • Where dwellings are raised up a storey, integral garages will be a developer's first preference. The mixed-uses the Plan proposes at ground floor on all the sites may well simply fill up space not needed by garages. The Plan has no seriously considered ground floor use proposals. It offers a selection of non-residential uses for the 'at risk' ground floors but in none of these has viability been seriously canvassed - let alone with the tag line 'subject to occasional flooding'. • The 35% target for affordable houses may be a problem as developers may say that the extra cost of raising houses up a storey to avoid flooding, puts them out of reach as 'affordable' propositions. • <u>Flooding</u> – The site immediately north of Swan Quay had its ground level raised (to avoid flooding) as part of the recent residential redevelopment works there. Raising existing levels at Swan Quay in line with the new ones next door would now certainly be recognised as exacerbating endemic flooding problems, for instance on the Brents across the Creek, as well as at Town Quay next door. In addition it would leave the listed building on Swan Quay (the blue chandlery building and its attached shed) either sitting in a hole, or leave the

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			<p>Swan and Town Quays. I give details later of how this document, which I prepared and made available to the Plan Steering Group during the Plan making process, was first ignored and then rejected for consideration by them.</p> <ul style="list-style-type: none"> • II <u>Swale Local Plan 2008</u> • Among other things, various Local Plan policies (Swale Local Plan 2008) are recorded in the Submitted version of the FCNP. Those relevant here are: <ul style="list-style-type: none"> • Policy FAY I The Faversham and the Rest of Swale Planning Area. • Within Faversham and the rest of Swale Planning Area, conservation of the historic and natural environment is the prime and overriding consideration. • Policy AAP2. Faversham Creekside. (Page 9). (3). Preserve or enhance the areas special archaeological, architectural and historic character, including its open spaces. • Policy CP7. Conserving and enhancing the historic environment. (Page 17). • There are 6 points under this head all of which express suitable approaches to the issues. • COMMENT. The relevant 2008 Local Plan policies are clear and unambiguous. The FCN Plan, though much is said in its text about preserving, protecting and enhancing the built environment, sets other matters above this -as is evident from the Plan's detailed, site-specific building clearance and site redevelopment polices at Swan Quay. (see later, below). • 12 Policy NPI. 'The Faversham Creek Neighbourhood Plan' (Page 18). • The FCNP notes that the Swale Local Plan refers to the FCNP and that it makes the following statement: <ul style="list-style-type: none"> • Specific site allocations and proposals, including finalising the levels of new employment and housing will be made through the Faversham Creek Neighbourhood Plan process. • The policies and advice set out above at II and 12, are referred to as necessary later in the discussion of the Plan. • 13 <u>Faversham Creek Streetscape Strategy</u>. • The FCNP discusses the Town Council's Streetscape Strategy and includes a quotation (p.18) from a paper 'Bearing Fruits '2013, as follows: <ul style="list-style-type: none"> • A number of development opportunity sites front onto the creek which may be brought forward during the period covered by this strategy. • COMMENT. Swan Quay is one of the development opportunity sites referred to. From the beginning all the Creekside sites in the Plan area have been seen as opportunities for new development by the Plan managers. This is notwithstanding the fact that the Plan contains no detailed conservation area analysis of any of them, such as will be required of developers submitting Planning Applications for new development within them (see section 6 above, NPPF paras 128, 129). • 14. <u>The Faversham Conservation Area Appraisal (2004)</u> • • The Council's Faversham Conservation Area Appraisal is mentioned on page 19 of the Plan and this includes very brief summaries of its content and judgments in respect of certain selected parts of the conservation area. There is no reference in the Plan text to the Appraisal's judgment of existing fabric and character at Swan Quay. (The Plan proposals sweep much of this away.) • I therefore quote here the relevant part of the Council's Faversham Conservation Area Appraisal text overlooked by the FCNP managers. This notes that at Swan Quay a rather pleasing array of traditional-looking industrial buildings fronts onto the creek and goes on to say that despite having no direct connection with the water this site has established a rather convincing aesthetic relationship with the creek.(2) 	<p>developer with a large bill for raising it up. The Plan takes the line of least resistance by not commenting on existing site levels; it thereby avoids the wider issue of the problem of general flooding around the Creek head.</p> <p><u>Plan Site 05 -Swan Quay</u></p> <ul style="list-style-type: none"> • The Plan notes that on the Quay there is an open shed with a metal trussed roof ...This intact structure, dating from between 1896 and 1907, which I have had confirmed as an undesignated heritage asset is in fact built of timber throughout. <p><u>Suggested Redevelopments, Designs and Land Uses.</u></p> <ul style="list-style-type: none"> • The statutory significance of the fact that these new buildings stand within the setting of the Grade II* listed medieval Town warehouse on adjoining Town Quay, Grade II listed chandlery, and a Grade II listed pub and house is not acknowledged. • All together these arrangements are calculated to produce 'approximately 15-20 residential units'. The fact that the site is within the Faversham Conservation Area is not acknowledged at this point. The conservation/planning issues arising from the proposal and discussed earlier have not been taken into account anywhere else in the document. They should have been, given the detailed site-specific nature of the proposals as set out above. This is also the case for the other creek-side 'opportunity' sites. Similar avoidance of the conservation issue is to be seen in the proposal to extend the listed chandlery etc - background work to support this idea is not presented, certainly because it has not been done. • The site owner's detailed housing scheme for Swan Quay provides a garage for every new dwelling on the site, contrary to the 'limited parking' recommended in the Plan's detailed proposals. • The proposals for blocks three and a half storeys high are in conflict with the height of no more than three storeys recommended for use throughout the Plan area under the Plan's general clause DQI. • The Plan expectation that various non-residential users will come forward to occupy parts of the ground floors of the two main blocks proposed, and the Listed chandlery, etc are all potentially subject to flooding and will not prove sustainable. • In the end when the developers do their final sums the bulk of the new ground floor spaces at Swan Quay, as well as those on the other Plan redevelopment sites, will be garages for the houses and flats above them. • After presenting its detailed redevelopment proposals for Swan Quay, the Plan gives the following advice and immediately after this, it offers a caveat: The policies for Swan Quay set out the general design and planning principles to which a development must respond in order to be successful. Howeverthere then follow standard clauses relating to Planning Applications in Conservation areas, settings of listed buildings etc (the caveat). • The first part of this statement is unequivocal - The policies for Swan Quay set out the general design and planning principles for successful development there. Taken in context this can only mean that the form of site layout and the building heights etc. recommended here in the Plan are the passport to a successful Planning Application to develop the site. In the particular circumstances no other interpretation can be put on the word successful. • The Plan has effectively pre-judged very important issues. Leaving aside the matter of the undesignated heritage assets at Swan Quay, the proposed new site layout and built-form there have been decided on without considering the statutory matters of their effect on the settings of the Grade II* and Grade II listed buildings, as well as their effect on the character of the Faversham Conservation Area. Nowhere in the Plan is there mention of investigation of these matters. • The site-specific detailed proposals scheme is provided but an essential and statutory part

