

## Planning Report for 29 June 2021 Newington Parish Council Meeting

### *This month's applications*

#### Application: 16 Church Lane, Newington ME9 7JT

Proposal: Erection of part single, part two storey rear extension.  
Application received: Friday 14 May 2021  
Application validated: Sunday 23 May 2021  
Status: awaiting decision

#### Application: 21/502960/FULL 53 Playstool Close, Newington ME9 7NJ

Proposal: Retrospective application for the erection of a replacement conservatory.  
Application received:  
Application validated: Wednesday 9 June 2021  
Status: awaiting decision

### *From last month*

#### Application: 21/501252/FULL 8 School Lane Newington, ME9 7LB

Proposal: Erection of a first floor front extension  
Application received: Monday 8 March 2021  
Application validated: Monday 8 April 2021  
Status: Application refused Thursday 10 June 2020

#### Application No.: 21/502170/FULL 19 The Willows, Newington ME9 7LS

Proposal: Demolition of existing garage and erection of a single storey side extension, replacement garage to the rear, and installation of a dropped kerb.  
Application received: Tuesday 20 April 2021  
Application validated: Friday 23 April 2021  
Amended plans to planning portal 17 June 2020  
Status: awaiting decision

##### Application: 20/503210/FULL 19 The Willows, Newington ME9 7LS

Proposal: Demolition of existing garage and erection of part single storey, part two storey side and rear extension, with new vehicular crossover (resubmission of 20/500540/FULL).  
Application received: Monday 20 July 2020  
Application validated: Thursday 30 July 2020  
Status: Application refused: Wednesday 23 September 2020

##### Application: 20/500540/FULL 19 The Willows, Newington ME9 7LS

Proposal: Demolition of existing garage and erection of a part first floor, part two storey side extension, including creation of a new vehicular access to side.  
Application Received: Tuesday 4 February 2020  
Application Validated: Friday 7 February 2020  
Status: Application refused: Friday 3 April 2020  
Appeal notification 22 December 2020 PINS reference: APP/V2255/D/20/3261590  
Appeal dismissed: Monday 25 January 2021

#### Application No: 21/502324/FULL 37 London Road, Newington ME9 7NS

Proposal: Conversion of existing detached two storey garage into a three bedroom dwelling together with a single storey extension (Revised scheme to 20/504132/FULL).  
Application received: Wednesday 28 April 2021

Application validated: Wednesday 12 May 2021

Status: awaiting decision

Application: 20/504132/FULL 37 London Road, Newington ME9 7NS

Proposal: Conversion of existing detached two storey garage into a two bedroom dwelling together with a single storey extension.

Application received: Tuesday 8 September 2020

Application validated: Tuesday 15 September 2020

Status: Application permitted – SBC Planning Committee 10 December 2020 (14:1:1)

Application: 18/503053/NMAMD

Proposal: Non Material Amendment Being Revision to Detached Garage with Study/Office Above and Side Extension on Previously Approved Application 17/503011/FULL and Alteration of Ground Floor Rear Fenestration to Existing House 17/506133/FULL

Application Received: Wed 06 Jun 2018

Application Validated: Thursday 14 June 2018

Status: Application permitted Friday 29 June 2018

Application: 17/506142/NMAMD

Proposal: Non-material amendment: Side elevation doors & window replaced with one continuous bi-fold. Two windows added to the side elevation of proposed extension first floor & window, & door to rear mirrored (original application ref: 17/503011/FULL).

Application Received: Monday 27 November 2017

Application Validated: Monday 27 November 2017

Status: Application withdrawn Thursday 14 December 2017

Application: 17/506133/FULL

Proposal: Revision to detached garage with study/office above and side extension on previously approved application 17/503011/FULL. Alteration of ground floor rear fenestration to existing house.

