

# NEWINGTON PARISH COUNCIL

## Minutes of the Meeting of the Planning Committee held on Thursday 19 January 2017 in the Newington Room, Newington Village Hall

Present: Cllr Stephen Harvey (Chairman), Cllr Richard Palmer (Vice Chair), Cllr Mel Harris, Cllr Helen Walker and visiting Member Cllr Eric Iyer; and Mrs Wendy Licence (Clerk).

Also present were KCCllr Mike Baldock, SBCllr Gerry Lewin, SBCllr John Wright, Mr Richard Knox-Johnston (CPRE) and forty-three members of the public.

### 1. APOLOGIES

Cllr Harvey welcomed everyone to the meeting.

Apologies had been received from Cllr Steve Godmon (personal and Cllr Debbie Haigh (personal); apologies accepted.

Apologies had also been received from Mr Mike Whiting, representative for Gordon Henderson MP (at another meeting); apology noted.

### 2. DECLARATIONS OF INTEREST

None were declared.

### 3. PUBLIC QUESTION TIME

The meeting was adjourned for the Public Question Time

#### 99 High Street and Land North of the High Street

SBCllr Lewin informed the meeting that in consideration of the appeal decision on Pond Farm in respect of the harm to the valued landscape and the air quality issues, there are implications for the Persimmon application. The application will not go to Committee on 2 February as expected as the applicant will have to address these issues so will need more time.

*1#- There seems to be a series of amendments should we respond to every amendment?*

Cllr Harvey said that, as well as the specific arguments, the number of responses received are also taken into consideration so it is important to keep writing.

*#2- Newington is a small village and the arguments are valid for all the developments. Newington cannot take any more development.*

*#3- The area lacks hospital provisions, lacks sufficient doctors and infrastructure, this applies whether two or two hundred houses are being built.*

Cllr Harvey said that the Planning Inspector said the traffic on the A2 is not bad. Persimmon has tried to get growth for Newington School but the money is designated for Milton Regis school.

*Mr Knox-Johnston gave credit to Cllr Harvey for his briefing notes on Pond Farm and also for his performance as a witness. Although the Pond Farm application was dismissed on thirteen reasons, two were picked out by the Inspector as being more significant; the substantial harm to the character and value to the landscape and also the likely significant adverse effect for human health. The air quality and pollution is more than likely. The Borough Council is responsible for air quality management in the borough although at one stage the Council wanted to remove all the monitors. This is the first time CPRE used air quality at appeal and the first time it has been used by a Planning Inspector. There is going to be new legislation to reduce pollution. It is up to the Borough Council to take into account the significant effect on human health. The World Health Organisation says air pollution takes its toll on vulnerable people in society in particular the elderly, women and children.*

Cllr Harvey, on behalf of the Council and residents, thanked Mr Knox-Johnston and CPRE for the work at the Appeal.

*#4- If an Inquiry does take place it is important for as many people as possible to attend. Gordon Henderson MP did not attend the Pond Farm Inquiry, his presence would have helped rally the troops. Persimmon say that all traffic will turn left out of the development, does this mean that there will be an accident if you turn right?*

*#5- There are lots of similarities between the two sites but 99 High Street will have more problems because of the width of the road, it would be another pinch point. There is also the cumulative effect; development at Sittingbourne will affect Newington; brick earth extraction will affect Newington; development at the docks will affect Newington. Econ 2015 puts this site in Tier 7, with the most significant environmental constraints. In the Local Plan the site is ranked as 72 out of 87, the most sustainable sites should be used first.*

Cllr Harvey said Cllr Palmer will represent the Parish Council at hearing on the Local Plan.

*#6- The air quality in the High Street is bad, has the air quality in Church Lane been looked at? Traffic queues and pollution are particularly bad at school times.*

*Mr Knox-Johnston said there were receptors in Church Lane but they have been removed.*

SBCllr Wight said there was an Air Quality Management Committee in Newington and he has asked for this to be re-instated. The monitoring equipment takes a reading every minute or so and the result is averaged out throughout the year including night time periods. The issue is that the tubes monitor particulates, with brick earth it is a dust and different particulates. Thank you CPRE for majoring on the health issues, the Borough Council now has an officer looking at air quality in the High Street. Consideration will also be given to looking at ways of mitigating the air pollution such as special tarmac, vegetation, changing bus and haulier routes.

