

MC/19/0287

Date Received: 1 February 2019

Location: Land At Town Road Cliffe Woods Rochester Medway

Proposal: 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.

Applicant Gladman Developments,
Mr Gladman

Ward: Strood Rural Ward

Case Officer: Majid Harouni

Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 19th August 2020.

Recommendation - Approved Subject to S106

- A. A Section 106 Agreement under the terms of the Town and Country Planning Act 1990 being entered into to secure the following:
- i) A minimum of 25% (equal to 56) affordable dwelling houses.
 - ii) A contribution of £302,757.75 towards nursery school provision Cliffe Woods independent pre-school (on the site of Cliffe Woods Primary School) and/or Temple Mill Primary School
 - iii) A contribution of £743,132.25 towards Cliffe Woods Primary and/or St Helens Primary and/or Temple Mill and/or a new free school in the area.
 - iv) A contribution of £471,047.40 towards Hundred of Hoo Academy and/or a new free school in the area

- v) A contribution of £138,836.25 towards the provision of a community healthy living centre in the Hoo/Isle of Grain area.
- vi) A contribution of £17,194.50 towards the provision of Youth Service to offer support for young people to access cooking-related programme delivery in the Cliff woods area.
- vii) A contribution of £53,455.50 towards a new Aerobics/Dance/Martial arts studio for sports centre provision on Hoo Peninsula
- viii) A contribution of £8,900 towards mitigation and signage on the PROW network in Cliffe Woods only and to contribute towards measures to reduce illegal use of PROW measures for Bingham Boughs, Ratly Hills and Chattenden Woods.
- ix) A contribution of £37,993.5 towards Waste and recycling to provide household containers for the collection of Recycling – use once bags and 240ltr wheeled brown bins to each property for the collection of food and garden waste.
- x) A contribution of £229,055.16 to improve open space facilities within the vicinity of the development including improvement of Cliffe Woods Recreation Ground, sports provision in the area. As well as Great Lines Heritage Park to enhance open space facilities.
- xi) A contribution of £574,692.00 to provide a new bus shuttle service between the development site, Strood Railway station and Strood Town centre from the date of occupation of the 25th dwelling for 5 years post commencement of the bus service. Representing cost per annum for the year 1 to 5 as follows
Y1- £109,333; Y2- £112,067; Y3- £114,868; Y4- £117,740 and Y5- £120,684.
- xii) Provision of payment of £50 of Arriva bus service credit to each household upon the first occupation of each dwelling by the first occupier.
- xiii) A contribution of £10,000.00 toward bus shelter and associated seating and real-time information board improvement at Cliff Woods in the southern end of View Road (Chatham bound).
- xiv) A contribution of up to £5,000 for an investigation into the possibility of reducing traffic speed on B2000 through Cliffe Woods village to 20mph.
- xv) A contribution of £55,251.00 towards bird mitigation measures.
- xvi) Provision of land for an allotment with associated hard-surfaced parking spaces covering an area not less than 0.9 hectares within the northern section of the landmarked blue. The allotment to include provision of the following;

- Provision for up to 8 car parking spaces and turning area close to the vehicular access point to the allotment site from Buckland Road.
- Provision of security fence enclosure comprising 1.8m high palisade fence with associated vehicular access gates from Buckland Road and pedestrian access gate(s) from the south.
- Provision of water and electricity supplies for the use by the future users of the allotment site.
- The freehold ownership and management of the allotment land shall be transfer the Cliffe Woods Parish Council.
- The above steps shall be completed no later than the occupation of the 100th dwellings.

xvii) The amenity area within the blue land measuring no less than 1.68 ha shall be provided no later than the occupation of 100th dwellings and be retained and maintained in perpetuity by the management company as part of wider public open space associated with this development.

B. And the following Planning conditions:

- 1 Approval of the details of the layout, scale and appearance of the buildings and the landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the terms of the submitted application and to ensure that these details are satisfactory

- 2 Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted in writing to the Local Planning Authority for approval. Such application for approval shall be made to the Authority before the expiration of 2 years from the date of this permission and the reserved matters shall be carried out in accordance with the approved details.

Reason: To comply with Section 92(2) of the Town and Country Planning Act 1990.

- 3 The development to which this permission relates must be begun no later than the expiration of 18 months from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plan:

7199-L-01 Rev E (site plan), 7199-L-03 Rev K (Parameter plan) and Access point and sightlines, P18120-001A (Access) and P18120-002A (Swept Path)

Reason: For the avoidance of doubt and in the interests of proper planning.

- 5 The number of dwellings permitted within the site under the terms of this outline permission shall not exceed 225.

Reason: To define the planning permission and for the avoidance of doubt.

- 6 No development above ground floor slab level of any part of the development hereby approved shall commence until schedule/sample of the materials and finishes to be used in the construction of the external walls, roofs, windows, doors and guttering of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Local Plan.

- 7 Any application for the approval of reserved matters relating to the landscape shall include full details of hard and soft landscaping and a programme for implementation on site. Details shall include the following:

i- Proposed finished levels of contours of the land, means of enclosure (should be consistent with boundary treatment proposals); car parking layouts; existing areas of retained planting; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. external furniture, play equipment; refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc).

ii- Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment, aftercare and maintenance); schedules of plants, noting species, plant sizes and proposed umbers/densities where appropriate; tree pit details including species, size, root treatment and means of support; implementation programme.

iii- All planting, seeding and turfing comprised in the approved scheme of landscaping, shall be implemented during the first planting season following occupation of the houses or completion of the development, whichever is the earlier or in accordance with a programme to be submitted to and agreed in by the Local Planning Authority.

iv- Detailed design for sustainable drainage systems

The programme for the implementation of the landscaping scheme shall include details of strategic planting and open space provision that will be delivered prior to the occupation of the 100th dwelling. These details shall have regard to the Construction Environmental Management Plan required under condition 24 to ensure that these early landscaping works are not undertaken abortively. Details shall be approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved timetable.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 8 Prior to the commencement of any development, details shall have been submitted to, and agreed in writing by, the Local Planning Authority showing the existing and proposed site levels and the finished floor /slab levels of the buildings hereby permitted. The development shall be carried out in strict accordance with the approved details.

Reason: In the interest of visual amenity of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

- 9 Prior to the commencement of any development, a scheme for the protection of trees, hedges and green infrastructure to be retained on site and along the full length of the boundary shall be submitted to and approved in writing by the local planning authority. All trees and hedgerows to be retained must be protected by barriers and or ground protection in accordance with BS5837 (2012) "Trees in relation to Construction Recommendations". No work shall take place on site until full details of protection have been submitted to and approved in writing by the Local Planning Authority. The approved barrier and/or ground protection measures shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Nothing shall be stored or placed nor fires lit, within any of the areas protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground level changed, nor excavations made within these area without the written consent of the Local Planning Authority.

Reason: To Safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development in compliance with Policy BNE 43 and NPPF.

- 10 Any tree and/or shrub planted pursuant to condition 7 and being removed or severely damaged; dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of a similar size and species unless approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 11 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and green infrastructure, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The landscape management plan shall be carried out as approved.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 12 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

- 13 Prior to the first occupation of each individual building of the development hereby permitted details of the refuse storage arrangements for that building, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. Except with the prior written approval of the Local Planning Authority, no building shall be occupied until the approved refuse storage arrangements for that building are in place and all approved storage arrangements shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE2 of the Medway Local Plan 2003

- 14 No development shall take place until a "bat sensitive lighting strategy for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting plan shall:

a) Identify those areas/features on-site that are particularly sensitive for bats and that are likely to cause a disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;

b) Provide details of the types of lighting to be used to clearly demonstrate that areas to be lit will not disturb or prevent the above species using their territory.

The approved strategy must inform the detailed lighting plan.

Reason: To protect important ecology and in particular bats

- 15 Prior to works commencing a detailed ecological mitigation and enhancement strategy must be submitted to the LPA for written approval. It must include the following:

- Updated walk over survey
- Overview of the proposed mitigation
- Methodology to implement mitigation
- Map showing the mitigation / enhancement areas
- Details of enhancements to be carried out and length of time for establishing it
- Timings of the proposed works.
- Details of who will be carrying out the works
- Simple management plan for the mitigation/enhancement areas
- Details of other enhancements to be incorporated into the site.

The works must be implemented as detailed within the submitted strategy

Reason: To protect and enhance the natural environment in accordance with section 15 of the National Planning policy Framework.

- 16 Within 3 months of construction commencing a detailed ecological management plan shall be produced and submitted to the LPA for written approval. It must detail how the buffer strips will be managed and include the following:

- Details of the habitats to be managed
- Details of the aims/objectives of the management
- Rolling 5 years management plan
- Details of enhancements to be incorporated into the site.

- Details of who will be implementing the management.
- Details of on-going monitoring

The plan must be implemented as approved.

Reason: To protect and enhance the natural environment in accordance with section 15 of the National Planning policy Framework.

- 17 The access shall not be used until vision splays as shown on drawing P18120-001A have been provided on both sides of the vehicular access point(s) and no obstruction of sight, including any boundary treatment, more than 0.6m above carriageway level shall be permitted within the splays thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policy T1 of the Medway Local Plan 2003.

- 18 The details submitted in pursuance of Condition 1 shall show land reserved for parking in accordance with the Council's Approved Interim Parking Standards (or any document which is adopted by the Council which replaces the Approved interim Parking Standards). None of the buildings shall be occupied until the area for parking for that building has been provided, surfaced and drained in accordance with the approved details. Thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

- 19 Prior to the first occupation of the proposed development, a revised Travel Plan encouraging sustainable forms of transport shall be submitted to and approved in writing by the Local Planning Authority. The measures set out in the approved travel plan shall be implemented thereafter

Reason: To encourage sustainable forms of transport in accordance with Policy T14 of the Medway Local Plan 2003.

