

Mr S Harvey  
Newington Parish Council  
07 February 2023

Dear Mr. Harvey,

**21/505618: Proposed Development of 25 Dwellings at Land at School Lane,  
Newington**

I refer to the above planning application. This is largely similar to planning application ref. 21/504028 that was refused on 17 October 2022 despite a recommendation for approval from the Planning Authority. The reasons for refusal did not include any relating to transport and highways and Kent County Council Highway Authority (KCCHA) raised no objection to the proposals in their response dated 02 September 2022.

I have previously provided two letters dated 06 August 2022 and 23 August 2022 raising transport and highways concerns about the earlier application. I note that the concerns that I raised in these two letters have not been summarised in the Committee Report and are not included in the Appendix 1 that purports to present Newington parish Council's objections. It therefore appears that the concerns that I have previously raised were not considered by the Planning Authority in arriving at the recommendation for approval.

I set out below those concerns that remain in relation to the new application.

The applicant has submitted a Transport Statement (TS) (DHA, November 2022) that is available on the planning portal. I refer to this document as the TS below.

**Poor Access to Bus Services**

The centre of the site is around 850m from the eastbound bus stop and 950m from the westbound bus stop. The recommended maximum distance between new development and bus stops is 400m<sup>1</sup> (a five minute walk). The site is therefore more than twice the recommended distance from bus services. It is further from bus services than any existing housing within Newington.

It is concluded that the site is poorly located to encourage the use of public transport.

**Out-of-date Highway Safety Assessment**

Paragraph 2.6.1 of the TS states that, '*Personal Injury Collision (PIC) data has been sourced from KCC [...] for the most recent three-year study period up to 30<sup>th</sup> June 2020*'. This is clearly incorrect since the data are now over 2.5 years out of date. A review of the Crashmap website reveals that there has been a slight accident at the corner of Church Lane and a serious accident on Iwade Road in the intervening period. The applicant therefore needs to update the highway safety assessment.

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1 See page 51 of Kent Design Guide, 'creating the design' that states, '*As a general rule, it is desirable for dwellings to be within 400 metres of a bus stop.*'

## **Adverse Impact on highly sensitive Church Lane and School Lane**

Church Lane has limited capacity as a result of significant on-street parking along its length north of the A2. This reduces the street to single lane operation and requires drivers to seek gaps between parked vehicles to allow opposing traffic to pass. These constraints already lead to drivers on the A2 wishing to turn into Church Lane, being forced to wait on the A2, thus blocking through traffic. Drivers may also be forced to brake suddenly while undertaking a turn into Church Lane as a result of vehicles on Church Lane being themselves forced to stop suddenly when confronted by oncoming vehicles. The on-street parking is the result of the majority of houses on both sides of the street having no off-street parking provision. This problem has been identified by the Highway Authority who also suggests the applicant consider new parking restrictions on Church Lane to ease the problem. It seems unlikely that any such traffic regulation order would be viable without local residents being provided with an alternative place to park their vehicles, a measure that has not been offered.

The proposed development will generate new vehicle movements along Church Lane and School Lane in the peak hours and during school drop-off and pick-up periods. The new and improved parking for school staff and for parent drop-off and pick-up will make it easier to park west of the school and will inevitably increase the number of staff and parents who seek to park in this area. There will certainly be increases in the number of vehicles passing the school both related to the new development and related to the new parking area. All of the vehicle movements associated with the new housing and some of the vehicle movements associated with the new parking area will be new to Church Lane and its junction with the A2. These additional vehicle movements are likely to increase the frequency of queues developing on Church Lane and these in turn have the potential to adversely affect traffic on the A2 thus exacerbating the existing highway safety concern relating to queueing on the A2.

The TS relies on one reported observation of traffic conditions on Church Lane to arrive at a conclusion that the proposed development will have a negligible impact. The assessment is extremely limited and cursory and cannot be relied upon to provide the necessary confidence that the proposals will not have an unacceptable impact in terms of highway safety.