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			<ul style="list-style-type: none"> • COMMENT. The historic buildings on Swan Quay do in fact all have connections with the Creek. The judgments made are in other respects accurate. The small far north section of the Quay as it was in 2004 is now occupied by three and four storey housing blocks. Notwithstanding this, the character of the remaining part of the Quay is as expressed in the 2004 Appraisal. • Swan Quay's significance as established in 2004 is heightened by the now known facts of the historic and practical connections between the creek, the Quay and buildings on and beyond the Quay. These are set out in considerable detail in my 'Faversham Town Quay Character Appraisal' and are discussed further in Part 2. Copies of my Appraisal were personally handed to the Faversham Town Clerk on 20th August 2013 and to two members of the Steering Group, Mssrs Salmon and Sell, on 14th November 2013. • 15 <u>Undesignated Heritage Assets and Values.</u> • This section of the Plan dealing with Undesignated Heritage Assets and Values mentions the Conservation Area and its Listed Buildings. It notes the Report commissioned by the Plan Steering Group from two of its members entitled Undesignated Heritage Assets and Values, This, the Plan authors say: <ul style="list-style-type: none"> • ...addresses undesignated buildings and other assets...It also updates the CACA to take into account developments and changes that have taken place since 2004. • COMMENT. There is no identification in this document of any undesignated heritage asset at Swan Quay nor is there any assessment of the existing character of that place for its contribution to the character of the conservation area. I discuss these points later, below. • 16. <u>Places, Enhancing the historic environment.</u> (p.22) Conservation Area. • This section of the Plan notes that: ...the NP is entirely within the Fav Con Area.....In this context, the requirement to preserve and enhance heritage assets, their significance and their settings, as laid out in the NPP Framework, together with local policies on heritage and conservation, may be a constraint on new development, since it may restrict both design and layout of developments....alternatively it may be an opportunity to agree with developers a more interesting and sympathetic design. • COMMENT. Considering the first part of this proposition, I note that detailed, site specific redevelopment proposals recommending siting, height and size of new buildings are given in the Plan for every site considered (details of this for Swan Quay are discussed later at Sections 22/23). Once the Plan in this form is approved, it is very hard indeed to see how the Council will be able to 'row back' on any of these proposals, in the event of concerns at Planning Application stage as to whether these do actually preserve or enhance conservation area character. • With regard to the second half of the proposition, the key matters are again the Plan's already recommended siting, height and size of the new buildings. In these circumstances the opportunity to agree with developers a more interesting and sympathetic design is more realistically put as the 'opportunity to dress the same building up in different ways'. • • 17 <u>Historic environment + heritage Policies.</u> (P 27) • Standard FCN Plan Heritage policies of relevance under this head are: HEJ Any new devpt etc... will be required....to preserve or enhance the setting of heritage assets. • HE2Any application... must include an appraisal of the site and its surroundings... • COMMENT. These two policies are standard clauses that have to be included in any document dealing with Planning Permission etc. when it involves, or will involve, development in conservation areas and works affecting listed buildings. • Here the Neighbourhood Plan puts the responsibility for meeting these imperatives onto the 	<p>of the groundwork to back it up - to confirm that the detailed proposals either preserve or enhance conservation area character and do not damage conservation area character and the settings of listed buildings - is not there. Swale Council's Faversham Conservation Area Appraisal was ignored. Additionally, the Steering Group ignored my serious examination of the historic and architectural significance of Swan Quay, in my Appraisal.</p> <ul style="list-style-type: none"> • The Plan text then goes on- in the caveat forming the second half of the quotation above • -to say that proposals seeking Planning Permission must meet the relevant Local Plan, Planning (Conservation Area) and Listed Building requirements etc. It is hard to see how this last advice can be squared with the clear general design and planning principles for the site set out immediately above in the Plan, and which it is recommended must be followed in order to arrive at a successful (planning) outcome. The only way the two divergent points might be squared would be to assume that those writing the Plan somehow had pre-knowledge of the results of a serious examination of the wide conservation issues involved - surely not a likely scenario. <p><u>PART 2 Detailed discussion of, and background to, the main issues raised in part 1</u></p> <ul style="list-style-type: none"> • Attempts, over more than a year, to open a dialogue about concerns with the managers of the Plan failed and therefore I had recourse to Swale Council who did deal with me in a professional manner. Their consistent response was that they considered my arguments to be mostly matters of detail which would be dealt with at Planning Application stage. In this particular Neighbourhood Plan the devil is in the specific detail. <p><u>Background to the Steering Group's 'single-option' Faversham Creek Neighbourhood Plan, and the Group's detailed designs for redevelopment of the sites.</u></p> <ul style="list-style-type: none"> • Steering Group spokesmen consistently said that all the former creek-side maritime/industrial sites in the Plan area must be redeveloped for residential use. The Group's fore-runner, the Faversham Creek Consortium, had the same objective. This is in conflict with the 2008 Local Plan and with the results of the two public consultations so far on the Neighbourhood Plan. • The FCNP offers as authorisation for the change of use of this and the other Plan sites, the already quoted Policy NP1 which gave the Steering Group flexibility to act as it chose in key matters. The Steering Group confirm their intended use for the creekside sites with a quotation from a supporting paper 'BearingFruits'2013, which draws attention to the fact that a number of development opportunity sites front onto the creek. • This autumn (2014) it was publicly confirmed that one reason residential redevelopment use is sought is because Swale Council does not currently have a sufficient housing land supply. This is in fact a fairly recent argument. Residential use of the remaining creek-side industrial sites may be convenient for Swale Council in order to increase housing land supply, but the commitment to housing here has a rather longer history than that. • It was argued by the Steering Group that the Plan sites would automatically fall for residential development even without the Plan, because of the shortfall in the Council's housing land supply figures. The Steering Group claimed that taking the sites through the Neighbourhood Plan would produce better results for the community than would letting the developers get on with it, to go through the Planning system on their own. The Plan's failure to address the conservation issues raised shows the reverse to be the case. Were we now considering conventional planning applications for developments in a conservation area, much of the unfinished conservation business which I have described would already

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			<p>developers and their agents who will prepare planning and listed building consent applications for each site. As noted above it is my contention that given the degree of detail in the Plan's proposals for all its redevelopment sites, these are matters that it should have attended to itself- and did not. (This is discussed further under Plan Site 05, Sections 22 & 23 of this paper.)</p> <ul style="list-style-type: none"> • 18 <u>Associated historic environment+ heritage asset projects.</u>(v.27) • Two items are included in the Plan under the heritage asset head: <ul style="list-style-type: none"> • Reuse and/or restoration of disused or dilapidated heritage assets. • Active uses for vacant or underused sites which enhance the historic environment and respond to the Creek's Industrial maritime heritage. • COMMENT. There is no Plan comment on these items so one must guess why they are included- possibly because one at least may refer back to guidance in the NPPF. Taking building reuse etc first - the Plan does not accept that there are heritage assets within its development sites other than the listed ones at Standard Quay and at Swan Quay. Thus the reference here applies only to the reuse and/or restoration of the Plan sites' stock of listed maritime buildings. • The first clause mentions the principle of reuse in relation to these listed buildings. For clarity a qualifying reference here should have been to the NPPF's Planning Practice Guidance Notes (03.2014) and the sub-heading What is a viable use for a heritage asset? under Conserving and enhancing the historic environment. (This advises...If there is only one viable use, that use is the optimum viable use, if there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset.) • The second of the two Plan clauses above seems almost quixotic in its optimism. The Plan offers nothing finite, definite, that can be seen as genuinely responding to the Creek's industrial maritime heritage. One looks for it in vain in the detailed Plan proposals for Swan Quay. • 19 <u>Design Quality</u> (p 28) • Under Design Quality Policies clause DQJ the Plan notes that new buildings throughout should be.... of no more than three storeys. • 20 <u>New Homes.</u>(p 31) • Under this section - because the Plan is here dealing for the first time with the realities of the new homes that the sites must accommodate - the important matter of flooding from high tides in the Creek is at last raised, as follows: <ul style="list-style-type: none"> ○ flooding (is) a problem...but the explanatory text supporting the policy for the FCNP consultation draft (NP1) advises that, dependent on design, amenity and flood considerations, residential development could be permitted above ground floor level to assist with the viability of mixed use schemes and provide activity throughout the day and evening. It goes on to say that The expected target for affordable housing is 35% and that Numbers of residential units are indicated in the site-specific policies. • COMMENT. In this summary of policies apparently related to the Local Plan (see Section 12 above) new residential development is presented as secondary- as intended to assist with the viability of mixed use schemes. This same mantra was repeated by agents acting for the site owner in their correspondence with the Plan Steering Group. But this is not how it really is: from study of the detailed Plan proposals it is clear that the residential element drives the rest at Swan Quay, and also at all the Plan's other creekside 'opportunity' sites. • Where dwellings are raised up a storey as here, integral garages will be a developer's first, 	<p>have been addressed.</p> <ul style="list-style-type: none"> • The Plan Steering Group's support for residential redevelopment for every site in the Plan area was naturally endorsed by the site owners. Proposals for alternative uses for the sites were seen by the Plan Steering Group as unsustainable and were all dismissed either immediately, or after a time lapse. • In February 2014 an attempt was made to bring forward my own set of preliminary suggestions for the reuse of the existing buildings and spaces at Swan Quay (Appendix D). This was to become Faversham: The Town Centre Quays, a Conservation Plan -a copy is included with this paper. At the same time my Faversham Town Quay character area Appraisal was also formally put forward for consideration by the Steering Group. • At a Steering Group meeting in March 2014 a decision was made about my Appraisal. The minutes show that there was a proposal that it should not be considered but that the Steering Group should adhere instead to their Undesignated Heritage Assets paper for the development of the draft plan. In discussion it was noted that the Steering Group had adopted the Undesignated Heritage Assets paper across the whole plan area, which had been prepared in line with the NPP Framework and in discussion with SBC's conservation officer. • Redevelopment proposals for Swan Quay, as also those for other Plan sites, were put together by the Steering Group in association with architects and planning advisers working to the individual site owners. In order to provide dwelling numbers architects designed a housing scheme for Swan Quay. This scheme was subject to discussion and some amendment by the Steering Group. • While Design Quality Policies, clause DQJ of the Plan, states that new buildings should be no more than three storeys high, the proposals for Swan Quay involve two blocks that are three and a half storeys high. The two most visible housing blocks of the Steering Group proposals are also three and a half storeys high. They would be the most prominent features of the site as seen from the Brents across the creek and from the creek bridge and elsewhere. • The economical way to bring high density residential development to sites like Swan Quay is in terrace form and thus contribute the highest possible number of dwellings towards the Council's five year housing land figure and the maximum number of house units for the developer. • From the start all other alternative development or site reuse options were dismissed by the Steering Group. Throughout the Steering Group's detailed 'site planning' exercise at Swan Quay, there was no proper consideration of the fact that the scheme proposed was entirely within the Faversham Conservation Area, of the effect of the Plan proposals on its character. <p><u>The Faversham Conservation Area, Conservation Area Appraisals and the Faversham Town Quay Character Area Appraisal</u></p> <ul style="list-style-type: none"> • Local Planning Authorities have a duty under Section 72(1) of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Government expects as much from the managers of Neighbourhood Plans. • The Plan Steering Group gives Swale Council's Faversham Conservation Area Appraisal (2004) as one of its two only sources for guidance on conservation area matters. Their other source is the List of designated and undesignated heritage assets within the Plan area. It seems that the Group had not studied the English Heritage publications that give detailed advice about conservation areas and the means of establishing conservation area character.

