



Cliffe and Cliffe Woods Parish Council

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Parish Clerks: Mr Chris Fribbins/Mrs Michelle Dolley

Friday 4th September 2020

MC/19/0287 Land at Town Road Cliffe Woods Rochester Medway ME3 8JL

Outline planning permission with some matters reserved (appearance landscaping layout and scale) for up to 225 residential dwellings including up to 25% affordable housing, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access point from Town Road and associated ancillary works.

The Parish Council welcome the deferment of a decision on this planning application at the Medway Council Planning Committee on the 19th August 2020. Although the background papers were available on the web site, the Planning Officer's report and recommendation are only available much nearer the planning meeting. We also thank Dave Harris for the opportunity to discuss this with him and ward councillors two days before the meeting to clarify some issues in the recommendation and report which he passed to the committee on the evening of the meeting.

Councillors are likely to be aware of the original outline application (MC/16/3669) which was identical in almost all details. The Parish Council took a very active involvement in the original application and had discussions with the developer before the application and followed the planning process through to the decision to refuse the application, the public inquiry into Gladman's appeal against the refusal (attending as a Rule 6 Party) and finally attended the High Court when the Minister's decision was challenged and dismissed.

From discussions and reports the decision on this application falls to be determined on the reasons for refusal of the original application (although there are still concerns that I will address later). The officer's report highlights the two issues:

- 1) *"Firstly that although Medway could not demonstrate a 5 years housing land supply, the presumption in favour of sustainable development did not apply because of the effect of paragraph 177 of the NPPF and the need for an appropriate assessment to consider the impacts on nearby SSSI and European protection areas"*
- 2) *"Secondly, the SoS considered that the local bus service operated within hours that started too late and ended too early to make the bus service usable for potential commuters for work to the main town and London whether part-time or full time and therefore did not offer a sustainable alternative to the private car. He considered the Arriva click proposal put forward by the appellants at appeal but did not feel that had been fully thought through to deliver a workable solution."*

While we appreciate that planning rules have since changed and the first reason has since been overridden, the second is still a material concern.

At the Planning Inquiry there was detailed discussion about the public transport provision, local issues of the increase in traffic volumes generated by the development and the applicant agreed further financial provision to:

- a) Extend the financial provision to five years (£225,000 per year for 5 years i.e. £1,125,000). They agreed to an amendment to the s106 to reflect this at the Inquiry.

The Minister's decision notice reflects this issue:

“The Secretary of State has further taken into account the Framework’s statement in paragraph 103 that the opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and he agrees with the Inspector that given the rural character of the area, a realistic approach to the general travel method of residents is required (IR109). However, in the Secretary of State’s judgement, the proposed development does not limit the need to travel or offer a genuine choice of transport modes, and is therefore in conflict with the Framework’s policy on promoting sustainable transport (paragraph 103 of the Framework). His concerns are not overcome by the proposed mitigation. He therefore disagrees with the Inspector’s conclusion that there is no intrinsic conflict with the requirement of Policy BNE25 that development should ‘offer a realistic chance of access by a range of transport modes’ (IR110). The Secretary of State considers that these conflicts carry substantial weight against the proposal.”

So despite the s106 commitment, the minister still felt there were grounds to refuse the application on grounds that it does not limit the need to travel or offer a genuine choice of transport modes and the development remains in conflict with BNE25 (i)

The new planning recommendation reports a s106 commitment of £574,692.00 towards the provision of a bus service (49.91% less than the commitment made at the Planning Inquiry on the previous application), An equivalent commitment would allow for the extension of the service to Cliffe (Six Bells) and further improvements to the existing 133 service, in addition to those proposed in the neighbouring Esquire development.

Further Concerns

Consultation:

There appears to have been a lack of consultation with Gravesham Borough Council (Higham Parish Council and KCC) as the development borders, on part with the local authority boundary, and more so when the suggested Allotments are included). The date shown is 21st August 2020 for this consultation.

