

## **Policy AO1 – Teynham Area of Opportunity (TAO)**

The simplest way of commenting on the TAO on-line is by adding all your comments, impacts and feelings about the idea of building loads of homes, building a bypass south of the A2, and pushing through-traffic through the middle of Teynham Village via the cul-de-sacs under “Policy AO1”.

**Step 1:** This link will take you straight to Policy AO1. Be patient, their Portal is a bit slow. <https://swale-consult.objective.co.uk/kse/event/36020/section/ID-5765525-POLICY-AO-1#ID-5765525-POLICY-AO-1>

**Step 2:** If you are not already registered with SBC Planning you will need to register to submit your comments using the Portal. Click on **the blue arrow symbol**, top right of the screen.

I hope what follows helps get your own flow going. I am finishing off my more detailed comments on EVERY paragraph – and I shall share them soon, but this is enough for today!

I am very happy to talk this through with anyone if that helps. Email me.

### **Paragraph 1**

“This paragraph claims that the land around “Teynham” is ripe for development. “Teynham” is Swale Borough Council shorthand that includes the very distinct community along the southern edge of the A2 that sits in the neighbouring Lynsted with Kingsdown Parish (LKP). This shorthand disguises and minimises the impact of 1,100 additional homes through Policy AO1 on LKP. Frankly the definition of terms is a deliberate misdirection.

**SBC’s handling of LKP matters.** The entire Teynham Area of Opportunity (TAO) is based on achieving a bypass (“southern link road”) (see **paragraph 5.5.49**) from the Fowler Welch employment centre (confirmed by Councillor Mike Baldock, Chairman of the Local Plan Panel and senior Member of the Council), through BMV agricultural land (unspecified route), to the very sensitive and characterful Lyn Valley nailbourne (I have visited the Conservation Area of Cellar Hill and it clear that there is no alternative to driving the bypass close to Listed Buildings and into the Lyn Valley to rejoin the A2).

**KCC Highways object to any further development on this part of the A2.** In response to the “Looking Ahead” Regulation 18 Consultation, KCC Highways declared that the A2 between Teynham and Newington was their greatest worry when thinking about housing numbers and associated traffic. That opinion has been repeated three times in response to an “opportunistic development” proposal for 86 homes off Lynsted Lane, close to the A2. SBC

Environment Officers have also objected three times on the grounds that pollution adjacent to and within the AQMA5 would materially worsen based on cumulative impact analysis.

**SBC argue that the bypass will relieve the A2.** For this to be true, you have to make heroic assumptions about existing residents and new families. SBC must assume that new households (and existing residents) planned between the ends of the bypass will turn away from a direct route along the A2 to Sittingbourne, Faversham or the M2. To relieve the A2, everyone in TAO will have to take the longer 'scenic route' through LKP on a daily basis. A 2017 CPRE study "The end of the road" has found that road-building in rural environments attracts more traffic simply by being built.

**22,500 daily vehicle movements.** We currently suffer from 14,000 vehicles daily along London Road. The combination of existing allocations in Bapchild (600), Teynham (430 + 26,840sqm commercial/light industrial) and Ospringe (300) and the proposed TAO (1,100) makes for 2,430 more homes along a road that is already beyond its "service rate" (capacity). Using Department for Transport multipliers, that presents us with about 4,250 new cars/vans in this rural setting. A conservative estimate leads to new traffic movements along the A2 between Ospringe, Teynham and Sittingbourne of 8,500! Thereby increasing traffic through three AQMAs to 22,500 vehicles – that is 60% more than today.

## Paragraph 2

"SBC states here that it requires liaison with landowners, agents and developers. In other words, SBC want to embed Policy AO1 (Supplementary Planning Guidance) as 'facts on the ground' through a Local Plan that lacks even the most rudimentary tests applied to the rest of the Local Plan! There is:

- no test of need;
- no test under a traffic strategy (KCC as a Statutory Consultee have now cried "foul" to their exclusion from thinking behind the bypass) and the impact of more than 2,430 homes ("Bearing Fruits" plus allocations under this Review") in rural settings beyond the lifetime of the Local Plan);
- no attempt at traffic modelling the impact of 22,500 vehicle movements on health and wellbeing in three neighbouring AQMAs;
- no attempt to apply meaningful continuous tests of the four harmful pollutants at the heart of Government policy on the environment [NO<sub>2</sub>, PM<sub>2.5</sub>, PM<sub>10</sub> and VOCs];

- no mention of the 25-years of brickearth extraction from Barrow Green Farm immediately east of Teynham;
- no consideration of loss of tranquillity at the heart of Teynham Village by driving through two through-roads in place of the existing cul-de-sacs.

