

## Planning Report for 26 February 2019 Newington Parish Council Meeting

### *This month's applications*

#### Application: 19/500029/FULL Land Rear Of 132 High Street, Newington ME9 7JH

Proposal: Erection of a 4 bedroom detached dwelling and associated carport/garage.

Application received: Thursday 3 January 2019

Application validated: Monday 28 January 2019

Status: awaiting decision

### *Not in Newington*

#### Application: MC/19/0188 Orchard Kennels, Meresborough Road, Rainham

Proposal: Outline planning application with some matters reserved (access, appearance and scale) for the development of up to 130 residential dwellings with associated parking and open space

Application received: Monday 23 January 2019

Application validated: Monday 4 February 2019

Status: awaiting decision

### *From last month*

#### Application: 18/506279/FULL Orchard Cottage, Keycol Hill, Bobbing, ME9 8NE

Proposal: Conversion of existing garage to provide extra ancillary living space, with the relocation of workshop to combined study space. (Revision of 18/502040/FULL).

Application received: Monday 3 December 2018

Application validated: Monday 10 December 2018

Status: awaiting decision

#### Application: 18/506309/FULL Land Adjacent To Cromas, Callaways Lane, Newington ME9 7LX

Proposal: Construction of a detached, single residential dwelling (resubmission of 17/503997/FULL).

Application received: Wednesday 5 December 2018

Application validated: Monday 10 December 2018

Status: awaiting decision

Application: 18/506309/FULL Cromas, Callaways Lane, Newington ME9 7LX

Proposal: Construction of a detached, single residential dwelling (resubmission of 17/503997/FULL).

Application received: Wednesday 5 December 2018

Application validated: Monday 10 December 2018

Status: awaiting decision

Application: 19/500177/FULL 15 School Lane, Newington ME9 7LB

Proposal: First floor rear extension and garage conversion to habitable space with linked side extension.

Application received: Monday 14 January 2019

Application validated: Monday 21 January 2019

Status: awaiting decision

Application Number SW/16/507594/RVAR (KCC/SW/0526/2018)Paradise Farm, Lower Hartlip Road, Hartlip, Sittingbourne ME9 7SR

Proposal:

Details of Site Access Road and Internal Haul Road (Condition 13a), Weighbridge Details (Condition 13b), Fencing and Gates (Condition 13c), Staff Facilities and Parking (Condition 13d and 13e), Electricity Supply for Staff Facilities (Condition 13f), Complaints Procedure (Condition 14), Traffic Management Plan (Condition 27), PROW Management Plan (Condition 28), Noise Management Plan (Condition 34), Dust Management Plan (Condition 35), Sustainable Surface Water Drainage Scheme (Condition 37), Programme of Archaeological Works (Condition 40), Arboricultural Method Statement (Condition 54) and Aftercare Scheme (Condition 56) pursuant to planning permission reference SW/16/507594

Date Valid: 21 December 2018

Consultation Expiry 30 January 2019. Response sent 28 January

Application: 16/507594/COUNTY Paradise Farm, Lower Hartlip Road, Hartlip ME9 7SU

Proposal: County Matter - phased extraction of brickearth, advance planting, access improvements, restoration and replanting back to agricultural use.

Application received: Wednesday 26 October 2016

Application validated: Wednesday 26 October 2016

Wienerberger gave notice (8 September 2016) of an updated application for mineral extraction at Paradise Farm with a new access route through Newington Industrial Estate for exportation of brickearth to Smeed Dean Brickworks..

(Clerk has written explaining that the revised proposals do nothing to remove the concerns of Newington Parish Council about lorries passing through the Village)

KCC Planning Committee Site visit – 18 January 2017

Decision: Application approved, KCC Planning Committee 19 April 2017 (13:5)

(Decision notice – 5 May 2017)

*Previously discussed: for information*Application: 18/505119/FULL 148 High Street, Newington ME9.7JH

Proposal: Erection of granny annexe in rear garden.

Application received: Monday 1 October 2018

Application validated: Thursday 8 November 2018

Status: Application permitted Friday 15 February 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

Application: 17/506569/FULL Breach Farm Paddocks, Land North-east Of Breach Farm Bungalow, Breach Lane, Upchurch ME9 7PE

Proposal: Change of use of land to single gypsy pitch and associated development (alternative to 15/502716)

Application received: Thursday 21 December 2017

Application validated: Tuesday 6 February 2018

Status: awaiting decision

Application: 17/504813/FULL Car Wash, 67 High Street, Newington ME9 7JJ

Proposal: Part change of use from car wash to residential for one studio

Application received: Tuesday 19 September 2017

Application validated: Friday 13 October 2017

Status: awaiting decision

NB Application 15/509335/FULL Car Wash 67 High Street Newington Kent ME9 7JJ

Proposal: Use of land for the storage of 2x touring caravans

Application received: Monday 9 November

Status: awaiting decision

No response sent as site visit was proposed by Planning Enforcement Officer.

