

## **BREDGAR PARISH COUNCIL ("BPC") RESPONSE TO AMENDED APPLICATION 21/503914/EIOUT (Outline application) - 30.01.2023**

Bredgar Parish sits within the AONB, to the South West of the proposed development with some parts of the development falling within the Parish boundary. The PC has previously submitted a response (30 November 2021) objecting to the original application, and a joint response, with Rodmersham and Milstead, via consultants Cerda (see "Bapchild, Bredgar, Milstead and Rodmersham PC" submission on the planning portal on 29.11.2021 and the associated PDF document "Objections to Highsted Park 21\_503914\_EIOUT and 21\_503906\_EIOUT FULL.pdf").

The applicant's amendments do not address concerns BPC have raised previously. The amendments do not make any significant modification to the Highsted Park scheme, they merely make minor changes to detail within it. Therefore BPC consider that issues raised in our previous submissions still apply.

In general, the housing numbers in this application, although slightly reduced to 7,150, are of an order of magnitude above the local need in Swale. They are unsupported by the local plan and likely to be at odds with emerging central government policy.

Local opinion remains strongly opposed to the development. Even given the great volume of amended documents forming the revised applications, and the relatively short deadline for comments, there have been very many heartfelt objections to the revised proposal, from local residents and organisations.

In the wider context, the Department for Levelling Up has said that housing targets will become a "starting point" for development, with new flexibilities to "reflect local circumstances". BPC consider that there are significant local circumstances in Swale, such as lack of suitable development land, that will lead to the next Local Plan housing levels being well below the last Government Housing target. This application provides more housing than is needed in Swale.

The revised application shows a proposed junction 5A which is slightly re-designed, but this does not touch on the fundamental issues around the proposal for a new junction. Highway England in their response to the original application made it clear that "thorough and compelling evidence is necessary be-

fore National Highways can support a conclusion that the NPPF test has been met.” We see nothing to indicate that such evidence has been presented.

BPC strongly supports the current submission of the Kent Down AONB Unit, and its detailed comments in respect of the ‘great weight’ to be given to the conservation and enhancement of the AONB and its setting.

Other than the above please refer to Annex 1 below and the joint PC response via Cerda, for our detailed objections.

**BPC 30.01.2023**

## **PREVIOUS BPC SUBMISSIONS AT EARLIER STAGES**

### **ANNEX 1**

#### **BREDGAR PARISH COUNCIL ("BPC") RESPONSE TO APPLICATION 21/503914/EIOUT (Outline application) - 30.11.2021**

Bredgar Parish Council has submitted a joint response with Rodmersham and Milstead objecting to this planning application. This additional response is in support of our joint response and providing amplification of some of the issues already raised.

Bredgar Parish Council objects to planning application 21/503914/EIOUT ("the Application"). Bredgar Parish sits within the AONB, to the South West of the proposed development with some parts of the development falling within the Parish boundary. The size, scale and proximity of the Application will have a deep and negative impact on the residents of Bredgar Parish, the village and its setting.

BPC responded in January 2018 to the Screening Opinion Report and in January 2021 to the Scoping Opinion impact assessment, including the current subject site ("the Site"). These responses are attached as Annexes 1 and 2 to this letter, as the concerns raised within them remain applicable and need to be considered again now that this scheme is at the outline planning application stage.

We respond further now with our new points of objection, expanded concerns focussed on the consequences.

## **OVERARCHING ISSUES**

### **A) Local Plan and Government Targets**

The proposed development does not form part of the adopted Swale Local Plan, nor the Draft Local Plan (DLP) currently at an advanced stage of adoption. The DLP is the result of careful consideration of the aspects covered by the application and does not support development in the proposed location, nor a motorway junction and access road. The DLP contains coherent and credible allocations of land for housing and employment that meet government mandated (and excessive) targets.

The development proposed in the Application is not required in any way to deliver those targets. Swale Borough Council is managing the housing need.

