

## Tabled Update for Item 3.1 - Land North East Of Nelson Avenue Minster-On-Sea Sheerness Kent

**Planning reference: 21/502256/OUT**

Further to the consultation responses as summarized at Section 8 of the report, I can update Members as follows:

1. **NHS Kent and Medway ICB** have requested a developer contribution of £55, 296, though the amount ultimately paid may well be different depending on the number of units ultimately built (which could be less than 64) and the mix of dwellings sizes, which will not be known until such time as reserved matters may have been approved. They have identified a number of potential sites where the money could be spent and described the project as 'extension or refurbishment'. The potential sites identified are as follows:

Sheerness Health Centre;  
VEL Surgery;  
Sheppey Healthy Living  
Centre;  
St Georges Medical Centre  
and/or  
The Om Medical Centre.

As Members may be aware, ultimately it is for the ICB to demonstrate that their request for funds is compliant with the CIL Regulations.

2. **Environmental Health** colleagues have now provided comments, which consider the implications of the development for air quality, residential amenity and land contamination:
  - A land contamination assessment will not be required;
  - A Construction Method Statement condition is requested to ensure that the potential impacts of constructing the development on the amenity of existing residents are appropriately mitigated; and
  - In respect of air quality they comments as follows:

*"A major application such as this would be expected to have an Air Quality submission with the application, whether this be a Damage Cost Calculation, full Air Quality Assessment or a statement as to why these would be considered unnecessary.*

*Elevated NO<sub>2</sub> [Nitrogen Dioxide] levels have been noted along Halfway Road following ongoing monitoring carried out by this council. As this is a major application in the nearby vicinity, the applicant is advised to consult Swale's Air Quality and Planning Technical Guidance (see link below) to ascertain*

whether an Air Quality Assessment or a Damage Cost Calculation should accompany this application. This can be found at:

[Air Quality and Planning Technical Guidance Document](#)

In the light of clarification of the status of the application, the following comments were received:

*“This is a tricky one as we have highlighted high NO<sub>2</sub> concentrations at Halfway Road. The looking at the NO<sub>x</sub> tube at Halfway Road, it shows a decrease over the last three years and has not exceeded the Nation Air Quality Objective or within 10% of it, so maybe an exception can made for this application. As with a lot of assessments the development and cumulative impacts are frequently negligible, especially those on the island.*

*To be consistent we ask all major developments (50+ dwellings ) to provide a damage cost for mitigation, this amount is irrespective of the scale of impacts. As you probably know this requirement is outlined in our AQ and Planning Technical Guidance (2021) – but as you also know this is not an SPD and is only guidance, therefore if planning feel due to the current situation for this application it is necessary to not ask for this then we will not object against the decision.”*

Officers are of the view that this amounts to an additional putative refusal reason as insufficient information has been submitted to fully assess the impact of the scheme on air quality in the Borough.

3. **Historic England** have advised that they do not wish to offer any comments on the application.
4. One additional **neighbour objection** has been received. It raises issues as summarised at Paragraph 5.1 in the report.
5. Conclusion:

The recommendation remains as set out in Section 10 of the report but with authority to add an additional putative refusal reason in respective of air quality. In addition, officers will include the Construction Method Statement condition as part of our appeal submission.

JRW – 9/2/23