Application Received: Monday 27 November 2017

Application Validated: Monday 18 December 2017

Status: Application permitted 9 February 2018

Application: 17/504812/NMAMD

Proposal: Non-material amendment for planning permission 17/503011/FULL. Rotating the detached garage in order to line through with the existing property. Dormers added to front and back of garage. Window to London road garage elevation turned into a door and new door into garage. Juliet balcony to be replaced with normal balcony with 2 piers either side for support. Side elevation doors and window replaced with one continuous bi fold. Two windows added to the side elevation first floor and window and door to rear Application Received: Monday 18 September 2017

Application Validated: Tuesday 18 September 2017

Status: Application refused Monday 16 October 2017

Application: 17/503011/FULL

Proposal: Demolition of existing side conservatory, erection of replacement two storey side extension with front Juliet Balcony, erection of double garage with study in roof space and creation of new access and drop kerb

Application Received: Thursday 8 June 2017

Application Validated: Thursday 15 June 2017

Status: Application permitted Thursday 10 August 2017

Application No: 21/502424/FULL 56 Church Lane, Newington ME9 7JU

Proposal: Demolition of existing conservatory and erection of a single storey rear extension, single storey front extension to existing garage and new porch.

Application received: Tuesday 4 May 2021

Application validated: Friday 7 May 2021

Status: awaiting decision

**Application No: 20/501475/FULL: Land To The Rear Of Eden Meadow, Newington ME9 7JH**

Proposal: Erection of 20 No. residential dwellings and associated car parking, hardstanding, landscaping and open spaces, infrastructure including SuDs and earthworks accessed from the existing junction serving Eden Meadow from the A2 High Street.

19 May 2021 from SBC: . Amended Plan and Additional information received 17/05/21

Amended Plan and Additional information received 23rd and 31st March 2021

**September 2020**

Notification by letter from Swale Borough Council dated 25 September 2020

Revised Proposal: Erection of 35 No. residential dwellings including affordable housing and associated car parking, hardstanding, landscaping and open spaces, infrastructure including SuDs and earthworks accessed from the existing junction serving Eden Meadow from the A2 High Street.

**March 2020:**

Original Proposal: Erection of 40 No. residential dwellings including affordable housing and associated car parking, hardstanding, landscaping and open spaces, infrastructure including SuDs and earthworks accessed from the existing junction serving Eden Meadow from the A2 High Street

Application received: Thursday 26 March 2020

Application validated: Monday 30 March 2020

Status: awaiting decision

*(18 June 2019 Swale Design Review Panel meeting: Proposed residential development – Land at Ellen's Place, Newington. Followed by Community Consultation Mail-out*

*15 July 2019 – Design Review Panel confidential report*

*18 November 2019 conversation with Andy Wilford, Head of Planning, Esquire Developments*

*14 January 2020 NPC Planning Committee Meeting to hear draft proposals)*

*9 April 2020 Newington Parish Council Planning Committee meeting – unanimous decision to oppose the application*

*15 April 2020 response published on Midkent planning portal and NBC website*

*19 October 2020 response to revised application published on Midkent planning portal and NBC website*

*19 April 2021 NBC response to Amended plan published on Midkent planning portal and NBC website*

***Not in Newington***

**Application: 21/501740/FULL Land At Hill Farm, Rook Lane, Keycol Hill, Bobbing**

Proposal: Erection of a nurse accommodation building, car park and outdoor event space for Demelza. Erection of 30 private residential dwellings, together with associated access, parking, highway works, drainage and landscaping

Application received: Tuesday 30 March 2021

Application validated: Thursday 29 April 2021

Status: awaiting decision

NB 23 March 2021 email from Esquire Developments Land at Hill Farm, Bobbing

'I also wish to let you know that we will also be seeking an amendment to the existing planning application (as detailed in the letter), in order to be able to deliver the scheme for Demelza – which has unfortunately stalled since 2018.'

**Application: 18/500258/FULL Land At Hill Farm, Bobbing Hill, Bobbing ME9 8NY**

Proposal: The provision of a 3 unit accommodation building, car park and outdoor event space, the erection of 20 private residential dwellings, together with associated access, parking, highway works, drainage and landscaping.

