

# LYNSTED with KINGSDOWN PARISH COUNCIL

11 November 2021

Planning Policy  
Swale Borough Council  
Swale House  
East Street  
Sittingbourne  
ME10 3HT



Dear Sirs

## **Lynsted with Kingsdown Parish Council response to Swale Borough Local Plan October 2021: Issues and Preferred Options (Reg 18)**

This Regulation 18 “Issues and Preferred Options” document is a mountain of dense and technical language, posing 42 overlapping questions that make it very difficult to comprehend. This complexity makes it unlikely that engagement will take place on a truly democratic basis in the limited time of four weeks imposed by Swale Borough Council (SBC).

We have serious concerns about the manner in which the general public has been informed about the purpose and contents of this consultation. There has been no guidance on key concepts and SBC’s preferred direction of travel under the broad headings. Notifications have not been sent to all Swale households and have been restricted to those on SBC’s planning database. No public events or exhibitions are being initiated by SBC to stimulate engagement, thought and understanding. During the Reg 19 process, this was not possible because of the Covid lockdown but these restrictions no longer apply.

Specifically, this Parish Council requested that exhibitions/displays be organised by SBC with large maps at a scale whereby residents could see the geography of areas proposed for development in order to view the different options in the context of existing housing, services, transport provision etc. We also requested greater clarity on the maps contained within the Reg 18 document in terms of scale and distribution of developments. Both requests were deemed not possible.

This Parish Council was amongst many who argued that a second Reg 18 consultation should have been conducted in the early part of this year. Instead, SBC proceeded to Reg 19 and have now been obliged to take a step back. Public declarations that the Reg 19 document was ‘sound’ contradict the Council’s decision to abandon Reg 19 rather than meet the recent NPPF changes through a Major Modification of the existing draft plan. If SBC were confident, the MM would have added only six weeks to a timetable that must now stretch into 2022. Also, it is far from clear what evidence SBC is using to introduce Covid-19 as a planning matter when so much is unknown about the impact on working patterns.

The new Reg 18 documentation does not adequately reflect the strength of opposition to the 'spatial strategy' promoted by the Reg 19 document for the A2 between Ospringe and Newington.

The reality is that the Reg 19 draft Local Plan was not 'sound'. This Parish Council objected to the Reg 19 document as a whole because it was based on a flawed and inappropriate growth strategy which was unjustified, not supported by evidence, predicated on an unlawful use of Supplementary Planning Guidance to allocate development, and mutually inconsistent with the Plan's own settlement hierarchy and other policies within the plan.

It was not informed by a sustainability appraisal that met the relevant legal requirements and would not be effective, because the growth strategy selected - which included the 'Teynham Area of Opportunity' - was not deliverable.

It had also not been consulted upon in accordance with the legal and procedural requirements set out in the Local Plan Regulations.

This has wasted a considerable amount of ratepayers' money. We understand the sum to be £620,000. It has also delayed the entire process and the resulting compressed timetable means that corners are now being cut.

We do not consider that SBC's summary of Reg 19 feedback adequately reflects the strength of feeling against the draft Local Plan in general, and the Teynham Area of Opportunity (TAO) in particular. In total 226 people commented on TAO, making 734 individual comments. This means over 30% of ALL the comments across the entire Borough related to plans for Teynham and Lynsted. Of these, 93% were clearly opposed to TAO. Yet there is no mention of this in the "what you've told us so far" sections.

We now respond to some of the questions in the Reg 18 document.

### **Question 1**

On the face of it, this is a question about Strategic Developments ("Garden Communities") and whether they require thirty-year plans for their delivery.

NPPF Paragraph 22 states: *"Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery"*. (See also Cabinet Brief para 2.4 and 6.1)

Paragraph 5.1.85 of the Reg 18 document states (when discussing Option 5): *"Given market conditions, it is likely that at best only two strategic development sites could be delivered, one in the east and one in the west of the borough should the council consider this an appropriate approach to meeting development needs."*

NPPF Paragraph 22 does not define 'larger scale', which could be interpreted to include an Area of Opportunity based around Teynham and Lynsted with Kingsdown Parishes, because it shares ambitions for a 'Masterplan-led' approach. This places Teynham/Lynsted in a category that SBC argues at para 5.1.85 is not suitable except to the West and East ends of the Borough.

On this basis SBC should specifically rule out a Masterplan-led Area of Opportunity in Teynham and Lynsted, in order to avoid confusion or conflict with the much larger (but equally Masterplan-led) 'Strategic Policies' of Garden Communities.

## **Question 2**

This asks for comments on the 'Interim Sustainability Appraisal'. Asking for views on incomplete evidence (the same argument holds for the totally absent Traffic Modelling) must bring into question any public responses to Reg 18. SBC is at risk of building the Reg 19 document on missing evidence and flawed understanding by Residents. We have asked SBC's cabinet member for planning when the traffic modelling would be available. We were informed that such modelling is "not relevant" to a Reg 18 consultation. What are the reassurances that the evidence-base will be complete when the next Reg 19 comes forward? Key evidence was conspicuous by its absence at the last Reg 19.

## **Question 3**

One of the key issues and challenges is identified as "*responding to the longer-term economic impacts brought about by the Covid-19 pandemic*" and indeed this was cited as one of two main reasons for reverting to Reg 18. Yet there is little in this document that addresses the challenges of the post Covid era. Two potential outcomes are increased incidence of home working and home shopping. No consideration is given to converting empty office, retail and commercial space into residential housing. That approach would benefit from building on brownfield sites and town centre regeneration as opposed to agricultural land.