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			<p>and entirely logical, preference. The various mixed-uses the Plan also proposes at ground floor on all the sites may well in the end simply fill up space not needed by garages.</p> <ul style="list-style-type: none"> • The Plan has no seriously considered ground floor use proposals. It offers a selection of non-residential uses for the 'at risk' ground floors (see Sections 21,22). In none of these, it appears, has viability been seriously canvassed - let alone with the tag line 'subject to occasional flooding'. (3) Among the list of uses proposed is the crucial one- garages- see Sections 21, 22 & 23 below. • The 35% target for affordable houses may be a problem. The Plan contains no demonstration that the sustainability of this target has been seriously investigated. Ultimately, developers may say and with some justification, that the extra cost of raising houses up a storey to avoid flooding, puts them out of reach as 'affordable' propositions. So eventual failure to meet the 35% target in this respect may perhaps be anticipated. • 21 <u>Flooding</u>.(:p 34) • Flooding policies are set down as follows: <ul style="list-style-type: none"> ○ More vulnerable uses such as residential development are not located on the ground floor (garages would be acceptable subject to there being no 'detrimental impact'.) ○ Flood Risk would not increase elsewhere. • COMMENT. The underlying Plan site development advice, referred to at 20) above, is drawn from the first of these two policies on flooding. Garages are the only ground floor use option referred to here. The situation where garages might possibly have a 'detrimental impact' is not explained. • The second of the two flooding policies is significant. The site immediately north of Swan Quay - formerly part of Swan Quay - had its ground level raised (to avoid flooding) as part of the recent residential redevelopment works there. The extent of raising at the waterfront can be seen at the junction of Swan Quay and the putative public walkway along the creek edge on this adjoining site - at the North West corner of Swan Quay. Here there is a significant drop down in level to Swan Quay. • Raising existing levels at Swan Quay in line with the new ones next door would now certainly be recognised as exacerbating endemic flooding problems, for instance on the Brents across the Creek, as well as at Town Quay next door (4). In addition it would leave the listed building on Swan Quay (the blue chandlery building and its attached shed) either sitting in a hole, or leave the developer with a large bill for raising it up. • The Plan thus takes the line of least resistance by not commenting on existing site levels - raising these would heighten the risk of increasing flooding elsewhere. It thereby avoids the wider issue of the problem of general flooding around the Creek head. From the conservation viewpoint this is good news. But one must ask, if a Neighbourhood Plan does not seriously consider and come to conclusions on strategies for historic, endemic, flooding, along with its other investigations and proposals for an area, has it done its full job? Flooding remains a very real concern for those local residents affected, after all. • 22 <u>Plan Site 05 -Swan Quay</u> (:p 47). • The proposals for residential redevelopment at Swan Quay. • The Plan notes that on the Quay there is an open shed with a metal trussed roof ...This intact structure, dating from between 1896 and 1907, which I have had confirmed as an undesignated heritage asset by Keith Falconer OBE (see further below) is in fact built of timber throughout. • Detailed plans for redevelopment of the site are given as follows under: Suggested Redevelopments, Designs and Land Uses. 	<p>This is important because it is generally agreed that the Faversham Conservation Area Appraisal is lightweight in places.</p> <ul style="list-style-type: none"> • Swale's Appraisal does give good support that still applies, to the visual character of the conservation area environment of Swan Quay. • The combination of Swan Quay and adjacent Town Quay is of both architectural and historic significance within the wider Faversham Conservation Area. They are the last, and most central, of the town's formerly extensive town centre quays still retaining aspects of genuine maritime character, this making them into heritage assets in their own right. On Town Quay stands the Town warehouse (late medieval and Grade II* Listed) and on Swan Quay is a Grade II Listed mid-19th century chandlery and 19th century /early 20th century timber storage and seasoning sheds. The softwood timber stored in these sheds was shipped-in from the Baltic and Scandinavia, the trade continuing into the 1970s/' 80s. • These and other related matters are fully examined and demonstrated in my Faversham Town Quay Character Area Appraisal. It is not in conflict with the Council's Faversham Conservation Area Appraisal but rather corrects it a little and widens and deepens its scope for Swan and Town Quays. As noted, a copy is included with this paper. • Swale Council took the decision to set aside my contribution; as noted earlier, representatives of Swale Council have always maintained to me that it was not their business to usurp Steering Group responsibilities. • As noted, and in contrast to Swale Council's position - which appears to be to ignore their own, adopted, Faversham Conservation Area Appraisal - the Plan Steering Group at least confirm that document as the other one of their chosen two guiding conservation related documents. • <u>Summary of the effect on the Conservation Area of the Plan redevelopment proposals at Swan Quay</u> - The Plan's demolition and redevelopment proposals cannot, of their nature, preserve Swan Quay's current attractive and special low-key, low-rise, historic industrial maritime character. Nor does the Plan have anything significant to say about how its new three to three and a half storey high residential terraces on the Quay will enhance the character of this part of the conservation area. On both counts -preservation of conservation area character and enhancement of conservation area character- the Plan's detailed, site specific, proposals for Swan Quay ignore basic conservation area practice and objectives. Under the NPPF/Planning: Listed Buildings and Conservation Areas Act 1990, matters of preserving and enhancing should demonstratively underpin and influence the planning and design of all proposals for new development in conservation areas, as should a full and correct understanding of the significance of place. • In failing to preserve or enhance and by substituting new development of entirely different form and kind, and of much larger scale, the Plan proposal does substantial harm to the character of this part of the Faversham Conservation Area. In the process the setting of the creek itself and of Town Quay next door, the settings of the listed buildings within and adjoining the site, and the character of the Faversham Conservation Area as a whole, suffer substantial harm for no discernible public benefit (NPPF para 133). • The failure of the Neighbourhood Plan to develop a full understanding of heritage assets within the area of Swan Quay. • The Steering Group failed to develop a full understanding of the significance of heritage assets at Swan Quay. Arising from this, the Plan proposals fail to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations (NPPF core Principle). • The architectural and historic significance of Swan Quay as identified in the 'Faversham

