



**CPRE Kent 5
Parish Council Evidence**

Appeal by Gladman

PINS Reference: APP/V2255/W/15/3067553, 3067567 & 3148140

Swale Borough Council reference: 15/500671/OUT & 15/510595/OUT

Land Off London Road, Newington, Kent.

Proof of Evidence of Stephen Harvey
Chair of Planning Committee, Newington Parish Council
on behalf of the Kent Branch of the Campaign to Protect Rural England

The Kent Branch of the Campaign to Protect Rural England exists to promote the beauty, tranquility and diversity of rural England by encouraging the sustainable use of land and other natural resources in town and country.

CPRE Kent, Queen's Head House, Ashford Road, Charing, Kent, TN27 0AD Fax: 01233 714549 Email: info@cprekent.org.uk

Phone: 01233 714540 www.cprekent.org.uk

1. Introduction

- 1.1 My name is Cllr Stephen Harvey. I have been a member of Newington Parish Council since 2013, Chair of the Planning Committee since 2015 and a resident of the Village since 1983.

2. Pond Farm and the Local Plan

- 2.1 The site is outside both the current and the emerging Local Plans for Swale. Pond Farm has never been considered suitable for development. Indeed, the planning application is contrary to policies E1 and H2. Under the terms of the National Planning Policy Framework the site is not sustainable and the application is contrary to the Development Plan and the NPPF.
- 2.2 Extract from Swale Borough Council draft Local Plan (4.3.20): At Newington, despite its role and level of services, development opportunities are very limited due to the valued landscapes and habitats to the north of the village and a restricted internal road network which emerges at a bottle-neck in the centre of the village. Development of any scale here is further hampered by the effects of traffic on the historic core of the village and an Air Quality Management Plan that has been introduced to address unacceptable pollution levels. The scale of growth at these A2 settlements need to be considered for their impacts upon the traffic flows which impact adversely upon those who live along it.
- 2.3 The application is in breach of existing planning policies namely SH1 section 4 (the local service centres of Boughton, Eastchurch, Newington, Teynham and Leysdown, where new development may be acceptable on previously-developed land within the defined built-up areas or, in the case of new services for the settlement and the surrounding rural area, on other suitable sites that do not harm the settlement pattern or character of the surrounding countryside.), E6 (where it does not meet any of the 9 criteria) and RC3 (where it does not have the support of the local Parish Council).
- 2.4 The National Planning Policy Framework clearly states that brownfield or poorer quality land should be used in preference to best and most versatile land. The proposed site does not feature in the local or emerging local plans. We believe there are adequate grounds for the rejection of the application.
- 2.5 Pond Farm was not included in the sites considered or recommended by the Local Development Framework Panel in the June 2016 modifications to the Local Plan in order to increase the target for dwelling per year. It is our understanding that Swale Borough Council is now close to meeting these targets over the next five years.

3. A Working farm

- 3.1 Pond Farm is a working farm from which the 2016 fruit harvest was gathered early this autumn.
- 3.2 The proposed development would obliterate working agricultural land comprising 'best and most versatile soil' which is 'mineral-rich'; there are alternative 'brownfield' sites available in the Borough. Policy ST3 is clear: 'new development may be acceptable on previously developed land within the defined built up areas or in the case of new services for the settlement and the surrounding rural area, on other suitable sites that do not harm the settlement pattern or character of the surrounding countryside'. As stated above The site is outside both the current and the emerging Local Plans for Swale. Pond Farm has never been considered suitable for development. Indeed the planning application is contrary to policies E1 and H2. Under the terms of the National Planning Policy Framework the site is not sustainable and the application is contrary to the Development Plan and the NPPF.
- 3.3 The report suggests that brickearth extraction would not be viable. We find this puzzling when Wienerberger, surely international experts in this field, expended such energy over the immediately adjacent fields at Paradise Farm just over a year ago and have recently signalled their intention to proceed with their planning application after finding a new route to the A2 through the Newington Industrial Estate, removing the need for lorries to use the Lower Hartlip Road. If brickearth were discovered at Pond Farm, the extraction of this would delay any potential development outside the scope of the current plan for a five year supply in Swale.
- 3.4 Pond Farm is seen as a vital part of the 'green break' between Newington and the Medway towns

4. A Heritage asset

- 4.1 Newington Parish Council recognises that this revised application does not include Listed Building Consent for the demolition of redundant farm outbuildings (application 15/500694/LBC). However the current application destroys the setting for these buildings; they would be the front of a new housing estate rather than of the agricultural land which they were built to serve.
- 4.2 Swale Borough Council Planning Committee have previously rejected an application for the demolition of the farm buildings (15/500694/LBC). Although it is now known that the outbuildings are not listed, these form an essential part of the historic curtilage of the farm; without them the importance of the grade II listed farmhouse is greatly diminished. The presence of a working farm on 'best and most versatile' land retains the true value of the site.