### Brickearth

Cllr Harvey said there had been a site visit today with KCC Planning Committee members and residents. The development is listed as being in Hartlip but it is actually in Newington. The application suggests 100 vehicular movements a day, these will be very large lorries caked in brickearth; the operation will be between 7am -7pm Monday to Saturday. There will be a two foot high bund built behind Orchard Terrace. The Parish Council has objected to the application and will speak at the KCC Committee meeting.

*#1- Are the hours of operation confirmed? In London, contractors can only work from 8am – 6pm.*

Cllr Harvey said this could be agricultural hours. There would need to be wheel washing prior to leaving the site and rush hour needs to be avoided.

SBCllr Wright said there has been lots of representations on this application and the applicant has been requested to look at certain issues.

*#2- How would this affect the factory, if it did not go ahead would it close? Wienerberger have said there are larger areas of brickearth in Lower Halstow and Upchurch. The wind and the dust will affect everyone if. We are concerned with losing the quality of the landscape as well as pollution. There will also be a problem with the drains rain washes the clay slurry during excavation.*

*#3- If a large volume of heavy lorries use the road it will cause damage to the road, who will pay for this? Repairs will need to be carried out more frequently.*

Cllr Harvey said KCC will receive money from the applicant towards road maintenance.

*#4- Wienerberger have stated that if this is not permitted forty-three jobs will be lost, if the extraction goes ahead it will affect over two thousand people.*

KCCllr Baldock said that when a similar application was lodged for Borden, the Parish Council requested a condition that lorries ring through when they are leaving the site so that two lorries are not passing at the same time.

*#5- There are a great deal of lorries from the Spade Lane industrial site.*

*#6- I am concerned about the state of the road which has affected my house and some tarmac had to be re-laid recently.*

Cllr Harvey said he had raised the issue of Victorian houses.

*#7- My wife and I have recently moved to the High Street, I am appalled by the volume of traffic. The drain outside rattles every time a vehicle drives over it. It is a very dangerous road and there should be an additional crossing point or a bypass.*

SBCllr Wright said that many years ago a bypass was at the top of KCC's list but the funding disappeared and it did not happen.

*#8- Many times over the last year there has there been extra traffic lights on the A2, this causes more problems.*

### Pond Farm Public Inquiry

Cllr Harvey said the appeals for development at Pond Farm have been turned down. There are still applications from Persimmon and Wienerberger to dispute and at St Mary's View.

*Mr Knox-Johnston said that under EU law the air quality in the High Street must improve, the lorries from Wienerberger will not alleviate the problem. Mr Knox-Johnston thanked everyone who supported CPRE at the appeal. The decision by the High Court about air quality was a timely judgement.*

### Former Workingmen's Club

Cllr Harvey said that there was nothing new to report on this application and it is like to be decided at the Planning Committee meeting on 2 February. The applicant has said he will increase the number and size of the car park spaces.

*#1- The pavement has subsided because of the lorries.*

Cllr Harvey said the Highway Steward may be able to help with this issue.

## **4. PLANNING APPLICATIONS**

### i. Application no: 16/501266/FULL

Address: 99 High Street and Land North of the High Street.

#### Revised plans

Councillors considered the revised plans and also the comments received from residents and agreed to respond and oppose to the application.

*ACTION: Cllr Harvey to draft and circulate a response to Members.*

Cllr Harris expressed concern that the applicants were waiting for the appeal decision on Pond farm and yet the site is in the Swale Local Plan.

Cllr Harvey said that the delay is to allow Persimmon to mitigate the issues raised at the appeal and also the High Court decision.

Cllr Palmer said the Pond Farm decision focussed on air quality. Gordon Henderson MP has said he will only appeal against applications which are not sites included in the Local Plan, there is now a problem with AQMA and Gordon Henderson MP should be lobbying Swale Borough Council on this issue. Church lane is also another issue.