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			<ul style="list-style-type: none"> • The open shed just referred to and the modern sail loft building at the wharf front are to be cleared away. Then: On the side of the site adjacent to Town Quay, a range of buildings running at right angles to the creek, up to three and a half storeys, could replace the existing structures. This would create a wider gap between the new and existing buildings with a view of part of the Creek between them. The Plan notes that the building's upper floors would be residential. It says that ground floor uses could be offices/workshops, a gallery and some limited parking. • COMMENT. The statutory significance of the fact that this new three and a half storey building stands within the setting of the Grade II* listed medieval Town warehouse on adjoining Town Quay and is not acknowledged. • The Plan then recommends, in the centre of the site, a second shorter building up to three and a half storeys high, parallel with the first, with a ground floor workshop again with two and a half floors of residential use above. This block has to be shorter than the first in order to get vehicle access around its east end and thus up to the first block. • COMMENT. The statutory significance of the fact that this three and a half storey building stands within the setting of the Grade II listed chandlery is not acknowledged. • The construction of a new single storey extension at the west end of the historic shed attached to the listed chandlery is recommended. This it is suggested could be a retail outlet, a restaurant or a workshop. • COMMENT. The statutory significance of the fact that this extension is to be attached to the listed chandlery/timber shed is not acknowledged. • Another residential block, this time 3 storeys high with parking on the ground floor, is recommended for the existing modest open space immediately to the east of the chandlery building. • COMMENT. The statutory significance of the fact that this three storey building stands within the settings of the Grade II listed chandlery and a Grade II listed pub and house is not acknowledged. • All together these arrangements are calculated to produce 'approximately 15-20 residential units'. • COMMENT. The fact that the site is within the Faversham Conservation Area is not acknowledged at this point. The conservation/planning issues arising from the proposal and discussed earlier have not been taken into account anywhere else in the document. They should have been, given the detailed site-specific nature of the proposals as set out above. This is also the case for the other creek-side 'opportunity' sites. Similar avoidance of the conservation issue is to be seen in the proposal to extend the listed chandlery etc. - background work to support this idea is not presented, certainly because it has not been done. • The site owner's own detailed Architect-designed housing scheme for Swan Quay- on which the Plan proposals are broadly based - provides a garage for every new dwelling on the site. This is rather different from the 'limited parking' recommended above in my first quotation from the Plan's detailed proposals. • The proposals for blocks three and a half storeys high are in conflict with the height of no more than three storeys recommended for use throughout the Plan area under the Plan's general clause DQI. See my section 19. • The Plan expectation is that various non-residential users will come forward to occupy parts of the ground floors of the two main blocks proposed, and the Listed chandlery etc. and its attached shed. As suggested earlier it may be that these office, gallery, restaurant or workshop uses - all potentially subject to flooding because they must stand close to existing 	<p>Town Quay Character Area Appraisal' makes it a heritage asset. In its own right and in the spaces and buildings that it carries, it makes an irreplaceable contribution to the character of the Faversham Conservation Area.</p> <ul style="list-style-type: none"> • One of the Quay's historic timber storage sheds is attached to the north elevation of the chandlery building. It is therefore given a measure of protection by that building's listed status. The other historic shed stands at the foot of Quay Lane, closing the view westward from the top of the Lane - it dates from between 1896 and 1907 and under the Plan it is to be demolished. A full copy of Mr Falconer's letter regarding this is included at Appendix A. • This studied lack of interest in the possibly unique historic timber shed from those managing the Neighbourhood Plan, contrasts with English Heritage's response. Their Listing section rejected the timber shed for Statutory Listing (as apart from anything else, they said it was not old enough for them). But Peter Kendall, Senior AM Inspector, stated that "Even without listing I am satisfied that the structure should be considered as an undesignated heritage asset and something that contributes to the historic significance of the area." • The Steering Group's List of undesignated and designated heritage assets fails to take account of the intrinsic importance of the two historic timber sheds and the open quay areas at Swan Quay, as well as the very significant special contribution that these currently make to the character of the Faversham Conservation Area. • The proposed demolition of the timber shed that is confirmed as an undesignated heritage asset by Keith Falconer, and the alteration of the character of the Quay through the building of new residential development upon it will cause substantial harm to the character of the conservation area while offering no public benefit. (NPPF para I33) • Swale Council set the rules for the management of Conservation/Planning issues in the conservation area - in 2004 it adopted the Faversham Conservation Area Appraisal. In disregarding advice in that document about the quality of the existing environment at Swan Quay and giving no justification for doing so, the Plan Steering Group could be said to have appropriated to itself larger powers than it should reasonably have had. • Failure to assess the effects of the Plan proposals on the settings of Grade II listed buildings on and adjoining Swan Quay and the Grade II*listed building on adjoining Town Quay. • Failure by the FCNP managers to take the effect of redevelopment proposals on the settings of listed buildings into account, in the particular circumstances of the Plan's detailed site-specific redevelopment proposals, is failure to undertake the special statutory duties that apply to decisions involving listed buildings and conservation areas. The proposals also fail to respond to local character and history. (NPPF)It is indisputable that the Neighbourhood Plan's detailed redevelopment proposals for Swan Quay affect the settings of all these listed buildings. Yet the Steering Group made no assessment of the effect of their proposals on the listed building settings. • Neither did they at any time proactively seek to make contact with English Heritage to invite them to join deliberations about the Plan's new building proposals. • It is claimed that consideration of the effect of site clearance and new development on the settings of these listed buildings can be left to the Planning Application process. Given the detailed nature of the Plan's proposals this view does not square with advice in the Historic Environment, Policy Themes, in the Neighbourhood Plans Roadmap Guide. • At Swan Quay two ranges of new three and a half storey blocks set at right angles to the Creek are proposed. These will completely change the character of the settings of the listed buildings on and around the site. Because of their height and siting, the new three and a half storey terraces will dominate views towards these remaining heritage assets from outside the two Quay areas and also from within them. In addition the current low key,

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			<p>Quay level - will not prove sustainable. In any event as already noted this is a concern that has not been tested by the Plan Steering Group.</p> <ul style="list-style-type: none"> • In respect of this I draw attention to the modern industrial building currently on the site - the former joinery works building at the wharf front, now a sail-loft. This was built, a while ago now, with its floor raised well above Quay level. This involved an extra cost that the owners were happy to bear - for good reasons. • In the end and whatever else happens, when the developers do their final sums the bulk of the new ground floor spaces at Swan Quay, as well as those on the other Plan redevelopment sites, will be garages for the houses and flats above them. Ground floor facades will be mostly composed of garages and front doors. One will be looking at a small high density housing estate with a limited number of other ground floor uses fitted in between the garages. • Plan advice under this same head, (Plan Site 05), on Planning Application matters etc. • 23 After presenting its detailed redevelopment proposals for Swan Quay, the Plan gives the following advice and immediately after this, it offers a caveat: The policies for Swan Quay set out the general design and planning principles to which a development must respond in order to be successful. Howeverthere then follow standard clauses relating to Planning Applications in Conservation areas, settings of listed buildings etc etc. (the caveat). • COMMENT. The first part of this statement is unequivocal - The policies for Swan Quay set out the general design and planning principles for successful development there. Taken in context this can only mean that the form of site layout and the building height etc. recommended here in the Plan, and reviewed above, are the passport to a successful Planning Application to develop the site. In the particular circumstances no other interpretation can be put on the word successful. • Given that this is the case, the Plan has effectively pre-judged very important issues. Leaving aside the matter of the undesignated heritage assets at Swan Quay, the proposed new site layout and built-form there have been decided on without considering the statutory matters of their effect on the settings of the Grade II* and Grade II listed buildings, as well as their effect on the character of the Faversham Conservation Area. • As has been said before nowhere in the Plan as presented for Consultation is there mention of investigation of these matters. The site-specific detailed proposals scheme is provided, with its key element for the Plan managers and developers of 15 to 20 new housing units. But an essential and statutory part of the groundwork to back it up - to confirm that the detailed proposals either preserve or enhance conservation area character and do not damage conservation area character and the settings of listed buildings - is not there. • Indeed, where formally Adopted analysis of the current character of Swan Quay was available as an aid to this process, in Swale Council's own Faversham Conservation Area Appraisal, it was ignored. (See Section 14 above) In addition when the Steering Group was, as described earlier, given an opportunity to consider a serious examination of the historic and architectural significance of Swan Quay, in my Appraisal, they took a deliberate decision not to do so. (Detail of this is given in Part 2). • The Plan text then goes on- in the caveat forming the second half of the quotation above -to say that proposals seeking Planning Permission must meet the relevant Local Plan, Planning (Conservation Area) and Listed Building requirements etc. <p>It is hard to see how this last advice can be squared with the clear general design and planning principles for the site set out immediately above in the Plan, and which it is recommended must be followed in order to arrive at a successful (planning) outcome. The only way the two divergent points might be squared would be to assume that those writing the Plan, somehow</p>	<p>maritime industrial heritage, character of Swan Quay where it abuts the creek itself will disappear.</p> <ul style="list-style-type: none"> • The special character of this part of the conservation area will be destroyed through the Plan's proposed processes of demolition and redevelopment. The listed buildings left behind will then stand within and adjoining a new built environment designed with no thought as to its effect on their settings. • The current proposals as described in the Plan are effectively an updated, amended, version of what a previous leaflet shows. A copy of the leaflet is attached to this paper, Appendix B. In June 2013 adverse public reaction to this illustration and to the Plan proposals in general was very strong. • Believes that significant changes to the current proposals at Planning Application stage, to take account of any detrimental effect they might then be found to have on the Conservation Area and the settings of four listed buildings, may not be supported by Swale Council, especially should they involve reduction in the number of houses provided. • <u>English Heritage</u> - believe that it would have been appropriate for the Plan managers to have sought to involve English Heritage from early on in the Plan process. I have been in touch with English Heritage regarding the Plan off and on since June 2013. I raised the lack of contact with the Town Clerk a number of times. I also wrote to Swale Council referring to the statutory duty of Local Authorities to consult English Heritage over details of a Planning Applications for development in a conservation area. • It is claimed that at the SG's last consultation stage, EH were given the opportunity to comment - I have been told by Peter Kendall of EH that this may possibly have happened but he is unaware of any such opportunity arising. • Lists 10 Endnotes. • Appendices - <p>A. Copy of a letter from Keith Falconer OBE, former head of Industrial Archaeology at English Heritage and Vice Chairman, Association for Industrial Archaeology.</p> <p>B. Copy of a Faversham Creek Neighbourhood Plan Steering group leaflet showing proposed redevelopment at Swan Quay, Faversham, June 2013.</p> <p>C. Paper trail of communications with Town Clerk/Steering Group</p> <p>D. Copy of submission to Steering Group requesting acknowledgment of my Faversham Town Quay Character Appraisal and a paper introducing my proposals for alternative, conservation, use proposals for Swan Quay. Jan .2014</p>

