

FAVERSHAM CREEK NEIGHBOURHOOD PLAN

NEIGHBOURHOOD PLAN: WORKING DRAFT 14.03.14

PART 1: THE PLAN

OVERVIEW

A PLAN FOR FAVERSHAM CREEK

1. About neighbourhood plans
2. The Faversham Creek Neighbourhood Plan
3. Vision and Objectives
4. Constraints
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Comment [U1]: For Steering Group to consider.

PLANNING POLICIES

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- 7.1 Natural environment
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- 7.4 Community, leisure and recreation
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PART 2: THE EVIDENCE BASE

HISTORICAL BACKGROUND

POLICY FRAMEWORK

National Planning Policy Framework

Swale Local Plan 2008

Swale Borough Local Plan Consultation **Draft**

Comment [U2]: For Steering Group decision as to whether to include the map in Part 1 or in Part 2 with Heritage Assets document.

GUIDANCE

Faversham Creek Streetscape Strategy (2012)

Conservation Area Character Assessment (2004)

Undesignated Heritage Assets (2013)

Faversham Creek AAP Development Proposals [Fullwood Report] (2010)

Faversham Creekside AAP Stakeholder Consultation & Options Report [UI report] (2009)

Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek (2014)

Faversham Tourism Development Framework (2010)

Swale Borough Council Draft Economic Development Strategy 2013-2016

Report on the replacement of the Brents Swing Bridge (2013)

Faversham Creek Green Cluster study and report (2008)

Faversham 2020 Town Plan (2013)

Swale Borough Council Community Strategy: Ambitions for Swale 2009-2026

Swale Borough Council Employment Land Review (2010)

Swale Borough Council Strategic Housing Land Availability Allocation (2013)

Faversham Creek Navigation Study (H. R. Wallingford, 2006)

Swale Landscape Character and Biodiversity Appraisal (2010)

Comment [U3]: Natalie – can you confirm the proper title of the Local Plan Draft?

CONSULTATION EVENTS

Pre-2011

2011 onwards

Notes:

1. At the submission stage, the information in Part 2 would be split into separate documents. The policy details would go in the Basic Conditions Statement, which is a statutory requirement to demonstrate that the Plan conforms to higher-level policies and other specific conditions. The consultation events (plus details of responses) would go into the Consultation Statement, which is also a statutory requirement to demonstrate that there

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was adequate consultation and to show how the feedback was taken into account. At this stage, however, the intention is to have just a single document to which the public and other consultees can refer for more detail if required.

2. Relevant sections of policies and guidance documents will be quoted or summarised, with references/links to the complete documents (most of which are available online only).

A PLAN FOR FAVERSHAM CREEK

1. ABOUT NEIGHBOURHOOD PLANS

What a Neighbourhood Plan is

1.1 Planning, which defines how land can be used and what sorts of development are allowed, is the responsibility of local authorities. For Faversham, the planning authority is Swale Borough Council. But the government's Localism Act of 2012 brought in new ways for smaller communities, usually at the level of town or parish councils, to have more influence on development in their own area. One of these is to have a Neighbourhood Plan.

What a Neighbourhood Plan can do

1.2 A Neighbourhood Plan allows a community to say how it would like its area to develop in the future, and to specify planning policies that encourage and enable that kind of development, while preventing or discouraging unwanted development. The Plan might include, for example, how much new housing should be allowed, what type of housing it should be, where it should and should not go, and whether new roads or schools would be needed to support it. It might also deal with employment, the local economy, shops, sports facilities, community centres, the natural environment, historic sites and many other factors, depending on what kind of area it is.

1.3 Once an area has a Neighbourhood Plan, it becomes part of the planning authority's Local Development Plan. All planning applications within the area are then judged on the basis of the policies agreed by the local community in the Neighbourhood Plan, rather than policies laid down by the wider planning authority.

1.4 A Neighbourhood Plan can also bring in more money for councils to spend on local facilities. Developers who benefit financially from being granted planning permission have to pay a contribution to the planning authority, known as s106 or Community Infrastructure Levy (CIL). With a CIL scheme, the local council (eg, Faversham Town Council) gets only 15% of this money, up to a maximum of £100 per household in any one year, with the rest going to the planning authority (eg, Swale Borough Council). But if a Neighbourhood Plan is in place the local council gets 25%, uncapped.

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What a Neighbourhood Plan can't do

1.5 A Neighbourhood Plan cannot go outside what is allowed by the government, which is defined in a document called the National Planning Policy Framework (NPPF). It cannot contravene the local authority's overall planning policy, which may for example have targets for housing or employment within the Neighbourhood Plan area. The Plan could influence how these targets would be met – eg, where the houses and businesses should go – and it could exceed them, but it could not override them.

1.6 The Plan's policies cannot specify anything other than land use, and they can do this only within the categories defined under current planning legislation. For example, the Plan can say that a site should be used for industrial purposes, but it cannot restrict this to a particular industry, though it can make clear the community's intentions about the type of industry it would prefer. Similarly, the Plan can make recommendations about factors other than land use, such as traffic management, but cannot insist on them. These intentions and recommendations may, however, have some influence on the way that policies will be interpreted when decisions are made on future planning applications.

1.7 A Neighbourhood Plan is a framework for development, not a blueprint. It cannot dictate the design and architecture of new developments. It can only lay down general guidelines (eg, height and mass, layout, compatibility with local building styles) against which future planning applications will have to be judged.

1.8 A Neighbourhood Plan cannot make development happen; it can only create conditions in which it can happen. It can, for example, prevent an industrial site from being used for housing or shops, but it cannot force the landowner to develop the site for industrial use. There are, however, other community rights within the Localism Act (Right to Build, Right to Bid, Right to Challenge, Asset Transfer) which could be used as a means of delivering the aspirations of the Plan – eg, to preserve local assets, to build a community resource, to protect an open space.

[text box]

A Neighbourhood Plan is a legally binding document which allows a community to have greater influence on development within its local area. It specifies planning policies to encourage and enable the kind of development the community wants, and prevent or discourage unwanted development. To succeed, it has to go through at least two stages of public consultation and revision, to be approved by an Independent Examiner, and to win over 50% of the vote in a local referendum.

How it works

1.9 In principle, a community decides that it wants a Neighbourhood Plan for a particular area, and asks the planning authority to officially approve it ("designate" it). After a 6-week public consultation, if there are no problems, the planning authority gives the go-ahead.

1.10 The Plan is usually developed by a team with representatives from different groups within the community, with support from the planning authority. Neighbourhood Planning

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guidelines say there should be active involvement and consultation right across the community in these early stages.

1.11 Once the Plan has been drafted, it is legally required to go through a number of stages:

- a. A 6-week public consultation on the initial “pre-submission” draft – THIS IS WHAT IS HAPPENING NOW.
- b. Amendments in response to the consultation, to produce a revised draft.
- c. Another 6-week public consultation on the revised draft.
- d. Further amendments if necessary, to produce a final draft.
- e. Submission of the final draft to an Independent Examiner, who will assess the content of the Plan, the extent and quality of the consultation process, whether the plan satisfies legal requirements (the “Basic Conditions”), and whether it is workable as a planning policy document. The Examiner may reject the plan, approve it, or approve it subject to changes. He/she may also recommend optional changes which are not a legal requirement, but which might make the Plan clearer and more workable.
- f. If the Plan is approved, it has to be put to a referendum of local electors (the inspector can decide on the electoral boundaries for the referendum). The referendum is a straight yes/no vote to accept or reject the Plan as the basis for future planning policies for the area.
- g. If the Plan goes to referendum and wins over 50% of the vote, it becomes legally binding as part of the planning authority’s Local Development Plan.
- f. If the Plan fails, either at the inspection stage or at the referendum, control of planning for the area reverts to the planning authority, which can then draw up its own policies (although it must still consult before adopting them).

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2. THE FAVERSHAM CREEK NEIGHBOURHOOD PLAN

Setting the scene

2.1 Faversham is an historic market town with a long and distinguished heritage. It has a large conservation area and some 500 listed buildings, plus numerous other heritage assets. It has a population of around 20,000, including outlying villages. The town retains some elements of its earlier industrial and agricultural character.

2.2 Loss of local employment, together with relatively low property prices and a high-speed rail link to London, have led to an increase in out-commuting. There are also areas with low income, low skills and high unemployment, one of which is adjacent to the Creek (Davington Ward, which includes the Brents area).

2.3 There is a positive sense of local identity, combined with strong local institutions and networks and a high degree of social capital. This sense of place is important both commercially, in marketing the town as a place to visit and in which to invest, and socially in supporting community development and sustaining a diverse range of community-based organisations. Local independent businesses dominate the retail sector and the growing food/drink sector. Residents recognise and value this distinctiveness, and do not want Faversham to become a "clone town". The town has long had an independent spirit and a history of getting things done for itself, with a commendable track record of campaigning and fundraising for community facilities.

2.4 Swale Borough Council recognises that the individuality of Faversham, combined with its position outside the Thames Gateway growth area, gives it the opportunity for a regeneration strategy with a different focus from that of the rest of the borough. Swale's "Ambitions for Faversham 2009-2026" place the emphasis on employment growth, learning and skills, local services and high-quality tourism. [\[ref\]](#)

2.5 The Creek has played a leading role in the origins and development of the town. A tidal inlet off the Swale, on the outer reaches of the Thames Estuary on the north coast of Kent, it extends six kilometres inland on a winding course, providing navigable access to the port of Faversham. For centuries this was a thriving and strategically important seaport (it is an associate member of the Cinque Ports) and was the town's commercial and economic engine.

2.6 The area around the Creek remained largely industrial until very recently, with only a few residential properties built as managers' houses or workers' cottages associated with the creekside industries. There was shipbuilding at Pollock's shipyard on the western bank until 1970 with continued repair work on the frontage of the main yard until the 1990s., There was storage and processing of materials including timber and fertiliser at sites along Belvedere Road and West Street until the late 1990s, with wharfage for the import and export of

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commercial cargoes. Industrial activity continued on some sites until even later, with boatbuilding and repair at Standard Quay until 2011. But the character of the area has now changed significantly, with the decline of heavy industry and **the piecemeal-growth-of replacement with significant areas of residential** development on both sides of the creek.