KCCHA initially raised concerns about the impact of the proposals on Church Lane and the officer stated that, *'the observations noted in the TS do not reflect my own experiences of this section of road, and further studies should be carried out to verify the conclusions drawn'* (Section 2.7 of KCCHA response dated 05 October 2021). Despite this, and the absence of any further studies or any further mitigation, KCCHA presents an entirely different view in its response dated 04 May 2022 where the proposals are considered to have a *'negligible impact'*. The *'evidence'* referred to by KCCHA is a video of the observations that were previously reported and that were previously viewed by KCCHA as not representative of typical conditions.

KCCHA refers to the low level of traffic generation of the proposed housing (1 movement every 5 minutes) but fails to consider the significance of this level of new traffic in the context of the extremely constrained and sensitive nature of Church Lane and School Lane. There are plenty of examples of situations where very low levels of new traffic are deemed unacceptable. A narrow street with narrow or absent footways with high levels of on-street parking that severely constrain capacity, used for access to a primary school represents a highly sensitive location. Low levels of new vehicle generation that might be considered in other locations to be acceptable may well be considered unacceptable here. There has been no thorough assessment of this important issue.

### **Adverse Impact on Air Quality**

The limited capacity of Church Lane already leads to vehicles queueing and waiting in the vicinity of the A2. The proposed development will increase the level of stationary traffic in the area thus further exacerbating the air quality concerns in the Air Quality Management Area in the village. The issue is made more pressing when it is considered that the children attending the primary school are and will be exposed to these additional emissions while walking to and from school.

### **Impact on Trees and Hedgerows**

The proposed site access as illustrated in DHA Drawing No. 15058-H-01 rev. P8 shows significant works around the site access to achieve safe visibility splays, to provide footways and create an access that can safely accommodate the various vehicle types that are expected to use it. The works will have a marked urbanising effect on the area by replacing vegetation, verges and embankments with a footway between the site access and the school access on the western side of School Lane. The introduction of a retaining wall on the north-eastern side of School Lane replacing the existing embankment to allow a footway to be constructed will further 'open up' and urbanise the area.

The overall impact of the works will be to significantly alter the rural character of the area. A further consequence of this will be to increase vehicle speeds, clearly undesirable in the vicinity of the school.

### **Impact on Lanes**

Both School Lane and Bricklands are designated as 'rural lanes' under Policy DM26 of the Swale Local Plan. The policy states, '*Planning permission will not be granted for development that would either physically, or as a result of traffic levels, significantly harm the character of rural lanes. For those rural lanes shown on the Proposals Map, development proposals should have particular regard to their landscape, amenity, biodiversity and historic or archaeological importance.*' The proposed development will have a significant impact in terms of the removal of existing trees and roadside vegetation, in terms of altering the overall character of the lanes in the vicinity of the site access and in terms of increasing vehicle flows along School Lane and the section of Bricklands used for access. The proposals are therefore contrary to Local Plan Policy DM26.

## Viability of Proposed Off-Site Mitigation

It is proposed to introduce a footway on the north-eastern side of School Lane south-east of the school access by removing the embankment and supporting the higher earth behind with a retaining structure. It is noted that the embankment has a height of around 1.5m. The applicant has provided no detail of the retaining structure and it is not clear whether there exists a viable engineering solution to achieve the standard of footway required while providing adequate support for the land and dwellings to the north-east. The applicant draws the line representing the retaining wall around 0.5m from the highway boundary in places and the retaining structure itself to have a width of 20-30cm (essentially the width of the line drawn on the plan). A simple retaining wall relying on gravity to withstand the pressure of the earth behind is likely to need to be 'battered', that is, wider at the base than at the top and could have a width of between half and three-quarters of its height; potentially a width of over 1.0m. The structure would be within around 4m of the adjacent houses. It is therefore hard to see how the proposal could be effectively implemented while allowing the provision of a footway of a width that meets relevant safety standards.