- 20 If, during development (including site clearance), contamination not previously identified, is found to be present on the development hereby permitted, then no further development shall be carried out until remediation works, in accordance with a Method Statement for remediation, including a timetable that has previously been submitted to and approved in writing by the local planning authority, have been completed and a verification report demonstrating completion of the works

set out in the Method Statement has been submitted to and approved in writing by the local planning authority. The Method Statement shall detail how the unsuspected contamination shall be dealt with. The verification report demonstrating completion of the works set out in the Method Statement shall include results of any sampling and monitoring. It shall also include any plan for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the local planning authority.

Reason: In the interests of residential amenities of the future occupiers of the dwellings and occupiers of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

- 21 No development shall take place until an Air Quality Emissions Mitigation Assessment and Statement has been submitted to and approved in writing by the Local Planning Authority. The Mitigation Assessment and Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance, and shall provide full details of the measures that will be implemented as part of the development to mitigate the development related road transport emissions. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost value calculated as part of the Air Quality Mitigation Assessment. The development shall be implemented, and thereafter maintained, entirely in accordance with the measures set out in the approved Mitigation Statement.

Reason To mitigate the impact on air quality in compliance with Policy BNE24 of the Local Plan and the NPPF.

- 22 Prior to the first occupation of any of the dwelling in this development hereby permitted details of information interpretation panel/scheme about the location and history of the Pillboxes just inside the southern eastern boundary of the application site and a programme of maintenance in perpetuity of the interpretation panel shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out/implemented prior to the occupation of 70th dwelling and maintained in accordance with the scheme approved thereafter.

Reason: In the interest of retention and protection of the listed building and in compliance with Policy BNE18 of the Local Plan.

- 23 No part of the development hereby granted shall be occupied until the following proposed physical improvements have been fully implemented and made operational under the terms of S278 of the Highway Act to the satisfaction of the Local Planning and Highway Authorities. The works consist of the following measures which are subject to detailed design:
- i) Provision of 2m footway along site frontage with Town Road;

- ii) Provision of signal controlled crossing (pelican or puffin) across Town Road south of Tennyson Avenue;
- iii) Provision of uncontrolled crossing consisting of dropped kerbs, tactile paving and traffic island over Town Road south of proposed site access;
- iv) Upgrade of informal (white-lined) footway on eastern side of Town Road between View Road and Tennyson Avenue to formal footway construction (kerbed);
- v) Provision of traffic island with a feature such as a bollard to be provided at existing change in speed limit on Town Road south of View Road and gateway features to be reinstated;
- vi) Prior to first occupation of any part of the site, the speed limit sign on the B2000 shall be relocated further to the south;

The above listed works shall be implemented in full and made operational prior to the occupation of any dwelling.

Reason: In the interest of highway safety and incompliance with Policy T3 of the local plan.

- 24 Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; route of the construction vehicles, measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; fugitive dust and air quality control measures; pollution incident control, site compound, on site staff car parking, material storage and site contact details in case of complaints.

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan.

Reason: In the interests of residential of the adjoining properties and in compliance with Policy BNE2 of the Local.

- 25 Prior to the commencement of the development hereby permitted, an acoustic assessment shall be undertaken to determine the impact of noise from transport related sources and shall be made in accordance with BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. The results of the assessment and details of a scheme of acoustic protection shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to ensure internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LAm_{ax}) of no more than 45dB(A) with windows closed. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise levels of not more than 55dB (LAeq,T).

All works, which form part of the approved scheme, shall be completed before any part of the development to which the approved measures relate is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of residential amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) all dwelling houses herein approved shall remain in use as a dwelling house falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) and no change of use shall be carried out unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 27 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Those details shall include (if applicable):

- i. a timetable and construction method statement for its implementation (including phased implementation where applicable).
- ii. appropriate operational, maintenance and access requirements for each sustainable drainage component are adequately considered.
- iii. proposed arrangements for future adoption by any public body, statutory undertaker or management company.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 165 of NPPF.

- 28 Prior to occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built

drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

Reason: This condition is sought in accordance with paragraph 165 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This is an outline application for up to 225 residential dwellings including up to 25% affordable dwellings (use class C3), introduction of structural planting, landscaping, informal public open space, children's play area, surface water flood mitigation and attenuation measures and associated ancillary works, within the area marked red and provision of amenity open space and allotments within the area marked blue to the north of the application site with vehicular access to the allotment from Buckland Road.

All matters are reserved except for the means of access to Town Road which is to be decided as part of this application. Matters of appearance, landscaping, layout and scale are reserved for future determination

Site Area/Density

Site Area: 11.26 hectares (27.82 acres)

Site Density: 20 dwellings per hectare (dph) / 8.08 dwellings per acre (dpa)

Relevant Planning History

Adjacent site being developed by Esquire Homes;

MC/20/0832 Application for non-material amendment to planning permission MC/19/3005 & MC 18/2961 - To amend plots 28-35 comprising Amendment to plots 28 - 35 comprising an existing housing mix of 6 x 4-bed and 2 x 5-bed houses and retain but realign the 5-bed houses (plots 28 and 35) and amend the remaining 6No. 4-bed houses to 3No. 4-bed houses, 3No. 3-bed Houses and 2No. 2-bed houses resulting in an additional 2no, dwellings taking the overall number of dwellings across the site from 92 to 94 in total.
Decision: Approved

MC/18/2961 Construction of ninety-two residential dwellings comprising of thirteen 2-bedroomed, thirty-seven 3-bedroomed, thirty-one

4-bedroomed, three 5-bedroomed dwellings and four 1-bedroomed and four 2-bedroomed apartments (Class C3), provision of 737sqm of employment floorspace to include offices and a (Classes B1 and D1) with associated access, parking, public open spaces (play area), landscaping, new vehicular/pedestrian access from Town Road, provision of a pedestrian crossing, associated drainage, pumping station and earthworks.

Decision: Approved

This site

MC/16/3669 Outline planning application 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
Decision Refused 05/05/2017
Appeal dismissed 08/11/2018

MC/16/3300 Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) Regulations 2011 - request for a screening opinion for the residential development of up to 225 dwellings (including up to 25% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, vehicular access point from Town Road and associated ancillary development
Decision EIA not required
Decided 23/08/2016

Representations

The application has been advertised on-site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties.

Two letters of support have been received and ask that the 25% affordable units be enforced.

379 letters of objection have been received making the following summarised representations:

- Not enough local resources for schooling children, especially with an increase in houses.
- The B2000 narrows considerably from Mockbeggar Farm; an increase in traffic from a new development will increase congestion and will significantly increase

- the risk of accidents. B2000 is poorly maintained with no pathways out of the village and a narrow road for cyclists.
- There is limited bus service to the Medway Towns and almost non-existent bus service to Higham railway station.
 - There is a likelihood of more people walking or cycling along the main roads and an increased risk of accidents occurring.
 - The development will ruin the natural scenic beauty which makes Cliffewoods unique.
 - Lack of provision for keeping younger children and adolescents occupied in the village.
 - The road into Cliffewoods is a minor road and can't support a higher throughput of cars.
 - There are two number of historic pillboxes (guard posts), from the war located in that area which will be ruined
 - Traffic issues during construction, which will disrupt residents and may cause issues for emergency services trying to get through the village to save lives.
 - The residents who live here do not want to see the continual development of housing on our agricultural land. Our once-friendly quiet village location is gradually turning into a sprawling development of mismatched housing. The village is being overpopulated and facilities such as schools, doctors surgeries and amenities are already fully stretched to the point that people in this location have to travel many miles to Higham, Wainscott and to Cliffe to see a Doctor.

Save Agricultural Village Environment Object to the above proposal to build 225 houses

- We need to be aware of the common practice in outline planning applications of the use of phrases such as “including up to 25% affordable housing”. This could mean between 0 and 25% e.g. 2.5% or less, in this case, five or six houses.
- The concept of sustainability is not demonstrated and is stretched to the limit in this application, even with the help of the National Planning Policy Framework (as amended).
- Traffic and road safety has not been adequately addressed.
- Local amenities, shops, GP surgeries, schools, parking and transport are unable to cope with the current level of development.
- The local economy is unable to support this proposal and local housing need on this scale cannot be demonstrated.
- The loss of farmland for food cannot be prudent in the current climate, especially with brownfield sites still available to be used for housing.
- The destruction of a valued landscape enjoyed by the residents of Cliffe Woods cannot be justified.

Dickens Country Protection Society object to the application for the following grounds:

- The site is outside the confines of any established settlement where for the most part the existing land use should remain unchanged.
- The form of development relies on a single point of access onto the B2000 in a location where sightline visibility is limited as a result of the existing topography. The Society questions if a single point of access is adequate for a development of this scale.
- The Society questions if the services in Cliffe Woods are adequate to support a development of this scale.
- The Society notes the recent decision of the Secretary of State in relation to a previous application and the appeal on the adjoining site. This raises issues regarding the environmental impact that have yet to be resolved.

Local Ramblers Association has no objection in principle to this application but would emphasise that PROW Footpath RS72 which passes through the centre of the proposed development should not be impacted or obstructed in any way and the resulting development should not detract from the enjoyment of using this footpath. This is particularly important as this footpath does not appear on the Site Location Plan.

