Planting on New Developments
A guide for Developers

Swale Borough Council
Planning and Development Guidelines No.6
Introduction

Swale Borough has some of the most important areas for landscape and nature conservation in the Country, characterised by its variety. The Borough Council, therefore, attaches great importance to the quality of tree and shrub planting associated with all new developments, in order to protect and enhance this heritage.

As part of a commitment to protect and raise environmental standards throughout the Borough, the Swale Borough Local Plan provides planting and nature conservation policies to improve quality of life and amenity. This guidance will be used to complement these objectives by guiding landscape design on new developments.

This guidance explains in detail the Borough Council’s requirements in respect of planting on larger developments. It is aimed, therefore, at the developers of such land. It is hoped, however, that all potential applicants will find its guidance of some use and the Borough Council will gladly point you to parts of this booklet relevant to all developments.

This guidance does not seek to instruct developers how to design their schemes; rather, it provides a series of guidelines to help them. The Borough Council will be happy to give advice at the earliest stage, but for some schemes it will be prudent to seek the services of a landscape designer or landscape ecologist to give the best available advice.
Definition of Landscaping

The term landscaping is now conventionally used to embrace both planting and hard surfacing, as well as boundary treatments. The Borough Council expects to see the use of high quality materials on all hard surfaces and boundary treatments on new developments. Schemes submitted to the Local Planning Authority should show the full extent of hard surface treatments and planting. The purpose of these guidance notes is, however, to develop the role and use of plants (referred to hereafter as planting) that is, principally trees and shrubs and other features beneficial to nature conservation.

Role of Planting on all Developments

Planting has a central role to play in the design of a development, otherwise there is a danger that it can appear as an afterthought. The Borough Council wishes to ensure the best possible standard of planting within developments and in order to do so it must be considered at the very earliest stages of planning new developments. In examining the planting scheme proposed on any new development, the Borough Council will consider the issues outlined in the box opposite. It will also have expected potential developers to have addressed them fully.

Key Questions

- Will the planting form an integral part of the development and contribute to the structure of it?
- Will the planting achieve a feeling of space, create atmosphere and ensure beauty?
- Will the planting scheme respect the local landscape and nature conservation interests of the area?
- Will the planting scheme create a place not just for human enjoyment, but also as a habitat for flora and fauna?
- Will the planting scheme enhance both the existing landscape and whenever possible the existing nature conservation interest?

Key Points

1. When & How to Consider Planting.

1.1 The relationship between planting, nature conservation and built development should be considered at the earliest stages of its design and should evolve as the scheme progresses. It should be central and integral to the landscape and wildlife of the area and not left unconsidered until after planning permission has been granted.

A good quality planting scheme will enhance the value and attractiveness of the development.

1.2 It may be appropriate to obtain advice at the earliest stage from a landscape architect or ecologist. Once a planting approach has been formulated then discussions with the Area Planning Team are encouraged at pre-application stage. This should be used to establish the form and possible content of the development and planting scheme and the level of detail that will be required by the Borough Council. It may also be appropriate to discuss with the Borough Council land areas which may eventually be adopted by the Borough Council in order that issues such as altered payments (see para 8.10) may be discussed. The Borough Council's Building Control Officers can also offer advice relating to the impact of trees on shrinkable clay and foundation design.

1.3 Landscaping which is badly planned or maintained has a strong influence on the risk of crime faced by residents of an area and others using the amenities provided. For some developments, therefore, it may be prudent to seek the advice of the Crime Prevention Officer (see contacts) at an early stage.

1.4 The Borough has a variety of landscape and habitat types. Many of these are protected by the Borough Council through its local plan. Appendix A shows the broad landscape and habitat “belts” in the Borough. Development is only rarely allowed in the rural parts of the Borough but in such cases it is particularly important that planting schemes should respect the landscape character of the area. Indeed, planting schemes in all locations should apply this basic principle.

2. Planting Schemes

2.0 Development proposals will normally be expected to show:

(a) Outline Applications for Planning Permission

2.1 For larger developments, or as where directed by the Borough Council, indicative details of the proposed planting framework or strategy to be adopted at the detailed stage should be shown, in order to ensure that the planting is being considered at the earliest stage, but also that the development is related to the surrounding landscape.
(b) Detailed Applications for Planning Permission

2.2 When appropriate, detailed planning applications will be expected to submit full details of the planting scheme in accordance with sections 6 (B-E) of this guidance. Proposals that provide an inadequate level of standard or detail will not normally be permitted.