### Paragraph 3

Paragraph 3 makes an admission that all the features you would expect under a “sound” Local Plan are absent with respect to Policy AO1. Regulation 18 (Looking Ahead) had no equivalence for consultation on an Area of Opportunity at Teynham - Policy AO1.

The eight sub-paragraphs (a) – (h) describe the gaps in SBC thinking. What we have enjoyed instead is a smear campaign from the LPP towards the past Conservative Administration as a reason to allow equally poor policies from this Administration without accountability! Policy AO1 is so flawed that it has no place in the Local Plan.

The woeful gaps in evidence and analysis behind Policy AO1 has led the Council to promote Policy AO1 to deliver additional housing without any justification, rigorous analysis or public engagement.

SBC is guilty here of “back-filling” their plans for “Teynham” declaring piously that such a major departure from all “sound” steps in development of the Local Plan should be met through a ‘masterplan’

In short, Policy AO1 defines a commitment to allocations of between 1,100 and 1400 new homes (or more as explained by an SBC official during a Zoom Meeting with Lynsted with Kingsdown Parish Council (LKPC)). That allocation has been introduced into the Local Plan without any evidence to support the addition of any new homes. The Regulation 18 Consultation (2018, “Looking Ahead”) has no equivalence to a “Teynham Area of Opportunity” so cannot be claimed as having been consulted on in a “sound” way. Having committed that error of omission, we are now being asked to suspend disbelief to permit the embedding of a Policy that ‘SBC will think about later and may talk to us’ – an error of commission. The attitude of SBC toward public involvement so far, makes it highly unlikely that anyone will trust a consultation ‘sometime later’.

Residents, businesses, and our parish councils have relied on a reasonable expectation that there would be Community Involvement to introduce local knowledge and expertise into the development of the

Local Plan, in line with the existing Statement of Community Involvement (SCI) and public pronouncements by both Administrations. But, in 2020, everything changed – hidden from sight behind a bureaucratic smoke screen. Democratic engagement was abandoned.

The “smoke screen” was made up of:

- ‘publishing to the web’, which is argued by SBC as ‘transparent’ presentation of evidence, discussion and emerging policies from the Local Plan Panel (LPP) and Council. Anything less ‘transparent’ is hard to imagine! The SBC website is a dysfunctional and impenetrable website. The website lacks effective indexing (metadata) so that searches on just about any area of Council responsibility will not return the ‘doings’ of the LPP and Council;
- reliance on a policy of “passive discovery” – that is, relying on people finding Minutes and Reports without any attempt at a meaningful communication strategy to support that discovery. The Regulation 19 consultation was accidentally discovered by a resident only three days before the Local Plan Panel meeting (19<sup>th</sup> January 2021) to approve and recommend the Local Plan to an Extraordinary Council Meeting (3<sup>rd</sup> February). At which point, comments had to be delivered in six weeks. The LPP Chairman repeatedly argued publicly that six-weeks consultation was “legal”, even if Covid was disrupting the lives of residents. Only through a concerted public outcry through social media, cries of “foul” from 11 Parish Councils, intervention by our Ward Councillors, and written objections from the MP for Faversham did the Chairman of LPP declare in an Emergency Item to the Council that this was a listening Council. The first attempt at informing the public was to make printed copies available on request at a charge of £25.
- Lack of a robust communication strategy. SBC failed to prepare any explanatory material or online support to help residents with this Reg19 “consultation”. Even six weeks after the launch of the Reg19 “consultation”, SBC were unable and unwilling to provide supporting material until they were dragged kicking and screaming into joining Zoom Meetings. The LPP Chair objected to Council Members’ demands for an explanatory letter to go to all households rather than social media and emails. That letter did go out in mid-March (although several have gone astray to my knowledge).