Cllr John Williams objects to the application for the following reasons:

- Loss of Prime Agricultural Land
- Residents in Cliffe Woods are concerned about sewerage and foul wastewater. There have been reports of instances of the main sewer backing up in the village. A new development in the near vicinity has already had problems with severe flooding.
- Additional strain on GP surgery that struggling to recruit GP's and Locums
- Local schools are under pressure for places and even with recent expansion there are still problems and with an influx of children from this proposed development would only add to the problem.
- The extra cars from the development will add more congestion to the already B2000 and surrounding local roads, adding more noise and air pollution to the area.
- More congestion through Wainscott Village also adding to the serious traffic problems at Four Elms Hill Roundabout.
- The Bus service to Cliffe Woods is not very frequent.

Cliff and Cliffe Woods Parish Council object to the application making the following points:

While pleased that the original application was refused by the minister and the process followed upheld by the High Court, there were a number of issues that arose, and the parish council would want to seek clarification on how these issues can be addressed.

The particular areas are:

1) A major issue is that circumstances have changed since the refusal by the minister of the previous similar application, in particular the approval and construction of 92 properties (MC/18/2961) and its identified impact on traffic, education medical and other community facilities. In addition, the following issues do not appear to be adequately catered for in the application.

2) Education- there is a requirement for local primary school spaces and Medway case was that this could be accommodated at the Cliffe Woods School (which has recently expanded to 2FTE and is full). The Academy at the school indicated formally that they would not sanction a further expansion as it would damage the "Outstanding" Ofsted that the school has had for many years. The regulations are clear- this is a decision the school can make. Acceptance that the Cliffe Woods School could be ordered to accept the increased number seems to be very weak regarding the Academy Rules. Even with this provision, it was clear that additional traffic would be generated at the school, already suffering at school pick-up and drop-off, due to the walking distance to the school. If it is not provided locally then it would be extra traffic on the B2000 which already suffers at peak times in particular.

3) Doctors- accepting that there is a national shortage of doctors and nurses and their training takes time there is a worry about the impact in local surgeries of this scale of development. Since the previous application, the doctors' practices of Higham/Cliffe and Wainscots/Cliffe Woods has merged and contribution to medical facilities should target the new group rather than Hoo which was included in the previous application.

4) The public transport- The provision of the previous application was over £1.25m towards introducing an Arriva Click service. It seems that the current offer is just an additional early and late bus and fails to close the gaps in service during the day, which can extend to 2 hours. This suggestion will not encourage the new residents to use the service during the day and extra car traffic will be generated. Limited expansion in the morning and evening will have little impact on the use of the car during peak times. It seems a much-reduced contribution to public transport may be considered as a key element in overcoming the previous refusal. The public Transport offers very little to reduce the reliance on car traffic to and from the site.

5) B2000- there have been a series of almost regular accidents in the road in recent years (almost 3 a month) especially at the junction with the A289 bypass (which struggles to handle the traffic leaving the A289 at the junction. Mainly due to vehicles heading towards Frindsbury/Wainscott clashing with vehicles travelling to or from the Cliffe direction. A re-design is needed, without the additional traffic that the development will generate.

6) There has been no indication if there would be any contribution to the community infrastructure for Cliffe woods, including the Community Centre that would be expected to cope with an increase in residents (and from early occupation). A project to expand the facilities is being drawn up using funds generated by the sale of redundant land,

fundraising and a s106 contribution from MC/18/2961 which will go towards the project which still requires additional funds-early in the development so that provision can be made before the first occupation.

While understanding that the previous application sets a precedent and Gladman are likely to exploit that, it does appear the latest application is even more deficient than the previous one in regards to the step-change that would be required in public transport provision to contain the increase in car traffic (congestion, air quality, and safety) and does not acknowledge the additional pressure from the 92 house development.

How does the consideration of an addition to the Metropolitan Green Belt at this site impact on the application? (Which has been supported by the Parish Council).

If the development was to proceed there would be a shortfall of allotment and although the parish council has resolved that they would not accept the offer of allotment, they could still be provided to others. They would then become a planning item that the parish council could respond to.

Further representation from the Cliff and Cliffe Woods Parish Council received on 17/01/2020

If the LPA is minded to approve the development, the Parish Council has resolved to accept the offer of the allotment site.

Sport England has not provided a detailed response in this case, but gives the following advice to aid the assessment of this application.

If the proposal involves the provision of additional housing then it will generate additional demand for a sport. If existing sports facilities cannot absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities.

Southern Water have written providing a plan of the sewer records showing the size and approximate position of a foul rising main crossing the site. They advise that the exact position of the foul rising main must be determined on-site by the applicant before the layout of the proposed development is finalised.

They also advise that it might be possible to divert the foul rising main, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant

statutory provisions. SW list a number of criteria that are relevant should the applicant wish to divert apparatus.

In terms of diverting drainage apparatus, SW advises that a condition should be imposed in the event of an outline planning permission being granted requiring the developer to advise the local authority, in consultation with Southern Water, of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

SW has indicated that following their initial investigations, they can provide foul sewage disposal to service the proposed development.

In terms of the proposed means of surface water drainage for the site being via a watercourse. SW advise that the Council's own technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

In term of providing a water supply to the site, SW advises that following initial investigation it can provide a water supply to the site.

UK Power Networks has not raised any objection and states that any Excavations that may affect our Extra High Voltage equipment must be carried out in line with the Health and Safety Executive guidance document HSG 47

Southern Gas Network advise that a medium pressure gas mains run through the site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. The developer should, where required confirm the position using hand dug trial holes.

Kent Police have written confirming that, having reviewed the online plans and documents, that in their opinion the applicant/agent has considered crime prevention and has attempted to apply the seven attributes of CPTED in their Design and Access Statement (D&AS), which includes a safety and security section, but have had no communication from the applicant/agent and there may be other issues that need to be discussed and addressed including a formal application for Codes, BREEAM and Secured By Design (SBD) if appropriate.

Kent Police have requested that the applicant's attention could be drawn to the Kent Design Initiative, which will also assist them with Crime Prevention and Community Safety. Kent Police also advise that should the application proceed, they would welcome a meeting with the applicant/agent to discuss Crime Prevention in more detail. However, if the applicant fails to contact them, this may have an effect on the development with regards to Secure By Design (SBD), Codes for Sustainable Homes (CfSH) and BREEAM, as awarding these items retrospectively can prove difficult and costly.

KCC Archaeology comment that while the application is accompanied by an Archaeological Desk-Based Assessment which provides a reasonable account of the archaeological background to the site, there is the strong likelihood that archaeological remains could be found on this site, which could be impacted by the proposed development. Any approval should therefore include a condition requiring a programme of archaeological trial trenching to be followed by the safeguarding or investigation of any archaeological remains that might be present. There is no objection subject to an appropriately worded condition and informative.

GHQ Stop Line

The Second World War GHQ Stop Line runs past the village of Cliffe Woods and is a notable and important example of WW2 anti-invasion works. The stop-line is made up of a number of components that worked and articulated together to provide a defensive line to halt an enemy advance should there have been a German invasion. During consideration of planning application MC/16/3669 colleagues at Historic England provided your council with information on the significance of the Stop Line and advice on how these non-designated remains should be taken account of when determining the planning application. This advice remains relevant to the development now proposed. Rather than repeat this earlier advice, I have attached copies of the relevant correspondence to my email.

In their letter, Historic England refers you to Paragraph 135 of the NPPF. I note that the NPPF has been revised subsequent to this letter and it is now paragraph 197 that is applicable. If through your balancing exercise, you are satisfied that the harm to these undesignated heritage assets is outweighed by the public benefits, then you may wish to include measures (such as by planning condition) for on-site interpretation of the pillboxes, so that their significance can be appreciated by new and existing residents and their roles as part of an extensive Stop Line explained.

KCC Ecology have the following comments to make:

Species/Habitats

The ecological surveys have detailed the following:

- At least 8 species of foraging/commuting bats
- Tree along the southern boundary which has suitable features for roosting bats
- Slow worm, Grass snake and Common lizard present within the site boundaries.
- Confirmed/probable breeding birds are present within the site (including ground-nesting birds).
- Number of hedgerows on site are of Habitats of Principal Importance (S41 Nerc Act)
- 2 Pillboxes on-site – currently have limited suitability to be used by roosting bats.

The original surveys were carried out in 2016 and information has been submitted confirming that there has been no significant change of the habitats within the site since the original surveys were carried out. Therefore we are satisfied that the submitted survey results are still valid and are appropriate to inform the planning application.

Bats

There are two pillboxes within the site. The submitted information has detailed that no signs of bats have been recorded within the pillboxes. We are satisfied that no further surveys are required. The lighting plan (as detailed below) must ensure that they receive minimal light spill.

The updated survey has detailed that there is a dead tree to the south of the site which contains vertical-cavity, rot holes and flaking bark. The submitted information has detailed that as it will be retained within the areas of proposed open space there is no requirement for additional surveys to be carried out. When we originally commented on this application, we raised concerns that the tree may have to be removed on H+S grounds.

The submitted information has confirmed that the tree can be retained within the site. However, if the proposals change (either during the determination period or in the future) a bat survey must be carried out prior to any works being implemented on the tree.

The submitted information has confirmed that the majority of the hedgerows within the site will be maintained and enhanced within the proposed development. As such we are satisfied that bats can continue to forage/commute within the site. We highlight that bats can be negatively impacted by lighting and if planning permission is granted, we advise there must be a need for a sensitive lighting scheme which will minimise light spill on to the site boundaries. Subject to appropriately worded conditions there is no objection.