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			<p>had pre-knowledge of the results of a serious examination of the wide conservation issues involved - surely not a likely scenario.</p> <p>PART 2 Detailed discussion of, and background to, the main issues raised in part 1</p> <p><u>Contents:</u></p> <p>1 Swale Council's response to my concerns about some aspects of the Neighbourhood Plan.</p> <p>2 Some background to the Plan Steering Group's choice of the 'single-option' Neighbourhood Plan.</p> <p>3 The Faversham Conservation Area, Conservation Area Appraisals, other conservation matters and the Neighbourhood Plan.</p> <p>4 The failure of the Neighbourhood Plan to develop a full understanding of heritage assets within the area of Swan Quay.</p> <p>5 The failure of the Neighbourhood Plan to assess the effects of the Plan proposals on the settings of the Grade II listed buildings on and close to Swan Quay and the Grade II* Listed building on adjoining Town Quay.</p> <p>6 English Heritage and the Plan proposals. The failure to include English Heritage as stakeholder in the development of the Plan (as a contributing statutory consultee at Planning Application stage).</p> <ul style="list-style-type: none"> • Swale Council's response to my concerns about some aspects of the Neighbourhood Plan • I.I As may already have been understood, attempts - over more than a year - to open a dialogue about my concerns with the managers of the Plan failed - they were ignored. In the end therefore I had recourse to Swale Council who did deal with me in a professional manner, at least in so far as providing a response was concerned. • 1.2 Their consistent response was that they considered my arguments to be mostly matters of detail which would be dealt with at Planning Application stage. My most recent and I anticipate last, reply on the subject from the Council - in response to my last letter raising the issues- is an example of this. The Council Leader Andrew Bowles, wrote to me as follows: I am well aware of the specific issues you raise....Many of the issues ...are too detailed for a neighbourhood plan and would be dealt with at the detailed planning application stage. (letter 18th Nov. 2014). • 1.3 I believe that in Part 1 of this document I have demonstrated why Swale Council's argument as expressed by Councillor Bowles is disingenuous. In this particular Neighbourhood Plan the devil is in the specific detail. • 2 Background to the Steering Group's 'single-option' Faversham Creek Neighbourhood Plan, and the Group's detailed designs for redevelopment of the sites. • The principle of residential redevelopment. • 2.1 Plan Steering Group spokesmen consistently and openly said that all the former creek-side maritime/industrial sites in the Plan area must be redeveloped for residential use. The Group's fore-runner, the Faversham Creek Consortium, had the same objective. This is in conflict with the 2008 Local Plan where the creek-side sites are zoned for industry, not housing, and also with the results of the two public consultations so far on the Neighbourhood Plan. These went heavily against the Steering Group's proposals. • 2.2 The FCNP offers as authorisation for the change of use of this and the other Plan sites, the already quoted Policy NP1, page 18, which gave the Steering Group flexibility to act as it chose in key matters. It runs as follows: Specific site allocations and proposals, including finalising the levels of new employment and housing will be made through the Faversham Creek Neighbourhood Plan process. 	

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			<ul style="list-style-type: none"> • 2.3 Again as already mentioned, under the section in the FCNP that discusses the Council's Streetscape Strategy, the Steering Group confirm their intended use for the creekside sites with a quotation from a supporting paper 'Bearing Fruits'2013, which draws attention to the fact that a number of development opportunity sites front onto the creek. • 2.4 This autumn (2014) it was publicly confirmed - at an open meeting in the town- that one reason residential redevelopment use is sought is because Swale Council does not currently have a sufficient housing land supply. This is in fact a fairly recent argument. Residential use of the remaining creek-side industrial sites may be convenient for Swale Council in order to increase housing land supply, but the commitment to housing here has a rather longer history than that (5). • <u>Redevelopment with, and without, the Neighbourhood Plan.</u> • 2.5 During the course of the preparation of the Plan it was argued by the Steering Group spokesmen that the Plan sites would in any case automatically fall for residential development even without the Plan, because of the shortfall in the Council's housing land supply figures. The managers of the Steering Group claimed in public that taking the sites through the Neighbourhood Plan process would produce better results for the community than would letting the developers get on with it, to go through the Planning system on their own. • 2.6 I believe the Plan's failure to address, in any way, the conservation issues I have raised, shows the reverse to be the case. Were we now to be considering conventional planning applications for developments in a conservation area, much of the unfinished conservation business which I have described- and which goes with the Plan's detailed proposals - would already have been addressed. This would have taken place as part of the normal Planning Application process. It is probable that at Swan Quay we would now be considering a rather different set of detailed proposals from those that the Plan offers. • <u>Alternative options to residential redevelopment! the fate of my Faversham Town Quay character area Appraisal</u> • 2.7 The Plan Steering Group's support for residential redevelopment for every site in the Plan area was naturally endorsed by the site owners; it was hardly a surprise to them. In the circumstances proposals for alternative uses for the sites were seen by the Plan Steering Group as unsustainable and were all dismissed either immediately, or after a time lapse. • 2.8 In February 2014 an attempt was made to bring forward my own set of preliminary suggestions for the reuse of the existing buildings and spaces at Swan Quay Appendix D This was to become Faversham: The Town Centre Quays, a Conservation Plan -a copy is included with this paper.) This was for consideration by the Steering Group as an alternative to the Plan's proposals. At the same time my Faversham Town Quay character area Appraisal was also formally put forward for consideration by the Steering Group. • 2.9 At a Steering Group meeting in March 2014 a decision was made about my Appraisal. The minutes show that there was a proposal that it should not be considered but that the Steering Group should adhere instead to their Undesignated Heritage Assets paper for the development of the draft plan. This motion was carried. In discussion it was noted that the Steering Group had adopted the Undesignated Heritage Assets paper across the whole plan area, which had been prepared in line with the NPP Framework and in discussion with SBC's conservation officer. I do not know what view was formed about my preliminary Conservation Plan proposals, if any. • <u>The Plan's detailed design proposals for the sites, those at Swan Quay standing for the rest.</u> • 2.10 As explained in the first Part of this paper the Plan redevelopment proposals for Swan Quay, as also those for other Plan redevelopment sites, were put together by the Steering 	

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			<p>Group in association with architects and planning advisers working to the individual site owners. In the case of Swan Quay these were architects Lee Evans of Canterbury, advising the Steering Group directly on planning and detailed site development matters from the site owner's viewpoint.</p> <ul style="list-style-type: none"> • 2.11 As has been said, from Swale Council's point of view it was helpful that the Plan process confirm the minimum number of new houses to be built in the Plan area. In order to provide this information, and also so that the site owner could establish her enhanced land values and expected levels of profit from the change of site-use, Mssrs Lee Evans designed a housing scheme for Swan Quay. • 2.12 This scheme, which was subject to discussion and some amendment by the Steering Group, confirmed new building height, form and layout detail. Earlier this year it comprised 17 dwellings above 17 parking spaces, along with 5 mixed use ground floor units. It is the (broad) basis of the Plan's recommendations for redevelopment of the site (6) See sections 21, 22 and 23 in the first part of this paper. • 2.13 As discussed earlier, because Swan Quay is liable to flooding - as are other (former industrial) redevelopment sites within the Plan area - it was necessary to arrange for the ground floors of the proposed new houses to have some non-habitable function. Full residential use of the houses thus begins at first floor. It follows from this that all the new houses must be a minimum of three storeys high. • 2.14 While Design Quality Policies, clause DQJ of the Plan, states that new buildings should be no more than three storeys high, the Lee Evans proposals for Swan Quay involve two blocks that are three and a half storeys high (as noted earlier). The two most visible housing blocks of the Steering Group proposals are also three and a half storeys high. They would be the most prominent features of the site as seen from the Brents across the creek and from the creek bridge and elsewhere. • 2.15 The economical way to bring high density residential development to sites like Swan Quay is in terrace form - as can be seen on the adjacent site to the north of Swan Quay, where the new terraces are three and three and a half storeys high. Terraces achieve a higher density than more broken-up forms of development and thus contribute the highest possible number of dwellings towards the Council's five year housing land figure and the maximum number of house units for the developer. • 2.16 As noted, scheme design as described allowed the calculation of the number of new dwellings that it was considered the site could accept - this satisfying the requirements of the site owner and the expectations of Swale Council. This arrangement, with I believe other professionals retained to advise other respective owners, stood for most if not all of the Plan redevelopment sites in the conservation area. • 2.17 In summary, because of the Steering Group's site-use requirements, conjoined to those of the site owners, there has to be residential redevelopment of this and similar low lying sites within the Plan area. This will be in the form of terraces with non-residential use ground floors, with a maximum height of three storeys - or it seems, as at Swan Quay, sometimes more. All sites are within the Faversham Conservation Area. • 2.18 From the start and as noted, all other alternative development or site reuse options were dismissed by the Steering Group. Given this, one has to ask how far has this particular Neighbourhood Plan development process given a voice to the immediate local community and to the wider community of the town? • 2.19 As I said in Part 1, throughout the Steering Group's detailed 'site planning' exercise at Swan Quay, there was no proper consideration of the fact that the scheme proposed was entirely within the Faversham Conservation Area, of the effect of the Plan proposals on its 	