5. The local road network

- 5.1 The proposed development would directly access London Road – a ‘B’ quality road which struggles, and fails, to meet its ‘A’ designation. Newington was designated by Kent County Council as a priority for a by-pass, but the plan was dropped by national government in 1997 at a time of budget cuts. If the Pond Farm development were approved this would end any hopes of a by-pass in the future.
- 5.2 Access and egress onto the A2 London Road would exacerbate existing traffic congestion. This very busy road leads westwards to Rainham, two and a half miles away, with traffic congestion at the start and end of each working day. Travelling eastwards, the site is 400 yards from the Village centre, well-known as the narrowest part of the whole A2, where it is not possible for lorries to pass at the same time as vehicles from the opposite direction (a frequent problem due to a large cold store two miles to the west). Traffic collisions at this point have necessitated the replacement of the pedestrian-safety railings on three occasions so far this year, with the same pattern last year. The road continues to Key Street which KCC has highlighted as a point of congestion especially at the start and end of each working day. This junction feeds the A249 which, southbound, leads to the Stockbury roundabout, designated for a future traffic intersection with the M2 when funds permit. This road is at standstill several times each day at this point. Conditions will deteriorate further when ‘Operation Stack’ is in force (as it was for much of summer 2015) as traffic is re-routed from the M20 along the northbound A249 to join the M2 en-route to Manston. Further south the A249 reaches a busy intersection with the M20 motorway and the route into Maidstone; again this is heavily congested in morning and evening rush hours
- 5.3 The application states that the village amenities are within walking distance. To gain access to these amenities the pedestrians would have to cross the A2. Even if the applicant were to build a pavement and cycle path along the frontage of the development this would not link to the existing village infrastructure. Crossing the A2 outside of the village centre is difficult but with children and at peak times would be dangerous even at a refuge island.

6. Air Quality

- 6.1 The Gladman-commissioned Air Quality report accepts that the existing levels of NO₂ in Newington High Street already exceed European safety levels. However, the applicant’s experts dismisses the data in 3.3.8 of its report by stating ‘the monitoring locations are influenced by local factors i.e. congestion and a lack of dispersion due to canyon street effects’. The applicants report fails to acknowledge that these local factors apply to the majority of the High Street and the additional traffic created by an additional 330 + 60 homes or 120 homes would only accentuate the congestion and air quality problems. Newington Parish Council notes that the Air Quality Assessment submitted by Gladman Developments Limited is dated October 2014, using 2013 data; presumably this was commissioned for their previous planning application.

- 6.2 Newington Parish Council remains concerned about air quality. It seems we are assessed against urban rather than rural benchmarks. We ask you to consider: Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe. This directive sets the limit at 30 µg/m³ and not 40 µg/m³. We are not persuaded that the proposed mitigation measures will have any effect. It is surely a fact that any increase in traffic will result in further hold-ups in the Village centre, with inevitable increase in noxious fumes that impact on the health of residents. A recent medical report of a link between traffic pollution and Alzheimer's Disease and asthma is a cause for concern in the Village. The suggestion that, in the near future, people will ride bicycles or drive electric cars is not persuasive. We note that Medway Council's response regarding the effect on Rainham AQMA is awaited
- 6.3 Recent work to demolish the former working men's club has meant the removal of substantial vegetation with a new fence aligned to the building line in the High Street. We are interested to know the latest figures for air pollution in the Village and hope the forthcoming Inquiry will have up-to-date information.
- 6.4 A development of 140 or 330 dwellings, presumably occupied by 140 or 330 families, would be located outside the Village centre. It is difficult to envisage any responsible parent allowing their child to cross the busy A2 and walk along the narrow pavement hemmed by HGVs and other traffic to reach the Newington Primary School or bus stops serving the Sittingbourne secondary schools. Inevitably such a development would result in an increase in car traffic.