Reptiles

The surveys have confirmed that there are 3 species of reptiles present within the site and all the reptiles were recorded within areas to be retained and enhanced within the proposed development site.

The submitted information has detailed that where vegetation has to be cleared or where enhancement works are being carried out a precautionary approach will be implemented. We are satisfied by this approach but advise that the detailed information must be submitted within a site-wide mitigation strategy if planning permission is granted.

We highlight that the site boundaries are to be used as open space so there will be recreational pressure within these areas. We are satisfied that there is sufficient space to support the reptile population, but we highlight that there is a need to ensure that this is reflected within a detailed ecological management plan.

Breeding Birds

A breeding bird survey has been carried out and the surveys have recorded 38 species of which 14 species were confirmed/probably breeders. The retention and enhancement of the site boundaries will ensure that suitable habitat will be retained for birds which nest within hedgerows/scrub/trees however there will be a loss of ground-nesting bird habitat.

Additional information has been submitted and it detailed that low numbers of skylarks have been recorded within the site and therefore there is sufficient agricultural land within the surrounding area for them to disperse to.

We don't disagree with this conclusion, however, we highlight that ideally there should be a strategic mitigation approach to enable applications to contribute to, to ensure that appropriate habitat for ground-nesting birds can be retained in the long term.

All nesting birds and their young are protected under the Wildlife and Countryside Act 1981 (as amended). We advise that an informative in this regard is included if planning permission is granted:

Site wide Mitigation Strategy

In the event that planning permission is granted we advise that an appropriately worded condition about ecological mitigation and enhancement strategy be submitted for the LPA approval.

Hedgerow

The proposed development will result in the loss of hedgerow (H2) within the site and a section of H5 to facilitate access. As the development is proposing to retain and enhance the majority of the hedgerows on the site we are satisfied that any impact from the loss of these hedgerows can be mitigated – this can be addressed within a site-wide detailed mitigation strategy condition mentioned above.

The application is in outline and no details have been provided on the design of the proposed development. We would, therefore, encourage the applicant to create hedgerows through the development footprint to increase connectivity within the site and to the wider area.

Management Plan

There is a need to ensure that the areas of open space are managed appropriately and therefore we advise that if planning permission is granted a condition be imposed seeking a detailed management plan to be submitted for approval by the LPA.

SPA and Ramsar Sites

The development includes proposals for new dwellings within the zone of influence (6km) of The Medway Estuary and Marshes and Thames Estuary and Marshes Special Protection Area (SPAs) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). Medway Council will need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMM) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before the first occupation.

A recent decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be taken into account when carrying out a screening

assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the North Kent Strategic Access Management and Monitoring Strategy there is a need for Medway Council to carry out an appropriate assessment as part of this application. We advise that the information submitted by the applicant is sufficient to inform the Appropriate Assessment.

SSSI/

The site is within 500m of the Chattenden Woods and Lodge Hill SSSI and Public Right of Way to lead from the site to the SSSI. Therefore, there is potential that the development will result in an increase in recreational pressure and disturbance to Nightingales. To address this concern the applicants have submitted an Access Management strategy and it sets out the proposals to create a circular walk and enhance the wider site for biodiversity. We understand that NE previously confirmed that they were satisfied with the proposed approach and we advise that we defer to them on this point.

Ecological Enhancements

One of the principles of the National Planning Policy Framework is that "opportunities to incorporate biodiversity in and around developments should be encouraged". The Access and Management strategy states the following will be implemented within the site:

- Retention and enhancement of hedgerow and tree habitats to maintain wildlife connections around the site;
- Creation of areas of wildflower grassland to encourage invertebrates;
- Creation of ponds with marginal and wetland planting to encourage amphibians, small mammals and birds;
- Creation of a thick scrub belt (native thorny species) along the south-eastern boundary to provide further bird nesting opportunities and minimise cat movements off-site to the east;
- Provision of bird and bat boxes throughout the site;
- Provision of bat hibernacula features within the on-site pillboxes;

We advise that the proposed enhancements must be clearly reflected within the landscape plan to be submitted as part of the reserved matters application if planning permission is granted.

In addition to the above-recommended enhancements, we highlight that we expect the submitted reserved matter plans (if planning permission is granted) to provide details of ecological enhancements to be incorporated into the built area if planning permission is granted.

Natural England has provided advice to Medway Council in relation to the emerging Local Plan on the need to consider the potential impacts to the designated sites detailed below from traffic generated air quality, both alone and in combination with other plans or projects. The advice relates to:

- Medway Estuary and Marshes Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site)
- Thames Estuary and Marshes SPA and Ramsar Site
- The Swale SPA and Ramsar Site
- North Downs Woodland Special Area of Conservation (SAC)

Such an approach is in accordance with the *Wealden District Council v Secretary of State for Communities and Local Government*, *Lewes District Council and South Downs National Park Authority* [2017] EWHC 351 judgement which was issued in March 2017. This was issued after Natural England had provided our advice on the previous application for this site. Consequently, we recommend that clarity is provided on the likely air quality impacts that could arise from traffic associated with this proposal to these sites within 200 metres of main roads when considered in combination with other plans or projects. Evidence collected for the local plan may help inform this assessment.’ Natural England welcome the additional information provided by the applicant but no assessment of the potential impacts from traffic generated air quality from this development, when considered in combination with other plans or projects, has been provided. Whilst we acknowledge that the traffic modelling being undertaken for the emerging Medway Local Plan may not have been finalised, we would recommend that the applicant should undertake their own assessment if the Council’s data is not available. We note the additional information refers to the Council’s aspirations for the wider Hoo peninsula, which may see a reduction in personal vehicle movements with better public transport facilities. However, this is not secured at present and as such should not be relied upon as a justification for not considering the potential for in combination impacts.

We would, therefore, reiterate our previous advice that an in-combination assessment of vehicle generated air quality impacts should be provided.

The applicants have submitted an air quality report and Natural England’s comments are awaited.

Highway England offers no objection;

On the basis that the applicant will enter into a s106 agreement with the local authority to fund improved bus services adjacent to the site and continue with robust Travelling Planning as set out in his submission of May 2020.

- We welcome the applicant’s agreement to make a contribution of £1,435 per dwelling (£322,875 in total) towards increasing the number and frequency of bus services along Town Road, as well as the sustainable travel improvements outlined in Paragraphs 3.3.3 and 3.3.4 of Technical Note 2, and the submission of the Interim Travel Plan.
- We also welcome the securing of these improvements by Conditions and/or S106 Agreement; as before, HE requests to review the proposed Conditions / S106 when these are drawn up.

- In the meantime, we have reviewed the Interim Travel Plan, with the aim of ensuring it will secure sufficient modal shift (in conjunction with the other public transport improvements outlined above). Our comments on the Interim Travel Plan are as follows:
 - The Interim Travel Plan includes an interim action plan with details of the implementation timetable of measures and the monitoring and review of the Travel Plan. It also states that this action plan is only indicative at this Outline stage as the end house builder is likely to offer its own action plan at the Reserved Matters stage as part of a Full Travel Plan. This is acceptable, provided HE is given the opportunity to comment on the Full Travel Plan.
 - The frequency and timing of monitoring and review are given in the interim action plan (Table 8.1) is appropriate, i.e. annual monitoring and review for five years following 50% occupation.
 - We welcome the comment in the Introduction section that “*This report [should be read] as the first stage of the travel planning process which will continue and evolve over time*”. This is a key aspect of any good travel plan, as there is always a degree of uncertainty at the outset as to how successful the initiatives will be, so the travel plan correctly allows for its evolution over time.
 - The Travel Plan Objectives detailed in Section 2.6 appear generally good, subject to these modifications:
 - An additional objective: Ensure that the safety and security of travellers are considered in all travel plan initiatives. This should include safety from traffic and other physical hazards as well as security from crime.
 - Edit the second objective, to recognise that disabilities and impairments can include invisible impairments (for example, some types of autism) as well as the more obvious impairments.
 - We welcome the proposed footpath and crossing provision provided this will result in an unbroken pedestrian link from the site to local shops and services, including for wheelchair users etc.
 - The site’s relatively rural location limits the numbers of services etc that are accessible on foot or cycle, notwithstanding that there are nevertheless some such services. Therefore, the measures to enhance public transport are vital to ensure access to necessary services, schools and employment further afield. Therefore, we welcome the applicant’s willingness to fund the upgrade of the nearby bus stops by

the provision of shelters and seating, as well as the improvements to service frequency and the number of services. We would also suggest that further public transport improvements may be advisable if future monitoring of the Travel Plan shows a shortfall against targets.

- o The Interim Travel Plan takes a good approach of considering both the service provision as well as the infrastructure and the journey to and from the bus stops.
- o Furthermore, the applicant's commitment to fund extended hours of operation of the local bus service to Strood and Rochester railway stations is welcomed as plugging an existing partial gap in long-distance non-car commuting provision.
- o The measures to promote cycling are welcomed; however, this is one of the areas in which safety may need more consideration. Cyclists are vulnerable road users and measures to address this would be appropriate such as perhaps offering free cycling safety courses to residents and other local people. It is acknowledged that cycling safety is part of a wider issue than just this development; however, some initiatives to address this should be considered.
- o Please note that we will not comment on the detail of highway design such as the access arrangements, as the site is not located on the SRN, so these issues are the local highway authority's responsibility. We only comment on the broad principles of the proposed infrastructure insofar as it affects the achievement of safe, sustainable transport.
- o Overall, the Interim Travel Plan takes a generally good approach to encourage sustainable travel; though please do note our above comments also, particularly with regard to safety.