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			<p>character. As I described earlier, I have been told more than once by representatives of Swale Council that these are matters of detail that must be left to Planning Application</p> <ul style="list-style-type: none"> • Stage. • 3 <u>The Faversham Conservation Area, Conservation Area Appraisals and the Faversham Town Quay Character Area Appraisal.</u> • 3.1 Local Planning Authorities have a duty under Section 72(1) of the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Government expects as much from the managers of Neighbourhood Plans. • 3.2 The Locality Neighbourhood Plans Roadmap Guide states, under Policy Themes, Historic environments. The special statutory duties that apply to decisions involving listed buildings and conservation areas will need to be taken into account. Policies need to guide planning applications and conservation area consent. At the heart of the Government: SO approach is developing understanding of the significance of heritage assets as a basis for considering change.(page 43). • 3.3 Thus the same responsibility fell to the FCNP managers as would to the Planning Authority; they were required to take into account the special statutory duties that apply to decisions involving listed buildings and conservation areas. I argued earlier that they failed to do so at Swan and Town Quays and I noted that this was the case for all the sites considered. This argument is developed further here. • 3.4 As described, under the NPPF/Planning, Listed Buildings and Conservation Areas Act, 1990, proposals for new development in conservation areas should seek to preserve or enhance existing conservation area character. In order to do this, existing conservation area character must first be defined. This is done by means of a Conservation Area Appraisal. English Heritage recommends methods for establishing conservation area character as part of the preparation of Conservation Area Appraisals. • 3.5 The Plan Steering Group give Swale Council's Faversham Conservation Area Appraisal (2004) as one of its two only sources for guidance on conservation area matters. Their other source is the List of designated and undesignated heritage assets within the Plan area, prepared by Anne Salmon, (a Steering Group member) and John Sell CBE, the historic building and conservation area adviser to the Steering Group. • 3.6 Since, as noted, the Steering Group's statement on conservation advice-sources only refers to the use of these two documents, it seems that the Group had not studied the English Heritage publications that give detailed advice about conservation areas and the means of establishing conservation area character. • 3.7 This is important because it is generally agreed that the Faversham Conservation Area Appraisal is lightweight in places. As an example, in relation to Swan Quay it contains some inaccuracies when as mentioned earlier, it suggests that some of the Quay's existing historic buildings are unrelated to former historic, maritime, activity there. • 3.8 That said and again as already noted, Swale's Appraisal does give good support that still applies, to the visual character of the conservation area environment of Swan Quay - it comments that there, a rather pleasing array of traditional-looking industrial buildings fronts onto the creek and goes on to say that despite having no direct connection with the water this site has established a rather convincing aesthetic relationship with the creek. • 3.9 Study of historic maps, photographs and the Quay's buildings themselves, confirms that the surviving aesthetic - architectural - character identified by the Council's Appraisal at Swan Quay is in fact matched by the historic significance both of the quay itself and its three 19th early 20th century buildings. This last is a point -as shown by the quotation above -that 	

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			<p>the District Council's Appraisal misses.</p> <ul style="list-style-type: none"> • 3.10 The combination of Swan Quay and adjacent Town Quay is of both architectural and historic significance within the wider Faversham Conservation Area. They are the last, and most central, of the town's formerly extensive town centre quays still retaining aspects of genuine maritime character, this making them into heritage assets in their own right. On Town Quay stands the Town warehouse (late medieval and Grade II* Listed) and on Swan Quay is a Grade II Listed mid 19th century chandlery and 19th century /early 20th century timber storage and seasoning sheds. The softwood timber stored in these sheds was shipped-in from the Baltic and Scandinavia, the trade continuing into the 1970s/ 80s. • <u>The Faversham Town Quay Character Area Appraisal.</u> • 3.11 These and other related matters are fully examined and demonstrated in my Faversham Town Quay Character Area Appraisal. The structuring of which follows advice given by English Heritage on the preparation of Conservation Area Appraisals. It considers in detail the history and character of adjoining Town and Swan Quays and their hinterland as well as the area's contribution to the character of the conservation area. It is not in conflict with the Council's Faversham Conservation Area Appraisal but rather corrects it a little and widens and deepens its scope for Swan and Town Quays. As noted, a copy is included with this paper. Below is a record of the responses of some other bodies to the Faversham Town Quay Character Area Appraisal: • English Heritage commented that 'Your analysis of the significance of Swan Quay is certainly the sort of detailed groundwork upon which we would recommend that informed decisions can be taken about the future of the Town :S historic quays..' (7) • The Ancient Monuments Society endorses the document as a professional and thorough analysis of part of the Creek area, and for the potential it offers for Constructive Conservation.(8) • In 2013 Swale Council's Conservation Officer Peter Bell confirmed verbally that after studying a copy of the Appraisal, his Local Plans team had commented that had it not been for the ongoing Neighbourhood Plan process, they would have recommended that Members formally adopt it as advice supplementary to the Faversham Conservation Area Appraisal. • 3.12 At the first showing of the Plan proposals in June 2103 I raised with John Sell (adviser to the Town Council and Plan Steering Group on historic buildings etc.) the absence of any sign in the exhibition of serious conservation area analyses of the redevelopment sites. I also noted that there was nothing in the exhibition to show that the Plan proposals were within a conservation area, let alone how they affected the character of the conservation area. • 3.13 The examination of these matters, forming part of a heritage statement, is an exercise required to support any Planning Application in a conservation area (NPPF Paras 128,129) John Sell agreed with me that this would have been the appropriate thing for the Steering Group to have done, but said that cost ruled it out - unfortunate since as shown above at the beginning of this section, the NP. Roadmap advises that such statutory matters must be taken into account when framing Neighbourhood Plans. • 3.14As described before, though presented with an advance copy of my Appraisal as long ago as 20th August 2013 and with a further copy on 14th November 2013, the Plan Steering Group at first ignored, and then ultimately refused to accept, that document as a contribution to the Plan debate (For detail see above under 2, and the sub section headed Alternative options to residential redevelopment/ the fate of my Faversham Town Quay character area Appraisal). • 3.15 In relation to the Steering Group's rejection of the Appraisal, the late re-draft of the Neighbourhood Plan by Swale Council's consultant Richard Eastham is quite clear (in 	

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			<p>answer to my specific written criticism) when it notes that 'Swale Borough Council have not accepted any of the submitted alternative methodologies regarding the designation of heritage assets in the Plan area. Instead, they are supporting the Undesignated Heritage Paper which involved their conservation officer, as the means to decide on how the neighbourhood plan addresses heritage and conservation matters. '</p> <ul style="list-style-type: none"> • 3.16 It is interesting to see from this that Swale Council took the decision to set aside my contribution; as noted earlier, representatives of Swale Council have always maintained to me that it was not their business to usurp Steering Group responsibilities. Though the cost of Mr Eastham's re-draft was carried by Swale Council, it took place while the Town Council (the sponsor of the Plan Steering Group) was still responsible for the Plan. Only after the Town Council had resolved to accept the re-draft could the Plan become Swale Council's responsibility. • 3.17 I also note from this statement that what the Eastham revision of the Plan calls the Steering Group's Undesignated Heritage Paper with its very narrow frame of reference, is supported by Swale Council as the means to decide how the very large matters of heritage and conservation are addressed within the Neighbourhood Plan area. It is also a little surprising to see from the statement that Swale Council are oblivious to English Heritage's good-practice publications giving detailed advice on how to go about the extensive exercise of analysing an area's townscape, and establishing its character and significance . • 3.18 As noted, and in contrast to Swale Council's position - which appears to be to ignore their own, adopted, Faversham Conservation Area Appraisal- the Plan Steering Group at least confirm that document as the other one of their chosen two guiding conservation related documents. • 3.19 This said, and as shown already, there is unfortunately no evidence for any use of the Council's Appraisal in the framing of the Steering Group's proposals for Swan Quay, involving as they do the loss of it's surviving historic industrial wharfside character with, as the Council's Appraisal notes, its 'pleasing array of buildings' with their 'rather convincing aesthetic relationship with the creek'. • <u>Summary of the effect on the Conservation Area of the Plan redevelopment proposals at Swan Quay</u> • 3.20 The Plan's demolition and redevelopment proposals cannot, of their nature, preserve Swan Quay's current attractive and special low-key, low-rise, historic industrial maritime character. Nor does the Plan have anything significant to say about how its new three to three and a half storey high residential terraces on the Quay will enhance the character of this part of the conservation area. • 3.21 On both counts -preservation of conservation area character and enhancement of conservation area character- the Plan's detailed, site specific, proposals for Swan Quay ignore basic conservation area practice and objectives. Under the NPPF/Planning: Listed Buildings and Conservation Areas Act 1990, matters of preserving and enhancing should demonstratively underpin and influence the planning and design of all proposals for new development in conservation areas, as should a full and correct understanding of the significance of place. • 3.22 In failing to preserve or enhance, by sweeping away significant aspects of the existing historic and architectural character of Swan Quay, and by substituting new development of entirely different form and kind, and of much larger scale, the Plan proposal does substantial harm to the character of this part of the Faversham Conservation Area. In the process the setting of the creek itself and of Town Quay next door, the settings of the listed buildings within and adjoining the site, and the character of the Faversham Conservation Area as a 	