**B) Local Opinion**

The sheer, unprecedented volume of comments from local people in opposition to the Application, on the Swale Planning Portal demonstrates the lack of appetite for this development.

BPC held an event in September during which parishioners were invited to view plans of the proposed development in Bredgar Village Hall, presented in a neutral manner. There was no formal meeting, but councillors who were present were approached by attendees wishing to make their opinions known. They were directed to the portal, to put forward their written comments, but of those who attended, only one was non-committal while the others were all strongly opposed.

**C) Central Government Policy**

The Prime Minister, in his conference speech on 6<sup>th</sup> October 2021 said “you can also see now much room there is to build houses that young families need in this country, not on green fields, not just jammed in the South East but beautiful homes on brownfield sites, in places where homes make sense.”

BPC and the parishioners of Bredgar are clear that the beautiful countryside of the proposed development site is not a place where new homes make sense.

**AREAS OF CONCERN TO BPC AND PARISHIONERS**

**1 Landscape**

Of great concern to BPC and parishioners is the proposed damage to the setting of the AONB and the building of a motorway junction actually within the AONB itself, which is totally contrary to the purpose for which the AONB system was established.

Our previous comments from January 2021 still apply and are set out in Annex 1, paragraph 1.

We accept that the applicant suggests landscaping, particularly along the M2, as an important and beneficial feature of the Application. However, given the massive scale of the proposed change in character of this part of the setting of the AONB, and the AONB itself, this seems to be a relatively insignificant remedial feature. The large scale damage will have been done.

The loss of grade 1 and 2 agricultural land is not something that can be reversed once development begins, or mitigated in any way. The dark skies that we currently enjoy will, in the space of a few years, become a distant memory. With no countryside gap and a new motorway junction the setting of the AONB is lost and the AONB itself seriously damaged.

## **2. Transportation and Traffic**

The applicant's traffic modelling is flawed. In the Traffic Impact Appraisal (report 16-023-R1006) section 3.4.11 concerning traffic modelling states *"Ruins Barn Road, to the south of the proposed development, links to the wider rural road network south of the M2. The modelled capacity of the Ruins Barn link, to the south of the M2, was limited in order to avoid unrealistic routing of traffic via rural routes."* Whilst this may have been needed to avoid unrealistic modelling it also means that there is no detailed forecasting of the actual impact on the rural roads south of the M2. Further to that, section 5.3.19 states *"Traffic on many of the minor rural routes around the south of Sittingbourne have a reduced level of traffic in the With Development scenario. However, there are higher traffic flows on Woodstock Road in both peak periods. This corridor including Park Road, Gore Court Rd and Ruins Barn Road is intended to provide a key connection between the town centre, residential areas to the south of the town and the new motorway connection via the SSRR."* BPC believe this is an unrealistic and highly improbable scenario. The building of 9250 additional houses and expansion of 34 hectares of commercial development within metres of the rural villages cannot possibly result in less traffic. The office of National Statistics released *"Percentage of households with cars by income group, tenure and household composition: Table A47"* in 2019 which indicates a measure of typical cars per household. Based on these numbers at least 11,192 additional cars or vans will be added to local

traffic volumes. Whilst the Highsted Park area may generate its own new infrastructure to support these vehicles every one of them will potentially be a new loading on the unchanging rural roads south of the M2.

Looking in detail at those impacted local roads, particularly around Ruins Barn Road, it is clear that they are not suited for any additional traffic and improvements to address that would have a negative impact on the rural character of the AONB. In particular, Bexon Lane has a particularly restricted 'T' junction with The Street where the church wall has been badly damaged several times, as has the house opposite when unsuitable HGVs attempt to turn. Hawks Hill Lane is a single lane road through the hamlet of Bexon more suited for horses than cars. It leads on to Bashford Barn Road which is again single lane with few passing places. Both these are already experiencing levels of traffic at peak hours that are completely in excess of their capacity. The existing problems at all three of these lanes are current issues for BPC in our ongoing work preparing a Highway Improvement Plan document for Kent Highways to address.