Application Received: Monday 18 January 2018

Application Validated: Wednesday 7 February 2018

Status: Application permitted Wednesday 7 November 2018

## *For information*

### Application No: 21/502253/PNQCLA Barns At Rickham Fields Farm, Boxted Lane Newington ME9 7BY

Proposal: Prior notification for the change of use of agricultural buildings to create 2no. dwellings and associated operation development. For its prior approval to: - Transport and Highways impacts of the development - Noise impacts of the development - Contamination risks on the site - Flooding risks on the site - Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change from agricultural use to C3 (dwellinghouses) - Design and external appearance impacts on the building, and - Provision of adequate natural light in all habitable rooms of the dwellinghouses

Application received: Friday 23 April 2021

Application validated: Wednesday 28 April 2021

Status: Prior approval granted Wednesday 23 June 2021

## *Emerging*

### Land West of Newington Primary School

Email from Fernham Homes notifying pre-application discussions with Swale Borough Council June 2021 Consultation document delivered to addresses identified in distribution map

## *Previously discussed: for information*

### Application: 21/501840/FULL Glenmore, Callaways Lane, Newington ME9 7LX

Proposal: Single storey rear extension.

Application received: Tuesday 6 April 2021

Application validated: Thursday 8 April 2021

Status: awaiting decision

### Application: 21/501797/FULL 31 Playstool Road, Newington ME9 7NE

Proposal: Erection of a part single storey, part two storey rear extension and extension to existing porch.

Application received: Wednesday 31 March 2021

Application validated: Wednesday 14 April 2021

Status: Application permitted Monday 14 June 2021

### Application: 20/505059/FULL: Willow Trees, 111 High Street, Newington ME9 7JJ

Proposal: Demolition of existing chalet bungalow and erection of 20 dwellings (4 x two bedrooms and 14 x three-bedrooms and 2 x four-bedrooms) with associated access, parking, amenity and landscaping.

Application received: Tuesday 27 October 2020

Application validated: Friday 8 January 2021

Revised application on planning portal 14 April 2021

Status: awaiting decision

## *Appeal to the Planning Inspectorate*

### 18/500767/FULL Newington Working Mens Club, High Street, ME9 7JL

*Proposal:* Variation of Condition 2 and removal of Condition 11 of application 17/504342/FULL (Retrospective demolition of former Working Mens Club and erection of 9no. dwellings and 1no. maisonette together with carports for garaging of cars (Revised scheme). (Vary Condition 2 to include reference to 'Titan-Sonair' ventilation system to bedrooms and dining room fronting the high street.)

Application received Wednesday 7 February 2018

Application validated: Wednesday 14 March 2018

Decision: application refused Tuesday 12 June 2018

Appeal lodged with Planning Inspectorate: 24 January 2019

Appeal decision 5 July 2019 – appeal allowed (but...*'I conclude that Condition 11 should not be removed, but should be varied to simply require that all windows on the front façade of the block fronting onto the High Street shall be non-openable only. I do not agree that Condition 2 should be varied and this element of the appeal fails'*)

Update from Enforcement Officer February, March, May 2020

26 June 2020 update from planning enforcement

19 October 2020 further verbal update

10 May 2021 Email sent on behalf of the Parish Council; officer response that this will be reported to Planning Committee –27 May 2021

### From Minutes of Swale Planning Committee 27 May 2021

22 URGENT ITEM - SCHEDULE OF DECISIONS 18/500767/FULL – Newington Working Men's Club (now known as Charlotte Court), High Street, Newington

The urgency of this item arose because one of the ward Members had asked for the application to be reported to the Planning Committee (as had Newington Parish Council) and it was felt that it was desirable for the matter to be resolved as soon as possible.

The Major Projects Officer introduced the report and explained that the windows to the front façade were not a non-openable type as required by condition (9) of the appeal decision. He also explained that a Breach of Condition Notice (requiring the windows on the front façade, facing the High Street, to be fixed shut) had been served and the developer had not complied with it. Officers had concluded that enforcement action was not necessary as Environmental Health officers had advised that noise issues alone did not justify formal enforcement action, and the Inspector dealing with the appeal against the refusal of 18/500767/FULL had concluded that there were no potential air quality issues.

