

Matter 1. Procedural Matters.

1.1 Has the modified Plan been the subject of appropriate sustainability appraisal and strategic environmental assessment?

No. The Plan is a document which has been rushed through without fully considering sustainability and the environment, in a knee jerk reaction to what happened in Medway. Although I sympathise with the Councils dilemma the Council is still responsible for the safety and quality of life of its residents and preserving natural resources for future generations. According to the **National Planning Policy Framework**, Sustainable means '*ensuring that better lives for ourselves don't mean worse lives for future generations.*' The council have not selected the most sustainable sites, for instance Newington SW/407 (AX6) is ranked 72 out of 87 in Tier E in a report by **AECOM Infrastructure & Environmental JK Ltd dated Oct 2015**. Tier E is a list of sites associated with 'significant environmental constraints. Potentially there are 71 sites more sustainable.

In the **Councils response to Point 4 Alternatives Proposed (SBC/CSR/5)** they have said '*Almost any prospective allocation would have a range of issues associated with them and the Council must balance together with the need to provide for future housing needs. The Council has set out its approach to the choice of sites in its evidence, including its Sustainability Appraisal*'. How can the Council say that the allocation of AX6 (Newington) which would mean: {loss of Grade 1 Agricultural Land; Increasing Air pollution in a AQMA zone; having a detrimental effect on Wildlife being next to two conservation areas; having an impact on Landscape and Countryside including the loss of a Major part of the Strategic Gap between settlements; impact on a Historical Settlement; increase problems with drainage in an area where drains are inadequate (raw sewerage overflows during heavy downpours) and a junction that will regularly bring the A2 to a halt, delaying Emergency services}, is more sustainable than say SW/778 (Selling Road), this site will have a range of issues, but not as unsustainable as Newington.

The **Councils response to point 2 Summary of Modifications sought (SBC/CSR/5)** '*The site at Brenley Corner (SW/778) came forward late in the plan process. It has been considered and rejected for this Local Plan as the scale of development would not represent a 'proportional boost, for Faversham and would have transport impacts which would not be capable of mitigation without major and currently unplanned for improvements*'. AX6 does not represent a proportional boost to Newington increasing the size of the village by over 10%. SW/778 would not have such a Transport impact on its surroundings as AX6 would have on the A2. The only mitigation I can see with AX6 is that the Highways England has suggested a financial contribution from the developer of 94,864 pounds for improvements to Key Street Roundabout. But how does creating a larger problem with an impractical junction on the A2 at Newington justify improvements at Key Street Roundabout.

In a document **Sustainability Appraisal of the Swale Borough Local Plan (June 2016) 9.2.2** '*Allocations at Newington give notable concerns that all traffic associated with the major new allocation (115 dwellings) will pass through the AQMA and indeed there will be a need for a new junction within the AQMA. However, it is noted that the junction will be at the eastern extent of the AQMA which is a positive as the predominant direction will be East towards Sittingbourne*'. The junction will be in the AQMA, but why would traffic predominant be travelling East when Medway (West) has more amenities and employment opportunities; their statement is misleading and unsubstantiated. In **the same document 9.2.6** '*In conclusion the proposed modifications give rise to some concerns particularly the allocation of land north of High Street*

*Newington (New Policy AX6) Policy requires innovative solutions; however it is not clear the extent to which such solutions will result in reduced traffic through the AQMA on balance it is appropriate to conclude the potential for **significant negative effects**, however there is much uncertainty.*

On average everyone in the UK stands to lose 7-8 months of their lifetime due to poor air quality. The Lancet report published 4 January 2017 suggests about 11% of Dementia related diseases are caused by bad Air Quality, in particular people living near a busy road. Both Air pollution and Noise pollution gradually destroy the brain cells. The Developers and Councils figures on Air pollution cannot be substantiated as they have based their assessments on the majority of additional traffic turning East, which is subjective and cannot be validated without say a poll of everyone's Transport habits in Newington. It is negligent to accept uncertainties in a risk assessment. Swale Council also has a duty to its taxpayers to avoid the possibility of significant infraction fines under the Localism Act. If proposed the acceptance of a financial mitigation for exceedences will go little to help residence whose lives have been destroyed or shortened by deceases which could have been avoided. AX6 should not have been allocated as the application has failed in its attempt to adequately assess the risk to public health.

1.2 Has the modified Plan been subject to Habitats Regulations Assessment?

No. According to **Natural England (letter dated 21 March 2016)** relating to AX6 '*The consultation documents do not include information to demonstrate the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by Swale Council. I.e. the consultation does not include a Habitats Regulations Assessment.*'

1.3 Is the modified Plan consistent with national planning policy in the NPPF?

No. The National Policy Framework policy seeks to protect good quality agricultural land for Food security and the ability to feed a growing population and direct development to lower quality land. The Council has not demonstrated that the NPPF guidance should be set aside, to use land of best and most versatile quality when alternative land of lower quality should be used in preference.

The Council has a legally binding duty to work towards better air quality and not to make it worse (**NPPF para124**). Permitting a development that will lead to deterioration on air quality is against the council's duty to protect public health and its stated aims in its core planning policies (Bearing Fruits 5.5).