The proposed development will generate thousands more vehicle movements onto an M2 motorway that is already log jammed at busy times. It will increase exponentially the number of vehicles using the country lanes to a level beyond their capacity and causing severe reduction in quality of life to those living along the routes. We have strong concerns over the additional commercial development causing a significant increase in HGV movements within Bredgar Parish. Particularly during periods of extreme problems, such as when accidents or roadworks shut the M2, or problems on the M20 cause traffic to seek diversions on smaller roads.

We note that the layout for the proposed new M2 junction is designed to accommodate motorway widening and the addition of third lanes. BPC are unaware of any current Highways England plans to provide additional M2 capacity at that point. It is clear from the applicants own modelling that there will be inevitable traffic jams without this additional capacity. Therefore the applicants application is dependent on infrastructure that may not exist. If a third lane were to be added to M2 this may improve the traffic flow but it will generate even greater noise and air pollution for Bredgar village residents. An impact that must be mitigated by further landscaping, tree planting and noise reduction surfaces on M2.

BPC conclude that the Application provides no mitigation for all the highway issues it will create south of the M2. In the unlikely event that the Application were to be approved BPC strongly demand that conditions are applied that require the applicant to identify, fund and implement mitigations for these highway issues. The condition must require the applicant to secure approval for the mitigations from the local planning authority, with validated documented support for them from BPC and Bredgar parishioners.

We note the comments of National Highways in response to the Application in which they make clear that the proposals cannot be accepted without satisfactory responses to the many matters which they raise including further traffic modelling.

### **3. Water**

The proposed area of development lies on the aquifer (North Kent catchment area) and BPC believe that placing this development upon it may put the existing populations supply at risk. The applicant's plans claim to address this issue but BPC believe that building on greenfield land at such a large scale will not be offset by the measures proposed.

In the applicant's Water Cycle Study Volume 05 - Water Resources and Supply Report item 1.1.10 Southern Water indicate that the development will need additional water capacity increases by 2025, confirming that there is not sufficient water storage capacity now to meet Southern Water's requirements.

In any event the existing infrastructure / sewage systems need to be fixed before adding further development needs. For example the sewage pipes beneath Bredgar Recreation Ground have a history of regular blockages and/or leakage. The water supply system in Bredgar Parish suffers regular and persistent leaks and needs to be properly upgraded before adding more capacity for the new development.

#### **4. Build Environment / Heritage**

Bredgar village lies within one kilometre of a heavily built up area of the development site, with the ancient hamlet of Bexon a few hundred yards from the slip road for the proposed motorway junction.

Each historic village and hamlet within and adjacent to the proposed development site has its own character, which adds to the overall landscape, of interesting and individual villages, in a rural, agricultural setting. The proposed development would see these joined together, in an urban sprawl, which would destroy the character of the area. In relation to Bredgar, the countryside gap between the village and Tunstall is of key importance and would be significantly encroached upon by the proposed development.

We refer you to our comments in Annex 1 part 3. We also support the comments of Historic England in their response to the Application, with particular reference to the NPPF and the concerns over the cumulative detriment to the historic environment.

#### **5. Ecology and Nature Conservation**

We note that the applicant places great emphasis on the green spaces which are to be created within the proposed development, but the creation of habitats can only come as second best to existing natural wild spaces.

#### **6. Socio-Economics, Population And Human Health**

It is well established that healthcare in Swale is woefully inadequate. Despite the best efforts of those working to improve services, it is extremely difficult to secure GP appointments. Going back to pre-COVID times, Swale was said to have the worst GP to patient ration in the county. This needs to be addressed and improved, and the new development will only exacerbate matters.

#### **7. Climate Change**

Recent events globally and locally, such as the recent flooding in Maidstone, Sittingbourne and Herne Bay need to be taken into account when assessing this application. This development will inevitably result in a massive increase of developed land and loss of agricultural land, reducing considerably the natural drainage capacity available during excessive rain events and generating much greater flood risks for the whole area. To mitigate this negative impact the applicant would need to go much further to facilitate and fund schemes on the development site and within the AONB south of the development that improve capture of surface water into the aquifer.