- Incomplete evidence base. Even if you did find out about the Local Plan Review, our comments have to be made without key evidence that is either only in draft or completely absent (including transport modelling and pollution modelling, both of which are essential to the TAO. SBC has conducted a determined campaign of misinformation about harmful pollution in the three AQMAs implicated in the Local Plan. They have refused to undertake continuous monitoring of Particulate Matter (PM2.5 and PM10) and NO2 in AQMA5 and AQMA3 ... apparently, PM10 may be added to the monitoring in Ospringe but SBC isn't saying.
- Those in the charmed circle of the LPP knew just how far from the "Looking Ahead" (Reg18) exercise the Local Plan now stands. At their critical LPP Meeting (19<sup>th</sup> January), we heard from the Chairman that the Local Plan had very little relationship with the Regulation 18 exercise. And yet we must accept the inclusion of this component against all logic, strategic thinking or analysis.
- Misdirection on addressing Regulation 19 responses. Once residents and parish councils 'outed' the LPP to bring their shenanigans into the light we were treated to a series of misdirection as to what Regulation 19 was, as well as how and what you could contribute. During the LPP Meeting of 19<sup>th</sup> January 2021, we heard Officials and LPP Chairman give conflicting advice: Reg19 allows comment on any aspect of the Local Plan and it could be changed if people argue against particular aspects (e.g.) the TAO. The senior planning officer tried to bring a sense of reality by mentioning "legality" and "soundness", but to the casual observer, that meant very little. It wasn't until later that Councillors and Officials agreed that the options for change are vanishingly small without "material matter (MM)" leading to a halt to Reg19 to remove flawed Policies like the TAO. Even then, we have been told that the options for change could only lead to a 'resetting' of Regulation 19 followed by six-weeks of consultations on that revision. We are told that Regulation 18b is not an option, and missing Regulation 18b was "legal".
- Misdirection on the sustainability of Teynham as a Rural Local Service Centre. (see also **paragraph 5.5.30**). Over the past 20 years there has been a steady decline in the ability of Teynham to support the needs of Teynham and Lynsted locals and nearby inhabitants. DEFRA's "Statistical Digest of Rural England 2020 September edition" clearly explains the increasing reliance in

rural communities on cars and vans to bring modern rural life in line with access to essential resources.

### Paragraph 3(d)

**Creating “viable alternatives” to the private car.** SBC argues there is potential to mitigate the impact of an accumulated 22,500 vehicles by “creating viable alternatives.” That statement doesn’t bear serious scrutiny. Simply brandishing an ambition for modal shift to “active transport” is entirely unrealistic in a rural environment

**Department of Transport (DoT)** data reveals the volume and pattern of vehicles between the three adjacent AQMAs remains constant. The manual DoT count at No.108 London Road, 2019, confirms the following distribution of vehicles that SBC say they can be mitigated:-

		Vehicle Counts	
		2019	Projected
	Share	14000	22500
Pedal cycles	0.001	19	31
Two wheeled motor vehicles	0.163	2275	3656
<i>Cars and taxis</i>	<i>0.789</i>	<i>11045</i>	<i>17751</i>
Buses & Coaches	0.006	84	135
Light Goods Vehicles	0.008	106	170
All HGVs	0.043	603	969

If you consult **DEFRA’s “Statistical Digest of Rural England 2020 September edition”** it is clear that rural communities rely disproportionately on cars and vans to meet the complex needs when isolated from key services. Defra lists key services/features of modern living in which rural communities are disadvantaged and have to rely on cars/vans to access: Town centres, Food stores, Hospitals, GPs, Further Education, Secondary education, Primary Schools, Places with 5,000+ jobs, Places with 500-4999 jobs, places with 100-499 jobs.

“Active travel” in a rural setting is simply unrealistic. Bus fleets and train capacity are relatively inflexible. Cycling along the dangerous A2 or ‘rat run’ of the Lower Road north of Teynham is an unlikely mitigation option. ‘Building for cars’ by introducing a bypass around Teynham achieves nothing but disruption of communities, acceleration of harmful impacts on those living on and near the A2 (**see Policy AO1, Paragraph 1 above**).

**Public Health England** published “Working Together to Promote Active Travel: A briefing for local authorities” (May, 2016)

“**Rural communities:** People living in rural areas and villages may find it as hard to be physically active as people in towns and cities. Difficulties in safely accessing many services by walking, cycling, or by public transport, can pose a real challenge in some rural areas.

A lack of pavements or cycle ways on busy rural roads can discourage use of these travel modes even when moving between towns and settlements not too far apart.”

### **Recommendation**

The concept of an AoO was never declared under the Regulation 18 consultation, thus singling out the Parishes of Teynham & Lynsted with Kingsdown for a treatment that has no equivalence in the Local Plan. An untested and undemocratic innovation without the level of analysis or the rigour of strategic thinking applied elsewhere in the Local Plan. At the time of development of the Policy AO1, there were no Covid-19 or other reason to exclude the two affected Parish Councils from consultation. These facts render the abuse of the SPG mechanism illegal and immoral.

I recommend removal of the **Teynham Area of Opportunity (TAO) (Local Plan paragraphs 5.5.31 – 5.5.51)** and the **Policy AO1 (page 88-89)**. If TAO and Policy AO1 are not removed, SBC will have introduced significant “allocation as facts on the ground” – the inappropriate use of Supplementary Planning Guidance (SPG) inside the Local Plan imposes restrictions on expectations and freedom of movement dressed up a “consultation”. The “masterplan” permits only limited movement for residents and parish councils as to how the developments will be achieved not whether the Policy should exist at all. **This is an abuse of administrative process by SBC.**