The Chairman moved the officer recommendation to not pursue enforcement action for the non-compliance with condition (9) of the Inspector's decision for 18/500767/FULL and this was seconded by the Vice-Chairman.

A visiting Ward Member who had called-in the item, spoke in support of action against the developer. Members considered that action should be taken.

On being put to the vote the motion to not take action was lost.

Councillor James Hunt moved the following motion which was seconded by Councillor Cameron Beart:

That enforcement action be taken.

On being put to the vote the motion was agreed.

Resolved:

(1) That the developer be prosecuted for failure to comply with the Breach of Condition Notice served pursuant to condition (9) of 18/500767/FULL, pursuant to the provisions of Section 172 of the Town and Country Planning Act 1990, as amended, requiring compliance with condition (9) of the Inspector's decision for 18/500767/FULL.

(2) That the Head of Planning Services and Head of Legal Services be authorised to prepare and serve the necessary documentation, including the precise wording to give effect to this decision.

### Application: 19/502206/FULL 61 Playstool Road, Newington ME9 7NL

*Proposal:* Retrospective application for the erection of a first floor rear extension, loft extension and lean to roof at front and side of dwelling (resubmission of 18/502531/FULL).

Application received: Tuesday 30 April 2019

Application validated: Tuesday 25 June 2019

Status: Application refused Wednesday 14 August 2019

Application: 18/502531/FULL 61 Playstool Road, Newington ME9 7NL

Proposal: Erection of a first floor rear extension and loft extension with front dormer (Retrospective works to 16/503414/FULL).

Application received: Thursday 10 May 2018

Application validated: Tuesday 3 July 2018

Status: Application refused Wednesday 6 February 2019

23 July notification of revised details

Application: 18/502775/FULL 61 Playstool Road, Newington ME9 7NL

Proposal: Erection of a large shed at the end of rear garden (Retrospective)

Application received: Wednesday 23 May 2018

Application validated: Tuesday 12 June 2018

(NB Previous application withdrawn 15 May 2018)

Status: Application permitted 27 July 2018

Appeal notification 17 December 2019 PINS reference: APP/V2255/D/19/3240474

Start date 16 December 2019 – Written representations procedure

10 February 2020 –Appeal decision – appeal dismissed

21 May 2020 update from planning enforcement

Further verbal update October 2020

SBC Planning Committee 4 March 2021 Enforcement notice for demolition of the extension (within 12 months)

## *Not in Newington*

### Application: 21/501839/OUT Land Off Otterham Quay Lane Upchurch

Proposal: Outline application for up to 74no. dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point. (All matters reserved except for means of access).

Application received: Tuesday 6 April 2021

Application validated: Friday 16 April 2021

### Foxchurch, near Bobbing *(information only)*

Appin Land *'The team are now working to finalise the plans. Before submitting a planning application to Swale Borough Council, we want to hear your thoughts'* consultation events

Thursday 22 April, Friday 23 April

- 2,500 new homes, with a wide range of housing types to cater for Swale's various housing needs, including family homes, bungalows and policy compliant affordable housing
- A new pub and a local parade of shops: creating job opportunities and bringing improved choice for local people.
- A new three-form-entry primary school, health centre, village hall and cricket pitch
- Easy access to existing employment areas within Sittingbourne and Sheppey without causing further congestion of existing towns and villages.

### Application: 20/502218/OUT Home Farm, Breach Lane, Lower Halstow ME9 7DB

Proposal: Outline Application with all matters reserved for the proposed development of six houses and three bungalows.