BPC 29.11.2021

**BREDGAR PARISH COUNCIL (“BPC”) RESPONSE TO APPLICATION 21/500819/EIASCO (EIA Scoping Opinion) - Environmental Impact Assessment Scoping Report, January 2021 (“the Report”)**

Bredgar Parish sits within the AONB, to the South West of the proposed development with some parts of the development falling within the Parish boundary. The proposed development would have a deep impact on the village and its setting.

BPC responded in January 2018 to the Screening Opinion Report, including the current subject site (“the Site”). That response is attached as an Annex to this letter, as many of those concerns remain applicable.

It appears not to be in question that an EIA should be carried out and to rigorous standards. Whilst all of the areas for assessment are essential, this response sets out those particular sections which are of concern for Bredgar.

With reference to the Report:

**1. Landscape**

The proposal Site is firmly within the setting of the AONB, with 13 HA actually falling within the AONB. Justification for large-scale development with areas of dense construction in such an area should remain paramount in delivering the Environmental Statement (“ES”).

Particular concerns are:

- Much of the Site is currently high quality arable land (at least grade 2) and the impact of its loss will be considerable and should be addressed. Although certain farming practices have led to degradation of the agricultural environment in relatively recent years, that is not a good reason for suggesting that the landscape itself is of reduced value. Also, the Site is clearly a contributor to the national food supply and recent events have shown how important it is to retain our own productive farmland.
- The concept of creation of landscape features when it takes the form of conservation and protection is worthy of encouragement but it seems

that the proposed green areas within the Site are artificial in nature, many of them forming a green corridor to surround a dual carriageway access road.

- The retention of the current countryside gap between Bredgar, Tunstall and Sittingbourne is of vital importance to the character of both villages. The proposed South West boundary for the site, heavily stocked with housing means shrinkage of the gap, which to us, and in general terms concerning the integrity of local characteristics, is not justifiable and at least requires mitigation.
- We note that Duke's Shaw, an area or ancient woodland within the Bredgar Parish boundary is in very close proximity to the part of the Site which falls into the AONB, South of the M2. Its current and natural setting is the surrounding farmland and this should be taken into account in the ES.
- We share concerns about the protection of dark skies, which are highly valued in Bredgar and surrounding villages. This should be very carefully considered in the ES in relation to street lighting and lighting to service the proposed new roads and junction.
- We welcome the attention to viewpoints surrounding the Site. We believe that reference 67/42 Vigo Lane should be taken looking East.

## **2. Water**

According to the government's "Meeting our future water needs: a national framework for water resources – accessible summary (published March 2020)" policy paper the south-east will require additional public water supply of 1765 million litres per day for the period 2020 to 2050. The level of housing in proposed development would contribute significantly to that need. At the same time, increased surface water drainage, loss of water catchment, loss of ground water sources and development over Principal and Secondary A aquifers would be detrimental to supply. Due to the critical importance of water supply we consider that the assessment methodology proposed by the applicant must be thoroughly investigated to ensure it is fit for purpose and includes independent validation of results.

### **3. Built environment**

We note that there is only a passing mention of Bredgar in the Build Environment section, although it falls within 1 km of the Site. The village has plentiful heritage assets of note and the ES should take into account this sensitivity, when considering the placement of high-density housing in close proximity, along with the inevitable increase in traffic in the village and surrounding lanes.

In support of this request, Bredgar has forty-nine listed buildings, including the Grade 1 listed medieval church and four Grade 2\* buildings. These are mostly located within the Conservation Area covering the centre of the village itself, but all the surrounding hamlets, of Silver Street, Swanton Street, Bexon, Deans Hill and Deans Bottom have examples of listed buildings. In addition, there are a considerable number of non-designated heritage assets. These buildings are set within a network of rural lanes, many with ancient hedgerows. The village also possesses, a large, ancient and well-maintained pond.