Comment [U4]: Steering Group to agree the wording from the alternatives

2.7 Over the years the Creek bed has silted up, reducing navigability, because there are no longer commercial shipping movements or active management of the waterway, water extraction inland has reduced the flow of fresh water into the Creek, and the sluices have deteriorated. The swing bridge linking the western bank of the Creek to the town centre no longer opens, preventing boats from accessing the basin at the head of the Creek, and the bridge deck is also unsafe and deteriorating.

2.8 Nevertheless, the Creek remains hugely important to Faversham. A significant amount of the town's remaining industrial/ employment sites are still located around the Creek (Shepherd Neame brewery, BMM Weston engineering, the Brents Industrial Estate, maritime industries and a large supermarket) and it has also become a focus for small-scale retail and a growing creative/cultural sector. It is valued as an amenity for residents, a visitor attraction in a local economy in which tourism is playing an increasing role, an important natural environment providing green spaces and a variety of specialised habitats, and a unique heritage site of local, national and even international importance – and there are grave concerns that further piecemeal and inappropriate development will damage the area irretrievably.

[text box]

A Neighbourhood Plan is an opportunity for the people of Faversham to ensure that the area around its historic Creek is developed not haphazardly but in a well-planned and positive way for the overall benefit of their town, taking into account not only the land on the banks of the Creek, but also the Creek itself – navigation channel, bridge, sluices and gates, wharfage, and access to the waterfront and waterway.

Planning background

2.9 Concerns about the future of the Creek, which have been ongoing for decades, increased in the early 2000s, following a rapid increase in the number of new residential developments, and an assessment of the economic health of the town. This culminated in a public meeting.

2.10 In parallel, at an appeal hearing into a planning application for another residential development – at Ordnance Wharf, on the basin at the head of the Creek – the planning inspector suggested the site should be considered as part of a wider plan for the creek area.

2.11 Meanwhile, in 2005-6, Swale Borough Council was consulting on a new Local Development Plan. The consultation generated strong sentiments that the character of Faversham Creek had changed too much, that the Plan should include policies to ensure that

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no more sites could be changed to housing and that existing designations for employment should be retained.

2.12 In 2006, Swale Borough Council set up a new body, the Faversham Creek Consortium, with a Chair appointed by the borough council and a management group including representatives from the town and borough councils, the Faversham Municipal Charities (which provided some funding), and elected members. The Consortium's objective was to improve the navigability of the Creek by liaising with the port authority (Medway Ports) about sluicing, Kent County Council about the bridge and the Environment Agency about dredging, and to liaise with Swale Borough Council about the preparation of a development plan for the creekside area.

2.13 Swale Borough Council designated the Creek area as an Area Action Plan area, and a policy for this area (Area Action Plan 2, or AAP2) was included in its Local Plan when it was adopted in 2008. [\[ref\]](#) Reflecting the consultation feedback, this policy states that no further new housing development should be permitted and that priority should be given to promoting employment.

2.14 This was followed, also in 2008, by the appointment of consultants, Urban Initiatives, to draft a Development Plan Document for the Creek area. It was intended that, following public consultation and examination, this would be adopted by the summer of 2011. Various meetings and workshops were held, which resulted in production of a vision statement and a series of objectives. These were included in the Stakeholder Consultation and Options report, published in 2009. [\[ref\]](#)

2.15 Swale Borough Council then appointed a consultant, Tony Fullwood, to follow up on this work and prepare a draft Area Action Plan (the "Fullwood Report") with options for the regeneration of the Faversham Creek area. This was published in 2010. [\[ref\]](#)

2.16 A fundamental limitation to any development plan was Swale Borough Council's Strategic Flood Risk Assessment (SFRA) 2009. This designated most of the area as Zone 3B (functional floodplain), which prohibits anything other than essential infrastructure or water-compatible uses, and thus made most kinds of development, and particularly housing, undeliverable. Following discussion with the Environment Agency, a special amendment was made to the SFRA, redesignating the area as Zone 3A(i), in order to enable the type of development sought by Swale Borough Council. This is included in the Fullwood Report.

Introducing the Neighbourhood Plan

2.17 In 2011, the new Localism Act was seen by Swale Borough Council as an opportunity to carry forward the work on the Area Action Plan produced by Tony Fullwood and develop it into a Neighbourhood Plan. To start the ball rolling, the government was offering grants of £20,000 to early adopters (known as "Vanguard" neighbourhood plans), and Swale Borough

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Council successfully bid for the Faversham Creek Area Action Plan to become a Neighbourhood Plan with the same boundaries, and to work with Faversham Town Council on this new Plan.

Note: At this early date, the procedures for designation (1.9) had not been established, so the designation consultation was carried out retrospectively in November/December 2013, and the boundaries of the Plan were formally approved.

2.18 The Neighbourhood Plan area is shown on the map on pages xx. It is the same area as that covered by the 2010 Area Action Plan, and comprises land on both sides of Faversham Creek between the bridge and the open marshland beyond, and around the basin at the head of the Creek and the Stonebridge Ponds. The whole of the area lies within the Faversham Conservation Area.

At the west end, Stonebridge Pond is an extensive area of water channels and allotments partly enclosed by blast walls which are on the site of the former Home Works of the Faversham gunpowder works. The Plan boundary follows the walls enclosing the grounds of the offices and the factory at BMM Weston (site 3).

East of the swing bridge over the Creek, the boundary passes behind the Front Brents and follows Church Road and Upper Brents, where there are substantial open areas between the road and the Creek bank, including Crab Island. The extensive area beyond Crab Island, that was the former Pollocks shipyard, has housing to its full frontage built in two phases in 1987 and 2003, and an industrial estate, Brents Industrial Estate (site 11) behind.

Downstream on the town side of the Creek, the boundary of the Plan area encloses Iron Wharf boatyard, which covers an area west of Chambers Dock running up towards Abbey Fields (site 12). Between Oyster Bay House and the Creek bridge, there are a number of historic buildings and substantial new residential development.

At Standard Quay, there is an important collection of listed warehouses on the frontage and behind now in a mixture of uses (site 8) with areas around them which have ceased industrial use and are awaiting new uses (site 6-oil depot, site 7- coach depot and site 9- Standard House). Behind this, off Abbey Road, new development in New Creek Road encloses a site close to the Anchor public house (site 10-Fentiman's Yard).

The Creek frontage from the oil depot to Provender Mill has been redeveloped for housing since 1999 together with the land on the inner side of Belvedere Road, and the Plan boundary runs behind this development. Close to the junction with Quay Lane there was a joinery company, Frank and Whittome, which occupied buildings on either side of Belvedere Road until around 2000. Some of these buildings are in use, but the area is one where there is opportunity for change (site 4-Frank and Whittome and site 5-Swan Quay).

Comment [U5]: AS wishes to include the following detailed description here. HW and BC consider that it would be better located at the back of the document alongside the map, making it easier for readers to visualise. If it is included here, paragraph numbering will be changed.

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Within the Creek basin, Shepherd Neame bottling hall and depot occupy a long frontage. The Purifier building (site 1) in the curtilage of a supermarket built in 1990 has been converted into workshops for boatbuilding and training, while between the two arms at the head of the Creek is a vacant site formerly used for oil storage (site 2-Ordnance Wharf).

2.19 A number of sites within the area, most of which are currently designated for employment use, are being considered for redevelopment and/or change of use on the grounds that they are disused or under-used. These are:

- Ordnance Wharf **2**
- Parts of the BMM Weston site (car park, factory and offices) **3**
- The former Frank and Whittome site on the town side of Belvedere Road **4**
- Swan Quay **5**
- Former oil depot **6**
- Former coach depot **7**
- Standard Quay **8**
- Standard House **9**
- Fentiman's Yard **10**

[There will be references to more detailed information and map locations]

2.20 Other sites within the area are NOT being considered for redevelopment/change of use, on the grounds that they have already been redeveloped, are in active use for employment, or are open spaces and natural areas of heritage, environmental and community value. These are:

- Recent residential developments at Waterside Close, Faversham Reach, Provender Walk, Belvedere Road, Belvedere Close and Goldings Wharf
- The Town Quay, next to the bridge on the SE bank of the Creek
- Front Brents, Upper Brents and the open green spaces on the NW bank of the Creek
- The Brents Industrial Estate **11**
- Iron Wharf boatyard and Chambers Wharf **12**
- The Stonebridge Ponds area of open water, water channels, allotments and remains of former gunpowder mills enclosed by blast walls
- The Shepherd Neame brewery site
- The Morrisons supermarket site
- The Purifier Building **1**

[There will be references to more detailed information and map locations]

Within these sites the Plan does, however, recommend some improvements to access, streetscape, biodiversity, waterfront and provision of moorings.

Individual sites are described and discussed in more detail in Chapter 8.

The Steering Group

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2.21 A group was appointed to manage and guide the development of the Neighbourhood Plan and assist with community engagement, and to report back to its constituent bodies for scrutiny and comment on the content of the plan. The group comprised:

- Three Faversham Town Councillors, one acting as Chair.
- Two Swale Borough Councillors.
- Two members of the Faversham Creek Consortium management group.
- Faversham Town Council's planning advisor.

The group was advised by a Swale Borough Council planning consultant (Tony Fullwood, who had drawn up the earlier Area Action Plan document upon which the Neighbourhood Plan was based) and a senior Swale Borough Council planning officer, with the Faversham Town Clerk acting as Secretary.

It met at monthly intervals from October 2011. Minutes were published on the Faversham Town Council web page www.faversham.org/community/favershamneighbourhoodplan.aspx, and transferred to the Faversham Creek Neighbourhood Plan website www.favershamcreekneighbourhoodplan.org.uk/ when this was created in June 2013.