Application received: Tuesday 26 May 2020

Application validated: Thursday 28 May 2020

Status: Awaiting decision

**Application: 17/505711/HYBRID Land at Wises Lane Borden Kent ME10 1GD**

Hybrid planning application with outline planning permission (all matters reserved except for access) sought for up to 595 dwellings including affordable housing; a two-form entry primary school with associated outdoor space and vehicle parking; local facilities comprising a Class A1 retail store of up to 480 sq m GIA and up to 560sqm GIA of "flexible use" floorspace that can be used for one or more of the following uses - A1 (retail), A2 (financial and professional services), A3 (restaurants and cafes), D1 (non-residential institutions); a rugby clubhouse / community building of up to 375 sq m GIA, three standard RFU sports pitches and associated vehicle parking; a link road between Borden Lane and Chestnut Street / A249; allotments; and formal and informal open space incorporating SuDS, new planting / landscaping and ecological enhancement works. Full planning permission is sought for the erection of 80 dwellings including affordable housing, open space, associated access / roads, vehicle parking, associated services, infrastructure, landscaping and associated SuDS.

For clarity - the total number of dwellings proposed across the site is up to 675 -

Public Planning Inquiry: November-December 2019

13 February 2020 notification that Inspector's report sent to Secretary of State for consideration Decision to be issued on or before 18 May 2020

Letter 18 May 2020 'regrettably, the Secretary of State will not be in a position to publish a decision by this date.'

29 April 2021 Secretary of State decision – appeal allowed; planning permission granted

**Application: 18/505060/ADJ (Alternative reference: 18/504836/EIOUT) Binbury Park, Detling Hill, Detling, Maidstone, Kent**

Proposal: Adjoining Authority Consultation from Maidstone Borough Council for Outline application (with all matters reserved apart from access) for the erection of up to 1,750 dwellings including affordable housing, 46,000 sq.m of commercial space, a hotel, a local centre, a new primary school, a park and ride facility, strategic highways improvements including new Kent Showground access/egress, accesses/roads including a new bridleway bridge, parking, associated open space, landscaping, services, and Sustainable Drainage Systems. In addition the proposals include a publicly-accessible country park including the Binbury Motte and Bailey Castle Scheduled Ancient Monument.

Application received: Friday 28 September 2018

Application validated: Friday 28 September 2018

Status: (SBC Response – No objections – 18 December 2018) awaiting decision

Stephen Harvey  
Chair of Newington Parish Council Planning Committee  
25 June 2021

***Appendix: Responses sent following 24 May Newington Parish Council Meeting***

**Application: 21/501252/FULL 8 School Lane Newington, ME9 7LB**

Proposal: Erection of a first floor front extension

Comments sent: Councillors have considered the proposal and object to the application due to the sensitive nature on the edge of the Conservation Area; being next to a listed building; and as the flat roof would be at odds with the street scene.

Application No.: 21/502170/FULL 19 The Willows, Newington ME9 7LS

Proposal: Demolition of existing garage and erection of a single storey side extension, replacement garage to the rear, and installation of a dropped kerb.

Comments sent: Councillors considered the application and noted the Parish Council has received representations from residents of The Willows on a number of occasions and asked that officers to take resident concerns seriously.

Application No: 21/502324/FULL 37 London Road, Newington ME9 7NS

Proposal: Conversion of existing detached two storey garage into a three bedroom dwelling together with a single storey extension (Revised scheme to 20/504132/FULL).

Comments sent: Councillors considered the application which is a revision to the one previously approved, and had no further comments to make.

Application No: 21/502424/FULL 56 Church Lane, Newington ME9 7JU

Proposal: Demolition of existing conservatory and erection of a single storey rear extension, single storey front extension to existing garage and new porch.

Comments sent: Councillors considered the application and had no comment to make, save a request that any comments by neighbours be taken into consideration..

Application No: 20/501475/FULL: Land To The Rear Of Eden Meadow, Newington ME9 7JH

Proposal: Erection of 20No. residential dwellings and associated car parking, hardstanding, landscaping and open spaces, infrastructure including SuDs and earthworks accessed from the existing junction serving Eden Meadow from the A2 High Street.