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			<p>whole, suffer substantial harm for no discernible public benefit (NPPF para 133).</p> <ul style="list-style-type: none"> • 4 <u>The failure of the Neighbourhood Plan to develop a full understanding of heritage assets within the area of Swan Quay.</u> • 4.1 The importance of heritage assets is made clear in the Plan Roadmap advice- at the heart of the Governments approach is developing understanding of the significance of heritage assets as a basis for considering change. • 4.2 Since, as I argue, the Steering Group failed to develop a full understanding of the significance of heritage assets at Swan Quay, their proposed changes there are framed on an inadequate basis. Arising from this, the Plan proposals fail to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations (NPPF core Principle). • 4.3 As noted earlier the architectural and historic significance of Swan Quay as identified in the 'Faversham Town Quay Character Area Appraisal' makes it a heritage asset. In its own right and in the spaces and buildings that it carries, it makes an irreplaceable contribution to the character of the Faversham Conservation Area. • 4.4 As noted before, my Appraisal -giving detailed information on the subject -was first in the hands of the Town Clerk on 20th August 2013 with a further copy supplied to John Sell and Anne Salmon on 14th October 2013. As mentioned earlier, it was formally dismissed, with Group members recorded in the Steering Group meeting minutes as refraining from studying it, in March 2014. At the time I was not informed of this decision and I continued to wait, but in vain, for some feedback from the Steering Group. • 4.5 One of the Quay's historic timber storage sheds is attached to the north elevation of the chandlery building. It is therefore given a measure of protection by that building's listed status. The other historic shed stands at the foot of Quay Lane, closing the view westward from the top of the Lane - it dates from between 1896 and 1907 and under the Plan it is to be demolished. • 4.6 As I note in the Appraisal, the original form of this second structure is intact - the main change being a different profile of roof sheeting from the original. A member of the Steering Group took issue with this, saying that roof structure and wall posts were not contemporary. Because of this disagreement, I eventually obtained an expert view on the building -which for its class, age and structure is probably unique - from Keith Falconer OBE, former Head of Industrial Archaeology at English Heritage and Vice-Chairman, Association for Industrial Archaeology. • 4.7 The key passage in Mr Falconer's letter of 4th May 2014 is as follows, '...because of its rarity, and nearly original condition, I would suggest that the timber shed merits inclusion on the Faversham Local List at the very least. It is a fine example of a type of building that is now becoming extremely rare. ' • A full copy of the letter is included at Appendix A • 4.8 Swale Council does not have a Local List. An entirely appropriate alternative however, Error: para 4.4 above, for 14'h October read 14th November would have been to accord the building undesignated heritage status. • 4.9 On the 17'h June 2014 I drew the Steering Group's attention to the contents of Mr Falconer's letter as part of my written response to their June 2014 Public Consultation on the Plan. Not having received a response to this, I drew Swale Council's consultant Richard Eastham's attention to Mr Falconer's letter on his taking up his job in early August 2014. John Sell, the Town Council/Plan Steering Group heritage asset adviser had among other things and as a reminder- a full copy of Mr Falconer's letter on the 19'h September 2014. There was no response to this new information, either from the Steering Group or from any 	

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			<p>member of the Steering Group, nor from Swale Council's consultant, Richard Eastham.</p> <ul style="list-style-type: none"> • 4.10 I was of course a little disappointed by this, especially as para 169 of the NPPF notes that Local Planning Authorities- and hence Neighbourhood Plan managers -should have up to date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. • 4.11 This studied lack of interest in the possibly unique historic timber shed from those managing the Neighbourhood Plan, contrasts with English Heritage's response. Their Listing section rejected the timber shed for Statutory Listing (as apart from anything else, they said it was not old enough for them). But Peter Kendall, Senior AM Inspector, EH South East region, wrote to me on 1st October 2014, as follows: Even without listing I am satisfied that the structure should be considered as an undesignated heritage asset and something that contributes to the historic significance of the area. • 4.12 To summarise, when I supplied the Steering Group with new detailed analysis of the character and significance of the existing built environment at Swan Quay - material that was seen by other professionals as sound and helpful - they chose to ignore it. Later they also chose to ignore the advice of Keith Falconer, a nationally respected expert with 45 years experience, on the architectural/historic significance of Swan Quay's 1896-1907 timber storage shed. • 4.13 As has been said, the Steering Group's List of undesignated and designated heritage assets fails to take account of the intrinsic importance of the two historic timber sheds and the open quay areas at Swan Quay, as well as the very significant special contribution that these currently make to the character of the Faversham Conservation Area. As noted earlier, I first brought these matters to the attention of the Town Clerk on 20th August 2013. • 4.14 The proposed demolition of the timber shed that is confirmed as an undesignated heritage asset by Keith Falconer, and the alteration of the character of the Quay through the building of new residential development upon it will, as noted earlier, cause substantial harm to the character of the conservation area while offering no public benefit.(NPPF para 33). • 4.15 Swale Council set the rules for the management of Conservation/Planning issues in the conservation area - in 2004 it adopted the Faversham Conservation Area Appraisal. In disregarding advice in that document about the quality of the existing environment at Swan Quay and giving no justification for doing so, the Plan Steering Group could be said to have appropriated to itself larger powers than it should reasonably have had. • <u>5 Failure to assess the effects of the Plan proposals on the settings of Grade II listed buildings on and adjoining Swan Quay and the Grade II*listed building on adjoining Town Quay.</u> • 5.1 When considering Planning Applications, Local Authorities must take into account the effect of new development proposals on the settings of listed buildings (para 129 NPPF). • 5.2 The Government's Locality Neighbourhood Plans Roadmap Guide states, under Policy Themes, page 43: <ul style="list-style-type: none"> • Historic environments. The special statutory duties that apply to decisions involving listed buildings and conservation areas will need to be taken into account. Policies need to guide planning applications and conservation area consent. • 5.3 Failure by the FCNP managers to take the effect of redevelopment proposals on the settings of listed buildings into account, in the particular circumstances of the Plan's detailed site-specific redevelopment proposals, is failure to undertake the special statutory duties that apply to decisions involving listed buildings and conservation areas. • 5.4 As far as the provision of policies that guide planning applications and conservation area 	