An approach we would have welcomed is for SBC to enhance the natural world (biodiversity) by championing new broadleaf native woodland planting. A hedge restoration partnership with landowners in line with central government policies would lift us out of the 0-9% tree canopy category. The Forestry Commission identifies the spaces around Sittingbourne and Faversham as Priority Places for England (PPE). Teynham/Bapchild could provide the legitimate focus for 'greening' the hinterland to the benefit of both major urban centres on the mainland. We welcome the focus in the revised NPPF on tree-lined avenues within urban development. This is also consistent with SBC signing up to the 'Climate Emergency'.

#### **Question 4**

SBC's Vision states: *"At Faversham, a thriving market town and heritage destination that has successfully managed 21st century demands. It has been achieved by enabling sympathetic and symbiotic growth whilst reducing congestion and air quality issues along the A2 over the period to 2038 and beyond."*

The claims regarding progress on congestion and pollution are not supported by the evidence base. SBC relies on flawed and incomplete data that promises increased harms and no protection into the future. Continuous monitoring (NO<sub>2</sub>, PM<sub>2.5</sub> and PM<sub>10</sub>) is the only way to detect "exceedances" in one hour, one day and 12 months. SBC demonstrates lack of responsibility when it comes to measuring and responding to the harms experienced along the A2. Flawed reliance on "dispersion tubes" on the Teynham/Lynsted border is likely to condemn residents to continuing harms from pollution, vibration, and noise.

SBC asserts in the Reg 18 document as fact that their 'evidence' proves that all the housing proposed through the Local Plan will have a negligible impact on pollution and congestion across Swale Borough. What SBC is failing to explain to residents is that pollution is being averaged across the whole Borough. This is simply not the 'real world'. People living and working along the A2 London Road suffer from being adjacent to the sources of pollution and its recirculation.

SBC's misdirection on pollution is laid bare in Para 3.1.3 that admits under a table of Weaknesses *"increasing congestion and air quality problems, limited provision and low usage of public transport."*

Threats include *"Lower Thames Crossing: potential increased traffic through Swale which could impact on transport capacity and air quality"*.

Para 3.2.1 includes, as one of the key issues and challenges: *"Embedding sustainable and active travel options and behaviour into our existing and new developments to improve air quality, reduce traffic accidents, reduce congestion and improve the health and wellbeing of residents."* SBC has failed to make the case that 'active travel' is realistically achievable for the communities along the A2.

#### **Question 5**

We object to the underlying assumptions of Objectives 4 and 6 as being fundamentally flawed.

Draft objective 4 argues: *"To locate development in the least constrained parts of the borough in reasonable proximity to transport hubs"*. Where this refers to development at Teynham/Lynsted, SBC seems to think that a railway track and busy/congested roads define sustainable "transport hubs". The reality is that people drive to the mainstays of transport (Faversham/Sittingbourne) for convenience, security, access to shops and services on the way to/from home. There are no funds for improving the A2 (which is NOT a Trunk Road) and the railway service from Teynham is at its operational capacity. Trains to London only run once an hour on the slow service and there is very limited parking at Teynham station.

Draft objective 6 references 'active travel' which, realistically, is an 'urban' objective - Teynham station would not be easily accessible by foot from the likely locations of new housing and the A2 London Road as well as many local lanes are far too dangerous for cycling.

### **Question 6**

Urgent clarification should be sought following the Prime Minister's speech at the Conservative Party Conference in which he referred to future homes not being built on 'green fields'. The Government's Standard Method for calculating Swale's housing need figure is incompatible with this stated aim. It would be possible to build 300,000 houses on brownfield sites in the North and Midlands, but not in the South-East. Potentially, this means that the target for new homes in Swale will be adjusted.

The Secretary of State for Levelling Up, Housing and Communities, addressing the housing, communities and local government select committee, said that he was looking at how housing need is calculated, amid fears it is based on out-of-date assumptions. This is in response to warnings from MPs about the impact of large-scale housing targets on communities where there is not enough infrastructure or land to cope. The SoS also reiterated that local authorities can push back against central targets.

A letter received from the department previously known as The Ministry of Housing, Communities and Local Government dated 28 May 2021 states: *"The Government does not set housing targets. The standard method is only the starting point for local authorities in identifying the housing need in a local area. It is for local authorities to determine whether this figure can be delivered. In doing so, they should take into account their particular local circumstances, including land supply considerations and relevant constraints, before determining the number of homes likely to be built in the area. This recognises that, where available land is constrained, an area may need to plan for fewer new homes, or seek opportunities in neighbouring areas"*.

SBC should assess housing numbers against deliverability, and then make the case for lower numbers.

SBC should also assess numbers against genuine local need. There is real concern that houses are being built either for occupancy by people living outside the Borough or as investment opportunities for property speculators based as far afield as China.

SBC consistently states its resistance to over-development, blaming Government-imposed targets. This would seem to be the perfect opportunity to challenge those targets. SBC should seek an assurance that if the Local Plan is amended to release no greenfield sites, it will be legal and compliant under the indicated new planning proposals.

At least six local authorities including Welwyn Hatfield Borough Council, West Berkshire Council and Arun District Council have suspended progress on their Local Plan because of imminent change.

Any reduction in required housing numbers for Kent would alter the spatial strategy for Swale. What plans are in place to respond to such major changes without demanding another Reg 18 process at ratepayers' expense?

The worst outcome would be for a disastrous Local Plan to be adopted in a hurry, only for non-retrospective legislation to be introduced banning construction on green spaces.

In the meantime, speculative applications 'called in' by the Secretary of State are unlikely to be approved as this would be political suicide after the conference speech. Therefore, we believe all major housing applications and plans should be paused.

We observe a lack of vision and strategic thinking from SBC. Ashford Borough Council, for example, has recently launched a land mapping commission to identify locations for housing development. They state that the creation of two or three garden cities with several thousand homes in each, accompanied by the necessary infrastructure and employment opportunities, perhaps in the Midlands and the North of England, would contribute greatly to the nation's housing need and ease the serious growing pressure on many districts in the south.

