

26/501696/OUT LAND AT ABBEYFIELDS, FAVERSHAM

- The Faversham Neighbourhood Plan positively plans for the level of growth required by Swale Borough Council with the site allocations for residential and mixed-use development.
- Paragraph 12 of the National Planning Policy Framework, December 2024 makes clear that *“The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.”*
- The proposed development is outside of the settlement and would set a precedent, leading to incremental encroachment into the open countryside. It would also harm the landscape character of the area, encroaching further into the open countryside. This would contravene local plan policy ST3 and DM 25.
- Acceptance of greenfield development would create further challenges to the viability of vacant brownfield or allocated housing sites within the borough.
- The proposed development would encroach into the open countryside, resulting in the loss of Grade 1 agricultural land that is ‘best and most versatile’.
- Part of the site falls within a locally designated biodiversity site and would therefore contravene local plan policy DM28.
- Development on previously undeveloped land will have a negative impact on surface water drainage and the wider water and flood management of the locality.
- The site has been discounted through SHLAA assessments and the AECOM site options and assessment report October 2021 prepared as part of the evidence base that underpins the Faversham Neighbourhood Plan, which also concludes that using the RAG rating the site was amber owing to the constraints including the high sensitivity of the landscape character.
- The site is within an unsustainable location on previously undeveloped land that contributes positively to food production.
- The development could result in the harm and loss of important natural flood mitigation for the locality and Areas of Particular Importance for Biodiversity (APIB) as identified in the Kent Local Nature Recovery Strategy.
- There are no planning merits or gains to justify departure from national, local and Neighbourhood Plan policy.

Sustainable Development:

Paragraph 12 of the National Planning Policy Framework (NPPF), December 2024 makes clear that:

“The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

The lack of 5-year housing supply within the borough is not a material consideration that would enable consent as it conflicts with the growth strategy of the Statutory Development Plan that includes the Faversham Neighbourhood Plan Policies FAV2: Housing Development, and FAV 7: Natural Environment and Landscape. Nor is it an allocated site for housing in the Plan.

Growth Strategy:

The application site is within the Faversham Neighbourhood Area. Swale Borough Council have allocated 219 homes to be delivered within the Neighbourhood Area over the plan period to 2038. The ‘made’ Faversham Neighbourhood Plan exceeds this figure with potential capacity for in excess of 300 new homes on site allocations within the Plan.

Therefore, there is no material reason to support speculative residential development on previously undeveloped land, outside of the main settlement on grade 1 ‘Best and Most Versatile’ (BMV) agricultural land.

Furthermore, in the Local Plan review this site was not taken forward as a preferred option in the growth strategy to help deliver the housing need for the borough and was discounted as a potential site allocation.

There is no planning case to support the application, and it is contrary to national, local plan and Neighbourhood Plan policy as set out in this representation, including Faversham Neighbourhood Plan Policies FAV2: Housing Development. Nor is it an allocated site for housing in the Plan.

Loss Best and Most Versatile Agricultural Land:

The applicant fails to justify the loss of grade 1 agricultural land. The submitted ‘agricultural land use letter’ adds further justification to retaining the land confirming its agricultural use and contribution to food production.

Without a sequential test there is no justification to remove actively farmed land that contributes to food production for housing.

It should also be noted that the recent Government 'Land Use Framework for England, March 2026' makes clear that:

“ Government is clear that food security is national security. We agree with consultation respondents who called for the strategic safeguarding of the best farmland from permanent land use changes, and for improving the resilience of our agricultural land to the impacts of climate change.”

Clearly the proposed application is at odds with the Land Use Framework. The application does not take account of the recent changes to national policy and current Government direction.

The Land Use Framework goes on to state that Government will:

“Safeguard our best and most versatile farmland from permanent land use change (such as woodland creation and urban expansion) by publishing updated Agricultural Land Classification data and mapping as it becomes available.”

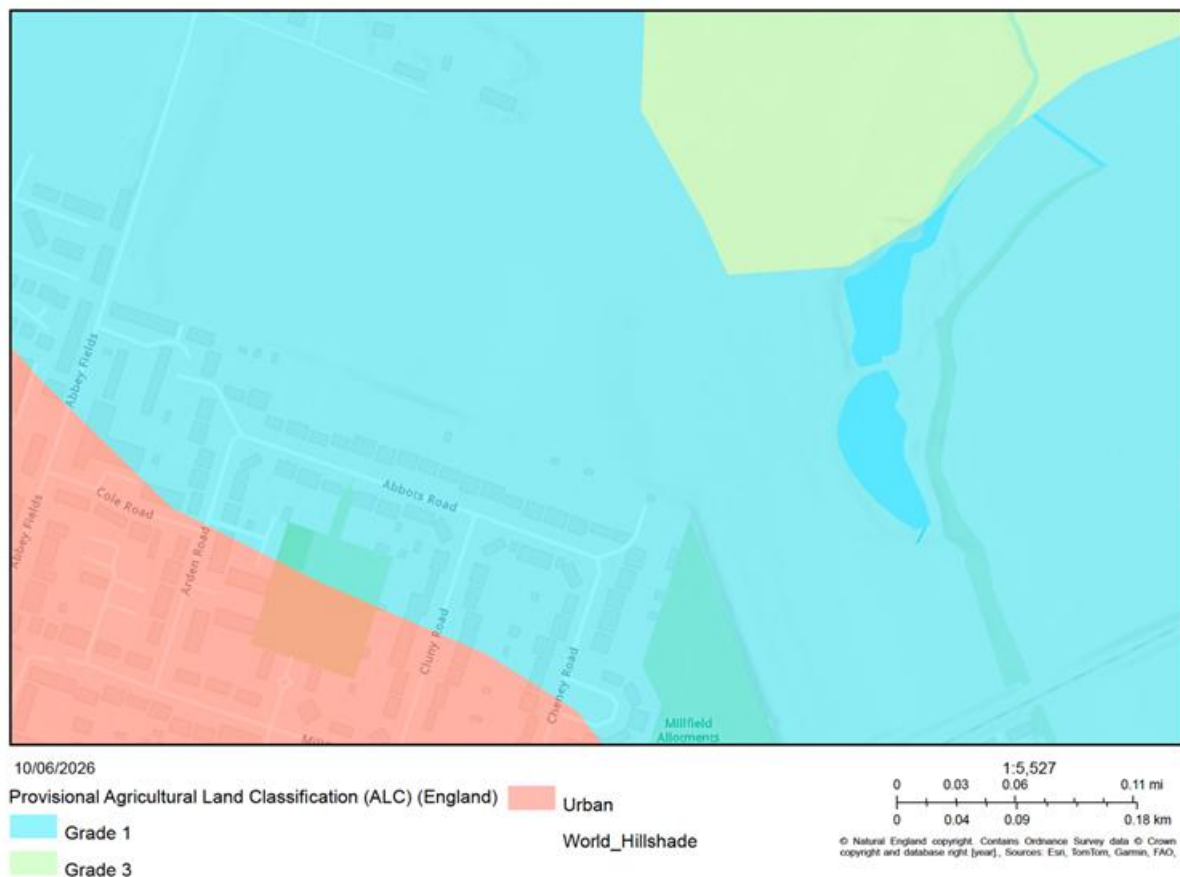
The following mapping extract taken from Natural England Agricultural Land Classification data shows the full extent of the grade 1 BMV land.