7. S106 Proposals

- 7.1 Highways England request £88,935 towards an improvement scheme at the Key Street roundabout in the December 2015 application. We do not see how a 'contribution' of this amount would have any noticeable effect on the significant problems of congestion at Key Street, especially prevalent at morning and evening rush periods. We note stronger reservations expressed by KCC Highways and Highways England to the original application and do not see how these have been addressed.
- 7.2 The proposed S106 suggests the proposed play area have equipment that is either maintained by Gladman, or Swale Borough Council be paid £861 per dwelling for its provision. This proposed play area is 200 metres from the Recreation Ground Play Area maintained by NPC. Surely a better solution would be to fund further improvements to the existing play area rather than building another. We do hope that the intention is not that 'Estate' children would not venture onto the recreation ground and that 'Village' children would not be expected to enter the 'Estate'
- 7.3 Similarly, there has been no popular acclamation for the concept of 'community orchard' when the proposal would obliterate the existing working orchards and be less than 300 metres from the existing community woodland with picnic area and access to footpaths, at

the edge of the recreation ground, which is directly adjacent to the proposed development.

- 7.4 The proposed care home is a concept that has not been developed in the report. There seems to have been no exploration of the potential for one-bedroom bungalows for the elderly but still independent residents who are subject to the terms of the 'under-occupancy charge / spare room levy'
- 7.5 We note that it is proposed that only one home is to have wheelchair access. This seems mean and, at best, a token gesture.
- 7.6 The proposed education contributions are a cause for concern: The proposed S106 suggests for Primary Education, £297,480.96 towards Regis Manor School Phase 2 expansion, suggesting that, if the development were permitted, the resident children would not be expected to attend Newington Primary School. No responsible parent would countenance their 4-year-old child being bussed to a primary school outside the area. For Secondary Education it is proposed that funding of £297,334.80 to Sittingbourne Academies Trust (sic); we presume this means Swale Academies Trust which includes Regis Manor Primary and two local High Schools amongst its number. This means no funding towards Grammar School places and there is an unresolved question of funding to Medway Council for those children travelling west to school from the bus stop directly outside the proposed development. Whilst the current rules for education funding under S106 agreements is understood, it should be noted that the government propose all schools to be academies by 2020 (i.e. by the time any child from this development, if permitted, would commence their local education). Government proposals for future school-place funding are uncertain and we are concerned that our local school should not be overlooked.
- 7.7 The proposed S106 suggests £4,735.08 towards new equipment at New House Youth Centre which we believe is a good facility, but one not used by young people in Newington due to lack of public transport in the evenings. This is at a time when Kent County Council is seeking to reduce its commitment to youth services. Youth work in Newington is active and undertaken by volunteers who have to find their own funding. Surely such a contribution would be better made to local, village, provision. We are not aware that any attempt has been made to investigate active provision in the Village for the compilation of this report.
- 7.8 New bus stops are proposed to serve the development. These would each be less than 150 metres from existing bus stops at the A2 junction with Playstool Road and opposite the Village sign. This concentration would inevitably slow traffic and lead to further congestion.
- 7.9 Newington Parish Council is puzzled at the reference to 10 additional lighting columns in Church Lane on the other side of the village. This would not be viewed as a priority by NPC and no member of the Council can recollect discussions about this. Indeed, Gladman have

consistently refused all invitations to attend Parish Council meetings to discuss their plans for development in the Village

- 7.10 AQMA mitigation in the proposed S106 is insufficient. Unsurprisingly residents are not impressed by the proposal for 3 bicycle stands at Newington Railway Station, and for the promotion of cycling and encouraging public transport in the 'residential travel induction pack' and are not convinced of the efficacy of this approach in significantly reducing air pollution in the Village.
- 7.11 Newington does not have a doctor's surgery or dentist. The Gladman proposals include land for a surgery, but this would be left for a practitioner to invest. In reality the size of the development and the lack of willingness from the existing population to switch from their current doctor means this would not be an attractive option for GPs to invest in a multi-purpose health centre of the type favoured by NHS England and note the response from the NHS clinical commissioning group which shows they have no intention to provide one. We know from recent cases in Rainham and Sittingbourne that the NHS do not support single GP practices. There is a real concern that lack of interest in the provision of a surgery would result in the land being re-designated for additional housing. Our hospital, Medway Maritime Hospital, is already over-stretched and just starting to emerge from 'special measures'.