The stated aim of the commission is to protect the countryside and avoid rural and urban sprawl across Ashford. They say this will assist the council to live up to their declared ambition of being a green pioneer and an example to government and others by showing just what can be achieved, by adopting a collegiate, and forward-thinking approach.

Why can SBC not launch a similar enlightened initiative, or even work together with Ashford? A joint Borough approach would surely be even more powerful?

The number of houses needed between the start of the plan period and 2038 is also highly confusing. The table below at para 5.1.16 shows both the number of dwellings required and how many dwellings are already planned for and expected to be delivered:

### Residual Housing Requirement

5.1.16 The table below shows both the number of dwellings required and how many dwellings already planned for and committed are expected to be delivered between the start of the plan period and 2038.

Residual Housing Requirement	
Housing requirement (1,048 dwellings per annum)	16,768
Housing supply	
• Commitments (large and small sites with planning permission and yet to start or under construction as at 1 April 2021)	5,087
• Allocations rolled forward from Bearing Fruits	2,968
• Allocations to be made through Neighbourhood Plans <sup>(1)</sup>	210
• Windfall allowance (250 dwellings per annum over 11 years)	2,750
Housing supply sub-total	11,015
Residual housing requirement to be found	5,753

1. Faversham Neighbourhood Plan and Boughton and Dunkirk Neighbourhood Plan

5.1.17 This shows that the Local Plan will need to allocate sufficient sites to deliver at least 5,753 dwellings over the plan period to deliver the housing requirement.

However, at a meeting with Parish Councils the Cabinet Member for Planning provided these numbers:

Mike Baldock

15:35

Basically the calculations are as follows:

The number of housing units in Bearing Fruits for the period 2014-2022 is 6208.

The number needed for the review 2022-2037 is 16608

This gives a total demand for the entire period 2014 to 2037 of 22816, of which 13192 was contained within Bearing Fruits.

**22816-13192** leaves 9624 to be allocated.

A 5% buffer on this figure would take us to 10,105

Para 5.1.17 states that “the Local Plan will need to allocate sufficient sites to deliver at least 5,753 dwellings over the plan period to deliver the housing requirement”. However, SBC are separately stating that they intend to build 10,105 new houses.

A 5% buffer is also added to the Reg 18 figure of 5,753 dwellings, resulting in a total of 6,100 residual housing requirement to be found.

The figures from the Cabinet Member for Planning therefore indicate a 66% increase on the numbers in the Reg 18 document. We are unclear why this is the case.

**Furthermore**, the latest data from the Office for National Statistics show the population for Swale in 2021 as 153,596. The estimate for 2038 is 172,878 – an increase of 19,282 people.

The ‘housing requirement’ to 2038 in the Reg 18 document is 16,768 new dwellings. That would suggest an occupancy level per dwelling of 1.15 people.

According to the Office for National Statistics, the average household size in England in 2038 is forecast to be 2.28 people – almost exactly double.

A population growth of 19,282 would therefore require 8,457 new dwellings. The Reg 18 document states a housing requirement between the start of the plan period and 2038 of 16,768 new dwellings. That is DOUBLE the number of dwellings needed to accommodate local population growth. We urge SBC to challenge these numbers with Central Government.

Note: the 2018-based ONS data do not take into account the effect of Brexit, which has resulted in over a million fewer EU nationals living in the UK – a significant proportion of whom previously resided in the South-East.

We also urge SBC to develop cross-border working relationships with neighbouring local authorities. If all or most of the 12 planning authorities in Kent, plus Medway, were to reject the central targets, the Government would find it impossible to take over the allocations themselves.

### **Question 7**

We would be in favour of any strategy that relieves pressure on this highly constrained Borough. If asked by a neighbouring council to meet their unmet development needs, the answer should be a categoric ‘no’. Our constraints are such that we cannot even meet our own needs without the destruction of the Garden of England.

### **Question 10**

We will respond to this question with specific reference to Teynham being viewed by SBC as a ‘thriving village’ under the ‘Settlement Hierarchy’ of 2020. The table attached at Appendix 1 lists diminishing services/assets over twenty years which has brought Teynham’s status as a ‘service centre’ into question. New housing has no prospect of improving that position through social engineering.

Dumping housing in some forlorn hope that urban services will be duplicated or enhanced in villages is tendentious. For example, Health Commissioners (with reference to the Love Lane



development in Faversham) have already said health centres in towns are the way forward - so when Teynham loses its last GP, its status drops further.

Building in Teynham is a strategy for building for cars. Asserting a link between the label of 'thriving' and new housing is a misdirection away from a rational/strategic approach to determining development. The dubious label of 'thriving' villages is not an argument for changing them through out of scale developments. It threatens the heritage value of villages that have evolved in harmony with their environment. SBC seems determined to adopt a 'numbers game' based on an indefensible 'fairness' policy. This lacks analysis and strategic appreciation of how the needs of the borough are best served. These homes would be isolated from the most stable and diverse mainstays of our Borough.

As has been stated by KCC and CPRE, Teynham is just about the worst possible place in Swale for investing in more housing.

We therefore reject the premise of this question.

### **Questions 11-20**

Our over-arching response to these paragraphs is as follows:

Before you can engage with the 'five options', you must digest more than 3,000 words across 86 paragraphs, one major table (policy items), a smaller table (assumed or argued distribution of housing), unhelpful maps and dense technical narrative. Regarding the maps, it is impossible to work out what each of the five options means on the ground. We appreciate they are not allocations, but more indication of parcels of land is needed. It cannot be worked out from the percentages. In option three, for example, it is totally unclear where 10.5% 'rural areas' would be located. It would not have been necessary to commit to a number/allocation when outlining the parcels of land associated with each option.

