

## Annex 4

### Response to the letter dated 30th July 2026 from DHA.

- 1.1 On 30<sup>th</sup> July 2026, a Director of DHA Planning wrote to the Minister for Housing and Planning on behalf of Catesby Estates which detailed various events and actions that have been taken by Swale Borough Council in the period since the closing of the Inquiry. As well as the milestones that have been cited within that letter, there is some other background to provide and this shall be detailed below.
- 1.2 On 10<sup>th</sup> March 2026, the Planning Committee of Swale Borough Council resolved to grant a planning permission as is detailed below:

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| Application Number      | 23/505533/EIHYB                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Applicant               | Secretary Of Duchy Of Cornwall Estate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Address                 | Land At South East Faversham, Between A2 Canterbury/London Road And M2, Faversham, Kent, ME13 9LJ                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Description of Proposal | <p>a) Full planning permission for Phase 1 of a mixed-use residential led development of 261 homes and 3,021 sq m of non-residential space, including: local centre with retail, commercial, community, business and/or employment uses (including Class E uses); water recycling centre; open space; earth form bund; landscaping; groundworks; green infrastructure; pedestrian and cycle routes; car and cycle parking; refuse and recycling storage; highways, drainage and infrastructure works including new vehicle access points to the existing network; supporting infrastructure; engineering, utilities, and other associated works.</p> <p>b) Outline planning permission for the remaining phases of the mixed-use residential led development, including: retail, hotel, commercial, business, employment uses (including Class E uses); Class B2 and/or B8 uses; community and sports provision; primary school; nursery accommodation; health facilities; sheltered and/or other older persons' accommodation; open space; earth form bund; landscaping; groundworks; green infrastructure; pedestrian and cycle routes; car and cycle parking; refuse and recycling storage; highways, drainage and infrastructure works including new vehicle access points to the existing network; temporary access and construction route(s) as required; supporting infrastructure; engineering, utilities, and other associated works including the demolition of buildings and structures. All matters to be reserved.</p> |
| Number of dwellings     | 2500                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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| Affordable dwellings | Approximately 890 dwellings, which represents a policy compliant blend to reflect the location of each phase relative to differing policy areas.                                                      |
| Resolution           | In summary and with caveats, delegated authority has been given to the Head of Planning to grant planning permission subject to appropriate conditions and the completion of a Section 106 agreement. |
| Date of Resolution   | 10 <sup>th</sup> March 2026                                                                                                                                                                           |

- 1.3 Subsequently, following a deferral at a Planning Committee meeting on 26<sup>th</sup> March 2026, the Planning Committee of Swale Borough Council resolved on 24<sup>th</sup> June 2026 to grant a planning permission as is detailed below:

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| Application Number      | 22/503654/EIOUT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Applicant               | Foxchurch (Kent) Ltd                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Address                 | Land To The West Of Bobbing, Sittingbourne, Kent, ME9 8QL                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Description of Proposal | Outline application (all matters reserved except for means of access from Sheppey Way) for a mixed use development comprising up to 2,500 dwellings, a 5.21 ha commercial employment zone including doctors' surgery, a 4.35 ha sports hub (and sports pitches), 3FE primary school, community facilities, local retail provision, public open space, children's play areas and associated parking, servicing, utilities, footpath and cycle links, drainage, ground and other infrastructure. |
| Number of dwellings     | Up to 2500                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Affordable dwellings    | 35% - a 5% shortfall relative to Local Plan Policy DM8.                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Resolution              | In summary, delegated authority has been given to the Head of Planning to grant planning permission subject to appropriate conditions and the completion of a Section 106 agreement.                                                                                                                                                                                                                                                                                                           |
| Date of Resolution      | 24 <sup>th</sup> June 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

- 1.4 The preparation of the required legal agreements pursuant to Section 106 of the Town and Country Planning Act 1990 has commenced in respect of both applications and it is noted, that both applicants have indicated that they wish to be delivering houses on-site within 4 years in the case of Land to the West of Bobbing and in 2027 in the case of Land At South East Faversham.
- 1.5 Other permissions or resolutions to grant planning permission since the Inquiry closed include applications 25/500761/FULL (90 dwellings at Church Lane, Newington), 25/501495/OUT (100 dwellings at Perry Court, Faversham), 24/500552/OUT (44 dwellings at Staplehurst Road, Sittingbourne) and 25/501882/FULL (23 dwellings at Lower Road, Teynham).
- 1.6 In combination and not including various other smaller major and minor developments that have also been supported by the Council, this amounts to sites now benefiting from planning permission or benefitting from a resolution to grant planning permission to the tune of 5,234 dwellings. All of which have progressed as set out since the Inquiry closed.
- 1.7 In addition, it is relevant to note that, the Council's Planning Committee resolved to grant planning permission in 2021 for the development detailed below.

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| Application Number      | 18/502190/EIHYB                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Applicant               | Persimmon Homes Ltd                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Address                 | Land North Quinton Road, Sittingbourne, Kent, ME10 2SX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Description of Proposal | <p>Phase 1 North - Erection of 91 dwellings accessed from Grovehurst Road, public open and amenity space (including an equipped children's play area) together with associated landscaping and ecological enhancement works, acoustic barrier to the A249, internal access roads, footpaths, cycleways and parking, drainage (including infiltration basins and tanked permeable paving), utilities and service infrastructure works. Full Planning Application - Phase 1 South - Erection of 257 dwellings (including 35 affordable dwellings) accessed from Quinton Road, public open and amenity space, together with associated landscaping and ecological enhancement works, internal access roads, footpaths, cycleways and parking, drainage (including infiltration swales, ring soakaways, and permeable paving), utilities and service infrastructure works.</p> <p>Outline Planning Application - for up to 852 new dwellings (including 10% affordable housing), a site of approximately 10 ha for a secondary and primary school, a mixed use local centre, including land for provision of a convenience store, public open and amenity space (including equipped children's play areas), together with associated landscaping and ecological enhancement works, acoustic barrier to the A249, internal access roads, footpaths, cycleways and parking, drainage (including a foul water pumping station and sustainable drainage systems), utilities and service infrastructure. All matters reserved.</p> |
| Number of dwellings     | Up to 1200                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Affordable dwellings    | Approximately 120.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Resolution              | In summary, delegated authority has been given to the Head of Planning to grant planning permission subject to appropriate conditions and the completion of a Section 106 agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Date of Resolution      | 4 <sup>th</sup> March 2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