Clearly this application is contrary to Neighbourhood Plan Policy FAV 7: Natural Environment and Landscape, clause 6 as it would result in the loss of BMV.

Biodiversity – destruction of mixed habitat.

Should the application be approved – we would want conditions

Natural England Agricultural Land Classification Map



(Natural England, accessed 10th June 2026)

Flood Risk:

Paragraph 170 of the National Planning Policy Framework (NPPF), December 2024 makes clear that:

“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).”

The applicant accepts the application site is subject to flood zones 2 and 3, it also includes areas of surface water flood risk. The application seeks to justify the principle of residential development, relying on the Moss ‘Flood Risk Assessment and Drainage Strategy’, 30th April 2026, which acknowledges that some development will be in areas of flood risk.

NPPF Paragraph 173 states:

“A sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding,”

There is no sequential test provided as part of the submission.

Paragraph 175 states:

*“The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, **except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).**”*

However, figure 4.3 of the Moss ‘Flood Risk Assessment and Drainage Strategy’ does not show the built form overlaid with the Environment Agency mapping data. When this is undertaken it is clear that some of the built area proposed and the primary access are indeed within areas of potential flood risk. Clearly this is an error and therefore a Sequential Test is required.

Site Assessment:

The application site is across SHLAA site SLA18/062 39 Abbey Fields and SLA18/065. The assessment makes clear that the application site is an unsustainable location and is a greenfield site. It also makes clear that development at the scale proposed would have a significant impact on the landscape.

This is also supported in the AECOM site options and assessment report October 2021 which forms part of the evidence base that underpins the Faversham Neighbourhood Plan. It concludes that using the RAG rating the site was amber owing to the constraints including the high sensitivity of the landscape character.

Highways Access:

The submitted Transport Assessment fails to take account of Neighbourhood Plan Policy FAV5: Critical Road Junctions, which sets out that development that impacts junctions with identified safety and capacity issues will only be supported where they would not result in a severe impact on the highway.

The proposed access is onto Abbey Fields which joins the Whitstable Road, an identified critical road junction. Given the application does not provide any detail to address this, it is assumed that the application would fail to meet the policy requirements.

If the application were to be successful access should not be via Abbeyfields which is a private road. `

Faversham Neighbourhood Plan:

Faversham NHP was developed in conjunction with community, the plan had one of the highest response rates to Regulation 14 nationally and at the referendum 94% of those that voted supported the plan. The NHP and demographic process should be upheld.

Community Engagement:

The Town Council remains disappointed that the community engagement proposed when Fernham Homes visited the planning committee was not undertaken

Summary:

The proposal fails to meet the requirements of national policy, local plan policy or the policies of the Faversham Neighbourhood Plan, as set out in this representation.

Approving this application would create a precedent for development in the open countryside, undermining the integrity of both the 'Made' Neighbourhood Plan and the Borough's long-term spatial strategy. It would weaken the role of settlement boundaries and increase pressure on unallocated sites outside of settlement boundaries.

There is no justification in this application to support departure from national, local plan or neighbourhood plan policy to support development of a previously undeveloped site that is BMV.

In particular, we would emphasise the requirement of Section 38 of the Planning and Compulsory Purchase Act 2004, to determine planning applications in accordance with the policies of the statutory development plan, unless material consideration indicate otherwise. The statutory development plan includes the adopted Local Plan (Bearing Fruits) and the Faversham Neighbourhood Plan.

Should the application be approved the town council would like the following conditions:

- If the application is successful affordable housing should be at the level in the Duchy Development at SE Faversham 35% affordable, of which 50%, is social rent. This should be the benchmark for all future developments.
- Chair of the Environment Committee has done her own environmental study and can list 101 species, There has been a 20% decline in monitored species since 1970's. Fav 7 (Faversham NHP) requires Biodiversity Net Gain of 20% for greenfield sites
- All NHP policies applied