2.22 Following the publication of feedback from the public consultation in June 2013*, the consultant Tony Fullwood resigned, and Faversham Town Council agreed that meetings should in future be open to the public, and that the Steering Group should be expanded to include representatives of other groups. These were:

- Brents Community Association (representing residents on the NW bank of the Creek)
- Faversham Creek Management Group (representing residents on the SE bank of the Creek)
- Faversham Creek Trust (representing the maritime use of the Creek)
- Faversham Society (representing heritage interests)
- Faversham Traders Group (representing local businesses).

The Mayor of Faversham, who previously had attended meetings as an observer, became a full member of the group.

[text box]

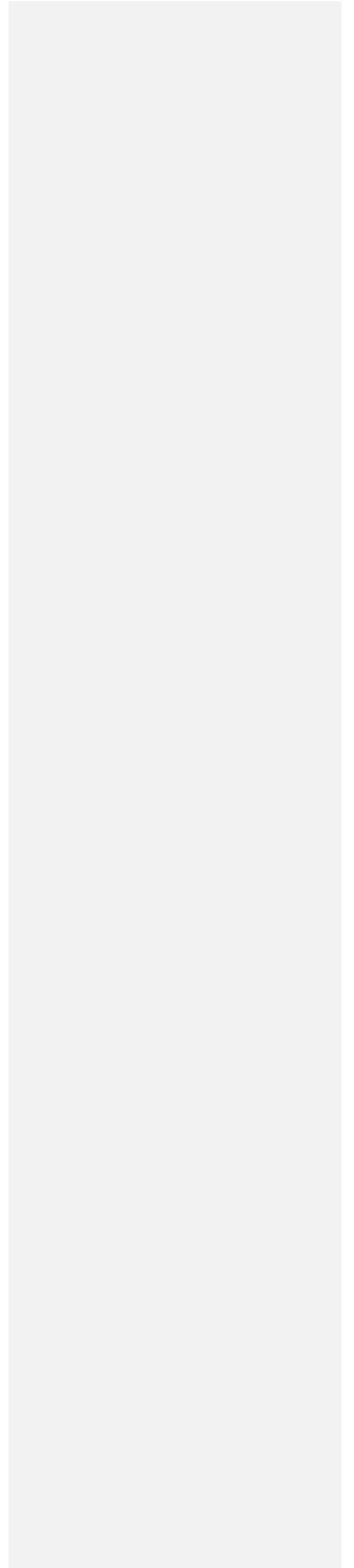
"The steering group are keen that the Plan for Faversham Creek should belong to those living and working in the area, and recognise that the views of the community and stakeholders are needed to shape the Plan as it progresses to completion. The Plan will play a significant role in shaping the future of Faversham Creek over the next 20 years ... It therefore should reflect a balance of views with consensus built on a range of issues wherever possible."

Neighbourhood Plan Consultation & Engagement Report, March 2013

Consultation

2.23 There have been various forms of consultation before the formation of the Steering Group in 2011, including: the Urban Initiatives process in 2008/9 (see 2.14); and consultation events in 2012 and 2013. Further details of these and other consultations can be found in Part 2. The present consultation is the first stage of the statutory (i.e. legally required) consultation process for a Neighbourhood Plan.

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3. VISION AND OBJECTIVES

[text box]

The Vision: The Creek at the heart of Faversham

Faversham Creek is leading the regeneration of the town – a place where we can celebrate its rich history and attractive appearance; where we enjoy spending time, both on and off the water; where boats, residents and visitors want to be; where developments integrate the needs of people and nature; and where its distinctive character and identity is rooted in its traditional industries and enriched by new businesses.

3.1 The Vision and Objectives were derived from workshops, attended by about 30 invited people, which were conducted by Urban Initiatives in November 2008 as part of the process of drafting a Development Plan Document. They were restated in the 2010 Draft Area Action Plan prepared by Tony Fullwood, and at the public consultations in May 2012 and June 2013.

3.2 At the May 2012 consultation, in response to the question “Is the Vision appropriate for the Neighbourhood Plan”, 118 of 162 respondents (70%) said yes, 17 (10%) said no. In written comments, 9 respondents challenged aspects of the Vision.

3.3 At the June 2013 consultation, there were no specific questions about the Vision and Objectives, and little mention of them in the responses.

The Objectives

3.4 The Objectives provide guidance for the Neighbourhood Plan and a measure against which policies can be assessed. They are not in any order of priority. They were reviewed by the Neighbourhood Plan steering group in 2011, when an additional Objective (12) was added and subsequent Objectives renumbered. There was a suggestion in the 2010 Draft Area Action Plan that the requirement for an opening bridge should be omitted from Objective 1, but this was not adopted.

[When the policies are completed, this section will show how they link to the objectives, possibly in tabular form.]

Objective 1: Enhance navigation and the sluicing/flushing functions of the Creek so as to provide full access and mooring opportunities for larger craft, including within the basin via an opening bridge.

Objective 2: Manage the threat of flood by safeguarding functional floodplain and ensuring that such measures necessary to protect life are undertaken.

Objective 3: Create, safeguard and expand hubs at Standard Quay and the Town Quay/basin to reinforce the area’s importance for maritime activity and to provide training and tourism opportunities.

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Objective 4: Reinforce the Creek's public destination potential by including, within development, opportunities for the arts and culture, youth facilities, tourism, leisure, retail, moorings, slipways, and a public toilet and changing facilities for water users.

Objective 5: Encourage greater use of the Creek, especially by communities at Davington/North Preston, by creating multi-function greenspace on the Front Brents and in the Stonebridge allotments for wildlife, water management, cultural, recreational and tourism activities.

Objective 6: Find uses that will provide sustainable futures for important local buildings at the Purifier, Belvedere Road and Standard Quay.

Objective 7: Avoid significant harm to areas designated for their ecological importance, whilst ensuring that a network of habitats is provided.

Objective 8: Improve capacity and safety for drivers and cyclists at pinch points to and from the area and pedestrian and cycle links between Davington and North Preston to the town centre via the creek.

Objective 9: Create a diversity and vibrancy of land uses by providing business-led focal points at the basin/Town Quay, Belvedere Road and Standard Quay.

Objective 10: Enable development potential to be realised by addressing capacity issues on the local sewerage and surface water network.

Objective 11: Provide a range of housing types and tenures as part of mixed use environments, to support delivery of area-wide objectives and to redevelop sites no longer suitable for other uses.

Objective 12: Protect and enhance the Creek's rich and outstanding maritime, industrial and landscape heritage for educational and economic purposes.

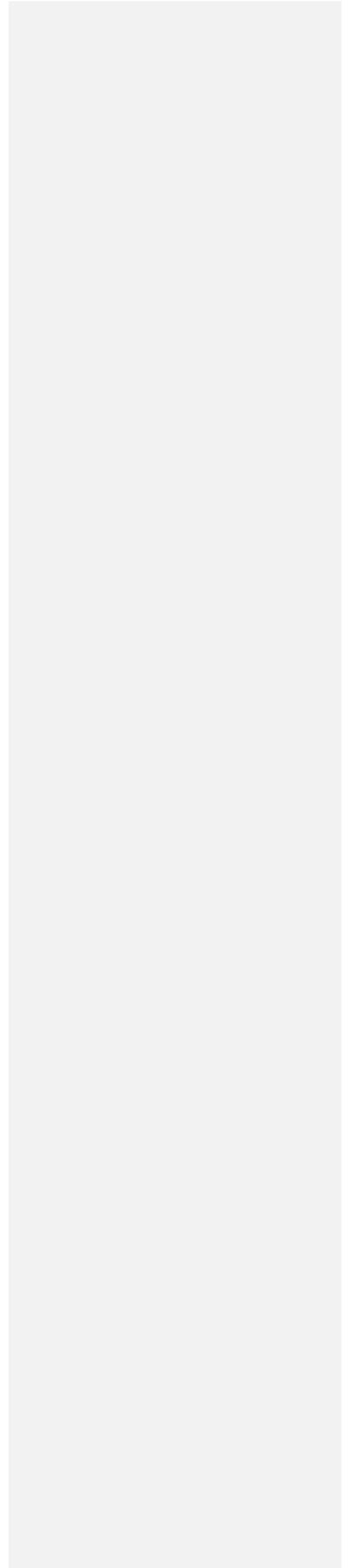
Objective 13: Create living and working environments that respond to the Creek's rich and outstanding maritime heritage, the demands for high-performing standards of sustainable development, whilst supporting existing businesses and their aspirations.

Objective 14: Maintain and enhance the surrounding townscape setting of the Creek, its roofscape and higher ground, allotments, waterways, landmark buildings and urban marshland edges.

Objective 15: Open up pedestrian/cycle/visual connections to adjacent marshland landscapes by creating a creek-edge route.

Objective 16: Improve community safety around the basin by creating activity and natural surveillance.

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4. CONSTRAINTS

The bridge and sluices

4.1 The upper basin of Faversham Creek, where the Creek meets the centre of the town, is separated from the rest of the waterway by a road bridge linking the town centre to the industrial and residential areas of the Brents and Davington on the opposite bank. It is a swing bridge, which used to open to allow the passage of vessels into the basin, but has not been opened since the late 1980s.

4.2 Beneath the bridge are sluice gates, used to hold water in the basin and opened after high tide to flush out the Creek, in order to reduce silting.

4.3 The road deck, the swing bridge opening mechanism and the sluice gates are all in a poor state of repair. The road deck is the responsibility of Kent County Council; there is corrosion in two of the main supporting beams, which means it will need to be replaced by 2016. Management and maintenance of the navigable waterway is the responsibility of Medway Ports (a subsidiary of Peel Holdings) under the Medway Ports Authority Act 1973. Medway Ports have done some work on the gates in recent years, and installed an automatic sluicing mechanism, but neither is fully functioning and they may not be repairable.

4.4 The restoration of the Creek, particularly the upper basin, and some aspects of creekside regeneration, is dependent on a fully functioning, opening bridge **and working, opening sluice gates**. This is feasible, but is constrained by costs, divided responsibilities and lack of co-ordinated management.