## *Not in Newington*

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: awaiting decision

## *Appeals to the Planning Inspectorate*

Application: 17/504342/FULL Newington Working Mens Club

Proposal: Retrospective demolition of former Working Mens Club and erection of 9no. dwellings and 1no. maisonette together with carports for garaging of cars (Revised

Application received: Monday 21 August 2017

Application validated: Wednesday 4 October 2017

Status: application permitted 12 December 2017

NB recent document – February 2018 re air quality and external details

NB Application: 16/506166/FULL Newington Working Mens Club, High Street ME9 7JL

Proposal: Retrospective demolition of former Working Men's Club. Erection of 9 no. dwelling houses and 1 no. maisonette together with car ports for garaging.

Application received : Monday 25 July 2016

Application validated: Friday 7 October 2016

Status: Approved Swale Planning Committee 27 April 2017

Decision and S106 notified 19 July 2017

See Variations/conditions 17/505045/FULL and 17/504046/SUB

19 March 2018 application to vary condition 2 and remove condition 11  
 Status: Application refused Tuesday 12 June 2018  
 24 January 2019 notification of appeal lodged with Planning Inspectorate  
 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.)  
 Reason: The Council has refused permission for this application.  
 PINS reference: APP/V2255/W/18/3209727  
 The appeal will be determined on the basis of Written Representations.  
 Comments sent 19 February 2019

### *In the Court of Appeal, Civil Division*

Order made by the Rt. Hon. Lord Justice Lindblom  
 'On consideration of the appellant's notice and accompanying documents, but without an  
 oral hearing, in respect of an application for permission to appeal, against the refusal of the  
 High Court to apply for a planning statutory review'  
 Reasons: 'The applicant's grounds are properly arguable and have a sufficient prospect of  
 success to justify permission to appeal being granted'  
 Gladman Developments Limited – and – The Secretary of State for Communities and Local  
 Government – and – Swale Borough Council – and – CPRE Kent.  
 Order dated 5 October 2018 Reference: C1/2017/3476  
 ('float date' 8 or 9 May 2019)

### *Not in Newington*

#### Application 17/505711/HYBRID Land at Wises Lane, Borden ME10.1GD

Proposal: 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 Class D1 medical facility of up  
 to 560 sq m GIA; 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

Application received: Tuesday 31 October 2017

Application validated: Wednesday 15 November 2017

Status: Application approved Swale Borough council Planning Committee Wednesday 30  
 January 2019

Stephen Harvey  
 Chair of Newington Parish Council Planning Committee  
 21 February 2019

## ***Appendix: Responses sent following 29 January Newington Parish Council Meeting***

Application:: 18/506279/FULL Orchard Cottage, Keycol Hill, Bobbing, ME9 8NE

Proposal: Conversion of existing garage to provide extra ancillary living space, with the relocation of workshop to combined study space. (Revision of 18/502040/FULL).

Response sent: Councillors considered the application and It was **AGREED**

**UNANIMOUSLY** to object to the proposal.

- i) The plans show it is proposed that here will be parking between the annex and the house and this could impede evacuation in the event of a fire. We believe this may be a health and safety issue.
- ii) There is concern that there is insufficient parking on the drive for staff, the resident owners and visitors which may create additional parking on the Highway.
- iii) Following the decision for Ashfield Court Farm (18/505431/FULL) this seems to set a precedent that Swale's policy is that a care annex must be attached to the main building. There is no kitchen in the annex so residents would need to go to the main house and the annex is not linked to the house.

Application: 18/506309/FULL Land Adjacent To Cromas, Callaways Lane, Newington ME9 7LX

Proposal: Construction of a detached, single residential dwelling (resubmission of 17/503997/FULL).

Response sent: Councillors considered the application and had no comment to make save that neighbours' comments be taken into consideration. Newington Parish Council stands by all previous comments it had made regarding planning applications on this site but accepts the decision of the planning inspectorate (26 October 2018)

Application: 19/500177/FULL 15 School Lane, Newington ME9 7LB

Proposal: First floor rear extension and garage conversion to habitable space with linked side extension.