In late medieval times, Bredgar possessed one of the very few secular priests' colleges in Kent, the College of the Holy Trinity. Many of the buildings associated with the college remain, including the chapel in the north aisle of the church, the domestic quarters at Chantry House, and (with less certain but possible associations) Brewers House, Gibben's Barn, Primrose House and Oakwood Gate. The college binds the late medieval core of the village. It is also rare in that extensive foundational documents survive, and these show an important relation to the early history of education in Britain.

### **4. Ecology and Nature Conservation**

We are concerned that farming practices over the past 40 years have not prioritised ecology and nature conservation highly enough, with poor management of the remaining wildlife friendly areas often being prevalent. Despite this the environment across the site retains important and highly valued wildlife. The ES scope needs to include criteria that ensure the proposed development significantly improves the current situation and recovers to the historical baseline condition.

Additionally, we believe that the ES should address the requirement in the draft local plan for a 25% bio-diversity net gain.

## **5. Transportation**

We refer to our comments in the 2018 response:

“The proposed TA [ES] would need to establish that there would be no negative impact on the narrow rural lanes surrounding the site, or the traffic in Sittingbourne. From the Bredgar Parish Council point of view, the inevitable increase in traffic is a great concern, both during and after the construction phase. In relation to the proposed new Southern Relief Road and new motorway junction, full modelling would be required and approval of all relevant transport authorities including Highways England. It would need to be considered in the light of proposed changes to Junction 5 but most particularly in relation to the impact on the existing network of small lanes and their heritage amenity.

In relation to public transport, the rail service from Sittingbourne is already overstretched, with commuter trains full to bursting. The ES must demonstrate that the rail infrastructure will be improved so as to cope with such a dramatic increase in population.”

## **6. Socio-Economics, Population And Human Health**

The provision of healthcare in the Sittingbourne area is currently inadequate, particularly in relation to the overwhelming of GP surgeries. Parishioners find it difficult to secure appointments, and this was the case before the current COVID crisis, and well as now. Any additional population will be detrimental to the position and the availability of GP healthcare facilities (Report s16.3) must be of primary importance in the ES.

## **7. Climate change**

Bredgar has experienced unexpected flooding in May 2018 possibly due to climate change. Therefore we strongly believe that the Site, which is lower than our village, is likely to be at risk of similar events in the future.

It is noted that the proposed development does not form part of the adopted Swale Local Plan, nor the Local Plan currently out for consultation. The current plan is the result of careful consideration of the aspect covered by the Report and does not support development in the proposed location, nor a motorway junction and access road.

BPC 11.03.2021

## **ANNEX 2**

### **BREDGAR PARISH COUNCIL RESPONSE TO APPLICATION 17/506492/ENVSCR (EIA SCREENING OPINION)**

The proposal referred to in the EAI Scoping Report (“the Report”) submitted is of a scale which would totally overwhelm and destroy a large area of countryside, comprising rural settlements, farmland and woodland bordering the Kent Downs AONB. Bredgar Parish sits within the AONB, and the setting of the village would be drastically affected should the proposal be implemented.

It is clearly essential that an EIA should be carried out and to rigorous standards. This response refers to anomalies in the Report, and sets out additional aspects which should be taken into account in relation to the EIA and the consideration by SBC of the proposal in general.

With reference to the report itself:

- 1 Air quality – whilst the Report admits to increased levels of pollutants during the construction phase, it also seems to suggest that air quality will improve as a result of the scheme. It is difficult to see how this could be possible, given the inevitable massive increase in traffic levels, both on within the site and beyond, in the remaining rural areas, on the major roads and the smaller ones. Any such suggestion must be supported by strong evidence.
- 2 Noise and vibration – rigorous analysis of the likely noise impact should be conducted. Reference is made to sensitive locations – the majority of the land within and surrounding the site is of a quiet rural nature and it seems clear that the increase in traffic alone would have a significant detrimental effect to the rural calm.
- 3 Landscape and character. We refer to the relevant sections of the adopted Local Plan (including DM24, 25 and 28) which are in the main ignored by the current proposal. Overwhelming evidence of need for the development to be sited as suggested should be required to overthrow the thoroughly considered and debated policies on landscape and rural character in the Local Plan.