8. The Swale Borough Council Planning Officer's report to the 26 May Planning Committee Meeting

- 8.1 It would seem that consultants were engaged, only for their advice to be disregarded.
- 8.2 Environment Protection Manager: 'I remain concerned about cumulative impacts of several developments on air quality'. This advice is ignored.
- 8.3 Similarly issues of concern about the potential effect on AQMA in Rainham is not explored.
- 8.4 Southern Water are reported as stating 'if the developer intends to use their statutory rights to connect to the public sewer, the capacity upgrades of the system may not necessarily keep pace with the intended development timescales because of regulatory investment system used'. Understandably this causes considerable concern to neighbouring residents.
- 8.5 The Council's Landscape and Visual Impact Consultant concludes '...strong justification for Swale Borough Council to refuse the application', yet this advice is ignored.
- 8.6 The Council's Rural Planning Consultant raises the issue of whether the site is necessary and if sufficient arguments have been presented to override the NPPF guidance.

- 8.7 We wish to take issue with many of the points made in the officer's report and are surprised that it has ignored 'the significant amount of opposition from residents, Parish Councils, Ward Members and MP', all recently re-stated.

9. Emergency vehicles

- 9.1 The mark II / III application proposes changes to the road layout. There is a proposed 'pedestrian refuge' to protect pedestrians crossing the road. This would be used by schoolchildren crossing to the eastbound bus stop and is an unsatisfactory solution. The proposed puffin crossing is at the eastern end of the site, away from the new bus stop. We believe the 'ghost island' for traffic turning into the development from the west would lead to traffic queues at peak times. Emergency vehicles on 'blue light calls' commonly overtake at this point before entering the Village centre or to speed up after slow progress through the village. The introduction of an additional island and a ghost island would create problems for these and we note there has been no report from the emergency services sought in preparation of the report; we request that their views be sought.

10. Concerns at the unsustainable effect of a significant increase in the Village population

- 10.1 Assuming a proportion of the residents of the proposed development would be primary-age children, these would have a hazardous walk to school alongside and across the busy A2. Probably most parents would choose to drive, increasing congestion and pollution on the A2 before hitting the standstill in Church Lane (a narrow and busy ancient thoroughfare, now the standard of a narrow side road, but serving as a much more important road link), once each morning and afternoon to reach the school. Newington School is close to capacity (Ofsted May 2015, 184 children in 6 classes and nursery), meaning many children would have to make longer journeys to Rainham or Sittingbourne, encountering and creating further traffic congestion. Parents choose Newington School because of its small size; any significant increase would be unpopular. Due to traffic congestion in Church Lane, Kent County Council have already ruled out any increase in the roll of the School, resulting in the unreasonable S106 suggestion that additional children to the Village be bussed out of the area.
- 10.2 Public transport to and from Newington is limited: one slow train per hour to London or Dover; a poor bus service, with no buses at all on Sundays.
- 10.3 The Medical services locally are insufficient and our local major hospital is in special measures and has been for nearly 3 years. An increase in population will directly impact on local medical services.
- 10.4 The May 2016 SBC officer report to the Planning Committee for the 126 dwellings and 60 units of extra care acknowledges a 'substantial, approximately 20% increase in the existing built up area of the village.' The 2011 census shows a Newington population of 2,551 in 1,089 household spaces. Since then approval has been given for 12 flats and 39 houses, with applications for a further 31 houses currently awaiting decision, i.e. already a

potential for an 8% increase. It is a mathematical fact that, as the baseline increases, each increase is as a smaller percentage, masking the real effect on people in the Village. Newington Parish Council believes that the already approved applications described above make a contribution to the housing needs of the Borough appropriate to a village of our size and amenities. For this reason the LDP proposed a growth of 1.3% for Newington; very different to the increase that the revised Gladman proposals would bring about. The original proposal for 330 dwellings and 60 units of extra care would mean a 40% increase to the Village population.

- 10.5 The Parish Council believes the Inquiry will show that Newington does not have the infrastructure to support a development of the scale of the original or revised Gladman proposals. Newington Parish Council has been led to believe that the Local Plan has the status of 'Material Planning Consideration' and on this basis the Gladman proposal to develop a housing estate on Pond Farm must be rejected.

11. Relations with Gladman Land

- 11.1 Newington Parish Council regrets there has been no opportunity for dialogue with Gladman Land. All invitations extended for them to attend public meetings have been refused. As a result, locally this is viewed as contempt for the views of Villagers.