2.3 There will be types of schemes that will not attract these planting requirements such as some domestic extensions, or minor changes of use.

3. Planting Details

3.0 Schemes should provide:

(i) Details of all existing natural and other topographical site features;
(ii) Description of measures to be taken to protect such areas and features;
(iii) Proposed planting details; and
(iv) Arrangements for the long term management of specified areas.

Further advice is given under the detailed guidelines in section 6.

4. Amount of Planting Provision

4.0 This will depend on the nature of the site and the type of development proposed. However the Borough Council is concerned to see the maximum level of planting available.

4.1 Planting schemes should be generous in quantity and central to the design of the development and not just left to the undevelopable peripheral areas. The Borough Council will discourage over-intensive built development in relation to proposed planted areas (see further details).

4.2 The future impact of the planting scheme should be considered. Inappropriate trees planted too close to a dwelling could cause problems at a later date. However, species like oak and beech, which are well loved in our older residential areas, should not be ruled out.

5. Habitat Features

5.0 The importance of protecting and enhancing opportunities for nature conservation must also be considered. With careful thought and design existing features such as trees, hedges or water features can be successfully integrated into new developments, creating a “mature” appearance, offering benefits to wildlife and improving the appearance of the development for its human inhabitants.
cured" landscapes, but require overseeing by those knowledgeable of such habitat creation.

6. Detailed Guidelines

6.0 Before submission of any planning application a detailed site survey should be undertaken. It is surprising how the appearance of a site apparently lacking vegetation in winter can drastically alter in spring.

A. Outline Planning Applications

6.1 At outline stage general planting and nature conservation proposals should be shown indicatively on plan. These will be safeguarded by planning conditions and, in appropriate circumstances, legal agreements. For certain development schemes, such as major housing, retail or employment, particularly those at the edge of urban areas or near sensitive sites, outline details may not be acceptable and fully detailed planting schemes will need to be submitted. Discussions at an early stage will establish the degree of detail required by the Borough Council.

B. Detailed Planning Applications

6.2 For appropriate detailed planning applications the Borough Council will require a fully detailed planting scheme to be submitted with the planning application. Its implementation and maintenance will be required by planning condition and in some cases legal agreement. These should include:

Plan of Existing:

6.3 An accurate survey of all ecological and landscape features.

Including:

1. all existing tree species, shrubs and hedges (by stem and crown extent of trees), together with an indication of their condition;

2. location of other site features such as ponds, watercourses, meadows and all other features with a nature conservation interest;

3. site levels and drainage;

4. details of soil type and ground conditions.

6.4 In all cases indication should be given of which features it is intended to retain and those it is intended to remove. Remember in the case of trees it may be as important to retain areas of young trees and scrub as large specimens with a limited remaining life. Expert advice is essential in this assessment.
C. Protection and Maintenance of Existing Features

7.0 Whilst the design of new developments can safeguard many existing features, construction of the development can damage or even result in their loss. During construction a chestnut paling fence or similar protection should be erected around those features to be retained (in the case of trees, to the extent of its outer crown). Items of plant, building materials or machinery must not be stored within these areas and the soil must not become compacted.

7.1 Where work is required to be carried out in close proximity to a landscape feature to be retained, all work should be carried out by hand unless otherwise agreed with the Borough Council. Any tree roots severed should be treated and recovered with soil. In general however the design of surfacing runs and other services should avoid the roots of trees.

7.2 Site fires must not be lit anywhere near trees to be retained.

7.3 Drainage patterns around existing trees should have regard to the needs of root systems and should not result in the loss of water sources to trees.

7.4 Builders rubble or other material should be removed from site and not buried in areas where planting is to be carried out. Proposed planting areas should be rotovated (if compacted) and improved with an appropriate medium if considered necessary. When planting is finished the whole scheme should be regularly watered until such times as the area is adopted or sold.

7.5 It is important that these details are not just indicated on plan but that instructions are passed down to the site agent in order that they are actually carried out.