With the maps as they currently are, it is impossible for parish councils and residents to work out what they are reviewing and how each might impact their communities. It should have been possible to give a sense of scale and distribution of SHLAA and 'strategic developments' even without attaching precise quantum on housing/commerce/services. A single red drawing pin is quite simply inadequate.

All this without any guidance from SBC or adequate notice to anyone who is not already engaged in the process.

Understanding the complex implications of the 'five options' is key to a comprehension of what SBC is promoting as their preferred Option 3. However this could be viewed as a distraction from an economically sustainable Option "6" – namely to build, enhance and reinforce the Sittingbourne, Bobbing and Iwade axis to meet the future needs of the Borough.

Added to that would be Building Better for Sheppey housing stock and resources – and promoting the attractions of their nature reserves, access to beaches/holiday etc. SBC argue that

Option 5 can only be delivered through the two Sites to the West and East of the Borough. Furthermore, SBC leaves unexplained how Option 5 automatically translates into an uplift of housing to villages from 10.5% + 17.5% windfall to 29.5% + 17.5% windfall.

We note that Para 5.1.31 claims to summarise the responses on development strategy options to the Reg 19 process in just six bullet points. We question the extent to which the Reg 18 document has been drawn up in genuine response to the Reg 19 feedback.

Sittingbourne is the economic hub of the Borough and needs serious investment and the bulk of housing to achieve critical mass for wider business opportunities and service providers of the Borough. Sittingbourne needs to see greater building capacity via a wider road between the existing industrial/commercial north-edge of the town and the A249 where road investment is being made and planned for. A strategy of 'fairer' distribution across the Borough is not in itself a justification for placing housing elsewhere.

A focus on Bobbing/Iwade would also develop a key attractive/premium community development opportunity, strengthening the Sittingbourne and Swale 'offer' to investors, commuters, and delivery of active travel.

Across this whole Section (Q11-20), SBC dismisses the work already undertaken under Reg 19. In total 226 people commented on the Teynham Area of Opportunity (TAO), making 734 individual comments. That means over 30% of ALL the comments across the entire Borough related to Lynsted and Teynham. Of these respondents, 93% were clearly opposed to the TAO. Four per cent were neutral, and just three per cent supported it (mainly those with vested interests). This was a far higher level of objection than was expressed to the garden villages idea in Bearing Fruits, and yet that idea was scrapped by the SBC administration because of residents' objections.

We are therefore alarmed to note that four of the Reg 18 options, including the preferred option, appear to include additional housing in Teynham/Lynsted despite the overwhelming opposition. Teynham/Lynsted, along with Bapchild and Ospringe, have already borne significant and disproportionate burden of housing with the impossibility of mitigation of pollution and congestion.

On 18 October 2021, a meeting was held between the Teynham & Lynsted Ward Councillors and the Cabinet Member for Planning, the Chief Executive and the Director of Regeneration at SBC. The Cabinet Member made it very clear that if Teynham and Lynsted do not want a bypass then there is no need to include a Teynham Area of Opportunity in the local plan. The only reason for having it in there is to pay for the bypass.

The residents of Teynham and Lynsted have already made it abundantly clear that they do not want a bypass. A survey carried out in March 2021 by this Parish Council attracted 261 respondents. Over 95% of residents in Lynsted disagreed with SBC's proposal in the draft Reg 19 plan to build a bypass in their parish – with 89% saying they *strongly* disagree. See Appendix 2.

A more recent poll (October 2021) carried out on Facebook by our Ward Councillors showed (at the time of writing) 146 residents of Teynham and Lynsted opposed to a bypass, with just 10 in favour. An almost identical level of objection at nearly 94%.

In the evidential table on page 49, the Air Quality section is misleading to residents. There is no justification for assumptions that the 776-1054 new homes each year will have no material impact on 'air quality' without, at the same time, making clear this is untrue for AQMAs - where 'exceedances' WILL continue to rise. SBC appears to be generalising about impact averaged across the geography of the Borough. They do not reference the adverse impact on AQMAs under this Question. The reality is that the housing is 'local' and the impacts of traffic are local - harms are narrowly focussed along and close to lanes and roads where people live and work. It is wrong to suggest, as they do here, that there is potential for mitigation that solves the pollution levels in the real world.

This Reg 18 document fails to consider an option around Sittingbourne/Bobbing to help the Borough compete for national resources and attract investment based on availability of housing stock, commercial centres/suppliers/distribution, strategic planning for 'active travel' and access to major road networks. Work on the A249 is underway to improve the connection between Sheerness, Sittingbourne, Maidstone, London (M2) and Canterbury (M2).

#### **Question 24**

The five options pre-empt a more strategic approach to promote the economic hub, employment centre, transport rich, services flexing Sittingbourne together with the ambitious but accessible Strategic Planning Bobbing New Community. References to 'fair' and 'more balanced' are value judgments that excuse a lack of strategic thinking. What exactly is being balanced? There is no doubt that Sittingbourne is and should be the engine for growth and wealth creation. Not only because of its existing infrastructure, but because of its accessibility both to the Trunk Road systems and motorways as well as to the Isle of Sheppey. The balance of evidence, even with an interim Sustainability Appraisal, does not make the case for Option 3. The handling of the 'five options' appears to us to be tactical, rather than analytical or strategic.

#### **Question 25**

Looking specifically at Teynham, which is singled out at paragraph 5.1.97, we are highly disappointed to note that development continues to be proposed in what is erroneously described as a 'rural service centre'. The 'Teynham Area of Opportunity' (TAO) first raised in Reg 19 remains in SBC's thinking despite overwhelming opposition. The only 'concession' appears to be an option to allocate specific sites rather than identify an 'Area of Opportunity' via a 'Masterplan'. We are sceptical of the promise of *'significant input from and engagement with local communities'* given SBC's lack of genuine engagement in the Local Plan process thus far.

