

APPENDIX 4**21/501740/FULL: Land at Hill Farm which was recently deferred at committee on 14th October 2021****An expansion of the submitted comments, setting out why a reason for refusal is not put forward:**

The Environmental Protection Team are mindful that permission has been granted under application reference 18/500258/FULL for: The provision of a 3-unit accommodation building, car park and outdoor event space, the erection of 20 private residential dwellings, together with associated access, parking, highway works, drainage and landscaping.

Therefore, the current application (21/501740/FULL) seeks permission for an amended proposal to the extant consent with the following changes:

- Relocation of the residential access to Keycol Hill and not Rook Lane
- The existing Rook Lane junction will be 'stopped up' and diverted for a short section through the application site to the proposed new access onto Keycol Hill.
- The quantum of residential development will increase to 30 private units, and the housing mix will be altered to include a range from 2–5-bedroom unit

In addition to permission already being granted for the wider scheme. The Environmental Protection Team did not object to this application on air quality grounds due to the development site alone showing negligible impacts, and proportionally being significantly smaller when compared to the Rainham development sites (Medway area), as shown in the amended air quality assessment.

The air quality impacts are negligible for this development site, which is different to the Gladman's case which was a larger development site with much more significant air quality impacts. Also different is that the EP team cannot prove that air quality and human health would suffer if this amended proposal were to go ahead. A recommendation for refusal on air quality grounds was not made as it was considered that there is insufficient reason for refusal that could be justified if an Appeal against the Decision were made.

The Air Quality Assessments (AQA) have been scrutinised by officers of the Environmental Protection Team to which the amended AQA is acceptable and comprehensive in the results displayed. The cumulative impacts were assessed, which identified substantial impacts at multiple receptor sites, as a result of high traffic flows coming from Rainham development sites. Concerns have been raised with the planning team, including recommendations for needing a strategic approach to the problem. This will require Swale BC to work with Medway Council to seek a solution.

Setting out any specific mitigation measures that have been put forward as part of the application, and any mitigation schemes the damage cost could contribute towards:

The total damage cost is an estimate of the costs to society due to the impact of increases in emissions associated with the proposed development. Usually, the EP team would ask for the damage cost to be spent on bespoke air quality mitigation, preferably on the development alone, with a listed cost attached. The damage cost for this application equates to £20,995, considering the additional 10 dwellings. At the time of reviewing this application there were other applications similar in scale being reviewed for this area, and that it was thought that pulling together the damage costs could allow a more effective scheme of mitigation for the area as a whole.

If members do not feel a pooled contribution is an adequate approach, we would recommend the applicant provides a specific mitigation option for the £20,995 damage cost. This could be one of the measures included in the applicant's AQA (listed below) or the applicant should consider other

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measures. These would need to be agreed with the Environmental Protection Team and conditioned as part of the application (suggested condition wording included at the end of the response).

The amended AQA by Lustre Consulting Limited states the following standard measures will be included (not included in the damage cost):

- All gas-fired boilers to meet a minimum standard of <40mgNO_x/kWh
- 1 Electric Vehicle charging point per dwelling with dedicated parking or 1 charging point per 10 spaces (unallocated parking). EV charging technology should be the best available technology at the time of planning approval. More detail is provided in Appendix A of the AQA in relation to the installation of EV charging points.

The amended AQA also provides a suggestion of mitigation measures that could be considered:

- Travel plan including mechanisms for discouraging high emission vehicle use and encouraging the uptake of low emission fuels and technologies
- A Welcome Pack available to all new residents online and as a booklet, containing information and incentives to encourage the use of sustainable transport modes from new occupiers such as the use of buses along the High Street and the local railway station.
- Car club provision, preferential parking within development and weighting given to local car eV car clubs or new/improved bus service, possibly as pooled contribution with other committed developments in the area and/or working together with Medway Council. This will require a strategic approach with Swale and other developers working in the area.
- Designation of parking spaces for low emission vehicles together with public use plug in charge points. This should form part of the national electric vehicle network.
- Using green infrastructure, in particular trees to absorb dust and other pollutants should form part of the wider landscaping of the development.
- Working with Swale environmental protection and local planning to identify suitable NO_x and PM abatement measures off-site, within close vicinity to the development and/or receptors that are more likely to be impacted due to cumulative impacts modelled. This includes, where feasible, application of emerging best available technology not entailing excessive cost.

NB: Costs need to be added to the mitigation measures to assess which would be feasible in reflection of the damage cost amount.