7.6 Whilst recognising that development projects will often be running to tight timetables, site works should have regard to the possibility of nesting birds in any scrub or hedgerow areas, together with the habitats of some other animals.

7.7 In addition, The Wildlife and Countryside Act 1981 designates particular species, such as badgers, and their habitats for legal protection. When they are found, it is a criminal offence to disturb or destroy them. In some cases it will be possible to retain them undisturbed. Further advice is available from English Nature (see addresses).

D. Planning Conditions & Management Agreements

8.0 The Borough Council is concerned to ensure, firstly that the planting scheme is implemented and secondly that the management of the scheme will ensure that it continues to flourish and contribute to the local environment for generations. There are two mechanisms by which this can be achieved:

(i) Planning Conditions

8.1 The Borough Council uses planning conditions on the granting of any planning permission to ensure that a planting scheme is submitted to it and that it is also implemented and maintained.

8.2 All planting will be maintained for a period of 5 years. Any tree or shrub dead, diseased or dying within that period shall be replaced with a tree of comparable species. The removal or replacement of any part of the planting scheme will require the permission of the Borough Council.

8.3 Often developments proceed in a phased manner. Planning should take place during the planting season (1st Oct-31st Mar) after the building is finished and normally before occupation. This will avoid inconvenience to occupiers who might otherwise carry out their own planting unaware of the approved scheme.

8.4 Sales offices on new developments should make potential purchasers aware of planting requirements in respect of the development, their continuing
obligation to the maintenance of the planting and that permission is required from the Borough Council to remove or modify any part of the scheme.

8.5 For major developments, particularly those which will extend the built confines of a settlement, advance planting and earth works (in some cases outside the development site) may need to take place before the start of any built development.

8.6 In many instances planning conditions will be sufficient. However in some instances further legal agreements may be required.

(ii) Legal Agreements

8.7 Where habitat creation has taken place on site it will be particularly important to manage the site otherwise its interest may be reduced or even lost. Management agreements offer ways of achieving this. Section 39 of the Wildlife and Countryside Act 1981 provides detailed provisions for management agreements for areas of landscape and habitat management and for local nature reserves in rural areas. Section 106 of the Town and Country Planning Act 1990 (as amended) is more commonly used and encouraged, in appropriate circumstances, to protect from development and to implement appropriate management.

8.8 Implementation of any management agreement may not automatically rest with the developer. The legal agreement can make provision for the delegation of the actual implementation to a third party like a specified nature conservation body.

8.9 Such agreements will run with the land and not the developer.

Other Agreements

8.10 Section 9 of the Public Open Space Act 1909 enables agreements to take place between the Borough Council and developers, to provide areas of public open space to be maintained by the Borough Council, together with further payments by the developer to contribute to its upkeep through a commuted sum payable to the Borough Council. The Borough Council in requiring new developments to contribute toward landscape and public open space provision will use Section 9 agreements to encompass planting and future management. Such payments will not remove the obligation of the developer to provide the planting scheme and maintain those areas that will be required by a planning condition (see para 8.2). For some schemes which may involve detailed or more complex management over perhaps a longer period, the Borough Council may seek a commitment, by way of a Section 106 agreement (see para 8.7 above) at the time of granting the planning permission, instead of or complementary to Section 9 procedures. Again in such instances liaison at an early stage with the Borough Council is important.

E. Levels of Planting for a Scheme

9.0 Many schemes within the Borough provide good levels of planting. The Borough Council wishes this to be achieved for all developments. The Borough Council’s policy in this respect is that planting schemes should always be plentiful and generous.

9.1 The level of planting to be provided will vary from site to site and between types of development. Figure 1 (over) shows a housing layout where use of some of the planting methods shown in this guidance, together with the retention of existing site features, has resulted in a good level of planting and attractive environment.

Main Planted Areas

10.0 Much of the planting on new developments will be on land eventually adopted by the Highway Authority or the Council’s Leisure Services Department. Implementation of many of the measures outlined in this booklet is important as within residential development householders may seek a more domestic scale of planting in their gardens.

10.1 Opportunities for more major “structural” planting should be exploited to form dense corridors of planting (with locally native species) to produce full ground cover with reduced maintenance. Regard will need to be given to sight lines required for highway purposes and the need for eventual mature trees to avoid any overhead or underground services. Other belt planting should
also be used to the rear of premises with large gardens in order to provide belts of planting on the edges of the development.