Comment [U6]: Steering Group to consider including this. Is the restoration of the Creek "dependent" on working, opening sluice gates?

Silting

4.5 As an estuarine inlet, the Creek is subject to a constant build-up of silt. In the past, this was countered by fresh water flowing in from streams at the head of the Creek; by large vessels agitating the water, keeping the silt in suspension; by sluicing, using the gates beneath the bridge and other sluice gates at the head of the Creek near the Stonebridge Pond allotments; and by periodic digging out and dredging.

4.6 Since the decline of commercial traffic there has been little active management of the Creek. With fewer and smaller vessels, the sluice gates falling into disuse, and the drying up of feeder streams because of water extraction inland, the Creek bed has become heavily silted. The most recent study, in 2006, [ref] found a loss of depth in the channel downstream of the bridge averaging 0.5m between 1983 and 2003. The width of the channel had also narrowed. The basin is silted to 60% of its total area.

4.7 Some degree of silting along the banks is useful for the mooring and maintenance of boats, but the current extent of silting limits navigability, increases flood risk, compromises

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safety, prevents mooring in some locations, and has other negative effects (eg, visual unattractiveness; growth of malodorous algae on mudbanks in hot weather).

4.8 Removing or reducing the silt, and maintaining the channel, will require dredging and sluicing, which is feasible but has been constrained by costs, multiple ownership, costs and the lack of co-ordinated management. As of March 2014, no dredging can be carried out without a licence from the Marine Management Organisation (MMO); this introduces uncertainty, since the MMO is a new body and licensing arrangements are not yet fully in place. The MMO also has the authority to control and license moorings, and will be developing a Marine Plan for the area which will have to interface with this and other local plans.

Flooding

4.9 Most of the Neighbourhood Plan area is at high risk of flooding, and this is a significant constraint on development. Sections 99-100 of the National Planning Policy Framework require new development to be planned to avoid increased vulnerability to impacts arising from climate change over the longer term, including flood risk, and to be directed away from areas at highest risk of flooding unless there is no alternative.

4.10 In addition, a new flood risk reinsurance programme, Flood Re, is part of the government's new Water Bill www.gov.uk/government/policies/reforming-the-water-industry-to-increase-competition-and-protect-the-environment/supporting-pages/reform-of-the-water-market-the-new-water-bill. Flood Re, which is scheduled to be introduced in July 2015, excludes new development in high flood risk areas, as a disincentive to such development. It also excludes commercial premises, which could discourage mixed development.

4.11 In 2009, Swale Borough Council's Strategic Flood Risk Assessment identified much of the land as Flood Zone 3B (the functional flood plain where water has to flow or be stored in times of flood). Since this precluded any kind of development other than water compatible and essential infrastructure, which conflicted with Swale Borough Council's ambitions for the area, it was amended in 2010 by agreement with the Environment Agency.

4.12 In 2010, as part of the Draft Area Action Plan (the Fullwood Report), the area was re-designated as Flood Zone 3A(i). This permits development subject to a detailed flood risk assessment and stringent requirements relating to safety, flood resilience, emergency access, impact on flood risk elsewhere, etc. [ref]. The practicality and cost of meeting these requirements may have implications for the viability of new developments.

4.13 Ground floor residential use is normally prohibited in a Flood Zone 3A(i), which may be a further constraint. To be viable, residential developments may need to be 3-4 storeys, but this conflicts with feedback from public consultations [ref] and on some sites may conflict

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with Conservation Area considerations (eg, obstruction of views, impact on roofscapes, proximity to heritage assets).

4.14 There was severe flooding of the area in December 2013. It is possible that this may lead to revision of previous assumptions about the level of flood risk, and it has increased concerns among local residents about any further creekside development. During 2013/14, the Environment Agency will be carrying out research and consultation into flood defence options, and the Neighbourhood Plan will have to allow for the implementation of whatever options may be agreed.

Contamination and pollution

4.15 Most potential development sites on the creekside are former industrial sites which may be polluted or contaminated. Several, including Ordnance Wharf and the area now covered by the Oil Depot site and Coach Depot were used for storage of oil; there were also deliveries and storage of coal, and a gas works at the head of the creek basin.

4.16 Given the high vulnerability of groundwater and other controlled waters in the area, the Environment Agency will require investigation as part of the application for any development, and will require any contamination or pollution to be dealt with appropriately. This may be a constraint on development, and the cost of meeting Environment Agency requirements may affect viability.

Site areas and location

4.17 The small size of many of the sites makes them inappropriate for the mix of development that would best meet local housing need, the greatest shortage being affordable homes (provision in Swale, at 15%, is well below the national average of 19%). Some sites also have access limitations [see 4.21].

Sewerage and drainage

4.18 There are localised sewerage capacity constraints to particular areas within Faversham. The drainage systems in many parts of the creekside are old and unmapped, and it is evident from the December 2013 flooding and regular flooding at high tide that drainage around the Creek is inadequate.

[\[Information gap – requires input from Southern Water, as advised in the 2010 Fullwood Report – is anyone pursuing this?\]](#)

Ground stability and load bearing

4.19 The banks of the Creek are largely backfilled with alluvial silt, and construction of any substantial building requires deep piling (typically 15 metres for recent developments), which

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on some sites may affect adjacent listed buildings and heritage assets. Deep piling on land which may be contaminated is also a cause for concern.

Access, traffic and parking

4.20 Faversham is an old town with roads that were not designed for 21st-century traffic, and the creekside neighbourhood evolved around water, and later rail, rather than road. Access to creekside sites, both for construction work and for the eventual use of new developments, is a potential constraint.

4.21 This applies particularly to Ordnance Wharf and to the downstream sites (Standard Quay, Coach Depot, Oil Depot) which are currently accessible only via Abbey Street, a narrow thoroughfare along one of the best-preserved medieval streets in south-east England. There is also restricted access at the junction of Quay Lane, Belvedere Road and Conduit Street.

4.22 Parking is a further, growing problem within Faversham. Given the small footprint of most of the potential development sites, providing adequate parking for mixed use (residential, employment, and customers/visitors) on one site, without overspill, may be challenging.

Archaeology

4.23 Given the continuous use of the Creek as a waterway since Roman times, and the importance of the port in the Saxon and medieval periods, an archaeological investigation will be required for any development involving works to wharves around the creek.

4.24 There are likely to be Saxon and medieval remains on or near the creekside, especially on the town side. There may have been a medieval or Saxon landing stage at the Morrisons site, and there are known to have been medieval quays at Town Quay.

[\[Other sites? More detailed assessment done as part of earlier background documents?\]](#)

Heritage assets

4.25 The Neighbourhood Plan area is entirely within the Faversham Conservation Area. It includes more than 30 listed buildings of grade II and II*, and many other heritage assets and values, including views. [\[ref\]](#) Any developments within the area will also have an impact on adjacent parts of the Conservation Area and on many other listed buildings (eg, by traffic along Abbey Street).

4.26 In this context, the requirement to preserve and enhance heritage assets, their significance and their settings, as laid out the National Planning Policy Framework, together with local policies on heritage and conservation, is a constraint on new development, since it

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may restrict both design and layout of developments, and the construction process (eg, vehicular access, impact on adjacent listed buildings, etc.).

4.27 In addition to statutory constraints, any development which reduces access to or attractiveness of heritage sites and activities on the creekside may have a negative economic impact on heritage tourism, an important component of Faversham's economy. [ref]

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5. OPPORTUNITIES

Improving navigability

5.1 By consolidating a long-term strategy for the future of the creekside, in place of the disjointed and piecemeal development of recent years, the Plan provides a platform and a rationale for a co-ordinated approach to the management of the Creek itself.

5.2 Significant progress has already been made on the bridge. A working group led by Kent County Council, and involving Swale Borough Council, Faversham Town Council, Medway Ports, the Faversham Creek Trust and the Faversham Creek Consortium, was set up in autumn 2012 to carry out engineering studies and costings, with a view to installing a new opening bridge by 2015.

5.3 This collective public/private/voluntary sector approach could be extended to other aspects of navigation and waterway management, including dredging and sluicing, provision of moorings, and long-term maintenance.

Enhancing the historic environment

5.4 Heritage assets within the Plan area may be a constraint on development, but they also offer opportunities for enhancing the conservation and enjoyment of the historic environment, in line with Section 126 of the National Planning Policy Framework.

5.5 The area contains an impressive collection of distinctive historic buildings which tell the story of the Creek, some of which are disused, underused, inappropriately used, and/or in need of restoration. There are opportunities for a creative approach to the preservation and use of these buildings, and for enhancing their settings with streetscape works such as more appropriate surfaces, street furniture and signage.

Improving building standards

5.6 The Plan is an opportunity to ensure that any new buildings are well-designed, of good quality materials, enhancing the character and appearance of the conservation area, and that they meet high standards of sustainability and environmental performance.

Adding vitality to the area

5.7 The vitality of the creekside area has declined over recent years with the closure of employment sites and the increase in private housing development. There are opportunities to reverse this trend with improved access, including footpaths and additional moorings, and new activities and amenities, encouraging and enabling greater use of the area by local residents and attracting revenue-generating visitors.

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Generating economic growth

5.8 Bringing existing buildings back into use, and new business and residential developments, could enable the creekside to make a greater contribution to Faversham's economy.

5.9 With an opening bridge and a navigable waterway, there are opportunities for increasing the use of the Creek by vessels of all kinds, traditional and modern, for opening up the basin and bringing boats right into the town, for making the creekside more attractive, and for generating employment. Providing facilities for the mooring, repair and maintenance of traditional wooden vessels could generate direct income while also providing a distinctive tourist attraction. Synergy between the town's land-based tourism offer and a revitalised creekside could bring about a substantial boost in revenues.

Reconnecting with the community

5.10 The Plan offers an opportunity to reconnect local communities with the Creek, providing amenities and facilities for Creek-based activities, especially for younger people, and developing community and partnership enterprises. An enhanced footpath network and signage would improve pedestrian links with other parts of the town, while an opening bridge and working sluice gates would enable access to the basin and retention of water to create a safe area for boating activities.