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			<p>consent are concerned, the Plan wants it both ways - see Part 1, section 23 and the detailed discussion of this there.</p> <ul style="list-style-type: none"> • 5.5 I argued earlier that the proposals also fail under this head to respond to local character and history.(NPPF) • 5.6 There are a Grade II listed building- the chandlery- on Swan Quay and two further Grade II listed buildings face the south frontage of the Quay at its north east end close to Belvedere Road. There is a Grade II* listed building - the medieval Town warehouse - next door on Town Quay. It is indisputable that the Neighbourhood Plan's detailed redevelopment proposals for Swan Quay affect the settings of all these listed buildings. • 5.7 Yet the Steering Group made no assessment of the effect of their proposals on the listed building settings. Neither did they at any time proactively seek to make contact with English Heritage to invite them to join deliberations about the Plan's new building proposals which are within the setting of the Grade II* Listed building. (Any Application to develop within the setting of the Grade II* must be referred by the Council to English Heritage as must any development of over 1000 sq metres in a conservation area) • 5.8 As mentioned already more than once, it is claimed that consideration of the effect of site clearance and new development on the settings of these listed buildings can be left to the Planning Application process, following on from Approval of the Plan. Given the detailed nature of the Plan's proposals this view does not square with advice in the Historic Environment, Policy Themes, in the Neighbourhood Plans Roadmap Guide as set out above. • 5.9 At Swan Quay two ranges of new three and a half storey blocks set at right angles to the Creek are proposed. These will completely change the character of the settings of the listed buildings on and around the site. They will visually hem-in the listed chandlery and the pub and house towards the north boundary of the site and will crowd overbearingly towards the grade II* building on Town Quay. • 5.10 Because of their height and siting, the new three and a half storey terraces will dominate views towards these remaining heritage assets from outside the two Quay areas and also from within them. In addition the current low key, maritime industrial heritage, character of Swan Quay where it abuts the creek itself will disappear. This loss will damage the creek's historic setting severely. • 5.11 As noted earlier, the special character of this part of the conservation area as identified in the Council's Faversham Conservation Area Appraisal and as further established in my 'Faversham Town Quay Character Area Appraisal' will be destroyed through the Plan's proposed processes of demolition and redevelopment. • 5.12 The listed buildings left behind in, and close to, the area to be cleared, will then stand within and adjoining a new built environment designed with no thought as to its effect on their settings. The Plan's new recommended site layout simply takes maximum advantage- after the removal of the modern sail-loft building and the historic timber shed - of all the existing clear, and newly cleared, space on the Quay. • 5.13 That this would be the case was very obvious in the 3D leaflet illustration of the proposals for Swan Quay, put out at the first public showing of the Plan proposals in June 2013. The current proposals as described in the Plan are effectively an updated, amended, version of what the leaflet shows. A copy of the leaflet is attached to this paper, Appendix B. • 5.14 In June 2013 adverse public reaction to this illustration and to the Plan proposals in general was very strong. So 3D illustration was not used again at the Plan's second public airing in June this year (June 2014). Indeed this second time around there were hardly any drawings at all, of any kind, on show to the public in Faversham. 	

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			<ul style="list-style-type: none"> • 5.15 I believe that significant changes to the current proposals at Planning Application stage, to take account of any detrimental effect they might then be found to have on the Conservation Area and the settings of four listed buildings, may not be supported by Swale Council. I believe this would be particularly the case should they involve reduction in the number of houses provided. The reasons for this would be to do with the Council's shortfall in its 5 year housing land supply, to a desire to appear to interfere as little as possible with decisions made by the Steering Group, and to a commitment not to go back on discussions/negotiations with site owners for residential redevelopment on the Plan sites that began as early as 2008-9 (9). • <u>6 English Heritage and the Plan proposals. The failure to include English Heritage as a stakeholder in the development of the Plan (as a contributing statutory consultee at Planning Application stage).</u> • 6.1 I believe that it would have been appropriate and a matter of common sense for the Plan managers to have sought to involve English Heritage, as a stakeholder, from early on in the Plan process, notwithstanding that this was not a statutory requirement on the Group. • 6.2 I had been concerned throughout the process about the Steering Group's reluctance to include English Heritage in its deliberations on the Plan. I should say that I have been in touch with English Heritage's south east office regarding the Plan and its progress off and on since June 2013. • 6.3 I raised the matter with the Town Clerk a number of times. My requests to her for advice as to when EH were to be involved were ignored. So, for the record, in April this year I wrote to James Freeman of Swale Council referring to the statutory duty of Local Authorities to consult English Heritage over details of a Planning Applications for development in a conservation area which, '...in the opinion of the local Planning Authority affects the setting of a Grade I or Grade II* listed building, ' and /or ' ...which in the opinion of the local, planning authority affects the character or appearance of a conservation area and which involves: (i) the erection of a new building or the extension of an existing building where the area of land in respect of which the application is made is more than 1,000 square metres.' • 6.4 In the case of Swan Quay the Steering Group proposals affect the setting of a Grade II* building. The area of Swan Quay, with its detailed residential redevelopment proposal, is above 1,000 square metres, as it is for other Steering Group redevelopment sites within the conservation area. • 6.5 While I was made aware that there was no specific requirement that English Heritage should be consulted by the Steering Group, I put it to Mr Freeman that English Heritage should have been involved with the Plan process before the proposals were 'hardened-up' for presentation to the public. Common sense indicates that this would have been the course the Plan Steering Group should have taken. 'I noted also that I believed this was the route that English Heritage could have expected the Steering Group to follow.(10) • 6.6 I concluded by saying that I was concerned that '.. The Steering Groups failure to include English Heritage - as a Planning 'stakeholder'- at an appropriate stage in the development of the Plan, has the potential to bring the Plan process into disrepute. '6.7 It is claimed that at the Steering Group's last consultation stage, EH were given the opportunity to comment by the Town Clerk- I have been told by Peter Kendall of EH that this may possibly have happened but he is unaware of any such opportunity arising. • <u>Endnotes.</u> • 1) I provide detail of my attempts to persuade the Plan Steering Group first to look at, and then to form a view on, my Appraisal, later on in this paper and in the Paper Trail, Appendix 3. 	

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			<ul style="list-style-type: none"> • 2) I quote the full relevant passage from the Swale Council's Faversham Conservation Area Appraisal, Para 4.33: A large joinery works occupies the southern end of Belvedere Road, where a rather pleasing array of traditional-looking industrial buildings fronts onto the creek (though most of the structures are relatively modern). Exceptionally, Faversham Chandlery (the site at that time supported a successful boatyard operation under that name) is a brightly painted weather boarded building dating from the early CJ9. Despite having no direct connection with the water this site has established a rather convincing aesthetic relationship with the creek, the buildings being expressed for the most part in a local vernacular of treated weatherboarding and slated roof. Alongside, to the north is the impressive CJ9 five storeys high Belvedere Mill now being converted to flats.... • 3) The Plan does recommend that the present sailmakers move to the historic timber shed attached to the listed chandlery. They would be noticeably worse off there than in their present workshop. T11 is deliberately raised above Quay level while the ground floor of the historic building is not. • 4) The historic medieval Town warehouse on Town Quay was flooded to a depth of around 2'6" on one occasion last winter. Swan Quay was also flooded. Photos of this and flooding on another recent occasion can be found in my Faversham: The Town Centre Quays, A conservation Plan, a copy of which has been included with this paper. • 5) The Neighbourhood Plan is explicitly based on consultant (Tony) Fullwood's Development Plan Document which settled on 100+ housing units for the creek sites. Steering Group minutes of October 2012 refer to 'When Swale Borough Council started the process to produce a Development Plan Document for the Creek, which subsequently became the basis of the Neighbourhood Plan.... See also endnote 9) below. • 6) Lee Evans scheme proposals showed another new terrace comprising three dwellings on top of garages running north-south on the site of the existing historic open sided timber shed. This is left out of the Plan's development guidance section. The scheme proposed a total of 11 car parking spaces below 11 maisonettes and fronting onto the mostly newly formed vehicle access spaces - roads - of the site. A small amount of mixed use space was included at ground floor under three of the maisonettes. A block of 6 further garages and a mixed commercial use formed the ground floor of a further block of flats - probably 3 in number. The commercial use was close to the quayside. This arrangement was repeated opposite, further garages and a mixed commercial use formed the ground floor of a further block of flats - probably 3 in number. The commercial use was close to the quayside. This arrangement was repeated opposite re-joining Town Quay, with mixed uses on the ground floor again nearest the quayside, and with probably 3 flats above. In total this gave at a maximum 17 residential units - nicely between the 15 to 20 required by the Plan. • 7) Extract from Email from Tom Foxhall, EH, 25.06.2013 • 8) Extract from Email from Matthew Saunders, AMS, 03.12.2014 • 9) As early as January 2008 Swale were having meetings with landowners and resolving that subject to a full assessment of the risks involved, the Council agree in principle to take a more proactive role in bringing about development (Local development Framework Panel minutes) This led to the Urban Initiatives report (300+ housing units) and then to the Fullwood Development Plan Document (100+ housing units) upon which the Neighbourhood Plan's Creek housing strategy is based (see above, endnote 5.) I am told that Swale Council's Housing Land Assessment has influenced the NP managers in identifying every Plan site as suitable for housing. (I was unable to check this directly as I failed to access the relevant Swale Council site.) • 10). Extract from an Email from Peter Kendall, EH, 05.09.2013. When EH should be consulted 	

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			<p>if only unofficially is not fixed. Logically as soon as the historic environment is revealed as an important factor and if this relates to matters for which EH is a statutory consultee, then we can have discussions.</p> <ul style="list-style-type: none"> • <u>Appendices</u> (These will be sent in the post to the Examiner as requested.) • A. Copy of a letter from Keith Falconer OBE, former head of Industrial Archaeology at English Heritage and Vice Chairman, Association for Industrial Archaeology. • B Copy of a Faversham Creek Neighbourhood Plan Steering group leaflet showing proposed redevelopment at Swan Quay, Faversham, June 2013. • C Paper trail of communications with Town Clerk/Steering Group • D Copy of submission to Steering Group requesting acknowledgment of my Faversham Town Quay Character Appraisal and a paper introducing my proposals for alternative, conservation, use proposals for Swan Quay. Jan .2014. 	