In view of the applicant's willingness to fund public transport which would be beneficial to travel to and from this site and his overall commitment to delivering a robust travel plan, Highways England is willing to withdraw our holding position to allow the application to be determined by the council.

Highway England has been informed of the applicant latest offer regarding public transport financial support information received on 17/07/2020 and members will be advised on any comments via planning supplementary report.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this

application have been assessed against the National Planning Policy Framework 2019 and are considered to conform.

Planning Appraisal

Background

The application site is an irregular 11.26 hectare of land on the southwestern edge of the village with a wooded area beyond its northeastern boundary and residential dwellings along its eastern boundary.

As indicated by Southern Water a Public Foul Rising Mains runs through the site.

An overhead cable also runs along the south-eastern boundary of the site and dissects the southern part of the application site from east to west.

A public footpath RS72 runs through the site, adjacent to the site's northern boundary.

There are two Second World War pillboxes, one in the northeastern corner of the site, and the other on the south boundary. In the wider context, to the north are further arable fields, often with poplar shelterbelts. The built-up area of the village is located to the east of the site on rising land.

The site is not covered by any specific landscape designations. Its characteristics are an open, low and gently undulating landscape with large arable and horticultural fields with regular patterns and rectangular shapes predominating.

Access to the site will be from the B2000 (Town Road) to the east.

The proposal is to develop the site to provide up to 225 dwelling units with associated vehicular access, road and internal road network and amenity area. In addition, the proposal also will include a further area of land marked blue, within the applicant ownership, measuring about 3 hectares to the north of the application site and south of Buckland Road. The blue land would provide space for an allotment and associated parking and public open space.

Members will recall that this committee in May 2017 refused Gladman's application for the development of the application site for the erection of up to 225 residential dwellings together with associated landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access point from Town Road. That application was refused for the following reasons.

- 1- Cliffe Woods village is not considered to be a sustainable location for a single use development of this scale. Employment opportunity within the village is limited and the nature of facilities within the village will result in occupants of the development having to look outside the village for alternative provision. The site is not well*

related in terms of sustainable transport modes to surrounding Towns & villages and their facilities. The proposed development is not considered to be accessible by a realistic chance of access by a range of transport modes and will be highly reliant on the use of the private motor vehicle. Therefore this development amounts to an unsustainable form of development contrary to principles set out at paragraphs 7, 8, 14, 17, 34 and 70 of the National Planning Policy Framework and Policy BNE25(i) of the Medway Local Plan 2003.

2- The development, if permitted, would have an adverse impact on the character and visual amenity of the local area, which is considered to be a 'valued landscape', contrary to Paragraphs 17 and 109 of the National Planning Policy Framework and Policies S1, S2 and BNE25(i) of the Medway Local Plan 2003.

Following a public inquiry, the appointed planning inspector recommended that the appeal be allowed.

However, in September 2017 the appeal was recovered by the Secretary of State (SoS) for determination.

The SoS in his assessment of the case concluded that the proposed scheme was not in accordance with policies BNE25, S1 and S2 of the local plan. The SoS considered these local Plan Policies are not fully consistent with the NPPF and that Policies S1 and S2 run counter to the objectives of the Framework to significantly boost the supply of homes, and that the weight that should be attached to Policies BNE25, S1 and S2 should be reduced to **moderate weight** and that the conflict with them in terms of protection of the countryside also carries **moderate weight**.

The SoS in his assessment of the case concluded that **significant weight** should be given to the housing benefits of the proposal and **moderate weight** to the economic benefits.

However, the SoS dismissed the appeal on 2 grounds:

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,

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.

Overall the SoS considered that there were no material considerations that indicated that the proposal should be determined other than in accordance with the development plan. He, therefore, concluded that planning permission should be refused.

Since that decision, on 20th Feb 2019 the revised NPPF was published and paragraph 177 as amended states: The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects) unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

In this instance (the current application) Medway Council in liaison with Natural England has undertaken an appropriate assessment of the impact of the proposed development on the habitats sites and Natural England has no objection subject to the financial contribution being made by the applicant to carry out mitigation measures to protect the habitat sites. The applicant has agreed to the contribution (see section 106 part of this report).

This then removes the first reason for the SoS dismissing the appeal leaving the second reason relating to sustainability and appropriate alternative to the private car through the provision of a bus service. This will be considered later in this report.

Principle

Paragraph 47 of the NPPF and Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

Paragraph 11 of the NPPF sets out a clear presumption in favour of sustainable development. For decision making this means approving development that accords with an up to date development plan or (paragraph 11d) where the policies in the development plan are out of date because the LPA cannot demonstrate a 5 year supply of deliverable housing sites, assessing proposed sites in terms of their sustainability.

It was agreed at the Public Inquiry that while there was a difference between the extent of the housing land supply position between the Council and Gladman, both accepted that the supply figure was significantly below 5 years at around 3 years and that as such the tilted balance applies in that permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 8 of the NPPF sets out the 3 overarching objectives of sustainability – economic, social and environmental.

These aspects were considered by the Inspector and the SoS in determining the previous appeal.

Economic – the proposal will provide employment during construction and will bring new people into the area with additional spending to help support existing services and facilities. The Inspector considered the economic benefits carried moderate weight in his recommendation and this was not disputed by the SoS.

Social – the proposal will provide much-needed market and affordable housing. The provision of which in the absence of a 5 year housing land supply and a recognised under delivery of housing, carries significant weight in the decision making process. This was agreed by both Inspector and SoS.

Environmental – The Inspector commented that while the development would result in the loss of open agricultural land and would result in the urbanisation of the existing fields, the existing landscape is adjacent to and perceived in the context of the urban edge of Cliffe Woods. It contains few landscape features of intrinsic value and is not a “valued landscape”. The impact of the scheme would significantly reduce as the proposed structural planting and landscape matures. There is no reason why the development could not be adequately assimilated over time. (para 129 Inspectors report). The SoS did not disagree with these conclusions.

It is therefore considered that having regard to the above the proposal, in this location, is capable of forming a sustainable development that would be in accordance with NPPF guidance and acceptable in principle.

The Inspector recommended that the appeal be allowed. Where the SoS differed, as advised above, was on two aspects. The first related to traditional consideration of sustainability and location/transport matters and the second in relation to impact on nearby protected areas and appropriate assessment/mitigation in relation to recent case law.

As mentioned in the background section above, the Secretary of state in paragraphs 18 to 21 inclusive of his consideration of the sustainability of the application site and locational accessibility acknowledged that the site is situated in close proximity to village range of shops, services and community facilities but indicated that the future residents are likely to travel further afield for larger food supermarket, specialist shops, leisure, employment and secondary school and these are likely to generate trips by cars.

The SoS took a different view to his inspector and considered that the current public transport (bus service) was not satisfactory as it is not available in the early hours of the morning or late in the evening and therefore was not available to commuters. Furthermore, he considered the package of public transport improvement proposed by the applicant to be uncertain and as such unlikely to provide the standard of public transport needed to make the application site accessible to nearby towns and other public transport networks including bus and railway stations.

In response to the negative comments of the SOS about the provision of local public transport the application has provided much improved and robust highway improvement and public transport which will be discussed under transport sub-heading below.

In addition, in paragraph 29 of his report the SoS noted that under paragraph 177 of the Framework, the presumption in favour of sustainable development does not apply where development requiring appropriate assessment is being determined. However, as mentioned in the background section above, this paragraph of the NPPF was revised in the 2019 version of the NPPF to the following.

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

The applicant has also submitted mitigation measures to address the impact of the proposal on the nearby habitats sites. This will be discussed under ecology sub-heading below.

It is therefore considered the two grounds for which the SOS dismissed the appeal have been responded to.

In recognising that the site and proposal represent sustainable development and is acceptable in principle, the key planning issues are considered to be design, visual impact and landscaping; density of the development (including whether the site can suitably accommodate 225 dwellings); affordable housing and other contributions; residential amenity; access/highway safety, including the capacity of the local highway network; ecology; flood risk, surface water management and drainage.

Layout, scale and Design

NPPF Chapter 12 ‘Achieving well-designed places’ reinforces that design is a key aspect of sustainable development and indivisible from good planning and should contribute positively to making places better for people. Chapter 12 also confirms that high-quality design includes consideration of individual buildings, public and private spaces. Policies and decisions should ensure that development responds to local character and history and reflects the identity of local surroundings and materials, to create distinctive places, with a consistent and high-quality standard of design. However, the level of detail and degree of prescription should be tailored to the circumstances in each place and should allow a suitable degree of variety where this would be justified.

The application is in outline form with all matters reserved except for the means of access. As such the drawings in term of layout submitted are illustrative and designed to show that the proposed 225 dwellings could be accommodated on the site. The indicative plan and the submitted Design and Access Statement have been prepared which establishes

an envelope within which the future detailed proposal will be brought forward. The indicative plan is intended to be flexible enough to allow the detailed design to be reserved for subsequent approval, whilst defining the key parameters and principles of the development in enough detail to allow the likely significant effects on the environment to be assessed.

The Illustrative Master plan demonstrates how the proposed residential development could be accommodated on the site with an indication of the potential development structure, (i.e. the framework and the layout of streets and pedestrian routes), and the urban grain, (i.e. the location, arrangement and design of the development blocks, plot arrangement, and green infrastructure). The street hierarchy could be used to provide interest and variety in the scheme, to create a sense of place, and to establish a safe and accessible community.

The submitted parameter plans show that due to the presence of a foul rising main cross the eastern boundary of the application site an easement of must be provided.