Councillors agreed to maintain objections to the development and to write to Gordon Henderson MP and SBC drawing their attention to the air quality issue and request a review.

Cllr Palmer said the Newington Air Quality Committee need to meet.

## **5. TO RECEIVE AN UPDATE ON PLANNING MATTERS**

### i. Report on Pond Farm Public Inquiry

The report had been made at the beginning of the Public Time.

*ACTION: Clerk to add appeal decision to the website.*

### ii. Brickearth site visit

Cllr Harvey informed Members the Parish Council objection had been lodged and he will speak at the KCC Planning Committee.

Cllr Harris said that as soon as Wienerberger mentioned job losses he thought some County Councillors looked like they would approve the application, it needs to be stressed that although it might be forty-three job loses the extraction would affect 3,500 to 5,000 people. KCC needs to take advice on the NO<sub>2</sub> level caused by the excavation and vehicular movements in the summer as this would have significant health implications for residents.

*ACTION: Cllr Harris to write to KCC NO<sub>2</sub> levels.*

### iii. Former Workingmen's Club

Cllr Harvey said that there this application is like to be decided at the Planning Committee meeting on 2 February. The applicant has said he will increase the number and size of the car park spaces. The Kent Messenger are investigating the fly-tipping of the soil which had been removed from the site, Detling Parish Council have had an emergency meeting to consider the issue.

Cllr Harvey said he had no update with regards to the disputed land and has suggested the resident should obtain legal advice.

Cllr Palmer said SBC has tried to evade its responsibility regards the issue of possible asbestos on the site, the HSE website says that asbestos is dealt with by the HSE and Local

Authority; the HSE will take responsibility from the Local Authority for an extensive or large construction activity. SBC should have staff trained and equipped to deal with this situation, the Council is failing in its obligations.

iv. Any other updates

Application 15/508683/OUT Land at The Tracies, Newington, Kent ME9 7TQ

Proposal Outline application (details of landscaping reserved) for the erection of 4 four detached houses with associated works.

Cllr Harvey informed Members that this application is expected to go to the SBC Planning Committee on 2 February. There are comments about the design of one of the houses and concern about the gap left. The Parish Council has objected to the application and has requested the gap to be closed.

Application 16/507367/FULL 164 Bull Lane, Newington ME9 7NB

Proposal: 2 storey, single storey side extension and alterations to existing garage

Cllr Harvey informed Members that a decision has yet to be made.

Application: 16/507770/FULL 17 School Lane, Newington MR9.7LB

Proposal: First floor rear extension and front garage extension

Cllr Harvey informed Members that a decision has yet to be made.

Application: 16/506159/FULL Chesley Oast, Bull Lane, Newington ME9.7SJ

Proposal: Retrospective application for change of use from holiday lets

Cllr Harvey informed Members that the application was refused by Swale Planning Committee on 5 January 2017 and the owner is looking to appeal.

Application 15/509664/OUT Land to East of St Marys View Newington Kent ME9 7JW

Proposal: Outline application for the erection of up to 26 residential dwellings with all matters reserved with the exception of access

Cllr Harvey informed Members that the application was refused by Swale Borough Council Planning Committee on 26 May 2016. A notification of appeal was lodged with the Planning Inspectorate and this is to be determined by written representations deadline 2 January 2017, the parish council has submitted further comments.

Application: 14/501847/FULL 43 Church Lane Newington Kent ME9 7JT

Retrospective - Erection of conservatory to the rear

Cllr Harvey informed Members that the application was refused by Swale Borough Council Planning Committee on 19 November 2015; an enforcement notice was served on the property on the 12 August 2016 that, subject to any appeal, the conservatory to be removed within 6 months from the 12 September 2016; an appeal was lodged on 11 September 2016.

## **6. ANY OTHER BUSINESS**

There being no further business, the meeting closed at 8.50pm.

Signed as a true record of the proceedings:

Chairman

Dated: 31 January 2017