19 May 2021 from SBC: . Amended Plan and Additional information received 17/05/21

Amended Plan and Additional information received 23rd and 31st March 2021

Comments sent: Councillors considered the amended plan and additional information and agreed that there were no further comments to make further to its three previous comments on the site (on the planning portal dated 15 April 2020; 19 October 2020; 19 April 2021).

Application: 21/501740/FULL Land At Hill Farm, Rock Lane, Keycol Hill, Bobbing

Proposal: Erection of a nurse accommodation building, car park and outdoor event space for Demelza. Erection of 30 private residential dwellings, together with associated access, parking, highway works, drainage and landscaping

Comments sent:

Newington Parish Council objects to this application.

We believe there would be two serious and damaging effects on our village, and have one further query.

We restrict our comments to these three categories but note that, in addition, the application contravenes several of Swale Borough Council's planning policies

1 Traffic increase and the road network

This stretch of the A2 is an ancient and 'B' standard road which has an 'A' classification. The High Street in Newington, a conservation area, is the narrowest part of the whole road. Along some of the A2 either side of Newington the footpath alternates between sides of the road; for most of the length it is narrow. Most consider the road unsuitable for cyclists, due to heavy and HGV traffic on the narrow carriageways and the presence of traffic pollution. The proposed development seeks to increase the traffic.

The junction at Rooks View is currently responsible for holding up traffic at many times of day. An additional 30 homes would exacerbate this. Proposals for 'events' on the Demelza site which

will undoubtedly cause congestion. The Highways Agency requirement for an event management plan demonstrates this.

The Planning Portal has comments from Highways England but we are surprised that the conditions suggested are not the same as for a smaller application, currently awaiting decision, between Newington and Bobbing:

Application: 20/505059/FULL: Willow Trees, 111 High Street, Newington ME9 7JJ;  
Proposal: Demolition of existing chalet bungalow and erection of 20 dwellings (4 x two bedrooms and 14 x three-bedrooms and 2 x four-bedrooms) with associated access, parking, amenity and landscaping.

Highways England have commented:

Email on the MidKent Planning Portal:

Bown, Kevin Sent: 19 January 2021 13:30 To: Planning Comments ...FAO Case Officer Corinna Griffiths: Highways England response ...

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case, particularly the A249 and M2 Junction

We have reviewed the Transport Statement and are generally content with the trip generation / attraction and distribution analysis that indicates 4 AM peak and 2 PM peak hour trips will distribute towards the A249 Key Street roundabout. As a result we note the following

1. Although around 59% have been noted to travel East towards the A249, the impact at the M2 Junction 5 has not been considered. Highways England note that the number of dwellings proposed for this development and the related peak hour trips is relatively small; assuming that 100% of traffic proceeded to the M2 Junction 5 this would be approximately 6 trips across both peak periods.

However it is the cumulative impact of housing allocations agreed in Swales adopted Local Plan that is of concern. At this time there is no spare capacity at the M2 Junction 5 with committed development already considered and agreed. **Accordingly, any additional development would be likely to have detrimental impacts on the safe operation of the M2 Junction 5. It is therefore necessary, via the imposition of a condition, to ensure that there are no occupancies in this development prior to the completion of the junction improvements at M2 J5. It is also necessary, via the imposition of a Construction Management Plan condition to manage the development period to avoid unacceptable impacts on M2J5 and A249 Key Street junctions.**

## 2 Air Quality

We note with interest that the Lustre Consulting Report dated 17 March (placed on the Planning Portal on 30 March) is almost identical to the report produced for Application No:

20/501475/FULL: Land To The Rear Of Eden Meadow, Newington ME9 7JH . (Proposal: Erection of 20No. residential dwellings and associated car parking, hardstanding, landscaping and open spaces, infrastructure including SuDs and earthworks accessed from the existing junction serving Eden Meadow from the A2 High Street.

