

LYNSTED with KINGSDOWN PARISH COUNCIL

Mid Kent Planning Support
Maidstone House
King Street
Maidstone. Kent
ME15 6JQ



11th November 2019

Planning application 19/505036/OUT

Lynsted with Kingsdown Parish Council (LKPC) object to the proposed planning application in relation to the proposal for 86 houses off Lynsted Lane. This proposal is inappropriate and unsuitable.

This letter of objection considers both the representations of local residents and parishioners and our examination of the application submission.

Our Residents and Parishioners

The Parish Council have actively sought input from and the views of parishioners to inform this response. Parishioners have been invited to the PC meeting where this application was discussed and a flyer was delivered to all households in the parish encouraging parishioners to express their views through the Swale Planning Portal. There has also been considerable comment and discussion on local community Facebook pages. The overwhelming feedback from parishioners is to object to this proposal citing transport, air quality, lack of sustainability, impact on strained local amenities and services and the development of agricultural land and countryside.

Many parishioners have formally submitted their objections as part of the consultation process and additional expressions of concern and objection are evident on the community Facebook pages. It is of note that the developer is keen to point out the response to their Facebook survey where they asked if people would be interested in affordable housing in Teynham. The PC has struggled to identify local residents that responded to this survey and point out that such a loaded and non-specific question is bound to elicit a positive response. As such, it can hardly be considered a relevant or credible survey and does not reflect the local response to this application.

Our examination of the application

It is very clear that the developers have taken note of the objections and concerns raised by both public bodies and members of the public to their application in 2016 and have endeavoured to mitigate these concerns and present different arguments for approving this application. In 2016 LKPC noted significant and numerous inconsistencies in the planning application supporting documents. The developers have presented a comprehensive set of supporting assessments and reports, which, at face value appear to present a cogent argument for this application. However,

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closer reading and taking account of national and borough planning policies and requirements shows selective application of data, categorisation and information to present a potentially misleading application.

- The developer makes a number of references to the National Planning Policy Framework (NPPF) in favour of the application. However, this application fails to meet the fundamental and overarching economic, social and environmental objectives of the Framework. The developer claims that this application represents a sustainable development and then bases the arguments for approval upon this. The development is not sustainable, as it offers no real economic or social benefit (other than to the developer and investors) and would have significant impact on the local environment. This lack of sustainability negates the developer's subsequent arguments for approval.
- The developer repeatedly refers to the development as part of Teynham. The proposed development site is within Lynsted with Kingsdown Parish. With its 14th Century broach spired church and village duck pond, Lynsted comprises around 500 houses. This proposed development would increase the number of dwellings in our Parish by nearly 20% - an unacceptable urbanisation of an old English village. The developer also repeatedly refers to Teynham as suburban or edge of town, clearly wishing to imply that this is less of a rural village and more of an urban add-on. This choice of location type means that the assessments and analyses do not reflect the village and rural location and appear to underplay the impact of the proposals. Bearing Fruits differentiates locations by means of a 6-tier system. Teynham is categorised as Tier 4, Rural Local Service Area; Lynsted as Tier 5, Village with Built Up Area Boundary. Neither are suburban nor edge of town.
- The proposal is contrary to the Swale Local Plan, Bearing Fruits. The developer argues that the short-term shortfall in achieving the targets for new housing is sufficient to make this a viable and preferable application. The developer also argues that despite the initial proposal failing to make the first three tiers of potential housing development proposals that were selected for the Local Plan, it should be considered as a good reserve that can now be included. This fails to reflect the ongoing and long term progress that Bearing Fruits is and will deliver and the current and future committed sites. The selection criteria SBC used for selecting sites for the Local Plan were robust and carefully considered. This site failed to make that selection.
- The development proposal is contrary to national and local planning policies and the application itself raises a number of issues and inconsistencies:
 - The proposed development is on high grade agricultural land and is outside the Built Up Area Boundary. The developer's Design and Access Statement describes Teynham's development since 1940 with a clear implication that there has been significant development in recent years. This is not the case and further, the brickwork extraction also referenced finished more than 5 years ago. The statement repeatedly refers to the use of a 'suburban layout approach which represents the wider context of the site', which is totally inconsistent with the rural location and misrepresents the impact of the proposed development on the parish, as well as neighbouring properties.
 - The Lynsted with Kingsdown Parish Design Statement, adopted as Planning Guidance by SBC in 2002, identified two sensitive edges that should be protected

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against development. One of these sensitive edges runs to the rear of existing housing on the south side of the A2 London Road in our Parish. The Design Statement further stipulates that new-build backland development away from existing highways should be avoided throughout the Parish, as being inconsistent with the traditional layout of residential and farming development. The settlements in Lynsted Parish are for the most part along the two major routes and 'one building deep'. Any new development should continue this tradition of having the countryside on the doorstep. The buildings and settlement patterns of the Parish within its landscape setting have given the Parish its own sense of place. New development should be in keeping with this. Estate style development should be avoided. This planning application is therefore in total contravention of the agreed Parish Design Statement.