Clearly, these constraints would help define the form of the development and associated landscaping across the site.

The indicative plans also propose a range of 2 storey buildings on varying plot sizes to be built on this site. It is relevant to mention that approvals have been given for up to 2.5 storeys on the Esquire development just outside the northeast corner of the application site.

Furthermore, given the site is 11.26 hectares, the proposal quantum of the 225 dwellings proposed would represent a density of about just over 20dph across the site which is considered appropriate in this edge of settlement location and comparable with the surrounding density.

A variety of different house types, sizes and tenures including 25% (56) affordable dwellings would be provided within the development to create a diverse and mixed community. Buildings would be designed to have a variation in their scale, form and massing that would provide a high-quality street scene. Dwelling houses would have a variation in height from ground to ridge or eaves and the arrangement of buildings within a plot would seek to ensure subtle changes in height to create a varied roofline across the development and add visual interest to the street scene.

The affordable dwelling units would ideally be pepper potted throughout the site (subject to agreement with a registered provider) and be externally indistinguishable from the market units in form and appearance.

The indicative plan shows substantial area would be identified for landscaping, ecology area, play area provision, surface water attenuation measures and easement area along the edges of the development site.

Having regard to the above it is considered that the site would be capable of satisfactorily accommodating the number of dwellings proposed and the development would relate well to the character, density and appearance of the wider surrounding. In principle, therefore, the development could comply with Policy BNE1 of the Local Plan and the principles of chapter 12 of the NPPF relating to good design.

Amenity

The detailed layout of the scheme is not known at this outline stage, however, the proposed dwellings will have to be located at such a distance so that they comply with guidelines and legislation. This will ensure that outlook is not significantly or unacceptably impacted and an overbearing impact is avoided completely. The nearest residential properties to the site are along the eastern boundary, therefore future reserved matters application would need to be designed to ensure that the amenities of these properties and other local residents including the relationship of the houses within the development are protected and comply with Policy BNE2 of the Local Plan.

A condition is recommended seeking the submission of a Construction Environmental Management Plan (CEMP) prior to the commencement of development, to ensure the amenities of the local residents are safeguarded during the construction phase of the development.

Air Quality

Air pollution has a wide-ranging impact on human health and new development can have an adverse impact on air quality through increased transport movements and congestion.

On the basis that an air quality management plan will be implemented, details of which will be secured by condition, the proposed development will not generate adverse air quality effects and would comply with Local Plan policy BNE24 and paragraph 181 of the NPPF. A damage costs assessment has been carried out in accordance with the requirements of the Medway Air Quality Planning Guidance. The value of the damage costs should be used as the basis for developing a development specific air quality mitigation scheme. In line with our guidance, this should include the following standard air quality mitigation measures:

- Installation of low NOx gas-fired boilers
- Installation of electric vehicle charging points at the rates detailed in the guidance
- Construction phase mitigation in accordance with the referenced IAQM guidance.

The final mitigation scheme can be agreed at the detailed design stage subject to including an appropriate condition on any outline permission. The proposal is considered to be in compliance with policy BNE24 of the Local Plan.

Noise

The site is primarily in a low risk in noise terms as, with the exception of the south-east corner of the site that fronts Town Road, the rest of the site is to the west of existing built-up area on the west of the Town Road. Whilst average noise levels are not expected to be particularly high, single max levels events at night are likely to be the most significant issue. The illustrative masterplan shows that less than 5% of the total dwellings proposed would front Town Road and these are set back from the road with small landscape buffer separation. However, the noise assessment submitted states that the sound reduction performance of the facade is controlled by the glazing and window systems and any vents. For large parts of the site, the sound reduction needs are low and can be met with standard double-glazed units. – For facades close/ overlooking the road, good performance double glazed units will be required and consideration of mechanical ventilation should be given.

There are no other significant sources of noise in the vicinity of the development site, and the development itself is unlikely to result in a significant change to existing road traffic noise levels. Therefore in view of the above, noise mitigation measures would be needed for those residential units overlooking the highway and this should be incorporated into the design of the dwelling at reserved matters stage. A condition dealing with this issue is recommended.

Archaeology

An archaeological report has been submitted with the application. The report has been assessed by the KCC archaeology officer and considered acceptable subject to the appropriate condition as recommended.

Also, there are pillboxes (non designated heritage assets) along the northeast and south-eastern boundaries of the site and the archaeological Officer has recommended that a condition is imposed requiring the applicant to install an information board close to the Pillboxes to provide background history of these WWII buildings. The applicant has raised no objection to the KCC archaeology officer's request.

Members will be aware that the pillbox along the northeast part of the site is on the shared boundary with Esquire development and a condition was imposed with respect to the Esquire development that an information board be installed. It is therefore considered a similar information board should be requested in relation to the Pillbox situated to the southeast part of the site and an appropriate condition is recommended.

Contamination

The history of the site does not show contamination on this site, however, a condition is recommended to deal with any contamination issue that might be found during the construction period.

Drainage

Details of the existing and proposed site drainage have been submitted and no objection is raised to the surface water management and drainage scheme proposed subject to appropriate worded conditions.

The applicant is not proposing to relocate the existing rising foul water on site. Southern Water has not raised any objection.

Flood Risk

The SuDs scheme should be designed in accordance with SuDs Management Train principles including the prevention of runoff by reducing impermeable areas and utilising source, site and regional controls where necessary. The use of the attenuation pond is proposed, however, it is desirable to see more SuDS across the site such as permeable paving where possible.

If any further SuDs are proposed, it should be ensured that there is a maintenance schedule in place for the lifetime of the development to maintain any SuDs which serve it. There will need to be a plan of the frequency of maintenance based on guidance in the CIRIA SuDS Manual as well as details of who will carrying out the maintenance. Appropriate conditions to deal with the above issues are recommended and subject to these the development is considered acceptable in surface water drainage terms.

Ecology

In terms of the effect of the proposal on ecology, an ecology survey and report was submitted with the application which has been considered by the KCC ecology officer. The report referred to the presence of protected reptiles and bats roosting and birds nesting on-site and in the existing boundary hedge areas. To mitigate the impact of the development conditions and informative have been recommended to be imposed if permission is granted.

It is also considered that additional landscaping and incorporation of suds within it will provide further opportunity for the creation of new habitats on site. In addition, the introduction of bats and birds boxes within the fabric of the new houses and within the landscaped areas across the development will mitigate ecology impact. A further condition is recommended with regard to bat-friendly lighting scheme on this site.

The applicant has also agreed to make a contribution towards the off-site impact of the development on birds.

The long term management/maintenance of the new habitat and landscape area will be funded by the applicant or his successor. To offset the loss of bats and bird habitat a condition is recommended seeking new birds and bat boxes be installed as well as a

condition with regard to the submission of a bat-friendly lighting scheme. It is considered that subject to the appropriate conditions the requirements of Policy BNE37 are met.

Affordable Housing

The application seeks outline planning permission for up to 225 dwellings. In compliance with the Local Plan Policy H3, the development would need to deliver 25% affordable units, equal to 56 dwellings. Also in compliance with the Council's developers' contribution guide, 60% of the 56 units would need to be for social rent and 40% for shared ownership. This will be secured through the S106 agreement proposed and the applicant has agreed to this.

Highways

Having regard to the concern expressed by the Secretary of State about poor provision of public transport that led to the dismissal of the 2016 application, the applicants have reviewed this and has put forward a more comprehensive package of highway and public transport improvements. These can be divided into physical improvements and non-physical improvements.

Physical improvement consist of the following:

- i) Provision of 2m footway along the site frontage with Town Road;
- ii) Provision of signal controlled crossing (pelican or puffin) across Town Road south of Tennyson Avenue;
- iii) Provision of uncontrolled crossing consisting of dropped kerbs, tactile paving and traffic island over Town Road south of proposed site access;
- iv) Upgrade of informal (white-lined) footway on eastern side of Town Road between View Road and Tennyson Avenue to formal footway construction (kerbed);
- v) Provision of traffic island with a feature such as a bollard to be provided at existing change in speed limit on Town Road south of View Road and gateway features to be reinstated; and
- vi) Existing southbound bus stop on View Road to be upgraded to include shelter and seating.

Non-physical improvements involved comprehensive dialogue with Arriva, the main bus operator in the area to devise the most appropriate and self-sustaining bus service improvement.

Following submission of the application, Esquire Developments achieved planning permission for up to 92 dwellings on land to the north of the Gladman site (MC/18/2961). As part of that application, funding was secured via S106 to improve the frequency of the existing Arriva operated 133 bus service. Improvements to the service were originally offered by Gladman, but Arriva has confirmed that there would be little benefit to Gladman providing the same improvement, with funding better spent towards a new, bespoke service.

However, following discussions with Arriva, it was concluded that a weekday timetabled peak period shuttle service would stand a better chance of being self-sustaining after an initial period of funding comes to an end as a timetabled service would not be demand dependent. The shuttle service will run between the development, Strood train station and Strood town centre.

The service would be timetabled to align with High Speed 1 (HS1) rail arrivals and departures, with access to HS1 likely to be a significant attraction for future residents of the site. Connection to Strood will allow passengers to connect to other Arriva services to destinations such as Chatham, Rochester, Gravesend and Bluewater.

The vehicles would be Euro VI compliant Mercedes Sprinter minibuses and be fully wheelchair accessible. There would be a dedicated group of drivers to operate the service. The vehicles, like much of Arriva's fleet, would be fitted with a tracking system that would allow the vehicles to be tracked in real-time by customers using the Arriva app.

