

Mr M Duigan
Planning Department
Borough of Swale
Swale House
East Street
SITTINGBOURNE
ME10 3HT

KM/18071

24th November 2023

Dear Mr Duigan

Discharge of Condition 14

Application Ref: 22/501787/FUL (Section 73 - Application for minor material amendment to condition 2 pursuant to 20/503666/FULL for construction of a new crematorium, associated car park, access road and gardens of remembrance (as amended by 21/506633/NMAMD and 22/505282/NMAMD). Variation sought: Extension of the building to the south to increase the size of the crematory; extension to the yard; alterations to the toilet block to reduce size and to change its location on site; introduction of electrical substation and associated access, as well as the introduction of an electrical switch cabinet structure) on:

Land adjoining Faversham Showground, Staple Street, Hernhill, Kent ME13 9HY

Please find enclosed our completed application form and information required to discharge Condition 14 of application Ref: 22/501787/FUL. This application follows the refusal of application 22/505852/SUB (Submission of Details Pursuant to condition 14 (Surface Water Drainage Scheme) of application 22/501787/FULL) for the following reason:

- (1) In the absence of certainty over the current condition/operation of the land drain under Staple Street and through wider field ditch network, the drainage details fail to demonstrate that the development would not lead to flooding at the Staple Road junction and nearby pond. Furthermore, in the absence of modelling of flows discharged from the roadside swale into the pond the application fails to demonstrate that the greenfield rate will not be surpassed. The proposals fail to demonstrate that the drainage strategy would not cause or exacerbate flooding within and around the site and as such is contrary to Policy DM 21 of the Bearing Fruits 2031 - The Swale Borough Local Plan Adopted (2017).

The informative attached to decision notice 22/505852/SUB advised:

Ahead of any resubmission you are advised to continue to liaise with the Kent County Council Flood and Water Management team suds@kent.gov.uk to reach a solution which could then form part of the resubmission (which would need to be made in relation to condition 14 of decision ref: 22/501787/FULL).

The applicants have continued to liaise with Kent County Council Flood and Water Management team and are now in a position to resubmit details pursuant to the discharge of Condition 14.

Condition 14 was previously discharged under application ref: 21/506417/SUB on the 8th May 2022. The drainage details have subsequently changed and therefore Condition 14 needs to be re-discharged to ensure the drainage details approved match those as constructed.

Condition 14 of planning permission reference 22/501787/FUL states:

'Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the Local Planning Authority.'

The detailed drainage scheme shall be based upon the Drainage Strategy Report, dated 11th November 2020, undertaken by the CDS Group and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100-year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters; and*
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.*

The drainage scheme shall be implemented in accordance with the approved details.'

The following plans prepared by Sweco UK Limited were submitted with previously refused application 22/505852/SUB and for completeness have been resubmitted with this application:

- Drawing No: 65204882-SWE-ZZ-XX-DR-C-0100 rev C02 – Proposed Drainage Layout - Sheet 1
- Drawing No: 65204882-SWE-ZZ-XX-DR-C-0101 rev C03 – Proposed Drainage Layout - Sheet 2
- Drawing No: 65204882-SWE-ZZ-XX-DR-C-0102 rev C01 – Proposed Drainage Layout - Sheet 3
- Drawing No: 65204882-SWE-ZZ-XX-DR-C-0200 rev C01 – Drainage Construction Details - Sheet 1
- Drawing No: 65204882-SWE-ZZ-XX-DR-C-0201 rev C01 – Drainage Construction Details - Sheet 2

Relevant correspondence (listed below) leading up to the refusal of application 22/505852/SUB has also been included:

1. Initial consultation comments from Kent County Council Flood and Water Management to Swale Borough Council – 30 January 2023
2. Letter from Sweco UK Limited (ref: 65204822-SWE-XX-XX-T-C-0002) to Swale Borough Council with revised calculations – 24 May 2023
3. Letter from Kent County Council Flood and Water Management to Swale Borough Council – 16 June 2023
4. Letter from Sweco UK Limited (ref: 65204882-SWE-XX-XX-T-C-0003) to Swale Borough Council with revised drawing 65204882-SWE-ZZ-XX-DR-C-0101 rev C08 in response to Kent County Council Flood and Water Management letter of 16 June 2023 – 30 June 2023

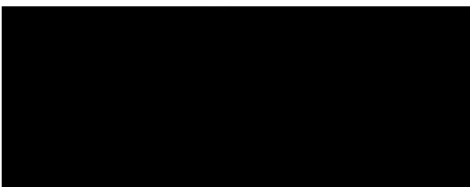
5. Letter from Kent Council Flood Water Management to Swale Borough Council in response to 4. above - 21 July 2023
6. Letter from Sweco UK Limited (ref: 65204882-SWE-XX-XX-T-C-0004) to Swale Borough Council with revised drawings 65204882-SWE-ZZ-XX-DR-C-0105 rev C01 and 65204882-SWE-ZZ-XX-DR-C-0101 rev C09 in response to 5. above – 02 August 2023
7. Letter from Kent Council Flood Water Management to Swale Borough Council in response to 6. above – 24 August 2023
8. Letter from Sweco UK Limited (ref: 65204882-SWE-XX-XX-T-C-0005) to Swale Borough Council – 02 August 2023

Information and correspondence directly related to overcoming the reason for refusal (listed below) has been submitted to enable this discharge of condition application to be approved:

- Email from Sweco UK limited to Kent County Council – 21 September 2023 and attachments:
 - Letter from Kent Council Flood Water Management to Swale Borough Council – 24 August 2023
 - Drawing No: 5324/1001 Rev C - Highway Improvements S278 Works – Bellamy Roberts
 - Drawing No: 5324/1005 - Highway Improvements S278 Works (Standard Details) – Bellamy Roberts
 - Drawing No: 65204882-SWE-ZZ-XX-DR-C-0100 Rev C04 - Proposed Drainage Layout – Sheet 1
 - Drawing No: 65204882-SWE-ZZ-XX-DR-C-0101 Rev C11 - Proposed Drainage Layout – Sheet 2
 - MD Calculations Report: Sweco UK Limited – 21 September 2023
- Email from Sweco UK limited to Kent County Council – 27 September 2023 and attachments:
 - Summary of Results for 100 year Return Period (+40%): Sweco UK Limited – 21 September 2023
 - Summary of Results for 100 year Return Period: Sweco UK Limited – 21 September 2023
- Letter from Sweco UK Limited (ref: 65204882-SWE-XX-XX-T-S-0001) to Swale Borough Council – 22 November 2023

We trust the above is sufficient to enable you to register the application and look forward to receiving an acknowledgement in due course. If you require any additional information please do not hesitate to contact us.

Yours sincerely
for Genesis Town Planning Ltd



Kris Mitra MA MRTPI
Managing Director
kris@genesistp.co.uk