Potential air quality damage costs within the Newington local area that could go a wider mitigation scheme if permission was granted:

- 21/501740/FULL – Land at Hill Farm, Newington. **(The application under discussion)**.
Erection of a nurse accommodation building, car park and outdoor event space for Demelza.
Erection of 30 private residential dwellings, together with associated access, parking, highway works, drainage and landscaping.
 - o **Damage cost: £20,995**
- 20/501475 – Land to the Rear of Eden Meadows, Newington. **(Under consideration)**.
Construction of 20 dwellings alongside associated parking, access, infrastructure and landscaping works.
 - o **Damage cost: £11,545**

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- 20/505059 - Willow Trees, 111 High Street, Newington. **(Under consideration)**. Demolition of existing chalet bungalow and erection of 20 dwellings (4 x two bedrooms and 14 x three-bedrooms and 2 x four-bedrooms) with associated access, parking, amenity and landscaping.
 - o **Damage cost: £7,485**

Total damage cost: £40,025

If the total damage cost above was used for a wider scheme (set out below) it would need other contributions for example, from other Rainham or Sittingbourne sites.

Suggested mitigation schemes the damage cost could contribute towards (costings for these need to be reviewed and completed):

- Car club (this would need a wider contribution) = **High ongoing cost**
- Improvement to the bus service (this would need a wider contribution) = **High ongoing cost**
- Provide electric bikes for all residents or electric bike share schemes for Newington residents = **unknown cost**
- Discounted public transport tickets = **unknown cost**
- Upgrade to local bus stop infrastructure and new stops to improve customer experience = **unknown cost**

NB: Currently the cost and delivery of the mitigation measures in the AQA and suggested pooled schemes have not been secured. Therefore, it is recommended that this is pursued by the applicant and SBC to ensure the most effective scheme is delivered. Once the decision as to what mitigation will be pursued for this development, this should be secured through condition or 106 agreement.

Additional comments about the AQA:

The air quality appraisal for this application is in line with Local Air Quality Management (LAQM) guidance using the latest EFT v 10 toolkit for calculating the damage cost.

If the decision is made that air quality impacts from the application are put forward as a consideration for refusal, then it might be worth employing external consultants to review the case as a third party if it goes to appeal.

Additional comments in response to applicants' recent email (04/11/2021) about the Evidence Base used for the Regulation 19 Local Plan review 2021:

The Evidence Base which included a district-wide Air Quality Assessment to inform Regulation 19 Local Plan review 2021 validates previous comments related to this application. This is that the Swale (Newington) development sites alone will not cause a significant impact when modelled in future scenarios and therefore we have insufficient grounds to recommend refusal of this application based on air quality. The Council was unaware of the substantial cumulative impacts caused by the Rainham (Medway) development sites at the time of LP review. It is now evident that there are significant transboundary effects with our neighbouring authority which should be addressed as part of the next Local Plan review.

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Suggestion for conditions for the mitigation measures could be:

Option 1:

No development shall commence until the developer has developed a scheme detailing and where possible quantifying what measures or offsetting schemes are to be included in the development which will reduce the transport related air pollution of the development when in occupation. Costs for the proposed measures need to be specified within this to ensure the most effective and feasible measures are chosen for the development site. This information should be submitted to and approved by the Local Planning Authority, prior to development.

Option 2 (could be more specific the agreed mitigation measures chosen) for example travel plan + welcome pack or car club:

- **Travel Plan**

A **Sustainable Travel Statement/Plan** must be submitted to and approved by KCC Highways and the Local Planning Authority. It will include, as a minimum, a programme for monitoring and review mechanisms; plus the following measures within a welcome pack shall be implemented prior to occupation:

- **Welcome Pack**

A Welcome Pack available to all new residents online and as a booklet, containing information and incentives to encourage the use of sustainable transport modes from new occupiers, including:

1. Maps showing the site in relation to walking, local buses, cycle routes, cycle stands, the nearest bus stops, and rail stations.
2. Approximate time it takes to walk or cycle to various local facilities.
3. Site specific public transport information including up to date public transport timetables.
4. Links to relevant local websites with travel information such as public transport operator information, cycling organisations and the Council.
5. Details of local 'Car Share' and 'Car Club' schemes, including links to County & District Councils sponsored schemes.
6. Information on public transport season tickets and offers.
7. Information on specific incentives including "Walk to Work" or "Cycle to Work" initiatives, plus secure cycle storage.
8. Information on the health, financial and environmental benefits of sustainable travel.
9. Free tasters' tickets for local buses and/or vouchers for bike maintenance/parts at local shops.

- **Car Club**

At least one parking bay to be allocated to a residential or publicly accessible car club vehicle, available for use on occupation. A successful car club scheme will require dedicated marked and signed car parking spaces for vehicle(s) to be provided in perpetuity, ideally available also to members not living in the development. Developer contribution shall include:

- i. Traffic Regulation Orders and Associated road markings/signage
- ii. Incentives for new residents to join the car club (£30 free driving credit per dwelling)
- iii. Lease of the vehicle(s) for the first 6 months.