Arriva has provided operating costs on the assumption that the service is to commence in 2022 when early occupation is likely to begin, subject to outline consent followed by reserved matters permission. The costs increase slightly per year to take into account of inflation. The costs per annum are as follows:

- Y1 - £109,333
- Y2 - £112,067
- Y3 - £114,868
- Y4 - £117,740
- Y5 - £120,684

The total costs over the five-year period are therefore £574,692. The applicant is willing to offer this funding via S106.

Arriva has indicated that in the longer term, as future developments progress, the volume of demand should be sufficient to enhance the shuttle service and potentially develop it into a full on-demand Arriva Click type of service.

In addition, the applicant will also provide £50 of credit towards season ticket for the Arriva service to every household/dwelling upon first occupation.

Details of these vouchers will be expected to be provided in Welcome Packs and may take the form of smartcards or app credit. The credit will help encourage future residents to travel via the new shuttle service.

It is considered that the proposed shuttle bus funding would encourage the use of this sustainable mode of travel which will not only be beneficial to future residents of the development, but also wider local residents of Cliffe Woods.

Arriva has provided the following timetable for the shuttle service. It would operate Monday to Friday, excluding bank holidays. The timetable will where possible align with the times of High Speed train arrivals and departures at Strood Station.

Monday to Friday																			
Gladman Cliffe Woods Development	0610	0644	0714	0744	0814	0844	0914			-	1648	1718	1748	1818	1848	1918	1948	2018	2048
Strood Station, Station Road	0622	0656	0726	0756	0826	0856	0926			-	1700	1730	1800	1830	1900	1930	2000	2030	2100
Strood Station, Station Road	0624	0658	0728	0758	0828	0858	-			1634	1704	1734	1804	1834	1904	1934	2004	2034	2104
Gladman Cliffe Woods Development	0636	0710	0740	0810	0840	0910	-			1646	1716	1746	1816	1846	1916	1946	2016	2046	2116

The ticketing for the service would be fully integrated into Arriva ticket offering, allowing the purchase of tickets online, on app, or on bus with cash or contactless payment. This would also allow residents to transfer in Strood onto other frequent Arriva services to further onward destinations such as Chatham, Rochester, Gravesend and Bluewater. In addition smart cards could be provided for residents of the development, so that the developer could give credit allowing free taster journeys for new residents.

It is considered that the above physical and non-physical package proposed would significantly improve the public transport infrastructure and access to public transport for the future residents of this development as well as the existing residents.

Highway England

Has assessed the impact of the development on the Key motorway junctions and the applicants proposal to make a financial contribution to improve public transport and, through travel-plan provides incentives, for the future residents to use the public transport. Highway England has requested that the contribution toward public transport be secured by a section 106 to ensure its delivery and a condition be imposed for submission of a travel plan that further promotes the use of public transport.

These requests have been incorporated in the recommendations. Highways England has also requested to be consulted when a detailed travel plan is submitted for the Council's approval. Subject to the above points Highway England has no objection.

Medway Council Highway consideration

Trip Generation and highway capacity

The Transport Assessment uses traffic survey data from a residential site at Chattenden to estimate that the proposed development would generate up to 146 vehicle trips during the morning peak period and 171 trips between 1700 and 1800. The TRICS database, by comparison, indicates that the development could generate up to 137 trips during each peak period, and therefore the figures put forward in the Transport Assessment are considered robust. Whilst it is estimated that the development would also generate a small number of trips by other modes, the Transport Assessment concludes that vehicle movements would represent over 80% of trips from the development at peak times.

The Transport Assessment uses Census data to predict how the vehicle trips would be distributed onto the local highway network. It estimates that 95% would route to and from the south and 5% to and from the north, with around 36% of traffic travelling to the west (A289) and 49% to the east. Beyond this, 25% of trips would use Hollywood Lane to access the A228.

The Transport Assessment undertakes a capacity analysis of five junctions. The greatest impact of development traffic would occur at the Town Road/Lillechurch Road junction, increasing traffic at this location by around 15%. Notwithstanding this, the analysis indicates that the junction currently operates well within capacity, and would continue to do so with the addition of development traffic. Traffic levels at the Lower Rochester Road/A289 slip roads would increase by between 6% and 10%. The assessment indicates that the off-slip operates marginally above its theoretical capacity during the morning peak, which results in a slow-moving queue of around 16 vehicles. Clearly, the proposed development would add a small number of vehicles to this queue. However, congestion at this junction is confined to small periods of time during the peak hours and is not predicted to be of such severity to warrant remedial action. It is therefore considered that mitigation measures should be focussed on sustainable transport and localised improvements to Town Road in the immediate vicinity of the site. The remaining junctions subject to an assessment – the two mini-roundabouts on Hollywood Lane and the A228 Frindsbury Hill/Bill Street Road junction in Strood - would experience an increase in traffic of between 2.7% and 4.4%. Whilst acknowledging that certain arms of the former experience some queues and delays at peak times, It is demonstrated that the development impact would be small and not of sufficient scale to warrant any interventions.

In light of the above, it is considered that the development would not have a detrimental impact on highway capacity or the free-flow of traffic, and no objection is raised in respect of Policy T1 of the Local Plan.

Traffic speeds and road safety

Traffic surveys submitted with the Transport Assessment indicate that Town Road currently carries 800 - 900 vehicles in the peak periods, which includes up to 45 HGV movements. The development is predicted to increase the number of vehicles on this road by around 19% at these times. Average vehicle speeds on Town Road in the vicinity of the site were recorded as 30.1mph northbound and 37mph southbound, marginally above the posted speed limit of 30mph. Over the past five years, there were 11 road traffic accidents recorded in and around Cliffe Woods, two of which resulted in serious injury. The descriptions of these accidents indicate that the layout of the highway and the condition of the road were not significant contributory factors. However, two accidents involved pedestrians, one of which appears directly related to the lack of adequate pedestrian facilities along Town Road as it passes through the village. In light of this, the new vehicle and pedestrian movements generated by the proposed development would require the implementation of mitigation measures, in order to reduce southbound vehicle

speeds and to provide suitable pedestrian facilities that link the development with the village centre.

The application proposes to upgrade the existing informal footway on the eastern side of Town Road and to install a new section of footway along the site frontage. It is also proposed to construct a pedestrian crossing island with dropped kerbs and tactile paving to the south of the proposed access. This would require a minor realignment of the existing kerb line in order to widen the carriageway. It would not be necessary to extend the footway southwards beyond the island, as indicated on the plan since no access to the development is currently proposed. However, it is requested the development enhance the village gateway feature at the existing speed terminal by installing a traffic island in the middle of the carriageway. As this is located adjacent to the south-eastern boundary of the site, it would appear possible for the applicant to undertake a localised realignment of the kerb lines in order to facilitate this.

A further pedestrian crossing island is proposed to the north. However, it is considered that a controlled crossing would be more appropriate at this location, as it would be on the desire line for all pedestrian movements between the site, the village centre and the local primary school. It would also serve to reduce vehicle speeds and increase driver awareness of pedestrians on both sides of the road. On this basis, it is requested the development provides a Pelican crossing in place of the uncontrolled crossing shown on the plan.

Subject to the provision of new and enhanced pedestrian infrastructure, and improvements to the existing gateway at the southern end of the village, it is considered that the proposed development would not have a severe and detrimental impact on conditions of highway safety. The application would, therefore, accord with Policy T1 of the Medway Local Plan.

Access

The application proposes a single priority controlled junction with Town Road, comprising a 5.5-metre wide carriageway and 2 metre wide footways. Sightlines commensurate with the recorded vehicle speeds would be provided, and swept path analysis indicates that the design would be suitable for the large vehicles expected to regularly access the site.

The access proposals and highway mitigation measures will need to be the subject of a stage 1 road safety audit. Subject to this the proposals comply with Policies T1 and T2 of the Medway Local Plan.

Sustainable travel

The site is located approximately 450 metres from the bus stops on the southern end of View Road, which represents a six-minute walk. Local bus services 133 and 193 provide an hourly service (two-hourly on Sundays) to Chatham seven days per week, including peak journeys for commuters and school children. Service 417 provides a more limited

service to Gravesend, including peak journeys to a school in Northfleet, and Services 601 and 603 provide a school service to Hoo and Rochester. In order to promote public transport use by future residents, it is requested the applicant supplies each household upon occupation with an Arriva monthly season ticket for use within the Medway area. Based on current prices and development of 225 dwellings, this would cost around £14,625.

The traffic calming and pedestrian infrastructure improvements accompanying the development proposals would ensure that passengers are able to access public transport satisfactorily. It is requested the development fund improvements to the south-bound bus stop on View Road through a Section 106 Agreement. This would include a minor kerb-realignment to widen the footway, adjustment to existing drainage and kerbs, electricity connection and the supply and installation of a bus shelter and seating.

Taking into consideration the level of bus service provision in Cliffe Woods, and having regard to the applicant undertaking to fund bus infrastructure improvements (as stated in the above section 106) in the vicinity of the site, it is considered that the future residents of the development would have reasonable access to public transport.

Given the nature of the B2000 beyond the confines of the village, cycling is unlikely to represent an attractive mode of travel, other than as a leisure activity between the site and village centre and on adjacent minor roads. However, infrastructure improvements on Town Road would provide a safe pedestrian route between the development and the main village. The site is approximately 135 metres wide from east to west; the main amenities are within 780 metres of the centre of the site (approximately 850 metres from the western boundary), which is within the recommended distances. The Primary School is around 1195 metres (15-minute walk) away, again within the recommended distance. It is requested the development provide a Section 106 contribution towards 'Safer Routes to Schools' initiatives at Cliffe Woods Primary School. This would help fund the Council's involvement in developing their school travel plan, and exploring initiatives that encourage sustainable travel, such as the introduction of school crossing patrols and a walking bus scheme.

