

Tabled Update for Item 2.2 – Land West Of Church Lane, Newington, Kent (ref. 25/500761/FULL)

Network Rail

A response has been received from Network Rail which reads as follows:

“The site subject to the current planning application is located close to the railway and to Newington station. The station is accessed via Church Lane which requires going through a narrow road under the railway bridge to then come back up Station Road. Alternatively, there is a pedestrian route off Church Lane that takes users into the car park at the station. Whilst it is not within the gift of the current application to directly improve access to the station, Network Rail is supportive of any highway contributions from the development that would fund measures to make the highway network from the site to the station safer and more accessible, especially for pedestrians.

The railway itself is raised as it runs along the site boundary. Network Rail note there to be a significant tree belt that provides a buffer from the site to the railway. Retaining this belt and providing additional landscaping/boundary treatments as appropriate would be welcome to provide additional protection.

The site is in a drainage catchment where surface water run off could impact the railway. Network Rail notes the conditions proposed by KCC’s Flood management team and these are supported from a railway perspective also. Any drainage should be located away from the railway and measures should be employed that reduces run off impacting the railway.”

Members Briefing Note

The applicant has submitted a Members Briefing Note. This is available to view at <https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SS73LLTYMFW00>

Representation Received.

A representation has been received stating that the application should be refused for the following reasons:

1. Lack of Secondary School Capacity (Infrastructure Deficiency)

The Swale Infrastructure Delivery Plan (IDP) AUTUMN 2020 identifies education as a critical component of social infrastructure required to support new development. The IDP states that secondary school provision is already under pressure, and that strategic infrastructure (like new schools) must be delivered in a timely and coordinated way to support growth. The proposed development would exacerbate existing shortfalls in secondary school places in Sittingbourne and Sheppey, with no confirmed delivery date for the proposed new school at Quinton Road, Kemsley (currently projected for 2030).

Policy DM6 of the Swale Local Plan (Bearing Fruits 2031) requires that development must be supported by the necessary infrastructure. This proposal fails to meet that requirement.

Planning Reason: The proposal fails to demonstrate that sufficient secondary school capacity exists or will be delivered in a timely manner to support the development, contrary to Policy DM6 of the Swale Local Plan and Paragraphs 20 and 34 of the NPPF.

2. Failure to Secure Infrastructure via Legal Agreement

Although a Section 106 agreement is proposed, the officer report notes that the precise wording and obligations are still under negotiation.

Without firm and enforceable commitment to deliver or contribute to the new secondary school, the development risks proceeding without mitigation for its educational impact.

Planning Reason: In the absence of a completed and enforceable legal agreement securing contributions to secondary education infrastructure, the proposal fails to mitigate its impact, contrary to Policy CP6 of the Swale Local Plan.

3. Failure to Create Safe and Inclusive Environments - NPPF Paragraphs 8(b), 93 & 131

The December 2024 National Planning Policy Framework (NPPF) outlines the social objective of planning in Paragraph 8(b): to foster well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. Paragraph 93 requires planning decisions to promote social interaction and ensure places are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Paragraph 131 reinforces that developments should be safe, inclusive and accessible, promoting health and well-being, with a high standard of amenity for users. The proposed development fails to incorporate adequate street lighting within the site and along pedestrian routes to Newington railway station, undermining public safety and accessibility, particularly for women and girls. This is contrary to Paragraphs 8(b), 93, and 131 of December 2024 NPPF.

4. It conflicts with Local and National Safety Strategies - Kent Police VAWG Strategy

Kent Police's Violence Against Women and Girls (VAWG) Strategy 2021-2024 commits to: "Creating safe spaces for women and girls to live, work and socialise, improving feelings of safety."

The absence of full-height street lighting contradicts this commitment and increases vulnerability and fear of crime. Swale Borough Council and Kent County Council have also endorsed VAWG strategies that emphasize the importance of well-lit public spaces.

The proposal fails to support local and national strategies to reduce violence against women and girls by not incorporating adequate lighting to ensure safe public spaces, thereby increasing vulnerability and fear of crime.