Improving the natural environment

5.11 The area around Faversham Creek and the waterway itself provide important wildlife habitats. There may be opportunities to enhance biodiversity in some locations, notably the green spaces on the Brents side of the Creek and the area around Stonebridge Pond, and also for remediation of possibly contaminated former industrial sites, in line with Section 109 of the National Planning Policy Framework, which requires the planning system to contribute to and enhance the natural environment.

Reducing flood risk

5.12 There are opportunities for combining new flood defences to protect vulnerable areas such as the Front Brents with other infrastructural improvements and the development of new wharves and mooring sites.

Maximising access

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5.13 The Creek within the Plan area makes an important contribution to the character of the town because of its extent and diversity, with changing natural and built landscapes linked by footpaths.

There are opportunities for improvement of the quality and connectivity of the footpath network around the Creek, and between the creek and the town centre, which would enhance the experience of walking around the Creek and encourage people to use the area for recreation.

[BC to add appropriate wording about access for impaired mobility, pushchairs, etc.]

5.14 Improving access from the Creek within the town to the sea walls beyond Iron Wharf and towards Ham Marshes would give easier access to distinctive marshland landscapes – areas which help to tell the story of Faversham’s development as a port and contrast with the urban waterway to amplify the visitor experience.

Minimising traffic

5.15 With a focus on walkways and cycle routes, safety and signage, and an increase in moorings and other facilities for boat users, combined with policies to minimise and/or mitigate traffic-generating developments and parking overload, there is an opportunity to promote pedestrian, cycling and waterborne access, to enhance the character of the area and the quality of life for residents.

Providing housing

5.16 There is scope for residential development on some sites, to contribute to housing supply (including affordable housing) and to provide revenues from developer contributions and/or government initiatives, which may be used to fund community benefits.

6. ASPIRATIONS

Comment [U7]: Steering Group to consider whether to include this chapter.

6.1 Consultations during the development of the Neighbourhood Plan have shown broad agreement with the overall Vision of regeneration and the associated Objectives. There have, however, been differences of opinion within the community as to how regeneration could best be achieved, and how the Objectives could be met. [ref]

Common factors

6.2 There is a majority consensus in favour of:

- An opening bridge to enable access to the Creek basin and reconnect the Creek with the town centre.
- Improving navigability by dredging, sluicing and other measures.
- Improving public access to the waterfront.
- Opening up opportunities for employment.
- Providing some housing on certain sites.
- Protecting open spaces and natural areas.

As a land use document, this Plan does not have the authority to deliver an opening bridge or a navigable waterway, but it may specify projects to which the community aspires, and its policies and stated intentions may help to make these projects deliverable.

Differences

6.3 Broadly speaking, there are two alternative development models, both of which propose mixed development:

A. Predominantly housing, with some employment use, plus protection of existing open spaces and natural areas. The strategy is to obtain developer contributions from housing to pay for streetscape improvements, in particular a creekside footpath, which has been generally supported in public consultations.

Housing is more profitable than other types of development and, therefore could be considered the most viable option, and also the most deliverable because it is in line with proposals from landowners.

It is argued that the existing Local Plan policy (AAP2, which says that further housing development will damage the area and will not be allowed) has failed because there has been no development on disused sites, demonstrating that there is no demand for industrial use. This model therefore proposes mixed development, which in most cases would take the form of 3-4 storey blocks with some employment use on the ground floor and residential

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above. The type of housing proposed is likely to cater to a similar market to that of other recent creekside developments.

Critics say: this is not in accordance with feedback from public consultation; potential employment uses, economic benefits, developer contributions, financing and deliverability of streetscape projects, are all uncertain; there is nothing for the community; there will be loss of maritime heritage and sense of place; tourists will not be attracted by houses; there are concerns about flood risk.

Comment [U8]: Steering Group to consider whether to keep this paragraph.

B. A more business- and community-led development strategy, using public/private/third sector investment to generate employment, tourism and community resources. This model also includes housing, but argues that it should not dominate the creekside. It should be low-key and low-rise, preferably located on higher ground away from the waterfront, and should include some affordable housing.

This approach reflects feedback and incorporates proposals from earlier public consultations, and is supported by a business case which illustrates the potential viability of the use of the Creek for repair and maintenance of traditional vessels (including the cost of an opening bridge). It is argued that this would attract investment, and could significantly boost tourism revenues and jobs. There is also multi-agency support for proposed community projects.

It is argued that lack of development in recent years cannot be blamed on Local Plan policy AAP2, but is the result of a lack of effort to develop employment uses because of what Swale Borough Council describes as "residential hope value", and that if the Neighbourhood Plan were to consolidate industrial / employment land uses on a number of sites, especially around the Basin, beneficial business and community projects would be viable. It is also argued that this model is more appropriate for a high flood-risk area, and is a better fit with the Vision and Objectives and the feedback from earlier consultations.

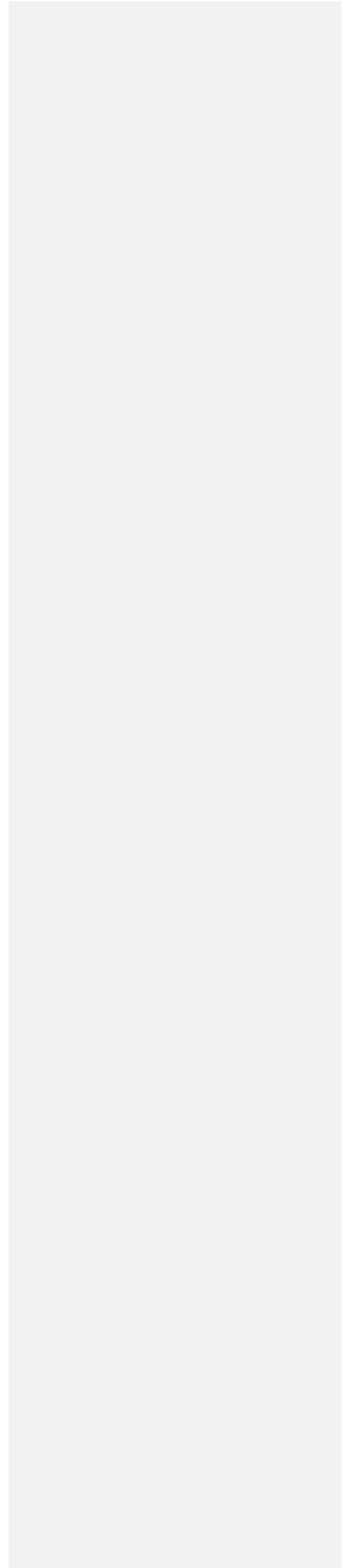
Critics say: landowners would prefer to build housing, so alternatives would be undeliverable; more housing is needed to meet Swale Borough Council's targets; these proposals would require substantial investment and/or grant funding.

Comment [U9]: Steering Group to consider whether to keep this paragraph

6.4 This draft Plan includes policies which encapsulate the common ground. Where there are differences, it offers alternative policies aligned to the alternative development models.

THE PURPOSE OF THIS CONSULTATION IS TO GIVE THE COMMUNITY THE OPPORTUNITY TO CHOOSE BETWEEN THESE DIFFERENT APPROACHES TO REGENERATION – OR TO PUT FORWARD OTHER ALTERNATIVES.

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PLANNING POLICIES

7. WHOLE-AREA POLICIES

7.1 NATURAL ENVIRONMENT

A. *The variety of natural and built landscapes linked by footpaths around Faversham Creek is an important and attractive part of Faversham's character, making the connection between town, tidal waters and open countryside. The Town Greens and open spaces on the Brents side of the Creek are valued as an amenity for residents, an attractive place to visit, and a range of natural habitats. The Stonebridge Pond area, a remnant of the former gunpowder industry, with open water and water channels, allotments and old fruit trees, is a delicate mix of natural habitats and industrial archaeology. The existing limited access to this area helps to protect the wildlife and the historic remains. Access to the margin of this area at Flood Lane is in need of better surfacing and maintenance. Downstream are sensitive RAMSAR/SPA sites and shellfish waters, and there are vulnerable aquifers in the area.*

B. *The creek within the Plan area, because of the extent of the area and its range of built and natural landscapes, makes an important contribution to the character of the town. Improving walking routes from the creek within the town from Crab Island on the Brents and from Standard Quay on existing footpaths via the White Bridge at Chambers Dock would give easier, all-year-round access to unspoilt marshland landscapes which help to explain the history of the creek and are important for wildlife. Downstream are sensitive RAMSAR/SPA sites and shellfish waters, and there are vulnerable aquifers in the area.*

The greenspaces on the Brents bank of the creek include two town greens at the Front Brents and Crab Island. The land between the Upper Brents and Crab Island is a public open space and there are other public open spaces to either side of the Albion public house. Together, these make a considerable contribution to the character of this side of the creek. It is intended to retain these and improve their biodiversity and at Crab Island to improve the quality of the bridge and footpath.

There are also important and distinctive natural environments at the west end of the Plan area including Stonebridge Pond formed as a consequence of the town's former gunpowder industry. The area contains a large body of open water, channels, allotments and old fruit trees which provide a range of natural habitats. The existing limited access to the delicate mix of natural habitats and industrial archaeology helps to protect the wildlife and the historic remains. Access to the margin of this area at Flood Lane is in need of better surfacing and maintenance.

Comment [U10]: Steering Group to consider using A or B

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The intention of these policies is to retain and protect these areas and natural resources, enhance their biodiversity, and improve access except where inappropriate.

Objectives

The policies contribute to the following Objectives:

7. Avoid significant harm to areas designated for their ecological importance, whilst ensuring that a network of habitats is maintained.
15. Open up pedestrian/cycle/visual connections to adjacent marshland landscapes by providing a creek edge route.

Consultation feedback

The policies have regard to evidence that local people value the open spaces and public areas around the Creek.