Internal Layout

An assessment of the internal road layout, parking provision, footpaths and cycle facilities would be undertaken as part of a future 'reserved matters' application.

Works under s278 of the Highway Act

The works consist of the following measures which are subject to detailed design:

- i) Provision of 2m footway along site frontage with Town Road;
- ii) Provision of signal controlled crossing (pelican or puffin) across Town Road south of Tennyson Avenue;
- iii) Provision of uncontrolled crossing consisting of dropped kerbs, tactile paving and traffic island over Town Road south of proposed site access;
- iv) Upgrade of informal (white-lined) footway on eastern side of Town Road between View Road and Tennyson Avenue to formal footway construction (kerbed);
- v) Provision of traffic island with a feature such as a bollard to be provided at existing change in speed limit on Town Road south of View Road and gateway features to be reinstated;
- vi) Prior to first occupation of any part of the site, the speed limit sign on the B2000 shall be relocated further to the south;
- vii) Existing southbound bus stop on View Road to be upgraded to include shelter and seating.

Developer's contribution request

1. The provision of £25,000 towards public transport infrastructure improvements in the vicinity of the site
2. The provision of £5,000 towards Safer Routes to Schools initiatives and updating the School Travel Plan
3. The provision of a bus season ticket for each household upon the first occupation, valid for one month from first use for travel within the Council's administrative area

S106 Matters

The Community Infrastructure Levy Regulations 2010 provide that in relation to any decision on whether or not to grant planning permission to be made after 6 April 2010, a planning obligation (a s106 agreement) may only be taken in to account if the obligation is;

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The obligations proposed to comply with these tests because without these contributions the development would unacceptably impact on the existing infrastructure.

- i) A minimum of 25% (equal to 56) affordable dwelling houses.

- ii) A contribution of £302,757.75 towards nursery school provision Cliffe Woods independent pre-school (on the site of Cliffe Woods Primary School) and/or Temple Mill Primary School
- iii) A contribution of £743,132.25 towards Cliffe Woods Primary and/or St Helens Primary and/or Temple Mill and/or a new free school in the area.
- iv) A contribution of £471,047.40 towards Hundred of Hoo Academy and/or a new free school in the area
- v) A contribution of £138,836.25 towards the provision of a community healthy living centre in the Hoo/Isle of Grain area.
- vi) A contribution of £17,194.50 towards the provision of Youth Service to offer support for young people to access cooking-related programme delivery in the Cliffe Woods area.
- vii) A contribution of £53,455.50 towards a new Aerobics/Dance/Martial arts studio for sports centre provision on Hoo Peninsula
- viii) A contribution of £8,900 towards mitigation and signage on the PROW network in Cliffe Woods only and to contribute towards measures to reduce illegal use of PROW measures for Bingham Boughs, Ratly Hills and Chattenden Woods.
- ix) A contribution of £37,993.5 towards Waste and recycling to provide household containers for the collection of Recycling – use once bags and 240ltr wheeled brown bins to each property for the collection of food and garden waste.
- x) A contribution of £229,055.16 to improve open space facilities within the vicinity of the development including improvement of Cliffe Woods Recreation Ground, sports provision in the area. As well as Great Lines Heritage Park to enhance open space facilities.
- xi) A contribution of £574,692.00 to provide a new bus shuttle service between the development site, Strood Railway station and Strood Town centre from the date of occupation of the 25th dwellings for 5 years post commencement of the bus service. Representing cost per annum for the year 1 to 5 as follows
Y1- £109,333; Y2- £112,067; Y3- £114,868; Y4- £117,740 and Y5- £120,684.
- xii) Provision of payment of £50 of Arriva bus service credit to each household up on the first occupation of each dwelling by the first occupier.
- xii) A contribution of £10,000.00 toward bus shelter and associated seating and real-time information board improvement at Cliffe Woods in the southern end of View Road (Chatham bound).

- xiii) A contribution of up to £5,000 for an investigation into the possibility of reducing traffic speed on B2000 through Cliffe Woods village to 20mph.
- xiv) A contribution of £55,251.00 towards bird mitigation measures.
- xv) Provision of land for an allotment with associated hard-surfaced parking spaces covering an area not less than 0.9 hectares within the northern section of the landmarked blue. The allotment to include provision of the following;
 - o Provision for up to 8 car parking spaces and turning area close to the vehicular access point to the allotment site from Buckland Road.
 - o Provision of security fence enclosure comprising 1.8m high palisade fence with associated vehicular access gates from Buckland Road and pedestrian access gate(s) from the south.
 - o Provision of water and electricity supplies for the use by the future users of the allotment site.
 - o The freehold ownership and management of the allotment land shall be transfer the Cliffe Woods Parish Council.
 - o The steps shall be completed no later than the occupation of the 100th dwellings.
- xvi) The amenity area within the blue land measuring no less than 1.68 ha shall be provided no later than the occupation of 100th dwellings and be retained and maintained in perpetuity by the management company as part of wider public open space associated with this development.

Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £239.61 per dwelling (excluding legal and monitoring officer's costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

- An administrative body being identified to manage the strategic tariff collected by the local authorities;
- A memorandum of understanding or legal agreement between the local authorities and administrative body to underpin the strategic approach;
- Ensure that a delivery mechanism for the agreed SAMM measures is secured and the SAMM strategy is being implemented from the first occupation of the dwellings, proportionate to the level of the housing development.

The applicant has agreed to pay this tariff and are in the process of submitting a unilateral undertaking. No objection is therefore raised under Paragraphs 175 and 176 of the NPPF and Policies S6 and BNE35 of the Local Plan.

Local Finance Considerations

None

Planning Balance

The relevant legislation requires that the application be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

The Framework states that proposals should be considered in the context of the presumption in favour of sustainable development, which is defined by economic, social, and environmental dimensions and the interrelated roles they perform. These dimensions give rise to the need for the planning system to perform a number of roles.

In this case, the additional housing would be a weighty benefit for the area, by introducing much needed private and affordable housing for local people. It would boost the supply of housing in accordance with the Framework, contributing up to 225 homes, of which up to 25% would be affordable. It would bring about additional housing choice and competition in the housing market. The scheme would bring about social and economic benefits. It would create investment in the locality and increase spending in shops and services. It would result in jobs during the construction phase.

The scheme has other advantages, including the provision of public open space, an equipped play area and provision of much needed new allotment to be transferred to the Parish Council. New planting and landscaping, as well as the provision of a pond as part of the sustainable urban drainage system, has the potential to enhance the ecology and biodiversity of the site. New pedestrian routes would be created across the site to supplement the existing public footpath. The obligation provides, amongst other things, for improvements to the public transport infrastructure, including the upgrade of the nearby bus shelter, and the provision of new bus service from the application site to Strood town centre and railway station. Not only would these measures mitigate the adverse effects on the development, but they would also convey benefits to the wider population.

The development would result in the loss of open agricultural land and would result in the urbanisation of the existing fields. However, the existing landscape is adjacent to and perceived in the context of, the urban edge of Cliffe Woods. It contains a few landscape features of intrinsic value. The impact of the scheme would significantly reduce as the proposed structural planting and landscaping matures. There is no reason why the development could not be adequately assimilated over time.

Cliffe Woods is accessible to public transport, including bus and train services. The existing public transport and infrastructure will be further enhanced by the applicant's contribution and travel plan. Although provision is not comparable to that of a built-up urbanised area, there are opportunities for residents to use public transport. There is a range of essential shops and other local facilities, which are within walking distance.

There would be some conflict with Policy BNE25(i) of the Medway Local Plan in terms of the effect on the landscape. However, the development would offer access by a range of transport modes, as required by BNE25(i), although new residents may also rely on private vehicles. The scheme would be not be located within an existing urban area, as prioritised by Policies S1 and S2. Importantly, though, the Council cannot demonstrate a five year supply of housing. Moreover, Policy BNE25 is not fully compliant with the Framework, and, together with Policies S1 and S2, they are not delivering the necessary provision of housing. This diminishes the weight that can be attached to any conflict with these policies.

The significant ongoing housing shortfall attracts substantial weight in favour of granting permission for the proposals unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole, notwithstanding any conflict with Policies BNE25, S1 and S2 of the Local Plan, The proposal is considered to be acceptable and is recommended for approval subject to section 106 and planning conditions.

Conclusions and Reasons for Approval

The development at this site would extend the urban boundary of Cliffs Woods westwards. The development would provide 225 new dwelling units of which 25% would be affordable housing.

Whilst the development would have an impact on the local ecology and open character of the area, it is not considered that this would be significant having regard to the mitigations proposed and developer's contribution agreed. In addition to this, the lack of a 5-year housing land supply and the resultant NPPF requirement to grant permission on sustainable sites holds significant weight which outweighs the harm.

The site is in a sustainable location where there is access to public transport facilities as well as a number of other services and facilities. The development would conform to the aspirations of the NPPF.

It is considered the proposed development is acceptable subject to the section 106 contributions sought and the suggested conditions, no objection is raised under Paragraphs 47, 73, 78, 110, 111,124, 127, 165, 175, 177 and 178 of the NPPF and Policies S6, BNE1, BNE2, BNE6, BNE23, BNE25, BNE35, BNE37, BNE39, BNE43, H3, H10, T1, T2, T3, T13 and of the Medway Local Plan 2003 and the application is recommended for approval.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received expressing a view contrary to officer's recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>