**Open Space**

11.0 The Borough Council requires the provision of public open space on many new residential developments through policies contained in the Local Plan (see also para. 8.10). The Borough Council will require, on appropriate sites that measures be taken by developers to make such areas more beneficial for nature conservation, avoiding large areas of sometimes sterile grassed areas. Some examples to be encouraged would be managed mowing or even grazing regimes to encourage wild flowers or the creation of a pond or lake or the planting of cypresses, with woodland plants instead of single tree standards.

![Diagram of Future Development](image)

**Boundary Treatments**

12.0 As an alternative to open planned type developments, a more attractive appearance could be created by the planting of hedgerow species (see 12.1) along boundaries as a most significant way of introducing wildlife into urban environments, together with an increased level of security. On residential developments, the use of low wooden “Diamond Spire” type fencing within front gardens (see sketch) in addition to hedgerow planting, will provide an attractive boundary which will eventually be taken over by the maturing hedge.

12.1 A hedgerow mix comprising 80% Hawthorn, 15% Hazel and 5% other mix, such as Dogwood, Guilder Rose, Holly and Field Maple will normally be appropriate for most locations.

![Diagram of Diamond Spire Fencing](image)

**Native Planting**

13.0 The Borough Council wishes to encourage the use of locally native tree and shrub species. They represent the traditional landscape of the area and are generally more beneficial to wildlife. They also provide a more natural appearance rather than decorative “garden centre” style planting, but they can provide a structure to the scheme in which individuals can plant more decorative tree, shrub and plant types. The aim should also be to create colour all year round.

13.1 Their use in rural settings is to be particularly encouraged. In some situations, perhaps due to the layout and location of the development, appropriate town, decorative or fruit trees or shrubs will be permitted. Appendix B contains a list of locally native tree and shrub species.

13.2 For plants and shrubs the Borough Council would also wish to encourage species beneficial to butterflies, moths and other useful insects.

13.3 As well as trees and shrubs, the use of climbing plants can do much to soften the appearance of new buildings and boundary walls, helping the scheme to blend into the natural environment and attract wildlife.

**Natural Regeneration**

14.0 In some locations, normally adjacent to sensitive wildlife sites, some areas may be best left undisturbed and allowed to regenerate naturally, rather than be planted by possibly unsuitable plants. Such an approach would not normally be carried out in private areas, but on perhaps open space adjacent to, for example a native woodland. Such approach will generally only be permitted after consultation with English Nature.
## Shrubs:

### Typical Hedgerow Mix
Hawthorn=80%; Hazel=15%; Dogwood, Holly, Field Maple, Guelder Rose=5%.

<table>
<thead>
<tr>
<th>Shrub</th>
<th>Locally Native</th>
<th>Size</th>
<th>Site Suitability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amelanchier</td>
<td>No</td>
<td>MS</td>
<td>W</td>
</tr>
<tr>
<td>Blackthorn</td>
<td>Yes</td>
<td>LS</td>
<td>AC</td>
</tr>
<tr>
<td>Box</td>
<td>Yes</td>
<td>LS</td>
<td>CD</td>
</tr>
<tr>
<td>Broom</td>
<td>Yes</td>
<td>MS</td>
<td>AS</td>
</tr>
<tr>
<td>Buckthorn</td>
<td>Yes</td>
<td>LS</td>
<td>AC</td>
</tr>
<tr>
<td>Cotoneaster</td>
<td>Yes</td>
<td>MS</td>
<td>ACD</td>
</tr>
<tr>
<td>Dogwood</td>
<td>Yes</td>
<td>MS</td>
<td>AEW</td>
</tr>
<tr>
<td>Elder</td>
<td>Yes</td>
<td>LS</td>
<td>ACW</td>
</tr>
<tr>
<td>Field Maple</td>
<td>Yes</td>
<td>LS/ST</td>
<td>ACDE</td>
</tr>
<tr>
<td>Gorse</td>
<td>Yes</td>
<td>MS</td>
<td>DES</td>
</tr>
<tr>
<td>Guelder Rose</td>
<td>Yes</td>
<td>LS</td>
<td>EW</td>
</tr>
<tr>
<td>Hazel</td>
<td>Yes</td>
<td>LS/ST</td>
<td>A</td>
</tr>
<tr>
<td>Holly</td>
<td>Yes</td>
<td>LS/MT</td>
<td>ADE</td>
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<td>Laural</td>
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</tr>
<tr>
<td>Lonicera</td>
<td>Yes</td>
<td>MS</td>
<td>ACD</td>
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<tr>
<td>Privet</td>
<td>Yes</td>
<td>MS</td>
<td>C</td>
</tr>
<tr>
<td>Hawthorn</td>
<td>Yes</td>
<td>LS/ST</td>
<td>ACESW</td>
</tr>
<tr>
<td>Dog Rose</td>
<td>Yes</td>
<td>MS</td>
<td>AC</td>
</tr>
<tr>
<td>Snowberry</td>
<td>No</td>
<td>MS</td>
<td>AC</td>
</tr>
<tr>
<td>Spindle</td>
<td>Yes</td>
<td>LS/ST</td>
<td>C</td>
</tr>
<tr>
<td>Wayfaring Tree</td>
<td>Yes</td>
<td>LS</td>
<td>CE</td>
</tr>
</tbody>
</table>