The developer also relies on the fact that extensive consultation was carried out with the previous application as a reason for extremely basic consultation this time. This is in spite of a major change with the approval (and build underway) of the adjacent Esquire development and changes during the previous planning process, appeal, minister call-in and High Court appeal.

S106 Contributions

Health – The previous application made provision for local improvements in the local medical practice to reflect the increased demand that this development will generate. While accepting that s106 requirement has been assessed by the Clinical Commissioning Group, it has suggested facilities between Hoo and Grain, not practical or accessible for local residents. There was provision for local facilities in the previous application.

Education – An issue continues to be raised regarding the ability/desire of the Cliffe Woods Academy to accept further growth and the impact this would have on the performance of the school (OFSTED: Outstanding for many years). The new development is some distance from the new school and practically will generate significant additional traffic in View Road in the morning and afternoon. If this schooling is elsewhere, there is likely to be significant additional traffic flows on the B2000.

Transport – Locally there are major concerns with the existing volume and mix of traffic on the B2000 and the impacts at junctions from the B2000 to the main Cliffe Woods village. The B2000 is a feeder road to Cliffe Village and the industrial areas around Salt Lane and large vehicles to and from Childs’ Farm in Cooling. The parish council has also reported a number of issues with the junction of the B2000 with the Wainscott Bypass, in terms of volume and road safety with many accidents.

Access for pedestrians and cyclists towards Strood and Higham Station remain poor and dangerous, although there is a relatively short distance to the footway alongside the B2000 at Mockbeggar Farm. There is an alternative route (public right of way) between Cliffe and Cliffe Woods but further signing is required and the 1/2 mile into Cliffe Woods is on the road with possible conflict with motorised users.

Community Facilities – Although the additional s106 towards improvements at the Community Centre are welcome, there is little ongoing provision for youth and younger children. It is not clear how the s106 contribution to the Cliffe Woods Recreation Ground will be allocated at present. Some s106 youth commitments appear to be minor ‘revenue’ items and short of the capital investment required.

General – Although Cliffe and Cliffe Woods (and Cooling) villages are located on the Hoo Peninsula, there is a major difference in their access to facilities being provided on the Hoo Peninsula as part of the expansion plans for that area. Public Transport is limited to a school bus and a Sunday service, the main peninsula is accessed via the local roads of Frindsbury Extra/Wainscott. It puts many of the services and leisure facilities out of reach for many local residents without cars. This issue is recognised in the emerging Medway Towns Local Plan (and emerging Neighbourhood Plan), with sites such as this proposal assessed as unsuitable in sustainable terms.

Summary

The parish council feel there are still significant issues and impacts of this development. There continues to be concern that reports to Medway Planning councillors fail to reflect the local situation and the impact of the growth of housing in the villages would have on local amenity. The parish council feel that the remaining ground for refusal of MC/16/3669 has failed to be addressed by this new application and further issues raised by the parish and local residents has not been addressed. The application conflicts with the Medway Local Plan Policy BNE25 (i) and should be refused.

Chris Fribbins (Clerk, Cliffe and Cliffe Woods Parish Council)

APPENDIX 1 : POLICY BNE25: DEVELOPMENT IN THE COUNTRYSIDE

Development in the countryside will only be permitted if:

- (i) it maintains, and wherever possible enhances, the character, amenity and functioning of the countryside, including the river environment of the Medway and Thames, **it offers a realistic chance of access by a range of transport modes;** and is either;
- (ii) on a site allocated for that use; or
- (iii) development essentially demanding a countryside location (such as agriculture, forestry, outdoor or informal recreation); or
- (iv) a re-use or adaptation of an existing building that is, and would continue to be, in keeping with its surroundings in accordance with Policy BNE27; or
- (v) a re-use or redevelopment of the existing built-up area of a redundant institutional complex or other developed land in lawful use; or
- (vi) a rebuilding of, or modest extension or annex to, a dwelling; or
- (vii) a public or institutional use for which the countryside location is justified and which does not result in volumes of traffic that would damage rural amenity.

The countryside is defined as that land outside the urban and rural settlement boundaries defined on the proposals map.