At the May 2012 consultation, 63% of respondents agreed with a proposals to retain existing green space and provide additional open space to connect Town Green with the bridge.

In June 2013, questions on open spaces showed preferences for more footpaths (69%), more public seating (68%), creating wildlife meadows (63%), planting more trees (58%), and landscaping of public areas (47%). Many respondents wanted to protect the open land at the Upper Brents, Crab Island, Flood Lane and the Stonebridge allotments. There was significant concern about potential light pollution from new developments.

Note: A Town (or Village) Green is an open space protected by statute for use or enjoyment as a place for exercise or recreation. This applies to the area commonly known as Town Green (near the bridge, adjacent to the "T.S.Hazard"), but there are also two other Town Greens on the opposite bank, on the Front Brents green and the Upper Brents/Crab Island. These areas are not referred to in policies in this Plan, since they are already legally protected. There is also open green space on both sides of the Creek bridge.

NE Policies

NE1 No new development or land use shall be permitted which causes significant harm to the natural environment or habitats of the creekside sites identified here, the waterway, or the protected sites downstream.

NE2 The green spaces to either side of the Albion Taverna and between the Upper Brents and Crab Island [map refs] shall be maintained as public open spaces.

NE3 Any new planting at the feeding area at Stonebridge Pond, Flood Lane or on Crab Island and the Brents open spaces [map refs] shall use native species to improve biodiversity.

NE4 In any new development, light pollution shall be minimised by use of the lowest light levels compatible with safety, fittings that emit no upward light, low reflectance ground

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surfaces and use of spillover lighting where possible. Permanently-on security lighting will not be permitted.

Note: These policies are provisional, subject to the outcome of a Strategic Environmental Assessment being conducted by Swale Borough Council.

NE Projects

Opportunities will be sought for:

- The improvement of roads and footpaths giving access to the natural areas within the Plan and to the open countryside beyond, as proposed in the Faversham Creek Streetscape Strategy.
- Better surfacing and maintenance of Flood Lane [map ref]
- Improvement of biodiversity and access at the Stonebridge Pond feeding area [map ref], including working with the Friends of the Westbrook, to create an attractive location for close encounters with wildfowl.

Policy guidance

- NPPF, chapter 11
- Swale Local Plan 2008, saved policy AAP2, 5.19 and criterion 4
- Swale Local Plan 2008, saved policy FAV1, criterion 11
- Swale Borough Local Plan Consultation draft policy NP1, 6.6.13, criterion 3
- Swale Borough Local Plan Consultation draft policy CP6
- Faversham Creek Streetscape Strategy
- Swale Landscape Character and Biodiversity Appraisal (2010)
- Faversham Creek Green Cluster study and report (2008)

For details, see Part 2.

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7.2 INFRASTRUCTURE (INF)

The Neighbourhood Plan area is severely constrained by a variety of infrastructure limitations, including traffic, parking, drainage and sewerage and flood risk. The Plan will seek to overcome or mitigate these constraints, and to create or improve infrastructure that will contribute to regeneration.

The intention is to restore the active use of the waterway by promoting the provision of an opening bridge and functioning gates and sluices, and improving navigability through dredging and buoy marking; to provide additional moorings through discussion with key stakeholders ; to encourage improvement of footpaths and their connectivity around the Creek and into the town centre; to improve sewerage and drainage and to reduce and mitigate flood risk; to minimise traffic and parking problems; to encourage the use of renewable energy and the provision of high-speed broadband.

Because of the importance of flood risk, matters relating to flooding and drainage are dealt with separately in Section 7.2.1

Objectives

1. Enhance navigation and the sluicing/flushing functions of the creek so as to provide full access and mooring opportunities for larger craft, including within the Basin via an opening bridge.
2. Manage the threat of flood by safeguarding functional floodplain and ensuring that such measures necessary to protect life are undertaken.
3. Reinforce the Creek's public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways, and a public toilet and changing facilities for water users.
8. Improve capacity and safety for drivers and cyclists at pinch points to and from the area and pedestrian and cycle links between Davington and North Preston to the town centre via the creek.
10. Enable development potential to be realised by addressing capacity issues on the local sewerage and surface water network.
15. Open up pedestrian/cycle/visual connections to adjacent marshland landscapes by creating a creek edge route.

Consultation feedback

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In both May 2012 and June 2013 consultations, there was strong support for an opening bridge, working sluice gates, improved navigation, wharfage and moorings. There was also strong support for improving footpaths and making them better connected.

There was concern that new housing development around the creek could increase traffic problems in the area and increase parking problems, and that the Neighbourhood Plan should pay attention to parking and access.

There was support for solar panels and other forms of renewable energy, but not for individual wind turbines.

Faster broadband was a priority for businesses.

INF Policies

INF1 The curtilage of any new development on any waterfront site shall be no less than four metres from the existing waterfront.

INF2 Any new development on any waterfront site shall provide for public pedestrian and disabled access to the waterfront, at least during daylight hours. Where physically possible, this will be in the form of a waterside footpath.

INF3 Any new road and footpath surface treatments and street furniture including signage will be in accordance with the standards specified in the Faversham Creek Streetscape Strategy.

INF4 No new development of more than [a defined size?] will be permitted without an impact assessment demonstrating that it will have no detrimental effect on traffic flows or parking demand.

INF5 Any new residential and/or business development will be required to provide access to high speed broadband.

INF6 Solar panels will be permitted but wind turbines will not. [\[conservation area implications/building materials?\]](#)

INF Projects

Opportunities will be sought for:

- Improvements to power, gas and water supplies
- Connecting creekside walkways to create a continuous footpath.
- Provision of publicly accessible slipways and moorings.
- Provision of public toilets on both sides of the Creek, and toilet/shower/changing/laundry facilities for boat users.

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- Improving the buoyage of the Creek's navigable channel from Hollowshore to the town wharves.
- Encouraging Network Rail and Southeastern Trains to provide faster services to London termini, to improve access for business and tourism.

Faversham Town Council and Swale Borough Council will develop a policy on moorings, in consultation with the Marine Management Organisation (MMO). The policy will include restrictions on long-term mooring used as the occupant's sole or primary residence and provisions to ensure that waste from residential moorings will not be discharged into the Creek.

Policy guidance

Swale Local Plan 2008, policy FAV1

Swale Local Plan 2008, policy AAP2

Swale Local Plan 2008, policy SP6

Swale Borough Local Plan consultation draft policy ST1, paragraphs 4 and 5

Swale Borough Local Plan consultation policy CP2

Swale Borough Local Plan consultation criterion 10

Faversham Creek Streetscape Strategy 2012

Report on the replacement of the Brents Swing Bridge

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7.2.1 FLOODING (FL)

The re-designation of the area of the Plan within Flood Zone 3A(i) as part of the Faversham Creek Area Action Plan 2010 acknowledges that there is a high flood risk in these areas but without applying the strict policy restrictions associated with the functional floodplain Flood zone 3B. The criteria for development in these circumstances are set out below.

Comment [U11]: Steering Group to consider a separate chapter on flooding

Comment [U12]: Natalie – does Zone 3A(i) still exist? In NPPG and Environment Agency documents there seem to be only references to 3A.

National concern regarding flooding and construction on flood plains has led to renegotiation between the government and the insurance industry. The Flood Re: memorandum of agreement sets out terms under which housing developments completed by December 2008 will be guaranteed affordable insurance under the agreement. However, housing developments completed from January 2009 will not be covered by Flood Re. Commercial property will not be covered, and this includes multiple occupancy residential buildings such as apartment blocks, where the separate ownership of the freehold makes it commercial property. Flood Re is expected to come into force in July 2015 and is a relevant consideration for any new development.

There are also problems with surface water flooding, and flooding is exacerbated by inadequate and poorly maintained drainage systems and problems with water mains.

The intention of these policies is to ensure that any development minimizes impact on the flood plain and that both new developments and existing properties are less susceptible to flooding.

Objectives

2. Manage the threat of flood by safeguarding functional flood plain and ensuring that such measures necessary to protect the area are undertaken.
10. Enable development potential to be realised by addressing capacity issues on the local sewerage and surface water network.

Consultation feedback

Most consultations have highlighted concerns about flood risk, which has since been heightened by serious flooding in December 2013.

Policies

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FL1 Within previously developed areas of the 1:20 year flood zone of Faversham Creek, Flood zone 3a(i) all development proposals shall be accompanied by a detailed flood risk assessment (FRA) which demonstrates:

where change of use of an existing building:

- Proposals for the ground floor are no more vulnerable than the current use and exclude residential development
- The upper floors are designed to be safe and that there is a safe access and egress in accordance with the National Planning Policy Guidance

where redevelopment:

- There is no detriment to flood flow and wherever possible, opportunities are taken to build in increased flood storage, flood flow routes and sustainable drainage.
- Flood risk would not increase elsewhere.
- The development has been made safe through design and flood-resistant and relevant construction.
- While it is generally not possible to change and improve access arrangements beyond the boundary of the property, wherever possible risks associated with access should be reduced as part of redevelopment.

Developers should consult the Local Planning Authority and the Environment Agency at the earliest stage. Swale Borough Council will also need to consult their emergency planners if new development is likely to have implications for emergency planning and the emergency services. Spatial and emergency planners should ensure that the additional burden associated with any new development will not compromise their existing ability to manage a flood incident. The Environment Agency is likely to object to any application where FRA concludes that the depth or velocity of flooding are such that an acceptable standard of safety cannot be achieved or where the FRA fails to demonstrate that these standards have been met and approved by the Local Planning Authority.

FL2 Any proposal for new development shall require an FRA and shall be subject to the sequential test specified in the NPPF paragraphs 99-104, and in the case of 'more vulnerable' developments (including residential) the exception test. No development shall be permitted against the advice of the Environment Agency.

FL3 No development shall be permitted that will prevent or compromise the provision of flood defences as agreed with the Environment Agency.