Areas of Opportunity are indistinguishable from 'Strategic Development Sites' (Garden Communities) as to scale, scope and nature. SBC have themselves argued in the context of

Strategic Development that the only place for such approaches is to the east and west of the Borough, focused around Sittingbourne/Bobbing/Iwade and Faversham.

The 'out of scale' nature of expanding the already out of scale developments in Teynham and Bapchild (as well as other rural villages) is completely unacceptable to local residents. The proposed use of a Masterplan-led strategy continues to be completely ill-suited and damaging to the area. The focus should be on preserving the identity of rural villages and their rich formal Heritage value. The presence of AQMAs along this section of the A2 further argues against any form of TAO.

The Reg 19 Plan stated (at 5.5.37) that *"Important Local Countryside Gaps" ("ILCGs") have been identified between Teynham and Bapchild to the west and between Teynham and Lynsted to the south due to the role these areas play in providing a sense of separation between the villages, to safeguard the open and undeveloped character of the land and to prevent coalescence. These are shown in Policy DM 27."* Policy DM27 stated that to retain the individual character and setting of settlements: *"Within these gaps, unless allocated for development by the Local Plan, planning permission will not be granted for development that would undermine one or more of their purposes"*. However, housing allocations in this area would result in precisely the sort of coalescence that Policy DM27 was intended to prevent.

**Air Quality** The strip of the A2 London Road that forms the border between Lynsted and Teynham Parishes falls within an Air Quality Management Area, that has been in place since 2016 - the Teynham AQMA No.5 ("AQMA5"). It sits between two other AQMAs – AQMA 3 and 6 – along the same road. The A2 London Road is the main link between Faversham and Sittingbourne, the two nearest and biggest commuter and shopping centres. Given the apparent location of housing in options 1-4 (including the preferred option 3) it is highly likely that the residents of any substantial new housing development would depend heavily on cars, particularly in view of inadequate local rail and bus services. In turn, the ease of commuting via the A2 onto the M2 and into London, and to the local commuter rail stations and centres of Faversham and Sittingbourne, would inevitably lead to an increase in road traffic congestion and an inevitable increase in air pollution within areas already recognised to be problematic.

Air quality is a very real and very public concern, and it does not appear that the Council has properly assessed the potential harms from poor air quality within the locality and beyond. The Parish Council is of the view that the Council's data on air quality is unreliable. There is a failure to measure Particulate Matter ("PM") in AQMA5. The Council uses diffusion tubes to measure NO<sub>2</sub> within AQMA5 and 3. Only a single tube is used in AQMA5 – raising doubts as to the accuracy of data being obtained. Greater accuracy can be obtained through the use of multiple tubes. SBC has so far avoided continuous monitoring in all AQMAs across all the sources of harm to our residents from the whole mix of pollution emphasised by WHO and central government.

At best, diffusion tubes only measure the monthly NO<sub>2</sub> pollution to determine an annual mean pollution figure. AQMA6 has the ability to be continually monitored. However, there are proposals to move the monitoring site in AQMA6 to a more optimal and representative site. As such the historic (and current) data from AQMA6 (although continually monitored) will be disrupted and inaccurate.

The Parish Council also understands that SBC has never engaged with accurate and adequate monitoring of PM2.5, which remains suspended in the air and recirculated for longer and ultimately transported further than most other harmful particulates. PM2.5 is recognised widely as one of the most harmful pollutants and will rise with increased traffic within the locality as “Bearing Fruits” allocations work through the system (and certainly significantly if any new housing is built in the area).

Due to insufficient and inaccurate monitoring methods, the data that is available to SBC is insufficient to provide a robust evidence base to consider the very real impact that development along the A2 London Road in Teynham/Lynsted presents to air quality.

CPRE, KCC and Mid Kent Environmental Health frequently raise concerns about air quality within the local area in response to planning applications, so the Council is well aware of the impact smaller scale (albeit some for over 80 houses) developments potentially have on local air quality. It is surprising, therefore, that the Council appears to have produced or commissioned very little evidence by way of air quality studies in order to justify additional housing in Teynham/Lynsted as a sustainable option.

Whilst progress is clearly being made in respect of NO2 levels within the AQMAs and nationally, increased housing between Faversham and Sittingbourne would pose a real set-back and possible further, greater, exceedance of NO2 levels within the local area. Potentially there will be a need to declare further AQMAs.

Poor air quality within the locality is inextricably linked to traffic issues. Paragraph 181 of the NPPF is very clear about the way in which SBC should be taking into account AQMAs and the cumulative impact from individual sites and looking to improve air quality. It is not clear that this has been addressed by the Council.

**Traffic** What is clear, however, is that any substantial housebuilding in Teynham/Lynsted adjacent to the A2 London Road would require a bypass through Lynsted. We would draw your attention to KCC’s submission in response to the PSD at Reg 19. We note it raised the concern that in respect of the proposed link road to the South of Teynham:

*“...no details have been provided within the consultation as to its location. The Local Plan Review consultation is also not presenting any evidence as to how this would affect the traffic along the A2. The existing Air Quality Management Area (AQMA) in the centre of the village, and past modelling evidence presented to the Local Plan Panel and within planning applications, clearly demonstrate substantial traffic related concerns regarding air quality, safety and congestion both on the A2 and for the Station Road and Lynsted Lane junctions.*