Amended Plan and Additional information received 23rd and 31st March 2021)

Our response to the Eden Meadow proposals therefore apply to the Land at Hill Farm Application:

Our understanding is that there are 10 diffusion tubes in Newington; from the Lustre report:

4.24 The following monitoring sites have been removed from the model verification process for the reasons provided: • SW45, SW37, SW38, SW36, SW78 – designated kerbside sites. LAQM guidance states that kerbside sites are generally not recommended for the adjustment of road traffic modelling results as the inclusion of these sites may lead to an over-adjustment of modelling at roadside sites. The exception is where kerbside sites are relevant for exposure, for example properties fronting directly onto the road. In that case, kerbside sites may be used in the model verification process.

- SW113 – located under a tree canopy. LAQM guidance recommends that diffusion tubes should be mounted greater than 10m from bushes or trees overhanging or surrounding the tube location.
- SW130 & SW131 – low data capture rate for 2019.
- DT15 – removed due to proximity to bus stop

the report says 5 are 'removed from the model verification'. These are

SW 24	64 High Street
SW 37	32 High Street
SW 38	15A High Street
SW 36	49 High Street
SW 78	55-57 High Street

In addition to this:

SW 130	31-33 Keycol Hill
SW 131	31-33 Keycol Hill (is this the same location as SW 130?)

And

DT 15	The White Horse in Rainham
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ie data from 5 of the 10 tubes in Newington is disregarded, yet the report is supposed to give a valid analysis.

MidKent Environmental Services has recently invested in a new monitoring station, capable of measuring PM<sub>2.5</sub> particles as well as NO<sub>2</sub>, within Newington. This surely shows that concerns about pollution in Newington remain. The Lustre '*assessment has not considered the impact on emissions of PM<sub>2.5</sub>*'

The 20 April 2020 Environmental Protection Report informed the intention for the ...

declaration of an AQMA in the Keycol Hill area in response to exceedances shown in 2019.

Therefore, I would recommend that a revised AQA is necessary to include 2019 data and the additional tubes to be included in the model. This is due to the significant air quality sensitivity that exists currently in the area and the need to address the worst case scenario.

Receptors that show moderate or substantial are R4; R5; R7; R14; R15. All receptors which show the highest impact on air quality are within the Newington AQMA.

There are therefore also concerns about air pollution to the east and west of this proposed development, currently in open countryside, with AQMAs 300 yards and 2 miles west and a new AQMA 1 mile to the east.

On 7 May 2020 Medway Council objected to the application for Eden Meadow and we believe the same comments would apply to Land at Hill Farm:

The air quality assessment submitted fails to demonstrate that the proposal would not have an unacceptable impact upon the Rainham Air Quality Management Area contrary to Policy BNE24 of the Medway Local Plan 2003 and the provisions of Paragraph 181 of the National Planning Policy Framework 2019.

This was modified in a December 2020 response.

It should be noted that Newington High Street was closed for six weeks in summer 2019 due to emergency gas works; it was closed again for 6 weeks from April 2020 for scheduled gas upgrading work. Since March 2020 traffic has been light due to Covid restrictions. This renders data over these periods as unreliable.

The proposal would be detrimental to the health of residents of Newington. The submitted reports do not adequately address the cumulative effect on air quality of 124 homes nearing completion at Watling Place, the existing 9 Homes in Eden Meadow, and now the proposed 20 additional homes. One of the two reasons why the Pond Farm appeal was refused after the Planning Inquiry in November 2016

See Pond Farm Inquiry - Appeal decision date 9 January 2016 Appeal Ref:

APP/V2255/W/15/3067553 and APP/V2255/W/16/3148140 (subsequently upheld by the High Court and Court of Appeal):

'even after taking into account the proposed mitigation measures, the appeal proposals would have an adverse effect in air quality, particularly in the Newington and Rainham AQMAs (proposals conflict with NPPF paragraphs 120 and 124)'

The Court of Appeal decision [EWHC 2768 (Admin)] 12 September 2019 (between Gladman Developments and Secretary of State for Communities and Local Government, Swale Borough Council & CPRE Kent

71. It was not unreasonable to think that the section 106 obligations represented the basis on which he was being invited to conclude that the financial contributions and proposed mitigation measures were adequate and would be effective. His conclusions show very clearly that he was unconvinced by both parts of the mitigation strategy – the financial contributions and the mitigation measures themselves.