see list of contacts below
Appendix A:
Types of Local Landscape

A large part of the southern area of the Borough is protected as part of the North Downs Special Landscape Area and the Kent Downs Area of Outstanding Natural Beauty. Habitat and landscape comprise traditional oak and beech broadleaf woodland, often remnants of ancient woodland, unimproved pasture meadows and grazed chalk downland.

Most of the north of the Borough is protected for its international importance for birdlife and its remote landscape qualities. It forms the North Kent Marshes Special Landscape Area and the Swale and Medway Marshes & Estuaries Site of Special Scientific Interest. In addition the area is given international protection as an EC Special protection Area for birds and an area of wetland protected by the Ramsar Convention. Habitat and landscape comprise salt and grazing marsh, traditional dykes, wetland areas and a general absence of tree cover.

The Borough Council has given similar protection to sites identified by the Kent Trust for Nature Conservation as Sites of Nature Conservation Interest (SNCIs). Any planting to develop exceptionally approved within or adjacent to these areas should be of a type to maintain the conservation and scientific interest.

One particular landscape feature of the Borough is its agricultural landscape with its traditional orchards with large fruit trees. Regrettably, many are being replaced with smaller growing species and the opportunity to safeguard these features for the enjoyment of future generations does not often present itself. On development proposals affecting traditional orchards, the Borough Council will encourage developers to seek the continued representation of significant remnants of such features in the local landscape by their retention in the completed development. Diagram 1 shows (generally) these landscape types.

Diagram 1: Landscape Types in Swale.

Appendix B:
Tree & Shrub Species

Trees:
Eventual Size

Although the ultimate growing height will be dependent on local soil type and climate, the following gives a guide:

