

TABLED UPDATE FOR DEFERRED ITEM 1

18/503135/OUT – Land west of Barton Hill Drive, Minster, Isle of Sheppey

Further representations

2 further representations against the development have been received.

- Why is the Government concentrating housing development in the south east and giving more powers to developers over local authorities?
- The application will most likely (if refused) go to appeal and be allowed by the Planning Inspectorate.
- There is no significant widening of the A2500 proposed
- How will families comply with the 110L water restriction?
- Thistle Hill is still waiting for a local store
- The Council should adhere to the Highways England requirement that no more than 250 dwellings can be occupied prior to completion of the M2 J5 works.

It is understood that Members have received representations from an adjoining land owner and their agent relating to the orchard site to the north of the application site. Members will be aware that the orchard is not part of the application site, and that any future application for development on the orchard site will be considered on its own merits and against relevant policies.

The same representations raise concern over the statement in the letter from JB Planning Associates (attached as Appendix 5 P114) that the owners were unwilling to participate or pay S106 contributions, and states that this is wrong and untrue. Whilst officers are not in a position to verify any private discussions held between the owners of the main site and the orchard, as stated above it is a matter of fact that the orchard is not part of this planning application. The impacts of this and the relationship between the orchard and the application site are set out in the February committee report (pages 42 and 43)

Natural England has confirmed in writing that it has no objection to the Appropriate Assessment undertaken by officers, to deal with the impacts arising on the Swale Special Protection Area and Ramsar sites, subject to securing the financial mitigation under the SAMMS strategy. This will be secured under the S106 Agreement.

Other Matters

For clarification, Members should note that the site area referred to in paragraph 1.4 of the February committee report (Appendix 1) should state 35.7 Ha. In paragraph 3.02 of the same report, Members should note that the unallocated land to the south of Lower Road is **not** within the Important Local Countryside Gap.

The Local Centre – In paragraph 6.17 of my report (P8), I advised that I would update Members on the mechanism to provide a local centre facility.

For the medical facility, the applicant is willing to commit to delivery of a medical facility prior to the occupation of 320 dwellings on the site, subject to CCG approval, GP interest and financial terms. The financial terms include potential use of the Local Centre Incentive (£200,000 and the re-directed landscaping S106 money (£102,000). However the Swale CCG advise that if they identify a requirement for the medical facility, this will then need to follow standard CCG Governance processes for development, review and approval of a scheme by the identified GP Practice. The Swale CCG has questioned whether this would meet the timescales offered by the applicant. This matter regarding potential trigger points needs to be considered further as part of the ongoing S106 discussions.

Members should note that if a requirement for an on site facility is not identified by the Swale CCG, then this would fall away. The land would be retained as serviced land free of charge for a medical facility until 650 occupations, when it would then be free from any restrictions.

The Local Centre (i.e. a 450sqm building of up to 3 units) would be built prior to the occupation of 535 dwellings, (or in the event that the medical facility does not emerge, prior to the occupation of 400 dwellings). It would have use of the Local Centre Incentive (if not taken by the medical facility). The units would be marketed, in accordance with a strategy to be agreed with the Council, and to include a discount to market rates for a set period, such marketing to continue until the occupation of 650 dwellings on the site. If the units are not sold or leased by this time, the owner will be free to make an application for alternative use – including residential.

Members will note that the physical delivery of the medical facility is dependant on matters that are outside both the applicant's and Council's control (i.e. primarily it requires support from the Swale CCG). However the local centre will be physically constructed and marketed, to give the best chance of successful take-up. The triggers for delivery are considered reasonable given the need for an on-site local resident population to support such a facility.

RECOMMENDATION: My recommendation remains the same.