The whole site is in close proximity to the AONB and forms the setting for that designated area. In several locations throughout the country AONB buffer zones have been established to protect the surrounding environment and Bredgar Parish Council has recently made the case (as part of the Landscape Designation Review) for such a buffer zone to be put in place in precisely the location now being considered for high

density development. The Countryside and Rights of Way Act 2000 requires all planning decisions to have regard for the purpose of conserving and enhancing the natural beauty of the AONB. In any event, there can be no justification for any part of the AONB itself forming part of the development site. In assessing the impact of the proposed development, and given its magnitude, the developers should consult with the relevant non-statutory consultees as well as those required under legislation.

Further, much of the land in question is high quality agricultural land (at least grade 2), the loss of which would be damaging to the local farming economy and the character of the area.

Light pollution is also a major factor in the current character of much of the site land and the EIA should have regard to this aspect.

- 4 Water quality, Hydrology and Flood Risk – a thorough examination of the risks, taking into account natural water courses and the impact of greatly increased hard standing must be undertaken.
- 5 Archaeology and Heritage – account should be taken of the widely distributed archaeological assets in the site area and any site upon which building is proposed should undergo full archaeological surveys. Failure to do so could result in significant irrecoverable loss of such assets.
- 6 Ecology and Nature Conservation – the adopted Local Plan seeks to encourage biodiversity. The Report seems simply to discuss minimizing detrimental impact whereas the developers should be required to demonstrate how ecological and bio-diversity gains would be made. They should demonstrate having fully consulted with specialist non-statutory consultees (for example Kent Wildlife Trust).
- 7 Soils, geology and contaminated land – account should be taken of potential contamination of the land surrounding the Science Park, dating from its time as a chemical research establishment.
- 8 Transportation – a development of this scale obviously involves a massive increase in the number of vehicle movements (around 7, daily, per house appears to be the guideline). The proposed TA would need to establish that there would be no negative impact on the narrow rural lanes surrounding the site, or the traffic in Sittingbourne. From the Bredgar Par-

ish Council point of view, the inevitable increase in traffic is a great concern, both during and after the construction phase. In relation to the proposed new Southern Relief Road and new motorway junction, full modelling would be required and approval of all relevant transport authorities including Highways England. It would need to be considered in the light of proposed changes to Junction 5 but most particularly in relation to the impact on the existing network of small lanes.

In relation to public transport, the rail service from Sittingbourne is already overstretched, with commuter trains full to bursting. The developers must demonstrate that the rail infrastructure will be improved so as to cope with such a dramatic increase in population.

- 9 Population and human health – from Bredgar’s perspective, the development would lead to much greater use of its lanes, and central area with consequent impact on air quality, road safety and general ‘wear and tear’ on the countryside. The impact on local health services would need to be provided for, as they are already at the stage where demand exceeds capacity.

In terms of employment, it is not true to say that KSP is ‘one of Kent’s most significant employment generators’. It is not operating at capacity now, and there have been recent closures of businesses formerly operating at KSP. Trends indicate that the most likely expansion in commercial enterprise in the Sittingbourne area is in warehousing, which is not a great employment generator.

In general terms the EIA should be rigorous in ensuring that any development proposals are such as to create an overall improvement in the quality of life in the area South of Sittingbourne. Any detriment to that quality of life should only be permitted if there is a genuine demonstrable need for the housing – there appears to be no evidence of such a need, or of significantly increased employment opportunities necessary to support it. The Local Plan, adopted less than six months ago, was very carefully developed over a long period, and set out housing proposals which are sustainable within a Swale which retains its unique and valuable characteristics. That plan should be adhered to.

BPC January 2018