## Cumulative Impact

The Highway Authority has not explicitly dealt with the issue of cumulative impact but has sought a contribution of £16,800 towards a scheme to increase capacity at the A249 Keycol Junction (see Highway Authority response dated 04 May 2022). A development of 25 dwellings, in isolation, is unlikely to give rise to a level of new traffic that could lead to unacceptable highway capacity impacts on the wider highway network. However, there have recently been numerous planning applications for residential and other developments in and around Newington and there is concern locally that the cumulative impact of these developments may be severe.

**Figure 1** attached summarises consented and proposed developments in the area. In total, including the School Lane development, 216 dwellings are proposed within Newington. The Paradise Farm brickearth extraction will generate 101 vehicle movements including 85 HGV movements per day, albeit over a limited period. In addition, four committed developments in the wider area, including the very large proposed development west of Bobbing, have been identified that will generate additional vehicle movements on the A2 through Newington.

**Table 1** attached summarises the trip generation of the various consented and proposed developments in the area. This shows that developments within Newington will generate 1,123 new vehicle trips per day on the local highway network. To this will be added at least 955 vehicle movements along the A2 associated with other committed development in the area. In relation to existing traffic flows on the A2, this additional traffic represents a 14% increase on a daily basis. In transport environmental terms, an increase in excess of 10% is deemed to be potentially significant in sensitive areas<sup>2</sup>. Newington is a sensitive area as evidenced by the presence of an Air Quality Management Area (AQMA) covering

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<sup>2</sup> See Guidelines for the Environmental Assessment of Road Traffic, Institute of Environmental Assessment, 1991

the whole of the village. The recently implemented 20mph zone on the A2 in the village centre also points to the sensitivity of the area to traffic impact.

From the data that is available it is clear that in cumulative terms, the proposed development has the potential to lead to significant adverse impact. The only mitigation that is proposed relates to the Keycol junction. No further mitigation is proposed to deal with the adverse impacts associated with increased traffic levels on the A2 through Newington village.

### **Proposed Sustainable Transport Mitigation**

Section 6 of the TS refers to DHA Technical Note dated July 2022 that presents an argument that a 10% reduction in car travel can be achieved through the implementation of a Travel Plan. I find nothing within it that would suggest to me that the measures proposed will lead to anything close to the suggested 10% reduction in car travel.

Section 6 of the TS and the Technical Note reference the NatCen report, 'Impact of interventions encouraging a switch from cars to more sustainable modes of transport' and quotes a paragraph taken from the Executive Summary that states, '[public transport] *should also compare favourably to the cost and convenience of driving*'. As I have already set out above, the site is at least 850m from the nearest bus stop. It is absurd to suggest that bus use could ever compare favourably with car use at the proposed development. Although the train station is closer, train services are expensive compared with driving, and by their nature are not convenient for the vast majority of journeys owing to the limited destinations accessed and the infrequency of services (only hourly services for most of the day).

The use of the NatCen report to imply that a significant shift to bicycle use is possible is also disingenuous since it entirely ignores the first point raised in the report which is that, '*Successful interventions to encourage a switch from cycling include separating cycle routes from other vehicles...*'. There are no designated cycle facilities separating cyclists from other vehicles in the area. Indeed, the A2 is a very hostile environment for cyclists. Again, it is absurd to attempt, as DHA does, to compare the Newington site with Brighton that has well established cycle routes and a comprehensive range of supporting measures to promote and encourage sustainable travel.

Section 6 of the TS and the Technical Note also refer to the TRL report, 'Sustainable travel towns: An Evaluation of the longer term impacts' (Cairns and Jones, 2016). Put simply, the findings of the TRL report have no relevance to the Newington site since Newington is not a sustainable travel town. Indeed, the fact that the average reduction in car trips of 7%-10% has been achieved in locations where there has been a committed, long-term and comprehensive development of a wide range of measures and initiatives promoting sustainable travel in the settings of much larger urban areas strongly suggests that the scope for achieving any measurable change in travel behaviour at the proposed site is

negligible since bus services are inaccessible, local services accessible on foot are limited and cycle use is both unattractive and hazardous.