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FL4 No development shall commence unless it has been demonstrated that flood risk will not be increased as a result of development and that flood storage and flood flow routes will be incorporated where appropriate.

FL5 No new development of more than [defined size?] will be permitted without a drainage strategy approved by Southern Water, Swale Borough Council and the Environment Agency, which must include Sustainable Urban Drainage Systems (SUDS), proposals for foul drainage, and measures to deal with flood water, seepage and tidal ingress.

FL Projects

Opportunities will be sought for:

Provision of flood defences for vulnerable creekside areas in association with the Environment Agency

Policy guidance

NPPF paragraphs 99-104

Swale Borough Local Plan consultation draft policy CP6

Swale Borough Local Plan consultation draft policy ST7 criterion 11

Faversham Creek Area Action Plan 2010

Flood Re memorandum 2013

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7.3 HISTORIC ENVIRONMENT AND HERITAGE ASSETS (HE)

Faversham Creek is an irreplaceable heritage asset of great significance, locally, nationally and internationally. The whole area of the plan is within an important Conservation Area and includes over 30 listed buildings and many other heritage assets, including historic townscapes, open spaces and distinctive views. Its significance lies not only in the built environment but also in the Creek's unique character and sense of place. More detail on these aspects is set out in the Faversham Conservation Area Character Appraisal and in 'Undesignated Heritage Assets and Views'

The intention of these policies is to protect and enhance the character of the creekside and its heritage assets, both designated and undesignated. This will include bringing existing vacant or underused sites into use, restoration of existing buildings such as Standard House, careful design of new buildings and better quality streetscape to improve the appearance of the area.

Objectives

The policies contribute to the following Objectives:

13 Create living and working environments that respond to the creek's rich and outstanding industrial and maritime heritage, the demands for high performing standards of sustainable development, whilst supporting existing business and their aspirations.

14 Maintain and enhance the surrounding townscape setting of the creek - its roofscape and higher ground, allotments, waterways, landmark buildings and urban marshland edges.

Consultation feedback

The policies have regard to evidence that Faversham residents value the heritage of their town, including the creekside area.

The majority of respondents to the May 2012 consultation agreed that the Plan should preserve and enhance the area's special archaeological, architectural and historic character, its landmark and other important buildings, waterside structures and details. Concerns were expressed that development should not be allowed to damage the historic environment, particularly in terms of height and scale.

HE Policies

HE1 Any new development or alteration to an existing structure will be required in its design, scale and materials to enhance the setting of heritage assets whether designated or undesignated, and the historic character of the creekside, and to conform with the guidance in the Faversham Creek Streetscape Strategy.

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HE2 Any application for new development or alteration to an existing structure must include an appraisal of the site in its surroundings, with detailed drawings accurately showing its relationship to heritage assets whether designated or undesignated, including roofscapes and views, and must explain clearly how the proposals have taken account of this appraisal.

HE3 Any application for new development or alteration to an existing structure must include an appraisal of the impact of construction work and traffic on heritage assets whether designated or undesignated.

HE Projects

Opportunities will be sought for:

- Restoration of disused or dilapidated heritage assets.
- Active uses for vacant or under-used sites which enhance the historic environment and respond to the Creek's industrial and maritime heritage.

Policy guidance

- NPPF paras 126-141.
- Swale Local Plan 2008, saved Strategic Policy SP2, para 2.35.
- Swale Local Plan 2008, saved Policy FAV1.
- Swale Local Plan 2008, saved Policy AAP2.
- Swale Borough Local Plan consultation draft Policy ST1, para 11.
- Swale Borough Local Plan consultation draft policy CP7
- Historical background. (Part 2-Evidence base)
- Faversham Conservation Area Character Assessment, 2004.
- Undesignated Heritage Assets and Values, 2013.
- Faversham Creek Streetscape Strategy, 2012.

For details, see Part 2.

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7.4 COMMUNITY, LEISURE AND RECREATION (CLR)

The town of Faversham over centuries developed around the Creek and the port. Local people, in particular those west of the Creek in Davington Ward (including the Brents and North Preston estate), have had a close association with the Creek over many generations, as a place of work and leisure. However, apart from moorings on the Front Brents Jetty owned by Faversham Town Council, moorings at Chambers Dock and Iron Wharf and private moorings on new creekside developments, there is now little opportunity for the community to access or use the Creek. Local Sea Cadets are based at the "TS Hazard", but neither they nor any other group or club has convenient access to the water. In recent years, an annual Festival of Sail organised by creekside residents has proved very popular and demonstrated the potential for Creek-based leisure events, but there are few other creekside activities.

The deprivation levels of Davington ward are high in many indices, including high unemployment, especially youth unemployment, low level educational attainment (the Lower Output Areas (LOAs) ranks Davington 14th out of 883 in Kent), and families on low incomes and benefit dependency. North Preston is a large social housing estate but has no facility/meeting place for groups to meet or access training and support.

The intention of these policies to seek to improve the quality of life of the local community, particularly those in Davington Ward, by providing access to leisure and recreational activities and a community space to facilitate social networking and support.

Objectives

The policies contribute to the following Objectives:

4. Reinforce the Creek's public destination potential by including within any development opportunities for art and culture, youth facilities, leisure, moorings, slipways, and a public toilet and changing facilities for water users.
5. Encourage greater use of the Creek, especially by the communities at Davington/ North Preston by creating multi-functional green space on the Front Brents, and in the Stonebridge Allotments for wildlife, water management, cultural, recreational and tourism activities.

Consultation feedback

June 2013 There was overwhelming support of the need for community use of and access to the Creek. 88% said provision of facilities for young people should be provided, 87% wanted to see craft skills and apprenticeships, 84% wanted sailing and canoeing, 74% wanted to see provision for the Sea Cadets and other water based activities.

Faversham 2020, April 2012 Priority concerns were lack of affordable sports and leisure facilities, especially for teenagers and young adults. Respondents wanted to see the Creek used by the community for leisure and boating.

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CLR Policies

CLR1 Any new development on any waterfront site shall provide access to the waterfront for leisure and educational activities.

CLR2 Any application for new development on any waterfront site must include an appraisal of options for the provision of public spaces and leisure amenities, including slipways and moorings, and must explain clearly how the proposals have taken account of this appraisal.

CLR2 Community involvement and consultation must be carried out as part of the planning application process.

CLR Projects

Opportunities will be sought for:

- A creekside community centre on the west (Brents) side of the Creek.
- Provision of pre-employment and life skills training.
- Improved facilities for Sea Cadets and other youth groups and boat clubs.
- Public spaces and amenities suitable for Creek-related recreational activities and events.

Policy guidance

The policies conform to national and local policies which clearly support the improvement of health, social and cultural wellbeing for all. The NPPF recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities.

- NPPF, Section 8.
- Swale Local Plan, policy SP7, Community Services and Facilities
- Swale Local Plan, policy FAV1
- Swale Local Plan, policy AAP2
- Swale Borough Local Plan consultation draft policy CP4 (promoting healthy communities)
- Swale Borough Local Plan consultation draft policy ST7, criterion 9
- Ambitions for Swale 2009-2026, Community Strategy
- Faversham 2020 Town Plan (2013)
- Faversham Creek Streetscape Strategy (2012).

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7.6 BUSINESS, TOURISM AND EMPLOYMENT (BTE)

Faversham Creek, an historic port and a Cinque Port limb, is rich in maritime heritage and tradition. The town of Faversham evolved and grew around the port. From the other traditional industries, brewing remains a key employer, as does the manufacturer BMM Weston, and a range of small and medium-sized enterprises (SMEs) in the Brents Industrial estate, while boatbuilding and repair continues at Iron Wharf and Chambers Wharf.

Swale Borough Council recognises that, by virtue of its distinct character and its location outside the Thames Gateway area, Faversham requires a different development strategy from the rest of the borough, one which prioritises employment growth. Revival of a working Creek, with an opening bridge and access to the Basin, could not only generate direct income, employment and apprenticeships from boatbuilding, repair and maintenance businesses, but also provide a USP (Unique Selling Point) within Faversham's combined tourism offer of land based and maritime visitor attractions, integrating with and enhancing the associated food/drink/countryside attractions. The growth of a creative and cultural sector, exemplified by the Creek Creative initiative, could also generate new employment and contribute to the tourism offer.

The intention is to encourage existing businesses to remain in the area, the development of additional employment capacity, particularly for light industrial activities and workshops/studios for crafts and creative activities, and facilities for training and apprenticeships. For retail and catering, the intention is to avoid detrimental effects on the town centre economy and to sustain the characteristic mix of independent local businesses, but to encourage small-scale retail and catering outlets in the creekside area to serve local businesses, provide an additional attraction for visitors and complement the maritime tourism offer.

Objectives

The policies contribute to the following Objectives:

3. Create, safeguard and expand hubs at Standard Quay and the Town Quay/Basin to reinforce the area's importance for maritime activity and to provide training and tourism opportunities around the Basin by creating activity and natural surveillance.
4. Reinforce the Creek's public destination potential by including, within development, opportunities for the arts and culture, youth facilities, tourism, leisure, retail, moorings, slipways, and a public toilet and changing facilities for water users.
9. Create a greater diversity and vibrancy of land use by providing business-led focal points at the Basin/Town Quay, Belvedere Road and Standard Quay.

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12. Protect and enhance the Creek's rich and outstanding maritime, industrial and landscape heritage for educational and economic purposes.
13. Create living and working environments that respond to the Creek's rich and outstanding maritime heritage, the demands for high-performing standards of sustainable development, whilst supporting existing businesses and their aspirations.

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Consultation feedback

May 2012 Of those who indicated a preference for housing only/employment only/mixed development, 23% chose employment only and 77% chose mixed development. 62% of respondents specifically mentioned employment in their comments, and 96% of these wanted the Plan to prioritise employment.

June 2013 For existing businesses, the priorities were faster broadband and suitable/affordable premises for rent. For those looking to develop new businesses in the area, the greatest demand was for studio or workshop space. The general public would prefer to see maritime industries (92%), small scale industry (76%) and tourism and leisure businesses (75%) in the Creek area. A high percentage of respondents wanted to see the Creek regenerated by a new opening bridge, places for Thames barges and other vessels to moor, be repaired and provide jobs and apprenticeships.