- 1.8 The preparation of the required legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 has been protracted. However, following collaboration with the New Homes Accelerator Unit and the Council being able to direct its legal resources towards that application following the completion of the Section 106 agreements for Applications A and B (21/503906/EIOUT and 21/503914/EIOUT), a draft S106 was published on the Council's website on 17<sup>th</sup> August 2026. Following the period of availability, as demonstrated to be required by the case of *Greenfields (IOW) Limited v Isle of Wight Council [2025]*, it is anticipated that a decision will imminently be able to be issued.

- 1.9 Subject to all conventional caveats, that permission will move 1200 dwellings into the delivery pipeline, with a commitment from the applicant to be on-site and building houses this year.
- 1.10 In terms of delivery, in addition to other developments that had already commenced during or prior to the Inquiry, the following planning permissions are now in the construction phase:
- 22/505646/OUT (290 dwellings at Ufton Court Farm, Sittingbourne),  
21/505498/OUT (135 dwellings at Swanstree Avenue, Sittingbourne),  
22/500275/OUT (135 dwellings at Pond Farm, Newington)  
25/500761/FULL (90 dwellings as referenced above),  
21/501839/OUT (74 dwellings at Otterham Quay Lane, Upchurch)  
22/502963/OUT (38 dwellings at St Michaels Road, Sittingbourne)  
23/503228/FULL (51 dwellings at St Michaels Road, Sittingbourne)  
21/502609/OUT (10 dwellings at Lynsted Lane, Lynsted).
- 1.11 Moreover, it is understood that development approved by application 16/507689/OUT is likely to re-commence, at a stalled site near to the application sites, at Frognal Lane, Teynham which will deliver 298 dwellings.
- 1.12 Developments at Barton Hill Drive, Sheerness (700 dwellings in total), Wises Lane (675 dwellings in total), Preston Fields (up to 250 dwellings in total), East of Iwade (up to 455 dwellings) and Lady Dane Farm (parcel of 154 dwellings approved in May 2023) are also progressing. For context, reserved matters approvals granted at these sites in the last 24 months amount to 842 dwellings (under the terms of applications 23/500161/REM, 24/502881/REM, 25/501437/REM , 25/504391/REM and 25/504418/REM)
- 1.13 In addition to the processing of significant planning applications, the Council has made rapid progress on its emerging Local Plan. A public consultation is currently underway in respect of the Regulation 19 Draft Local Plan, with the consultation period running until the 21<sup>st</sup> September 2026.
- 1.14 Of considerable relevance to Applications A and B are that neither site is allocated within the emerging local plan for the developments proposed. Subject to testing through the on-going consultation and subsequent examination, this demonstrates that there is a means for the Council to meet its housing targets for a 16 year period, up to 2042, without reliance upon Applications A and B. As set out in Annexes 2 and 3, a reliance on these sites in the short and medium term is considered to be imprudent as, even if the phasing plans are adhered to, it is unlikely that dwellings would be delivered until significant infrastructure has been consented and programmed into the delivery.
- 1.15 In terms of the emerging Local Plan, Policy ST4 identifies that land is identified for the delivery of 73ha of employment land and 17,024 dwellings.
- 1.16 Emerging Policies. ST3, ST5, ST7 and ST8 are considered to align with Chapters 5, 7, 14 and 16 of the NPPF 2026 respectively. Moreover, by continuing to adopt a Settlement Strategy (Policy ST2), it is considered that the development plan will be consistent with the approach to achieving sustainable development that is detailed by policies S3, S4 and S5 of the NPPF 2026. The development management policies of the emerging local plan also build on, whilst being consistent with, many aspects of the NPPF 2026.

- 1.17 Policy ST6 is considered to accord with the housing chapter of the NPPF 2026 and, in relation to that chapter, Policy H1 is considered to represent an important shift in policy relative to the adopted local plan. The policy requirement for 30% of dwellings on greenfield land to be provided as affordable housing across the Borough is a significant shift from the area based approach that is currently adopted. It is noted that the Section 106 agreement for the Applications A and B envisage far less affordable housing being provided, albeit with there being scope for an uplift to be achieved if viability reviews demonstrate that it is viable to do so. The viability testing indicates that the emerging allocated sites would be viable whilst delivering this level of affordable housing. However, this would not be guaranteed to be the case for the Applications that are before the Secretary of State.
- 1.18 The Council's position to the Inquiry has been to resist the accusation that the Council has "stopped planning." The above demonstrates that the Council has not stopped planning and is actively working to deliver the housing and economic opportunities that are needed in a sustainable manner.

### **Other Matters**

- 1.19 It is noted that the Inspector was informed of the designation of the Bexon Conservation Area in February 2026.
- 1.20 For completeness, it is considered relevant to note that the Cellar Hill and Greenstreet Conservation Area was also extended since the Inquiry closed, coming closer to the proposed development sites, particularly the site of Application B. The full extent of the Conservation Area is shown at Appendix 2.