- The proposed 'enhancement' to the public right of way to provide pedestrian and cycle access to the A2 would fundamentally change the nature of this footpath, which is well used by dog walkers and hikers as it crosses open farmland and countryside. This is not an enhancement. In addition, the proposed access has been highlighted by KCC in their response to the proposal as potentially impractical as it is not intuitive for pedestrian use. KCC also note the potential for conflict between cyclists and the traffic on the A2, as well as the practical issue of some of the relevant land in 3rd party ownership making the proposal potentially unviable. The developer also proposes emergency access here via retractable bollards, but in contradiction, clearly states in the application that the road layout for the development is deliberately designed to ensure emergency access to the whole site. The proposed access for pedestrians and cyclists to the A2 via the footpath is not viable and therefore the motivation of the developer in suggesting this must be open to question. Further KCC also note that pedestrian access will still need to be provided to Lynsted Lane because of the school and village, which the developer has failed to do via the main vehicle access. The developer proposes the use of the public right of way south of the site. LKPC provided an all-weather surface to this southern part of the footpath some years ago to enable school foot traffic to avoid walking on Lynsted Lane. It is our experience that the footpath does not and will not offer an attractive alternative.
- The developer's transport assessment and other documents describe Lynsted Lane as 'lightly trafficked'. This certainly does not reflect the experience of local residents and road users and KCC comment that the road is well used to access the A20 and has some congestion issues. The modelling undertaken appears to be compliant with initial requirements but does not seem to stand up to close scrutiny: TRICS calculations have not been compared with any real data and uses selective parameters, including comparable location data that includes one location in the south east and all of which are classified as Edge of Town, despite acknowledging traffic growth calculations that the A2 is a Rural Principal Road and Lynsted Lane a Rural Minor Road. The south east exemplar used for the TRICS calculations is Byfleet in Surrey, which bears little or no resemblance to our parish.
- The modelling for the A2 / Lynsted Lane junction using PICARDY shows that the junction will exceed capacity with the proposed development. However, the

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developer states that this model is unreliable in estimating queuing and delays and so disregards the data, although accepts the current minimal delay data which does not take into account the actual logistics of the junction, which include constraint from parked vehicles and an adjacent pub car park on Lynsted Lane, as well as issues with parking impeding flow on the A2. Again, the modelling calculations show no comparison with real measurements, despite a traffic count being undertaken which could easily have been expanded to capture this data too.

- The Air Quality Assessment clearly meets the minimum threshold required for such an assessment. Unlike the application in 2016, it does recognise the existence of AQMA5 on the A2 in Teynham. However, the assessment only considers levels of Nitrogen Dioxide and fails entirely to take account of any other pollutant, including particulates and entirely fails to reference or take account of the locally collected and publicly available data which contrary to the developer's assessment clearly shows frequent exceedance of safe levels of pollutants. Whilst the PC recognise that the developer may have met the threshold for assessment required for application, the PC does not agree with the developer's conclusion that this development has no material considerations for air quality.

In addition to the comments above, the Parish Council are extremely concerned about the potential precedence approval of this application may set. This development is proposed on a Greenfield site of high-quality agricultural land outside the built-up boundary in a rural location. Approving this application would set a precedence for further development applications in and around the location and parish. The proposal also includes unlikely areas of apparent greenspace adjacent to the vehicle access and with no pedestrian access. It is the Parish Council's view that this is a device to provide an opportunity for further later development on the site.

The developer has produced a sophisticated and subtle application that flouts planning policy and yet appears not to do so. It is very clear to the Parish Council that this application is deliberately produced to avoid the challenges presented in 2016 and to obtain approval despite the proposals being entirely unsuitable and supported by potentially misleading information.

Yours faithfully

Marion Mulley
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