April 2012 Faversham 2020 Town Plan consultation. A large number of responses related to the Creek. These were generally in line with the responses to the other consultations, above.

BTE Policies

The policies have regard to evidence that both businesses and residents look to the Creek as a location for employment and training, and as a potentially profitable tourist attraction. See also 7.2 for policies on business-related infrastructure (eg, broadband, transport).

BTE1 In the case of land or buildings classed for employment or service trade use, proposals for redevelopment or change of use shall not be permitted unless it can be demonstrated that the existing use class is not economically viable and that the land or buildings have been actively marketed for that or any other suitable employment or service trade use at an appropriate market price for at least a year.

BTE2 Any new development will be required in its design, scale and materials to enhance the creekside area as a visitor attraction and as an attractive location for new businesses.

Comment [U13]: Steering Group to consider whether to include. Does it prevent other development (tourism, housing)?

BTE Projects

Opportunities will be sought for:

Development of workshop and studio space for rent, particularly affordable units for smaller/start-up businesses.

Development of maritime-related and heritage businesses.

Development of businesses which provide craft and skills training and apprenticeships.

Development of businesses which contribute to Faversham's tourism offer and are not detrimental to the town centre economy.

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Greater emphasis on the Creek and its historic environment, maritime, creative arts, retail/catering and natural environment offer, within the marketing of Faversham as a tourism destination.

POLICY GUIDANCE

The policies conform to national and local policies which clearly support the retention and support of existing businesses, the development of new ones and job creation, improved provision of vocational learning, and the enhancement of the tourism offer to benefit the local economy: (Having this is not consistent with other policy guidance sections)

- NPPF, section 1
- Swale Local Plan 2008 , policy SP3, para 2.43
- Swale Local Plan 2008, policy FAV1
- Swale Local Plan 2008, policy AAP2
- Swale Local Plan consultation draft policy CP1
- Swale Local Plan consultation draft policy ST7, criterion 10
- Business Case for the Repair and Maintenance of Traditional Vessels on Faversham Creek (2014)
- Faversham Tourism Development Framework (2005/2010)
- Swale Borough Council Draft Economic Development Strategy 2013-2016
- Swale Borough Council Employment Land Review (2010)
- Report on the replacement of the Brents Swing Bridge
- Faversham Creek Green Cluster study and report (2008)

For details, see Part 2

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7.7 NEW HOUSING (HO)

The Faversham Creek Area Action Plan Policy (AAP2) in the Swale Local Plan notes that recent housing developments on the creekside have led to loss of diversity and activity and a severance of links between the water and waterside uses, and placed pressure on remaining businesses and vacant sites to follow suit. It says that further housing development will damage the area and that frontage development not involving active use of the Creek, or which prevents use of the Creek by vessels, should not be permitted.

There are *also* constraints to housing development because of the high level of flood risk but the supporting policy for the Faversham Creek Neighbourhood Plan in the Swale Borough Local Plan consultation draft (NP1) advises that dependent on design, amenity and flood considerations, residential development could be permitted above ground floor level to assist with the viability of mixed use schemes and provide activity throughout the day and evening. (Both Local Plans should be used)

Comment [U14]: For the Steering Group to consider

Some of the recent developments have been criticised for design which does not reflect or enhance the character of the area, and because they were not subjected to planning conditions which required them to permit public access to and use of the waterfront. There has also been criticism of developments intended to be live/work units (with ground floor employment use and residential above) as impractical and unenforceable, with many properties being used for residential purposes only. In addition, all the developments have been for private sale and have not included any affordable housing.

A. There is already planning permission for the construction of 40 housing units at the BMM Weston office site although this development has not commenced. Residential use would also form part of a mixed use with light industrial/office use at the west end of the BMM Weston factory site..The sites at the rear of Standard Quay, Standard House and Fentiman's Yard would be allocated for residential use, together with the oil depot in Option A on that site. At Swan Quay, Frank and Whittome and on the coach depot, there would also be housing as part of a mixed use development. Option A at Ordnance Wharf would provide some housing. Any requirement for affordable housing would have to be reasonable in relation to the total number of dwellings because most of the sites are small. The expected target is expected to be 20% on the larger sites. Numbers of residential units are indicated in the site-specific policies.

B. Any requirement for affordable housing would have to be reasonable in relation to the total number of dwellings because most of the sites are small.The expected target is expected to be 20% on the larger sites. Numbers of residential units are indicated in the site-specific policies.

Comment [U15]: For the Steering Group to consider either A or B

The intention of these policies is to enable a degree of new housing development without compromising the active use of the Creek and the development of employment and tourism,

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and that some of this housing will be affordable and/or meet other identified needs of the local community.

Objective

The policies contribute to the following Objective:

11. Provide a range of housing types and tenures as part of mixed use environments, to support delivery of area wide objectives and to redevelop sites no longer suitable for other uses.

Consultation feedback

Public consultations in May 2012 and June 2013 showed a largely negative response to proposals of 100+ new residential units. In May 2012, no-one wanted all-housing development and one-third of respondents wanted no housing at all; of the remainder, most opted for mixed development, but with reservations about the proportion of housing. In both cases, respondents favoured the inclusion of affordable housing. There was also a preference for a clear separation of uses, rather than mixed residential and employment use on the same site, and opposition to mixed use within the same building, with commercial on the ground floor and residential above.

In June 2013, there was an acceptance of some housing providing it is on a small scale and in keeping with Faversham's design and character. 63% of respondents wanted no more than 50 housing units, with 43% wanting no more than 30 and 31% wanting fewer than 10. There were further concerns about the impact of proposed housing numbers on traffic and parking, light pollution, environment, loss of amenity and conflict with employment and community-based development options. The preference was for any new residential development to be directed to sites away from the waterfront.

The public consultation on the Faversham 2020 Town Plan, in April 2012, showed little enthusiasm for more waterfront housing.

HO Policies

HO1 New housing will be permitted as specified in individual site policies, subject to other area-wide policies.

HO2 In new developments of more than 10 dwellings, at least 20% of these dwellings will be affordable.

HO Projects

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Opportunities will be sought for:

Contributions from housing development to finance infrastructure and public realm improvements.

Policy guidance

Policy guidance on housing is contradictory, since saved policy AAP2 of the 2008 Local Plan specifies that further residential development would be damaging to the creekside area, but other policies are more favourable.

- NPPF paras 99-100 and SBC
- Swale Local Plan 2008, saved Policy AAP2 Local Plan
- Swale Local Plan 2008, saved Policy SP4
- Swale Borough Local Plan, consultation draft Policy CP3
- Conservation Area Character Assessment 2004
- Undesignated Heritage Assets and Views 2013
- Swale Housing Land Availability Assessment 2012
- Flood Re memorandum of agreement 2013

7.8 DESIGN PARAMETERS

The creekside is part of the Faversham Conservation Area and an attraction for residents and visitors. The Vision describes it as a place where we can celebrate its rich history and attractive appearance, and it is the intention of this Plan that new developments should reflect and enhance the character and appearance of the area.

Objectives

The policies contribute to the following Objectives:

13. Create living and working environments that respond to the Creek's rich and outstanding maritime heritage, the demands for high-performing standards of sustainable development, whilst supporting existing businesses and their aspirations.
14. Maintain and enhance the surrounding townscape setting of the Creek, its roofscape and higher ground, allotments, waterways, landmark buildings and urban marshland edges.

Consultation feedback

In May 2012, 88% of respondents agreed with the statement that development should "by use of its design, scale, form and theme of materials, be creekside in character". This was reflected in many individual comments, as was a preference for any new developments to be low-rise – no more than two or three storeys in height. There were similar responses to the June 2013 consultation, and again a strong preference for two or at most three storey buildings.

DP Policies

DP1 Any new buildings shall be required to enhance the character of the area and to be appropriate in height, mass and materials. In most cases, this will mean buildings constructed or clad in materials typical for the area, specifically brick and weatherboarding, with any pitched roofs being of slate or tile (solar panels will be acceptable), and no more than three storeys in height and preferably less.

DP2 New buildings shall not be permitted to interrupt views or roofscapes identified in the Faversham Creek Area Character Appraisal or the Undesignated Heritage Assets and Values.

DP3 External areas shall be in accordance with the design parameters of the Faversham Creek Streetscape Strategy.

Policy guidance

Swale Borough Local Plan consultation draft policy CP7

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Faversham Conservation Area Character Appraisal 2004
Undesignated Heritage Assets and Views
Faversham Creek Streetscape Strategy.

LAND USE CLASSES

The Land Use Classes referred to in this Plan are those in the Town and Country Planning (Use Classes) Order 1987 (as amended). The list below defines the use classes and gives a broad indication of the types of use which may fall within each class.

A1 Shops - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.

A2 Financial and professional services - Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies and betting offices.

A3 Restaurants and cafés - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.

A4 Drinking establishments - Public houses, wine bars or other drinking establishments (but not night clubs).

A5 Hot food takeaways - For the sale of hot food for consumption off the premises.

B1 Business

- a) Offices (other than those permitted in class A2)
- b) Research and development
- c) Light industry – any industrial process being a use which can be carried out within a residential area without causing detriment to the amenity of the area.

B2 General industrial - Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).

B8 Storage or distribution - This class includes open air storage.

C1 Hotels - Hotels, boarding and guest houses where no significant element of care is provided (excludes hostels).

C2 Residential institutions - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.

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C2A Secure Residential Institution - Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.

C3 Dwellinghouses - this class is formed of 3 parts:

C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.

C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.

C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

C4 Houses in multiple occupation - small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

D1 Non-residential institutions - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non residential education and training centres.

D2 Assembly and leisure - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).

Sui Generis - Certain uses do not fall within any use class and are considered 'sui generis'. Such uses include: theatres, houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses, amusement centres and casinos.