*Whilst there is no evidence presented to support the proposal, it can reasonably be assumed that a link road for through traffic would facilitate increased flows of vehicular traffic along the A2 corridor. In turn, this would be expected to have considerable detrimental impacts of congestion and poor air quality particularly for the communities of Bapchild and Ospringe, two of the A2’s other AQMAs. The evidence presented in the submitted Air Quality document demonstrates that the AQMAs with the most detrimental impact for both NO2 and PM10 are at Ospringe, Teynham and East Street. The air quality modelling report uses the 1054 transport model that would appear to have considerably less housing allocated in the village of Teynham than is proposed within this Regulation 19 consultation. As*

*such, it can only be assumed that the air quality data is not providing a true reflection of the traffic related air quality levels for the strategic housing strategy proposed.*

*The proposals in this chapter appear to promote private vehicular use and overall, are in contrast to policies ST 7, 4 and 9 in respect of promoting active travel, public transport and addressing air quality concerns.”*

Traffic counts based on Teynham alone demonstrate an average of around 14,000 vehicles in 2019 passing through the area (largely thanks to the A2) per day. This is estimated to grow to 19,000+. The appeal of using private motor vehicles to commute via the A2 is of concern in respect of residential development within the area. This does not appear to have been sufficiently considered by the Council.

Traffic can become easily and quickly congested through the existing infrastructure within the area. The narrow lanes can be easily blocked with traffic due to parked cars, deliveries, bus stops, HGVs, cyclists (often using pavements as a result) and agricultural vehicles, as well as the effects of junctions on slowing down traffic and traffic lights and pedestrian crossings. Further, being so close to the M2, accidents and maintenance works can lead to all sizes of vehicles diverting along the A2 causing serious episodes in congestion, noise and air pollution. Seasonal agricultural vehicles (harvesters, tractors and trailers) also have detrimental effects on traffic flow.

Barrow Green Farm in Teynham is promoted by KCC for the extraction of brickearth. In 2012, KCC consulted on minerals and waste sites and identified a 25 year supply of brickearth at Barrow Farm. The sustainability appraisal provided in respect of Barrow Green Farm as part of that consultation sets out that: *“This site is proposed for brickearth extraction and will be restored to agricultural use. The mineral would be transported by lorry via the A2 to its end use location. Approximately 200 daily lorry movements are proposed and their impact on nearby residential properties will need to be considered...”*

It should, of course, be noted that traffic flow can have a further adverse effect on air quality. Slow moving traffic burns fuel for longer and with less efficiency. Particles of rubber and brake pads and discs are released through repeated braking and with wear over tarmac. The most harmful components are PM2.5 friction particles that are readily recirculated and captured in narrowly built ‘canyons’ within the TAO along the A2. The Council’s lack of analysis of this particulate are discussed earlier in this representation.

We note below the response from KCC to the Reg 19 consultation which needs to be borne in mind when considering housing development on the Teynham/Lynsted border. They state concern *“that the consultation is missing critical highway evidence to justify the Local Plan strategy and as a consequence the Local Plan is currently supported by an inaccurate evidence base. There are fundamental changes from the modelling used as evidence for the Local Plan and the housing proposals within this regulation 19 consultation. Specifically, the housing numbers are higher in the Teynham area, greater levels of employment land and a reliance on a design solution for Brenley Corner that cannot at this stage be relied upon. The County Council, as Local Highway Authority, requires further supporting transport modelling that accurately reflects the proposed housing and employment strategy as presented before it can make a fully informed comment on the proposals. KCC is seeking to continue working with the Borough Council over the coming months on the*

*provision of accurate modelling and commensurate and viable mitigation such that would move the proposed plan from its currently unjustifiable position.”*

Despite the above, this “*critical highway evidence*” has still not been provided by SBC in this Reg 18 consultation document.

**Destruction of natural environment** It is clear to LKPC that the picturesque nature of the Borough (and indeed locally to Lynsted and Teynham) is one of the key appeals of the area to tourism (particularly sustainable tourism) and helps to ensure that the local area and local business can attract revenue from tourism. To destroy the character of the area would have a detrimental effect on this revenue stream for the local community. The area should not be undervalued and care needs to be taken to preserve, and enhance, the attraction and character of the open countryside within the Borough and particularly within the area of concern to LKPC. By way of example, it is clear that the extra housing and associated bypass would play havoc with the existing network of footpaths and the openness of views that are real tourist attractions as well as being vital to local residents and the settings for those heritage assets.

The loss of BMV land must be properly considered and assessed. Paragraph 170 of the NPPF states that: “*planning policies and decisions should contribute to and enhance the natural and local environment by:*

*(a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

*(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;”*

SBC’s Agricultural Land Classification Report dated code 2011/133/94, describes detailed research that was carried out on the land south of Teynham (Site DD). Approximately 47 hectares of land relating to the then SBC Local Plan was surveyed in 1994. A total of 41 borings and 2 soil inspection pits were assessed in accordance with MAFF’s revised guidelines. The findings show that the dominant grading of agricultural land was Grade 1 (excellent). 78.4% of the Agricultural Area of the site surveyed was rated as Grade 1 agricultural land. The remaining agricultural land was almost all Grade 2 - 21.4%.

The conclusion was that the vast majority of land surveyed south of the A2 (LKPC Parish) was then and still does constitute excellent or very good agricultural land. ‘Best and most versatile’ (BMV) agricultural land is defined as Grades 1, 2, and 3a agricultural land by policy guidance (the Agricultural Land Classification - ALC) (DCLG, 2012)?.

BMV agricultural land is therefore threatened. The potential sites of both housing and/or a ‘movement corridor/bypass’ would result in loss of BMV land.

**Brownfield Sites** The Parish Council is hugely disappointed to see no initiatives to build on brownfield sites. SBC recently failed to bid for a share of the £58 million Government grant to develop brownfield land into housing, in order to protect countryside and green spaces. SBC’s Chief Executive confirmed to the Parish Council in a written response that SBC does not have

any brownfield site proposals sufficiently far advanced to put forward for funding. We are concerned that SBC does not appear to have a single brownfield development idea, given the massive objections from residents to building on greenfield.