77.... As Dr Bowes submitted, an essential purpose of the air quality action plans was to improve air quality in the Air Quality Management Areas, which, as the air quality action plan for Newington made quite clear, might require planning permission to be refused where effective mitigation could not be secured. Proposed development such as this, judged likely to worsen air quality in a material way because the proposed mitigation had not been shown to be effective, was inevitably inconsistent with the air quality action plans.

The Lustre report does not demonstrate how its proposed contribution would mitigate against the likely harm to human health through increased pollution.

The Planning Portal has the 20 April comments from the air Quality Project Officer at MKIP Environmental Health Services. As the data and analysis are the same in the Bobbing and Newington reports it follows that the Officer comments must apply equally.

Comments and recommendations: The adjustment used in the AQA uses the correct method from LAQM Defra Guidance and is acceptable. However, the below sites should have been included in the modelled assessment.....LAQM NO2 tube sites used These sites below should have been included in the model as they are all roadside not kerbside. • SW45 distance from the kerb is 1.2m ROADSIDE • SW27 distance from the kerb 1.85m ROADSIDE • SW38 distance from the kerb 2.4m ROADSIDE • SW36 distance from the kerb 3.00m ROADSIDE • SW78 distance from the kerb 2.20m ROADSIDE For the site classification from TG16: Roadside: A site sampling typically within one to five meters of the kerb of a busy road (although distance can be up to 15m from the kerb in some cases) Kerbside: A site sampling within one metre of the kerb of a busy road. SW131 and 130 – has 6 months worth of data and the reasoning as to why SW113 is not included, is expectable reasoning.

The mitigation proposed in the Lustre Report is:

6.12 The total damage cost is £5,627 over five years from 2019. This is an estimate of the costs to society due to the impact of increases in emissions associated with the proposed development. As defined by the IAQM/EPUK guidance<sup>18</sup> the damage cost relates to the value of mitigation that should be applied, preferably on-site.

Accompanied by the customary litany of welcome packs and electric vehicle charging provision

This does nothing to prevent damage to the health of Newington residents and pedestrians in the High Street or along the length of the A2.

There is no acknowledgment of the aggregated effect of cumulative development: 124 homes being completed in the Persimmon development; applications for 20 homes at Eden Meadow; for 20 homes at 111 High Street; planned and potential developments in Rainham; potential developments in Bobbing, for 2,500 homes; 675 homes in Borden – etc.

The Officer comments on the Lustre report for Eden Meadow ends:

Summary of concerns: 12. An effective scheme of mitigation needs to be provided for the operational phase which goes beyond the value of the damage cost, taking into account the cumulative impacts in the area.

### 3 A further comment on this revised proposal

The original application for 20 homes and a 3 unit accommodation building was permitted in November 2018. In March 2018 Newington Parish Council received an email from Esquire Developments ...

‘I also wish to let you know that we will also be seeking an amendment to the existing planning application (as detailed in the letter), in order to be able to deliver the scheme for Demelza – which has unfortunately stalled since 2018.’

We are unable to understand why 10 additional homes are needed in order to make the scheme financially viable.

The nurses accommodation resembles a substantial health centre; surely one standard house would suffice - at much reduced cost. Elsewhere similar accommodation is built in a customised pair of semi-detached houses that blend with the streetscene. We also understand there would be adequate space in the land owned by Demelza and, if built here, costs could be reduced substantially.

We note, with scepticism that – as well as the 10 additional homes – Esquire Developments seek exemption from making S106 payments.

Financial Viability Statement

8.1.6 In conclusion it is evident that 30 are a minimum number of units required to proceed with the development. ...The appraisal also clearly illustrates that no additional affordable or section 106 payment can be made.

It is hard to see this as anything other than commercial greed yet with an outward show of apparent social conscience in order to apply a form of moral blackmail to reduce opposition to the proposals..

Stephen Harvey  
Chair of Newington Parish Council Planning Committee  
25 June 2021