I conclude that the suggested level of car trip reduction is achievable at the proposed site has no credibility.

### **Summary**

To summarise, I consider that the proposed development is not acceptable in transport and highways terms for the following reasons:

1. The site has very poor access to bus services;
2. The assessment of highway safety records is out of date and needs to be revised;
3. The proposed housing development will generate new car trips using Church Lane and passing the school on School Lane in the peak hours and during school drop-off and pick-up periods;
4. The new and improved parking area for school staff and parents will make it more likely for more cars to drive past the school;
5. Church Lane is highly sensitive to changes in traffic levels due to significant on-street parking, narrow or absent footways and its function as the main access to the school for those on foot. There has been no detailed assessment undertaken of the impact of the proposals on vulnerable highway users along this route;
6. It is likely that increased vehicle queuing and delays resulting from additional traffic using the severely constrained Church Lane will have an adverse impact in terms of highway safety on the A2 and at the A2/Church Lane junction as traffic backs up more frequently on the A2;
7. The increased traffic at the A2/Church Lane junction and travelling along and waiting on Church Lane will increase air pollution in an existing Air Quality Management Area;
8. The proposals are contrary to Swale Local Plan Policy DM26 in that they will have a significant adverse impact on the landscape of Bricklands and School Lane, designated as 'rural lanes'.
9. It is unlikely that the proposed earthworks on the western side of School Lane in the vicinity of the school could be implemented while maintaining a footway of a width that meets relevant standards;
10. No assessment has been made of the cumulative impact of the proposals in the context of numerous other developments in the local area;
11. The effectiveness of the proposed Travel Plan and associated measures have been greatly exaggerated and are unlikely to lead to any measurable change in travel behaviour of the residents in the proposed development.

I conclude that the proposed development is not acceptable in transport and highways terms.

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I trust the above is clear. Please do not hesitate to contact me if you have any queries.