Brownfield sites are available in the Borough, for example in Sheerness, the old Sittingbourne car parks, behind SBC's offices, off Bell Road, in Queenborough etc. As a Council that states it does not want to build on green spaces, we would question why SBC does not have 'shovel-ready' brownfield sites and why none are indicated in the Reg 18 document.

There are just three mentions of brownfield in the entire document - at 5.1.29, 5.1.31 and 5.1.36. The first references the 'relatively limited' amount of brownfield land in Swale. The second is a reference to the Reg 19 response that brownfield land should be utilised first. The third is an admission that the technical evidence indicates the Borough's development needs should be met on brownfield sites in sustainable locations and within settlement confines. Yet there is no indication of any scale or opportunity for building on brownfield sites, nor any confirmation of the completeness of SBC's brownfield register (a legal requirement).

The Sustainability Appraisal also only mentions brownfield once, at appendix 2 in the context of Queenborough and Rushenden.

**Water supply, quality and sewage** There is limited evidence presented in the Local Plan to demonstrate realistic water management strategies. There is an absence of achievable approaches to address: supply (abstraction and stream flow); recharging the aquifers (rainfall absorption by open land); and pollution (sewage and built-environment runoff).

*Environment Agency* data (2021), recently mapped by *The Rivers Trust*, paints a disturbing picture of the pressures on the sewerage network. Discharges of treated effluent and overflows of untreated effluent and storm water into Swale's tidal creeks and surface water streams are serious. It is clear that housing development has exacerbated the incidence of effluent outflow at both Sittingbourne and Faversham. Locating additional development in new, ill-prepared locations such as Teynham means they too will exceed their waste-water 'tipping point'. SBC has itself voiced concern over Southern Water's mismanagement of water, on whom record fines were imposed in July 2021 following illegal discharges 2010-2015. However, effluent dumping continues to be recorded in the media. The significant number of new homes proposed will expand the built environment, creating the double negative of loss of natural landscapes (vital for mitigating against storm flooding) and the generation of yet more effluent. Ofwat has admitted the Environment Agency is over-stretched and under resourced to cope. Furthermore, the planning system offers very little protection, despite water pollution's devastating impact. Evidence of how and when the Wastewater Treatment plants affected by proposed increases in housing would be improved and expanded is imperative.

Water supply in Kent is subject to significant levels of stress and will continue to be in the future. Climate change will bring greater weather extremes: flash flooding but also prolonged drought. Swale experiences some of the lowest levels of precipitation nationally (approx. 665mm per annum). This makes Swale drier than South Sudan, or Perth in Australia. Without distinctive rivers, Swale is groundwater dependent. Add to this rising temperatures, and over-abstraction of the North Downs Aquifer becomes an increasing threat. Transfer of water from the Stour and



Medway river catchments is already required to meet demand in Swale. Will neighbouring catchments wish to, or even be able to, meet supply beyond their catchment in 25 years? Water must be recognised as a constraint in the setting of a housing target and the creation of Local Plans. There is a lack of evidence of where the additional water supply would come from to support the Local Plan's housing.

Modelling the future impact of new development on abstraction, recharge and sewage is vital but lacking.

In conclusion, we trust that SBC will take into account the views of both the Parish Council and its residents when compiling the new draft Local Plan document for consultation at Reg 19.