<table>
<thead>
<tr>
<th>Tree</th>
<th>Locally Native</th>
<th>Eventual Size</th>
<th>Site Suitability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alder</td>
<td>Yes</td>
<td>MT</td>
<td>ACW</td>
</tr>
<tr>
<td>Ash</td>
<td>Yes</td>
<td>LT</td>
<td>ACDES</td>
</tr>
<tr>
<td>Aspen</td>
<td>Yes</td>
<td>MT</td>
<td>ADESW</td>
</tr>
<tr>
<td>Bay Willow</td>
<td>Yes</td>
<td>MT</td>
<td>CE</td>
</tr>
<tr>
<td>Beech</td>
<td>Yes</td>
<td>LT</td>
<td>CE</td>
</tr>
<tr>
<td>Bird Cherry</td>
<td>Yes</td>
<td>MT</td>
<td>C</td>
</tr>
<tr>
<td>Birch</td>
<td>Yes</td>
<td>MT</td>
<td>ACDEW</td>
</tr>
<tr>
<td>Black Poplar</td>
<td>Yes</td>
<td>LT</td>
<td>AW</td>
</tr>
<tr>
<td>Box</td>
<td>Yes</td>
<td>ST</td>
<td>CD</td>
</tr>
<tr>
<td>Sweet Chestnut</td>
<td>No</td>
<td>LT</td>
<td>DS &amp; AC</td>
</tr>
<tr>
<td>Common Oak</td>
<td>Yes</td>
<td>LT</td>
<td>AES</td>
</tr>
<tr>
<td>Common Juniper</td>
<td>Yes</td>
<td>ST</td>
<td>C</td>
</tr>
<tr>
<td>Crab Apple</td>
<td>Yes</td>
<td>ST</td>
<td>AC</td>
</tr>
<tr>
<td>Crack Willow</td>
<td>Yes</td>
<td>LT</td>
<td>AW</td>
</tr>
<tr>
<td>Downy Birch</td>
<td>Yes</td>
<td>LT</td>
<td>ADESW</td>
</tr>
<tr>
<td>Elm (disease resistant)</td>
<td>No</td>
<td>LT</td>
<td>ACDE</td>
</tr>
<tr>
<td>Field Maple</td>
<td>Yes</td>
<td>ST</td>
<td>ACDE</td>
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<tr>
<td>Geat Willow</td>
<td>Yes</td>
<td>LS/ST</td>
<td>AW</td>
</tr>
<tr>
<td>Hawthorn</td>
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<td>LT/ST</td>
<td>ACESW</td>
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<td>Hazel</td>
<td>Yes</td>
<td>LS/ST</td>
<td>A</td>
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<tr>
<td>Holly</td>
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<td>LS/MT</td>
<td>ADG</td>
</tr>
<tr>
<td>Hornbeam</td>
<td>Yes</td>
<td>MT</td>
<td>ACESW</td>
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<tr>
<td>Large-Leafed Lime</td>
<td>Yes</td>
<td>LT</td>
<td>ACEW</td>
</tr>
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<td>LT</td>
<td>ACES</td>
</tr>
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</tr>
<tr>
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<td>MT</td>
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<td>ACEW</td>
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<td>Walnut</td>
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<tr>
<td>Whitebeam</td>
<td>Yes</td>
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<tr>
<td>Wild Service Tree</td>
<td>Yes</td>
<td>LT</td>
<td>ADW</td>
</tr>
<tr>
<td>Wild Cherry</td>
<td>Yes</td>
<td>MT</td>
<td>ADW</td>
</tr>
<tr>
<td>Wynt Elm</td>
<td>Yes</td>
<td>AW</td>
<td>ADW</td>
</tr>
<tr>
<td>Yew</td>
<td>Yes</td>
<td>LS/MT</td>
<td>ACDE</td>
</tr>
</tbody>
</table>
For further planning advice please contact:

Planning Services, Swale house, East Street, Sittingbourne, Kent, ME10 3HT; (advice is also available on the planning pages of website at www.swale.gov.uk)

Email us on planning@swale.gov.uk or Fax us on 01795 417417

The Duty officer is: available:

8.45 to 5.00pm Monday to Thursday and 8.45 am to 4.30 pm on Friday.

Contactable either in person at Swale House or by telephoning 01795 417442 and can

- Give advice on procedures and processes
- Answer general questions and Comment on development potential
- Give general advice on who to contact and how best to seek pre-application advice.

Swale’s Conservation Officer - telephone 01795 417375

For Building Regulation advice please contact:

South Thames Gateway Building Control Partnership, Compass Centre, Chatham Maritime, Chatham, Kent, ME4 4YH

Telephone 01634 331133
Fax 01634 331299

Email building@stgbc.org.uk

If you would like further information, more copies or alternative versions (i.e large print, audio, different language) we will do our best to accommodate your request please contact:

Customer Services
Phone: 01795 417850
Email: csc@swale.gov.uk
This booklet is one of a number of planning and development guidelines published by the Development Services Department of Swale Borough Council. Others include:

1. • The Conversion of Buildings into Flats and Houses in Multiple Occupation.
2. • Listed Buildings - A Guide for Owners and Occupiers.
3. • The Conservation of Traditional Farm Buildings.
4. • The Design of Shopfronts, Signs and Advertisements.
5. • Designing an Extension - A Guide for Householders.
7. • The Erection of Stables and Keeping of Horses.
8. • Conservation Areas.

Others may be published from time to time. Should you wish to obtain any of the above then please contact:

Swale Borough Council. Development Services Department,
Swale House, East Street, Sittingbourne,
Kent. ME10 3HT. ☎ (0795) 417344.