The Teynham and Highsted Community Action Group

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Via email: PCC@communities.gov.uk

25 September 2026

Dear Ms Hopkins

TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 77
Applications APP/V2255/V/24/3355313 and APP/V2255/V/24/3355314 - Highsted Park

Thank you for your letter dated 11 September 2026 circulating the further representations.

The Teynham and Highsted Community Action Group confines these comments to points arising from that new material. We do not seek to repeat our earlier representations or reopen the Inquiry generally.

Emerging Local Plan

The Applicants state that no weight can be given to the emerging Regulation 19 Swale Local Plan because of its stage of preparation and outstanding objections. That assertion does not address the distinct operation of Policy HO13(4), which expressly applies where an emerging development plan, "however advanced", proposes to allocate strategic sites, and applies notwithstanding Policy DM4(2).

The Applicants assert that Highsted Park and the proposed strategic allocations could proceed in parallel, but they do not demonstrate that adding a further 8,400 dwellings would be consistent with the scale, location and phasing of the emerging strategy. Nor does the existence of an overall numerical housing requirement determine whether competing strategic developments are consistent in spatial, infrastructure or delivery terms.

Swale Borough Council has concluded that both Highsted applications would run contrary to the strategic development locations identified in the emerging Local Plan and could undermine delivery of the proposed strategic sites. The Secretary of State is asked to determine that specific question under Policy HO13(4), separately from the weight generally attributable to the emerging Plan under Policy DM4.

Policy S5 and infrastructure

The Applicants contend that the applications comply with Policy S5 and that the revised Framework does not materially alter the planning balance.

Swale Borough Council, applying the revised Framework to the Northern Application, reaches a materially different conclusion. It considers that the majority of the proposed built development would not be physically well-related to an existing settlement. In particular, it concludes that the extent of the development exceeds what could reasonably be regarded

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as physically well-related to Teynham and that the exceptional circumstances required by Policy S5(4) are not present.

Policy S5(1)(j) also requires development to be of a scale capable of being accommodated, taking account of existing or proposed infrastructure. The existence of unmet housing need does not dispense with that separate requirement. The continuing disputes over the funding and delivery of the relief roads, education provision, healthcare, water and wastewater infrastructure and other mitigation are therefore directly relevant to whether the applications qualify under Policy S5, and not merely to the amount of weight to be given in the final planning balance.

Heritage

Heritage was a principal matter in the Action Group's case at the Inquiry. It is therefore significant that Swale's updated assessment continues to identify harm to the setting of Grade II* Frognal Farmhouse and direct harm to Tonge Conservation Area, and concludes that those harms are not outweighed by the benefits of the proposal.

We do not repeat the detailed heritage evidence already before the Inspector. We ask the Secretary of State to take Swale's updated assessment into account alongside that evidence when considering the Applicants' case that the revised Framework strengthens the case for approval.

Housing need and affordable housing

The Applicants place substantial reliance on Policy HO7 and the weight to be given to housing which meets the evidenced needs of the community. However, Swale Borough Council's updated assessment identifies an important qualification to that claimed benefit.

The 2026 Housing Market Assessment identifies affordable housing need equivalent to 28.4% of planned housing growth. By contrast, the completed section 106 agreements secure base affordable-housing provision of only 6.08%-11.28% for the Northern Application and 16.7%-22.5% for the Southern Application, depending upon other financial contributions. Any further provision is dependent upon future viability reviews.

The weight attributed to the housing benefit should therefore reflect not merely the maximum number of dwellings for which outline permission is sought, but their likely timing, tenure and the proportion of affordable housing firmly secured. The Applicants' reliance upon acute affordable-housing need cannot itself justify substantial weight for homes which may not meet that need.

Viability and deliverability

There remains a significant difference between the Applicants and KCC on viability and deliverability. The Applicants rely in part on the flexibility provided by Policy HO13 and maintain that both schemes are viable and deliverable. KCC maintains that the schemes are fundamentally unviable and undeliverable and that the flexibility contemplated by Policy HO13 cannot remove the need to deliver the critical highway infrastructure required to make the development acceptable.

The Applicants also state that deliverability is not a material consideration. That proposition is difficult to reconcile with Policy HO13(1), which expressly requires major housing

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proposals to be capable of bringing housing forward within a reasonable period. It is also inconsistent with the Applicants' reliance upon the delivery of housing and infrastructure as substantial benefits in the planning balance.