Yours faithfully

**JULIEN SPEED MA (Cantab)**  
**Chairman**  
**Lynsted with Kingsdown Parish Council**

## Appendix 1

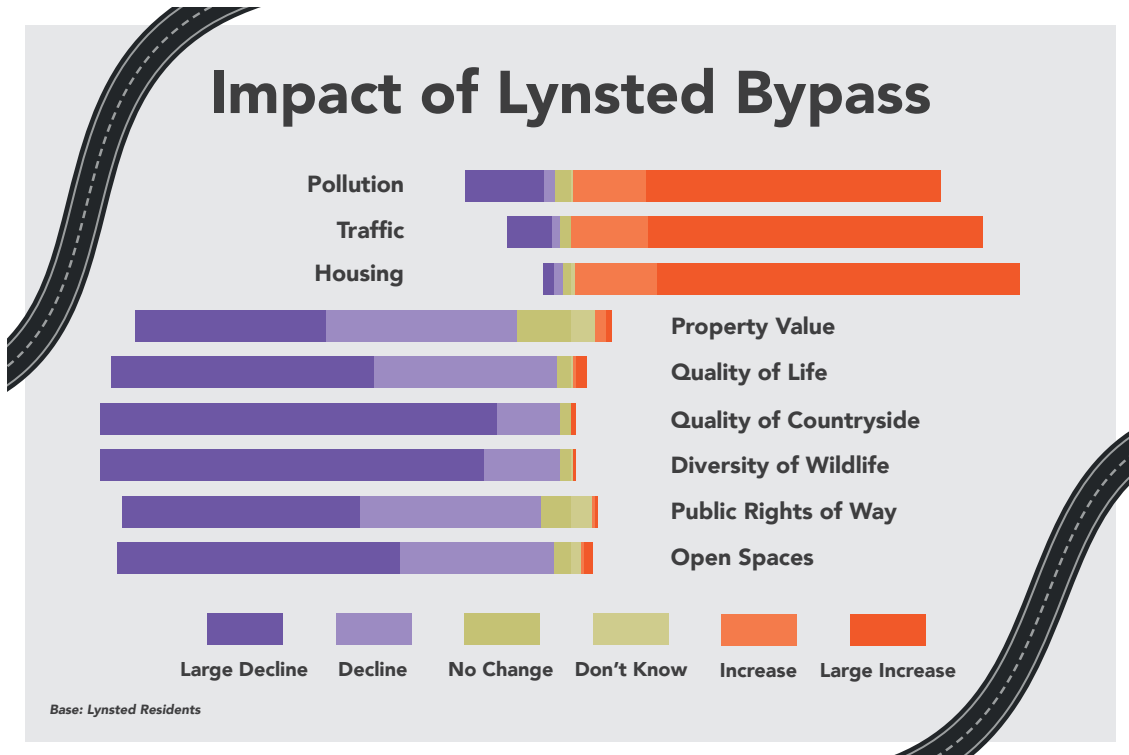
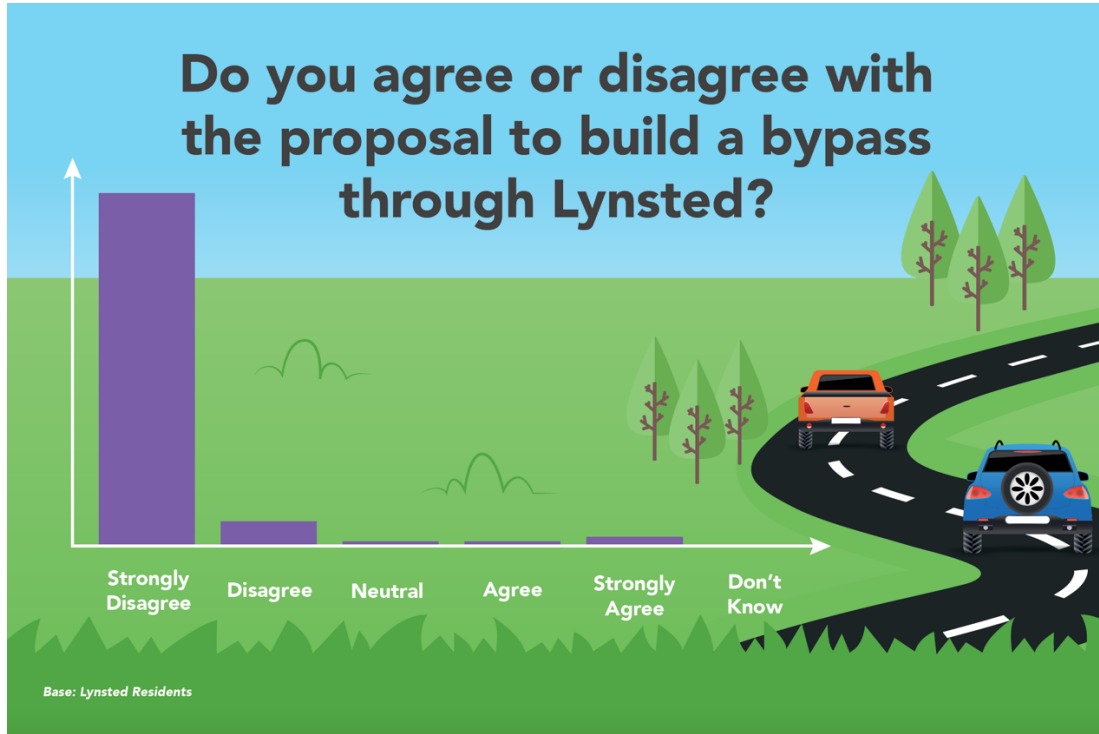
### THE DECLINE OF TEYNHAM AS A 'THRIVING VILLAGE' AND 'RURAL SERVICE CENTRE'

SHOPS REMAINING AS AT 28 FEB 2021	
<b>North side London Road (Teynham)</b>	
Teynham Cutz Men's hairdresser	Closing down
Crispins Fish and Chips	
Funeral director	
Greenstreet Pharmacy	
Teynham Chinese take away	
Denture Repair Shop	
LTR Ltd Workwear shop	
Coop mini market	
GP	About to retire
Meakin Dentist	
Library	
The Flooring Gallery, carpet and flooring shop	
Post Office and Londis mini mart	
Insurance and Financial services office	
The Blind Shop (window blinds)	
<b>South side London Road (Lynsted)</b>	
Dover Castle Pub	
Tropical fish shop	
F J Williams joiners	
The George Pub and Chinese takeaway	Up for sale
The Swan Pub	
Artisans gifts	NOTE: When London Road was be closed for emergency gas main repairs, the owner of Artisan fought (and won) to keep the road open as it was the run up to Christmas and they are <b>reliant on passing trade</b> . Bypass would probably see the end of them.
Swaleside Veterinary Practice	
The Model shop	Mainly on line sales
Dance studio	
My Internet Warehouse, garden furniture and café	
Car wash	
Car body repairs	

<b>THE DECLINE OF TEYNHAM AS A 'THRIVING VILLAGE' AND 'RURAL SERVICE CENTRE'</b>	
<b>SHOPS AND SERVICES LOST SINCE 1998</b>	
1 GP 1 about to retire	
Chiropodist	
Age Concern Centre	
Public Toilet	
Milliners	
Estate Agent	
Florist	
Laundry/dry cleaning	
Dog Grooming	
3 ladies hairdressers	
2 greengrocers	
Specialist log burner/stove shop	
2 haberdashers	Now dwellings
2 newsagents	Now dwellings
Antique shop	
Bridal wear shop	
Pine shop	
Butcher	Now dwellings
Tattoo shop	
Garden mower and garden supplies shop	Now dwelling
1 public house 1 public house up for sale	Now dwellings
Natural burial undertaker	Now dwelling
Specialist Doll House shop	Now dwelling
Second hand car sales	
2 car mechanic garages	

## Appendix 2

### RESULTS OF PARISH COUNCIL SURVEY ON LYNSTED BYPASS



The survey was carried out online via SurveyMonkey between 11-21 March 2021. There were 261 respondents.