Response sent: Councillors considered the application and had no objections to the proposal.

## **Planning Inspectorate response – Newington former workingmen's club**

PINS reference: APP/V2255/W/18/3209727

Proposal: Variation of Condition 2 and removal of Condition 11 of application 17/504342/FULL (Retrospective demolition of former Working Men's 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.)

Location: Newington Working Men's Club High Street Newington

Newington Parish Council urges the Planning Inspectorate to refuse this appeal.

This has been a long-running saga with premature unlawful demolition, alleged dumping of (possibly asbestos) waste in another village, and a development where at every stage the developer has pressed ahead in advance of planning permission. Newington Parish Council did not oppose the proposal for development but asked Swale Planning Committee to ensure vigilance and the use of enforcement action if necessary; this was needed on several

occasions with at least one stop notice issued. It has been an example of intentional unauthorised development at each stage.

Newington is an AQMA. Residents and the Parish Council have been working with Swale Borough Council and midkent environmental services on the action plan for this village and the A2 corridor in general. The village centre is a particular cause for concern with regular exceedence of permitted levels of NO<sub>2</sub>. Pollution levels are exacerbated by the canyon effect of the village centre – made worse by the new dwellings on the site of the former workingmen’s club which was behind a car park (greatly overgrown in recent years which provided some filtration of pollutants).

150 metres west of the village centre lies Pond Farm, the proposed site for a housing development, refused by Swale Borough Council, a decision upheld by the planning inspectorate (9 January 2017) after a planning inquiry in November 2016. (Please see APP/V2255/W/15/3067553 and APP/V2255/16/3148140) for the grounds of this refusal – largely on air quality concerns.

Swale Borough Council did grant permission for 124 dwellings 150 metres east of the village centre, behind 99 High Street, as part of the agreed local plan (16/501266/FULL). Newington Parish Council had opposed both this and the Pond Farm applications. Evidence of air pollution was provided for both proposals by Professor Stephen Peckham, Professor of Public Health Policy, University of Kent. The former workingmen’s club (now Charlotte Court) is midway between the two sites Professor Peckham studied and we therefore suggest his evidence is relevant to this appeal. We append Professor Peckham’s reports to this response.

The village centre is a conservation area with mostly old buildings, constructed long before the volume and pollutants of today’s traffic. The Parish Council is working with Swale Borough Council to examine ways to limit pollution in the village centre as mitigation measures seem impractical; little can be done to reduce the pollution and to improve the quality of life for residents in the older properties. The condition for non-opening windows and ‘Titan-Sonair’ ventilation for front facing rooms on the properties fronting the high street seems a sensible 21<sup>st</sup> century measure to mitigate against the effects of pollution in these properties. Already the developer has sought to ignore the condition for no airbricks and went ahead installing opening windows, without the electric ventilation system. Presumably this was to save costs at the expense of the health of those buying or renting the properties.

We question the aspiration that Newington AQMA could be fully compliant by 2022, especially in the light of Kent County Council permission for the extraction of brickearth at Paradise Farm, Lower Hartlip ½ mile west of Newington which will generate 85 HGV movements each working day based on 20t payloads and a 5.5 day working week over a 10 week extraction period each year (from Wienerberger’s planning application) - ie an additional 4675 lorry movements per year over a 20 year period. Recent car industry figures show no great consumer appetite for electric vehicles and many of the vehicles driving through our high street are much older and heavily polluting.

Attachments:

**Attachment 1**

From the Pond Farm Appeal, November 2016. PINS Reference:

APP/V2255/W/15/3067553, 3067567 & 3148140 Swale Borough Council reference:

15/500671/OUT & 15/510595/OUT

Professor Peckham's proof of evidence ( site 150 metres west of the former workingmen's club)

**Attachment 2**

From MidKent Planning portal for 16/501266/FULL 'Erection on land to the north of 99 High Street of 124 No. dwellings in total'

Document logged as 30 June 2017 'CPRE' – Professor Peckham's assessment of likely impact on air quality in Newington. This proposed development was approved by Swale Planning Authority on 30 April 2018 following the decision at Planning Committee 22 June 2017. (NB highlights and notes are from the planning portal)

There is a follow-up on the portal dated 19 July 2017 – Professor Peckham's comments on the Swale Borough Council response to his initial comments.

( site 150 metres east of the former workingmen's club)

Stephen Harvey  
Chair of Newington Parish Council Planning Committee  
21 February 2019