

## Carter Jonas

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Your ref: 20/505921/OUT

Ms Corinna Griffiths  
Swale Borough Council  
Swale House  
East Street  
Sittingbourne  
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ME10 3HT

24 May 2022

Dear Ms Griffiths

### LAND AT HIGHFIELD ROAD, MINSTER-ON-SEA, SWALE

I am writing in response to your email dated 14 April 2022 which provided the independent highway advice requested by Members at the Planning Committee meeting on 10 March 2022.

Enclosed is a technical note prepared by Vectos which comprehensively responds to the comments made by Project Centre on the submitted application. It demonstrates that there is no policy or technical reason to refuse the application on transport grounds.

At the 10 March 2022 Meeting, a concern was also raised by Members regarding the impact of the proposed development on the Important Local Countryside Gap (ILCG). It was suggested that, should the proposed development be built, the gap between Halfway and the development edge of the approved extension of Minster to the west of Barton Hill Drive (ref: 18/503135/OUT) would be 90 metres and this would be contrary to Local Plan Policy DM25 which seeks to maintain the separate identities and character of settlements by preventing their merging.

To address this concern we have prepared the enclosed drawing (ref 1602/004) which demonstrates that a gap of approximately 173 metres would exist between the limits of both developments, as defined on the submitted parameter plan for application 20/505921/OUT and the approved parameter plan for consented application 18/503135/OUT. There is also a significant amount of existing vegetation and part of a ridge between the two developments that will separate them, both physically and visually.

We also wish to highlight paragraphs 7.11 to 7.15 of the submitted Landscape and Visual Appraisal, prepared by Michelle Bolger ELC, which considers the impacts of the proposed development on the ILCG. In these paragraphs, Michelle Bolger explains how the development will not undermine the character and separation of the settlements. We note Officers reached a similar conclusion in paragraphs 7.14 to 7.18, and we hope the drawing enclosed is of further assistance in demonstrating this point to Members when the application returns to planning committee.

Notwithstanding our position that the proposed development will not undermine any of the purposes of the ILCG, it must also be recognised that the Council is not able to demonstrate a five-year supply of housing, and in such situations the presumption in favour of sustainable development (as set out in Paragraph 11d) of the Framework, applies. This means that the policies which are most important for determining the application (including Policy DM25) are out of date, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

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In this respect, the proposed development provides an opportunity to deliver an additional 16 dwellings in a sustainable location and given the fragile (and worsening) housing land supply situation in Swale, there is increased importance on permitting residential development on small sized windfall sites such as this, in line with paragraph 69 of the NPPF.

The other planning benefits arising from the development may be summarised as follows:

- The provision of an area of public open space across approximately half of the site area, which will incorporate a community orchard and an area for informal play
- jobs during the construction phase and the additional expenditure of the future occupiers which would support the viability of local shops and services.
- Sustainable construction methods and features including the provision of electric vehicle charging for all dwellings; and
- Measures to achieve a significant net gain in biodiversity, beyond 10%, and a commitment to deliver this in advance of the Environment Act requirements becoming mandatory in November 2023.

Notably, the proposal delivers more planning benefits than those offered in the Bartlett's Close application which was approved on appeal.

Therefore, there are strong material considerations supporting the grant of permission in line with the titled balance set out in Paragraph 11d of the NPPF and I respectfully request Members take them fully into account in making their final decision on the application.

Please get in contact if there is any further information you require.

Yours Sincerely



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