Yours sincerely,



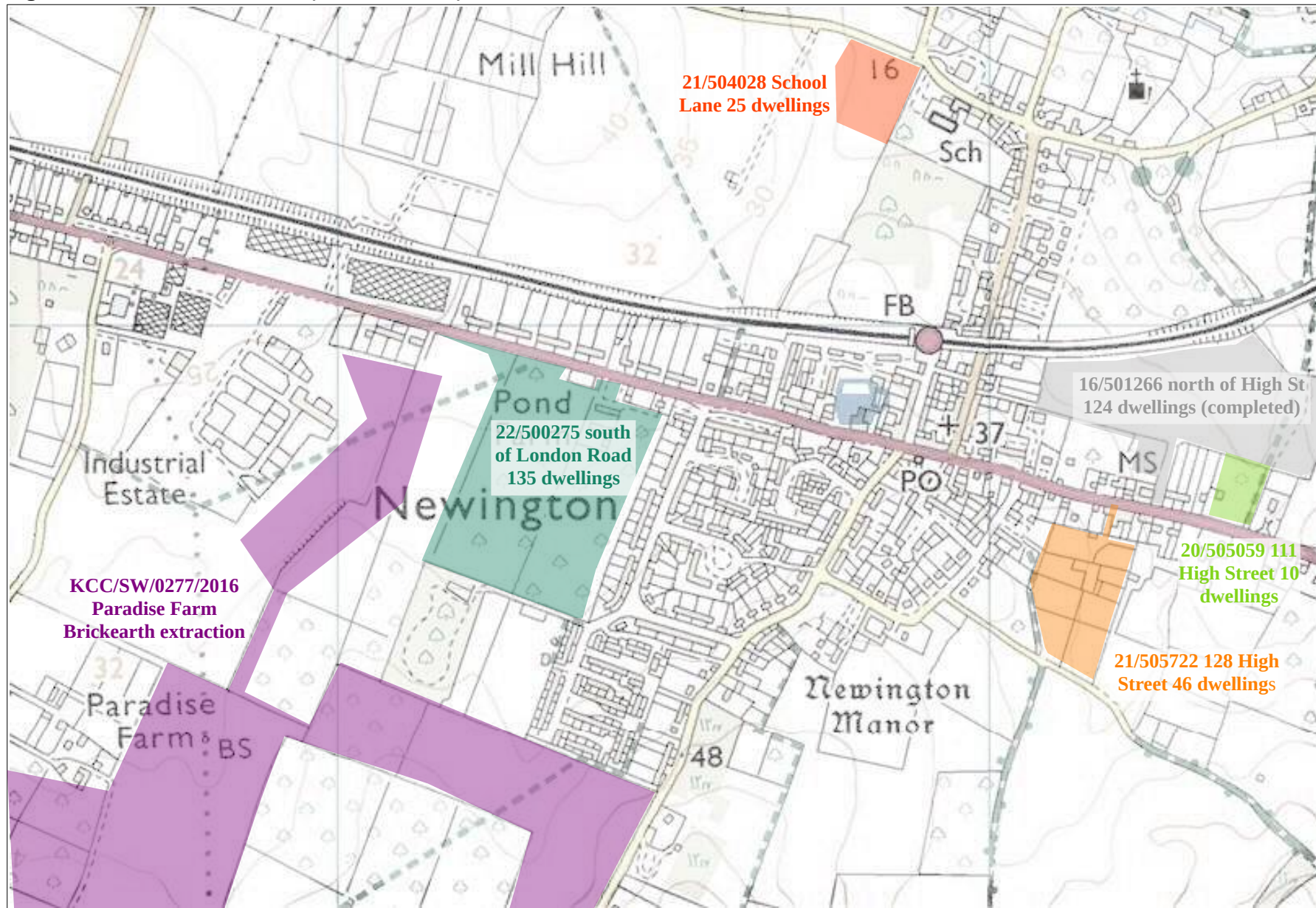
Bruce Bamber BSc MA MSc MCIHT, Director

**Table 1:** Summary of Committed Traffic

			2-way trips			% Daily Change
app. Ref	name	description	AM Peak	PM Peak	Daily	
Developments within Newington	20/505059	111 High Street	10 dwellings	4	4	33
	21/505722	128 High Street	46 dwellings	21	20	200
	22/500275	Land south of London Rd	135 dwellings	84	89	715
	21/504028	School Lane	25 dwellings	9	9	74
	KCC/SW/0277/2016	Paradise Farm	Brickearth extraction			101
	Total within Newington			<b>118</b>	<b>122</b>	<b>1,123</b>
Developments generating traffic through Newington	17/505711	Wises Lane	595 dwellings	35	35	289
	18/502190	Quinton Road	852 dwellings	70	63	550
	17/500727	Manor Farm Key St	50 dwellings	3	3	25
	18/500258	Hill Farm Bobbing	20 dwellings	11	11	91
	22/503654	Land west of Bobbing	2,500 dwellings	-30	109	293
	Total through Newington on A2			<b>89</b>	<b>221</b>	<b>1,248</b>
			<b>Total</b>			<b>14%</b>
Effect of M2 Junction 5 improvements			16	-13		
2018 AADT A2 West of Callaways Lane (from Paradise Farm TA)						<b>17,508</b>



**Figure 1: Consented and Proposed Developments**



**Committed and proposed developments that could generate traffic on the A2 through Newington:**

- 1: 17/505711 Wises Lane 595 dwellings
- 2: 18/502190 Quinton Road 852 dwellings
- 3: 17/500727 Manor Farm Key St 50 dwellings
- 4: 18/500258 Hill Farm Bobbing 20 dwellings
- 5: 22/503654 Land west of Bobbing mixed use development with up to 2,500 dwellings