Flexibility under Policy HO13(3) cannot substitute for evidence that the critical infrastructure can be funded and delivered, nor can it justify the later removal or deferral of infrastructure necessary to make the development acceptable. KCC confirms that the essential highway infrastructure must still be delivered upfront. We ask the Secretary of State to take this continuing disagreement into account when considering the deliverability of the applications and the weight to be given to their claimed benefits.

Stones Farm and the Northern Relief Road

The Action Group supports the Five Parishes Group's submissions concerning Stones Farm. The new evidence concerning the Council's ownership and management of the land, its established role as mitigation for recreational pressure on internationally protected habitats, and the sensitivity of its chalk stream and wet woodland is directly relevant to the deliverability and environmental effects of the Northern Relief Road.

The Applicants' representations do not address that evidence. In particular, they do not explain how the road can be delivered consistently with the existing mitigation function of the land, or what replacement mitigation, land acquisition, hydrological protection and associated costs would be required. Those matters also bear upon viability and the adequacy of the Habitats Regulations assessment.

Healthcare and utilities

The Applicants' assertion that there was no evidence suggesting insufficient utilities capacity does not resolve the detailed water and wastewater evidence presented at the Inquiry. Nor does the absence of an express reference to acute healthcare in the NPPF determine whether healthcare mitigation is necessary. Swale continues to maintain that acute-care funding is required, while the completed agreements leave that contribution subject to a blue-pencil provision. These unresolved matters are relevant both to Policy S5's infrastructure requirement and to the weight attributable to the claimed community-infrastructure benefits.

Highways and transport

KCC states that neither the Bobbing nor the South East Faversham scheme was specifically coded in the Highsted Park modelling. It considers, however, that the retention of approximately 4,500–5,000 dwellings of future growth elsewhere in the Borough means that development of a broadly comparable scale was allowed for.

The modelling documents appear to require a more qualified conclusion. The 2038 LPR Do Something model, which formed the Reference Case for the Highsted Park assessment, included South East Faversham as an identified Local Plan allocation, comprising 2,350 dwellings by 2038. However, in constructing the Highsted “With Development” scenario, the Transport Assessment states that the trips associated with the 6,014 dwellings comprising the LPR allocations were removed from the relevant model zones and replaced by the

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Highsted Park development trips. On that basis, South East Faversham was included in the scenario without Highsted Park, but was not assessed cumulatively alongside Highsted Park in the With Development scenario.

That approach treated Highsted Park as replacing a substantial part of the then-proposed Local Plan growth. The subsequent resolutions to grant planning permission for South East Faversham and Bobbing materially increase the prospect that those particular developments will proceed independently of Highsted Park. A general allowance for a broadly comparable number of dwellings does not, without further analysis, establish that their particular locations, phasing, trip generation, trip distribution and effects upon the network have been represented.

The Action Group therefore invites the Secretary of State to seek clarification as to whether any modelled scenario has assessed Highsted Park cumulatively with the South East Faversham and Bobbing schemes. If not, the Action Group asks that appropriate caution be exercised before relying upon the modelling as demonstrating that the cumulative effects of all three developments would be acceptable.

Conclusion

The further representations do not cause the Action Group to alter the position set out in our letter of 7 September 2026.

In particular, we ask the Secretary of State to consider:

- the separate effect of Policy HO13(4) and the relationship between Highsted Park and the scale, location and phasing of strategic growth proposed in the emerging Local Plan;
- Swale Borough Council's updated assessment of Policy S5, including whether the proposals are physically well-related to existing settlements and capable of being accommodated by the necessary infrastructure;
- the heritage harm identified by Swale Borough Council and in the evidence already before the Inspector;
- the timing, tenure and affordable-housing content of the homes likely to be delivered, rather than the maximum headline capacity alone;
- the continuing disagreement over viability and delivery of the critical infrastructure on which the applications depend;
- the unresolved implications of Stones Farm for the Northern Relief Road, habitats mitigation, hydrology, land control, viability and deliverability;
- the unresolved water, wastewater and healthcare infrastructure issues, and
- whether the post-inquiry resolutions for South East Faversham and Bobbing require a cumulative transport sensitivity test alongside Highsted Park.

Yours sincerely
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